

# PRIME HEALTHCARE MANAGEMENT

## Employee Handbook



October 26, 2022

## **ABOUT THIS HANDBOOK/DISCLAIMER**

We prepared this handbook to help employees find the answers to many questions that they may have regarding their employment with PRIME HEALTHCARE MANAGEMENT. Please take the necessary time to read it.

We do not expect this handbook to answer all questions. Supervisors and Human Resources also serve as a major source of information.

Neither this handbook nor any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. PRIME HEALTHCARE MANAGEMENT adheres to the policy of employment at will, which permits the Facility or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

No Facility representative other than Administrator may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be in a signed writing.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate Facility documents. These Facility documents are always controlling over any statement made in this handbook or by any member of management.

This handbook states only general Facility guidelines. It's mean to serve as an information guide only. It is not a guarantee or contract of employment. The Facility may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and Administrator.

This handbook supersedes all prior handbooks.

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## Section 1 - GOVERNING PRINCIPLES OF EMPLOYMENT

### 1-1. INTRODUCTION

For employees who are commencing employment with PRIME HEALTHCARE MANAGEMENT ("PRIME HEALTHCARE MANAGEMENT" or "the Facility"), on behalf of PRIME HEALTHCARE MANAGEMENT, let me extend a warm and sincere welcome.

For employees who have been with us, thanks for your past and continued service.

I extend my personal best wishes for success and happiness here at PRIME HEALTHCARE MANAGEMENT. We understand that it is our employees who provide the services that our customers rely upon, and who will enable us to create new opportunities in the years to come.

Joseph Shafer, COO

### 1-2. EMPLOYEE-AT-WILL

The facility is an "at-will" employer. This means that either you or your facility may terminate your employment at any time, for any reason or no reason, with or without cause, either by you or the facility. This means that no supervisor or representative of the facility has the authority to enter into any agreement of employment for any specified period of time. Only the Administrator may enter into agreements with employees.

### 1-3. EQUAL EMPLOYMENT OPPORTUNITY

PRIME HEALTHCARE MANAGEMENT is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, creed, color, religion, alienage or national origin, ancestry, citizenship status, age, disability or handicap, sex, marital status, veteran status, sexual orientation, genetic information, arrest record, This nondiscrimination policy applies to all terms and conditions of employment, including but not limited to hiring, placement, transfer, promotion, job assignment, training, leaves of absence, rate of pay, layoff, recall and termination. We are proud of our commitment to equal employment opportunity for all qualified job candidates and employees and ask that all employees support diversity in the workplace. The company recognizes individual diversity and works so that all employees will be knowledgeable and capable of meeting the culturally diverse needs of our employees. Any employee with questions or concerns about any type of perceived conduct in the workplace in violation of this policy is encouraged to promptly bring these issues to the attention of the employee's immediate supervisor, Human Resources, Administrator, Employee Hotline 1-800-610-2544, or any other management with whom the employee feels comfortable. Employees can raise concerns and make reports without fear or reprisal. or any other characteristic protected by applicable federal, state or local laws. Our management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment.

***Accommodations for Individuals with Disabilities:*** The Facility will make reasonable accommodations, as required by law, for the known physical or mental disabilities of an otherwise

qualified applicant or employee, unless doing so would impose an undue hardship upon the Facility's business operations. An accommodation is not reasonable if, even with the accommodation, the employee is unable to perform essential job duties in a manner that would not endanger the employee's health or safety of the employee or others.

Any applicant or employee who believes they require an accommodation in order to perform the essential functions of the job should contact Administrator to request such an accommodation. Employees should specify what accommodation they need to perform the job and submit supporting medical documentation explaining the underlying physical or mental disability and the basis for the requested accommodation. The Facility then will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made. The Facility will evaluate requested accommodations, and as appropriate identify other possible accommodations, if any. The employee will be notified of the Facility's decision regarding the request within a reasonable period. The Facility treats all medical information submitted as part of the accommodation process in a confidential manner.

The Facility will endeavor to accommodate the sincere religious beliefs of its employees to the extent such accommodation does not pose an undue hardship on the Facility's operations. If employees wish to request such an accommodation, they should contact Administrator.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of Administrator. The Facility will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact Administrator. To ensure our workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations.

#### Employment Eligibility

Facility may hire only those individuals who are legally eligible to work in the United States. This includes, temporary, part-time, and other employees placed with the Facility by outside third parties, such as staffing agencies.

A Form I-9 must be completed for all persons hired to perform labor or services in return for wages or other remuneration. The employee must complete Section 1 of Form I-9 by filing in the correct information, signing and dating the form. Section 1 of the I-9 must be completed by the employee's first day of work. If a new employee is unable to provide the necessary documentation within three (3) working days from the date of hire, he/she must provide proof that he/she has applied for the required documents. If such proof is not provided, the employee will be discharged.

Former employees who are re-hired must also complete a new I-9.

If you have any questions, you are encouraged to contact your HR/Payroll Representative.

### 1-4. AGE DISCRIMINATION IN EMPLOYMENT ACT (ADEA)

The Age Discrimination in Employment Act (ADEA) protects individuals who are 40 years of age or older from employment discrimination based on age. The facility will not discriminate against any qualified employee or job applicant because of his/her age with respect to any term, condition, or privilege of employment -- including, but not limited to, hiring, firing, promotion, layoff, compensation,

benefits, job assignments, and training. The facility will also not retaliate against an individual for opposing employment practices that discriminate based on age or for filing an age discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under the ADEA.

## 1-5. NON-HARASSMENT

It is PRIME HEALTHCARE MANAGEMENT's policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of any protected classification including, but not limited to, race, color, national origin, disability, religion, marital status, veteran status, sexual orientation or age. The purpose of this policy is not to regulate our employees' personal morality, but to ensure that in the workplace, no one harasses another individual.

If the employee feels that he or she has been subjected to conduct which violates this policy, he or she should immediately report the matter to Administrator. If the employee is unable for any reason to contact this person, or if the employee has not received a satisfactory response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact Regional Human Resources. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in his or her reporting hierarchy. Every report of perceived harassment will be fully investigated and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, the Facility will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee feels he or she has been subjected to any such retaliation, he or she should report it in the same manner in which the employee would report a claim of perceived harassment under this policy. Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including discharge. All employees must cooperate with all investigations.

## 1-6. WORKPLACE VIOLENCE

PRIME HEALTHCARE MANAGEMENT is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to Facility and personal property.

PRIME HEALTHCARE MANAGEMENT does not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, PRIME HEALTHCARE MANAGEMENT specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, PRIME HEALTHCARE MANAGEMENT does expect and encourage employees to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular

person, or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in Facility policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

### **Prohibited Conduct**

Threats, threatening language or any other acts of aggression or violence made toward or by any Facility employee **WILL NOT BE TOLERATED**. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto Facility premises.

### **Procedures for Reporting a Threat**

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede PRIME HEALTHCARE MANAGEMENT's ability to investigate and respond to the complaints. All threats will be promptly investigated. All employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

If the Facility determines, after an appropriate good faith investigation, that someone has violated this policy, the Facility will take swift and appropriate corrective action.

If the employee is the recipient of a threat made by an outside party, that employee should follow the steps detailed in this section. It is important for the Facility to be aware of any potential danger in its offices. Indeed, the Facility wants to take effective measures to protect everyone from the threat of a violent act by employees or by anyone else.

## **1-7. DRUG-FREE AND ALCOHOL-FREE WORKPLACE**

To help ensure a safe, healthy and productive work environment for our employees and others, to protect Facility property, and to ensure efficient operations, PRIME HEALTHCARE MANAGEMENT has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for the Facility.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale or distribution of controlled substances (including medical marijuana), drug paraphernalia or alcohol by an individual anywhere on Facility premises, while on Facility business (whether or not on Facility premises) or while representing the Facility, is strictly prohibited. Employees and other individuals who work for the Facility also are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, which may impact the employee's ability to perform their job or otherwise pose safety concerns, except when the use is pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee or



individual to report to work. However, this exception does not extend any right to report to work under the influence of medical marijuana or to use medical marijuana as a defense to a positive drug test, to the extent the employee is subject to any drug testing requirement, except as permitted by and in accordance with applicable law. This restriction does not apply to responsible drinking of alcohol at business meetings and related social outings.

Violation of this policy will result in disciplinary action, up to and including discharge.

The Facility maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. We encourage employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes the health and safety of any Facility employee, including themselves.

#### A Special Notice Concerning Prescription of Over-the-Counter Drugs

Employees taking a legally prescribed drug or other medication which may impair their ability to perform their assigned duties in a safe and productive manner, should consult with their physician and Administrator. All legally prescribed drugs and other medications brought onto facility premises must be in their original packaging and secured from residents.

#### Drug Diversion

In the event of a drug diversion incident, a thorough investigation will be conducted. Employees who are determined to be potentially involved will be required to submit to a drug test. Refusal to timely submit to testing as directed by management shall be deemed to have voluntarily resigned.

Employees found in violation of this policy will be subject to disciplinary action, up to and including discharge from employment. Information relating to any investigation of drug diversion may also be provided to the appropriate legal and/or state authorities.

## Section 2 - OPERATIONAL POLICIES

### 2-1. EMPLOYEE CLASSIFICATIONS

For purposes of this handbook, all PRIME HEALTHCARE MANAGEMENT employees fall within one of the classifications below.

**Full-Time Employees** - Employees who regularly work at least 30 hours per week who were not hired on a short-term basis.

**Part-Time Employees** - Employees who regularly work fewer than 30 hours per week who were not hired on a short-term basis.

**PRN Status Employees** - Employees who were hired for at needs basis only. PRN employees are not eligible for Facility benefits, and must follow these guidelines: Must work 1 full shift minimum within 3 months at a time if there is a need. PRN employees are inactive picking up any needs in 3-month period will be terminated out of the system due to inactive status. If PRN employees refuse to pick up needs when requested five times in a 3-month period will be considered inactive status and terminated out of the payroll system.

In addition to the above classifications, employees are categorized as either "**exempt**" or "**non-exempt**" for purposes of federal and state wage and hour laws. Employees classified as exempt do not receive overtime pay; they generally receive the same weekly salary and must work a minimum of 40 hours a week. Such salary may be paid less frequently than weekly. The employee will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

"Exempt" employees must use their available vacation/sick time when taking an entire day off work.

### 2-2. TIMEKEEPING PROCEDURES

Employees must record their actual time worked for payroll and benefit purposes. Non-exempt employees must record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason, on forms as prescribed by management.

Altering, falsifying or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

Exempt employees are required to record their daily work attendance and report full days of absence from work for reasons such as leaves of absence, sick leave or personal business.

Non-exempt employees may not start work until their scheduled starting time.

It is the employee's responsibility to sign time records to certify the accuracy of all time recorded. Any errors in the time record should be reported immediately to a supervisor, who will attempt to correct legitimate errors.

## 2-3. WORKING HOURS AND SCHEDULE

PRIME HEALTHCARE MANAGEMENT normally is open for business as follows:

<b>Day</b>	<b>From:</b>	<b>To:</b>
Monday	12:00am	11:59pm
Tuesday	12:00am	11:59pm
Wednesday	12:00am	11:59pm
Thursday	12:00am	11:59pm
Friday	12:00am	11:59pm
Saturday	12:00am	11:59pm
Sunday	12:00am	11:59pm

24/7

Employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of the business, at some point PRIME HEALTHCARE MANAGEMENT may need to change individual work schedules on either a short-term or long-term basis. Employees may be held over the scheduled times to accommodate the needs of the facility. If Employees are late for the oncoming shift, or calls in, one employee from prior shift, as assigned by the supervisor or Administrator, must stay to cover shift until the late party arrives or to cover the call in full hours.

Employees will be provided meal and rest periods. All employees working 6 or more hours will receive an unpaid 30 minute lunch break. All employees will receive two(2) paid 15 minute breaks per shift.

## 2-4. OVERTIME

Like most successful companies, PRIME HEALTHCARE MANAGEMENT experiences periods of extremely high activity. During these busy periods, additional work is required from all of us. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) their normal hourly wage for all time worked in excess of 40 hours each week, unless otherwise required by law.

Employees may work overtime only with prior management authorization.

For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Sunday and ends 168 hours later at 12 a.m. on the following Sunday.

## 2-5. YOUR EMPLOYMENT RECORDS

In order to obtain their position, employees have provided personal information, such as address and telephone number. This information is contained in their personnel file.

Employees should keep their personnel file up to date by informing the Office Manager of any changes. Employees also should inform the Office Manager of any specialized training or skills they acquire, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach employees in a crisis could cause a severe health or safety risk or other significant problem.

## 2-6. SAFE HARBOR POLICY FOR EXEMPT EMPLOYEES

It is PRIME HEALTHCARE MANAGEMENT's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Those classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours they may work for PRIME HEALTHCARE MANAGEMENT. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing wage replacement benefits for such absences (deductions also may be made for the exempt employee's full-day absences due to sickness or disability before the employee has qualified for the plan, policy or practice or after the employee has exhausted the leave allowance under the plan);
- full-day disciplinary suspensions for infractions of our written policies and procedures;
- Family and Medical Leave Act absences (either full- or partial-day absences);
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- the first or last week of employment in the event the employee works less than a full week; and
- any full work week in which the employee does not perform any work.

Salary may also be reduced for certain types of deductions such as a portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions to a 401(k) or pension plan.

In any work week in which the employee performed any work, salary will not be reduced for any of the following reasons:

- partial day absences for personal reasons, sickness or disability;
- an absence because the Facility has decided to close a facility on a scheduled work day;
- absences for jury duty, attendance as a witness, or military leave in any week in which the employee performed any work (subject to any offsets as set forth above); and
- any other deductions prohibited by state or federal law.

However, unless state law provides otherwise, deductions may be made to accrued leave for full- or partial-day absences for personal reasons, sickness or disability.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to a supervisor. If the supervisor is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), they should immediately contact Business Office Manager or any other supervisor in PRIME HEALTHCARE MANAGEMENT with whom the employee feels comfortable.

## 2-7. YOUR PAYCHECK

Employees will be paid bi-weekly for all the time worked during the past pay period.

Payroll stubs itemize deductions made from gross earnings. By law, PRIME HEALTHCARE MANAGEMENT is required to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received.

If there is an error in any employee's pay, the employee should bring the matter to the attention of payroll department 636-389-4047 so the Facility can resolve the matter quickly and amicably.

Paychecks will be given only to the employee, unless the employee requests that they be mailed or authorizes in writing that another person may accept the check.

## 2-8. DIRECT DEPOSIT

PRIME HEALTHCARE MANAGEMENT strongly encourages employees to use direct deposit. Authorization forms are available from the Office Manager.

## 2-9. JOB POSTINGS

PRIME HEALTHCARE MANAGEMENT is dedicated to assisting employees in managing their careers and reaching their professional goals through promotion and transfer opportunities. This policy outlines the on-line job posting program which is in place for all employees. To be eligible to apply for an open position, employees must meet the following requirements:

- be a current, regular, full-time or part-time employee;
- be in current position for a minimum of 6 months;

- maintain a performance rating of satisfactory or above;
- not be on conduct/performance-related probation or warning;
- meet the job qualifications listed on the job posting; and
- provide their current manager with notice prior to applying for the position.

If employees find a position of interest on the job posting website and they meet the eligibility requirements, an on-line job posting application must be completed in order to be considered for the position. Not all positions are guaranteed to be posted. The Facility reserves the right to seek applicants solely from outside sources or to post positions internally and externally simultaneously.

For more specific information about the program, please contact the Human Resources Department.

## 2-10. PERFORMANCE REVIEW

A yearly compensation increase is based on longevity by employee start date, and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management.

**\*\*Prime Healthcare Management has the discretion to change this policy without notice\*\***

## 2-11. EMPLOYEE MEALS

Employee meals will be available to all staff members. The cost of each meal will be \$3.00, and the amounts will be deducted from payroll.

## 2-12. CONFIDENTIALITY

Throughout your employment with the facility you may have access to confidential information. The term confidential information can include, but is not limited to, equipment, plans, notices, employee and resident information (including protected health and/or financial information (PHI)), documents, forms and all other proprietary information that belong to the facility and our residents. All such confidential information remains the sole property of the facility and our residents and may not be shared with other parties. If you have any question whether you should share information with someone, ask your Administrator. Additionally, Resident information is protected by state and federal privacy laws and must be kept confidential (unless disclosure is required or protected by law). Examples of resident related confidential information include, but may not be limited to, medical and financial information. Important note! Every employee is expected to comply with privacy requirements when handling resident and employee protected health information. Employees may access only the information that they need to know to carry out their duties during the course of a normal work shift. Accessing additional information, such as information on residents not in their care, or more information than is required to care for or represent the resident is prohibited. Employees are prohibited from storing or retaining resident information (in any media format) on personal computers, data devices (including phones, flash drives, etc) or files. Talk with your

supervisor or the Administrator if you have any questions regarding privacy of information, or refer to the privacy manual. A failure to maintain confidentiality can result in disciplinary action, up to and including termination of employment. The discovery of any unauthorized disclosure of Confidential Information must be reported to the Administrator. Should your employment with the facility terminate for any reason, employees shall promptly surrender, without retaining copies in any media format, all tangible things that are or contain Confidential Information as described above. Failure to meet these obligations may result in legal action.

## 2-13. OPEN COMMUNICATION

The facility values the input of our employees and is committed to maintaining a work environment in which everyone can communicate openly and without fear of retaliation or discrimination. Employees are encouraged to discuss openly with their supervisors any work issues or suggestions that may arise in the course of their employment. This means that you can reach out to your supervisor for feedback, brainstorming, problem-solving or to express any concerns. If you have a concern or suggestion, it is best to start with your immediate supervisor. Since supervisors have the most specific knowledge of conditions surrounding your work, they usually will be able to address any issue you raise more quickly than someone who would need to be provided with background and other information. If, after speaking with your supervisor, you have further questions, or if you feel uncomfortable speaking with your supervisor, you are encouraged to contact your HR/Payroll Representative or Administrator. If, after speaking with your HR/Payroll Representative or Administrator, you still have further questions, or if you feel uncomfortable speaking with the prior named parties, you may contact the employee hotline at 1-800-610-2544.

\* The reporting process described in this policy does not apply in situations where other specific instructions are outlined, such as those in the EEO and Anti-Harassment policies. In such cases, all employees should follow the procedures provided in those policies. Nothing in this policy alters the employment at will relationship or modifies the facility's ability to discipline in accordance with any other policy in this handbook.

## 2-14. IN-SERVICE EDUCATION

An ongoing education and training program is the facility maintained for its employees. All mandatory on-site in-services require your attendance. Certain extenuating circumstances may require re-scheduling of attendance to in-services. If approved, the facility will make reasonable accommodations to reschedule the in-services. Some forms of in-service may be provided online. Employees assigned on-line in-services are required to complete this education in the time allotted.

Employees who fail to attend an in-service, or who fail to complete an online in-service within the allotted time frame, may be subject to disciplinary action, up to and including termination.

## 2-15. INCLEMENT WEATHER

Employees are expected to have their own transportation at all times. However, the facility may provide transportation to employees in cases of inclement weather, only if the employee has attempted transportation on their own first. When an employee has attempted to drive to the facility and cannot due to the weather, they are expected to call and report this attempt. The management

will then decide if transportation can be provided to the employee. If we offer transportation and the employee refuses, it will be counted as an absence. If management determines that it is unsafe to attempt transportation for the employee, and the employee has made an attempt to get to the facility on their own, it will not be counted as a absence for the employee.



## Section 3 - BENEFITS

### 3-1. BENEFITS OVERVIEW

In addition to good working conditions and competitive pay, it is PRIME HEALTHCARE MANAGEMENT's policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations and holidays, and insurance and other plan benefits. We are constantly studying and evaluating our benefits programs and policies to better meet present and future requirements. These policies have been developed over the years and continue to be refined to keep up with changing times and needs.

The next few pages contain a brief outline of the benefits programs PRIME HEALTHCARE MANAGEMENT provides employees and their families. Of course, the information presented here is intended to serve only as guidelines.

The descriptions of the insurance and other plan benefits merely highlight certain aspects of the applicable plans for general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon request from the Office Manager. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this handbook.

Further, PRIME HEALTHCARE MANAGEMENT (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement.

While the Facility intends to maintain these employee benefits, it reserves the absolute right to modify, amend or terminate these benefits at any time and for any reason.

If employees have any questions regarding benefits, they should contact the Office Manager.

### 3-2. INSURANCE PROGRAMS

Full-time employees may participate in PRIME HEALTHCARE MANAGEMENT's insurance programs after 60 days of employment. Under these plans, eligible employees will receive comprehensive health and other insurance coverage for themselves and their families, as well as other benefits.

Upon becoming eligible to participate in these plans, employees will receive summary plan descriptions (SPDs) describing the benefits in greater detail. Please refer to the SPDs for detailed plan information. Of course, feel free to contact the Office Manager with any further questions.

### 3-3. PAID HOLIDAYS

Full-time employees will be paid for the following holidays:

New Year's Day  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day  
Christmas Day

When holidays fall or are celebrated on a regular work day, full-time eligible employees will receive one (1) day's pay at their regular straight-time eight (8) hour rate. Eligible employees who are called in to work on a holiday will receive one (1) day's pay at their regular straight-time eight (8) hour rate, and an additional payment of straight-time for the actual time they work that day.

If a holiday falls within an full-time eligible employee's approved vacation period, the full-time eligible employee will be paid for the holiday (at the regular straight-time rate) in addition to the vacation day, or the eligible employee will receive an additional vacation day at the option of the Facility.

If a holiday falls within a jury duty or bereavement leave, the eligible employee will be paid for the holiday (at the regular straight-time rate) in addition to the leave day, or the eligible employee will receive an additional day off at the option of the Facility.

Non-exempt employees must work the full scheduled workday before and after the holiday in order to be eligible for holiday pay, unless the holiday is taken as part of a scheduled vacation or otherwise approved in advance by your supervisor.

Part-Time/PRN Employees: These employees do not qualify for holiday pay, but may be required to work depending on the needs of the facility.

### 3-4. PAID VACATIONS

Our Paid Vacation plan is designed to provide you with the opportunity to rest and get away from the everyday routine and attend to personal needs. Vacation and personal days may be used as vacation, for holidays (non-exempt only), for recreation. Sick days are to be used for any bona fide illness or emergency which requires an absence from work. Documentation may be required for the use of sick days on day two(2) of absence.

Eligible, regular, full-time employees (working at least 30 hours per week on a consistent basis) begin accruing vacation following 90 days of continuous employment. If your status changes from part-time to full-time, and you have satisfied the 90-day wait period as a part-time employee, you will begin accruing on a pro-rata basis in the pay period in which the status change goes into effect.

Accruals are based upon hours paid up to 2080 hours per year, excluding overtime. Vacation only accrues on hours worked or paid and does not accrue on unpaid leaves of absence or overtime hours, or vacation pay outs. Employees become eligible for the new higher accrual rate on the first day of the pay period in which the employee's anniversary date falls. Employees can carry over a maximum of 40 hours of vacation at the end of the anniversary year. Vacation hours in excess of any hours to be carried over are paid out at the employee's anniversary date at the rate of pay on the anniversary date.

Vacation is provided as follows:

Years of Service Accrual Rate Per Hour Paid\* Maximum Accrual\*\*

0 - 2 years .0193 hours

3-7 years .0347 hours

8+ years .0463 hours

\*Excluding unpaid leaves of absence, overtime hours or vacation pay-outs. \*\*Accruals based on actual hours worked or paid, not to exceed the maximum allotment. To satisfy your preferences, as well as to meet the staffing needs of our Company, request your Vacation plans well in advance. Requests will be granted on a first-come, first-served basis, subject to factors such as staffing requirements and work flow.

A Paid Time Off Request Form must be approved by your manager and submitted to your HR Representative at least two weeks in advance of the proposed time off, unless unforeseen circumstances make this impossible. For non-exempt employees, vacation may be taken in increments of no less than 4 hours (a half day). An employee is required to request payment of vacation hours according to his/her regularly scheduled workday. For example, if an employee works an 8 hour day, he/she would request 8 hours of vacation when taking that day off. Approval for all vacation requests is at the discretion of your supervisor, based on the facility's scheduling needs. Employees may not borrow against their vacation; therefore, no advance leave will be granted.

Vacation is paid at the regular rate of base pay in effect at the time the leave is taken and is not part of any overtime calculation. Vacation may not be used for missed time because an employee reports late to work.

Employees are required to use available vacation when taking time off from work, except for a company-required absence due to low workload or absences occasioned by the company. If an approved holiday falls within an approved paid time off period, it will not count against the vacation allotment. Sick leave may not be used to extend a vacation.

If you voluntarily resign, you will be paid for any unused earned vacation, computed at the rate of pay earned upon separation only if you **provide adequate notice and work through your entire notice period**. No remaining vacation pay will be given to employees that are terminated for cause or quit without notice.

Part-Time/On-Call/Temporary/PRN Employees:

These employees are not eligible for paid vacation. If your status changes from full-time to part-time or PRN/Casual, you will cease accumulation of paid vacation. These employees will be paid for any unused earned vacation, computed at the rate of pay earned at the time of the status change only if you provide adequate notice of the request for status change and work through the entire notice

period. Appropriate notice is considered 30 days for Administration and Managers, 3 weeks for nurses and 2 weeks for all other employees. Please advise your supervisor of your request in writing so that an orderly transition can be made.

### 3-5. SICK DAYS

Sick days are to be used for any bona fide illness or emergency which requires an absence from work. Documentation may be required for the use of sick days on day two(2).

Paid sick time is a privilege offered to employees by the facility, and may only be used for bona fide sickness or emergencies. If an employee's sick time balance does not cover a missed work day, the employee must use any available vacation hours.

Eligible, regular, full-time employees (working at least 30 hours per week on a consistent basis) begin accruing paid sick time following 90 days of continuous employment. If your status changes from part-time to full-time, and you have satisfied the 90-day wait period as a part-time employee, you will begin accruing pro-rata in the pay period in which the status change goes into effect. Accruals are based upon hours paid up to 2080 hours per year, excluding overtime. Sick time only accrues on hours worked or paid and does not accrue on unpaid leaves of absence or overtime hours, or vacation pay-outs. Employees become eligible for the new higher accrual rate on the first day of the pay period in which the employee's anniversary date falls. Unused sick time may be carried over, up to 150 hours. Once this maximum is reached, employees must use time in order to begin accruing again.

#### **Sick Time is provided as follows:**

Years of service Accrual Rate Per Hour Paid\* Maximum Accrual\*\*

0 - 2 years .0193 hours

3-7 years .0231 hours

8+ years .0308 hours

\*Excluding unpaid leaves of absence, overtime hours or vacation pay-outs. \*\*Accruals based on actual hours worked or paid, not to exceed the maximum allotment.

Prior written notice of the absence should be given to your supervisor whenever possible (unless an unexpected medical or other emergency makes it impossible to do so). If prior notice is not possible, you are required to call in to your supervisor per the notification procedures outlined in the Attendance Policy. Failure to call in properly may be considered an absence, and may result in disciplinary action, up to and including termination. You are required to keep your supervisor informed of your status and projected return date.

Whenever sick time is taken, a Paid Time Off Request Form must be completed and approved by your supervisor and submitted to your HR Representative. When sick time is scheduled for a doctor's appointment, etc., an employee is required to request payment of sick hours according to her/his regularly scheduled workday. For example, if an employee works an 8 hour day, he/she would request 8 hours of Sick when taking that day off. If needed, employees may substitute vacation for sick. Sick time is payable only for prearranged absences or absences in which proper notification was given (as defined in the Attendance Policy). Non-exempt employees who deplete

their sick time are not eligible for additional paid sick time until additional time accrues.

*Medical certification may be required for any absence due to illness or injury. The Company may require a return to work release from a doctor for any illness or injury lasting more than three (3) days, prior to allowing an employee to return to work. You may request or be asked to complete a FMLA Request form after three days or more of absence due to illness or injury.*

Unused Sick Leave is not paid out upon termination from the Company. - even if you resign

Part-Time/On-Call/Temporary/PRN Employees: These employees are not eligible for paid sick time. If your status changes from full-time to part-time or PRN/Casual, you will cease accumulation of paid sick time. Unused sick time is forfeited upon a change to an ineligible status.

### 3-6. BEREAVEMENT LEAVE

The death of a family member is a time when employees wish to be with their families. If the employee is full-time and loses a close relative, the employee will be allowed paid time off of up to 2 days to assist in attending to obligations and commitments. For the purposes of this policy, a close relative includes a spouse, domestic/civil union partner, child, parent, sibling, grandparents, in-laws or any other relation required by applicable law. Paid leave days only may be taken on regularly scheduled, consecutive workdays following the day of death. Employees must inform their supervisor prior to commencing bereavement leave. In administering this policy, PRIME HEALTHCARE MANAGEMENT may require verification of death.

### 3-7. WORKERS' COMPENSATION

On-the-job injuries are covered by PRIME HEALTHCARE MANAGEMENT's Workers' Compensation Insurance Policy, which is provided at no cost. If employees are injured on the job, no matter how slightly, they should report the incident immediately to their supervisor. Failure to follow Facility procedures may affect the ability of employees to receive Workers Compensation benefits.

This is solely a monetary benefit and not a leave of absence entitlement. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

### 3-8. JURY DUTY

PRIME HEALTHCARE MANAGEMENT realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

Employees on jury duty leave will be paid for their jury duty service in accordance with state law; however, exempt employees will be paid their full salary for any week in which time is missed due to jury duty if work is performed for the Facility during such week.

### 3-9. VOTING LEAVE

In the event employees do not have sufficient time outside of working hours to vote in a statewide election, if required by state law, the employee may take off enough working time to vote. Such time will be paid if required by state law. This time should be taken at the beginning or end of the regular work schedule. Where possible, supervisors should be notified at least two (2) days prior to the voting day.

### 3-10. LACTATION BREAKS

PRIME HEALTHCARE MANAGEMENT will provide a reasonable amount of break time to accommodate employees desiring to express breast milk for their infant child, in accordance with and to the extent required by applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided. If the break time cannot run concurrently with rest and meal periods already provided, the break time will be unpaid, subject to applicable law.

The Facility will make reasonable efforts to provide employees with the use of a room or location other than a toilet stall to express milk in private. This location may be the employee's private office, if applicable. The Facility may not be able to provide additional break time if doing so would seriously disrupt the Facility's operations, subject to applicable law. Please consult the Office Manager with questions regarding this policy.

Employees should advise management if they need break time and an area for this purpose. Employees will not be discriminated against or retaliated against for exercising their rights under this policy.

## Section 4 - LEAVES OF ABSENCE

### 4-1. PERSONAL LEAVE

If employees are ineligible for any other Facility leave of absence, PRIME HEALTHCARE MANAGEMENT, under certain circumstances, may grant a personal leave of absence without pay. A written request for a personal leave should be presented to management at least two (2) weeks before the anticipated start of the leave. If the leave is requested for medical reasons and employees are not eligible for leave under the federal Family and Medical Leave Act (FMLA) or any state leave law, medical certification also must be submitted. The request will be considered on the basis of staffing requirements and the reasons for the requested leave, as well as performance and attendance records. Normally, a leave of absence will be granted for a period of up to eight (8) weeks. However a personal leave may be extended if, prior to the end of leave, employees submit a written request for an extension to management and the request is granted. During the leave, employees will not earn vacation, personal days or sick days. PRIME HEALTHCARE MANAGEMENT will continue health insurance coverage during the leave if employees submit their share of the monthly premium payments to the Facility in a timely manner, subject to the terms of the plan documents.

When the employees anticipate returning to work, they should notify management of the expected return date. This notification should be made at least one (1) week before the end of the leave.

Upon completion of the personal leave of absence, the Facility will attempt to return employees to their original job or a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed.

Failure to advise management of availability to return to work, failure to return to work when notified or a continued absence from work beyond the time approved by the Facility will be considered a voluntary resignation of employment.

### 4-2. MILITARY LEAVE

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide management with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask management for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give management as much advance notice of their need for military leave as possible so that PRIME HEALTHCARE MANAGEMENT can maintain proper coverage

while employees are away.

## 4-3. FAMILY AND MEDICAL LEAVE

### The Leave Policy

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides employees information concerning FMLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA leave, they should contact Office Manager.

#### I. Eligibility

FMLA leave is available to "eligible employees." To be an "eligible employee," the employee must: 1) have been employed by the Facility for at least 12 months (which need not be consecutive); 2) have been employed by the Facility for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

Special hours of service eligibility requirements apply to airline flight crew employees.

#### II. Entitlements

As described below, the FMLA provides eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration.

##### A. Basic FMLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a 12-month period measured forward from the start date of the employee's first FMLA leave. Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee's child after birth or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter or parent (but not in-law) who has a **serious health condition**;
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; and/or
- Because of any **qualifying exigency** arising out of the fact that the employee's spouse, son, daughter or parent is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserves component of the Armed Forces for deployment to a foreign country in support of contingency operation or Regular Armed Forces for deployment to a foreign country.

A **serious health condition** is an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents employees from performing the functions of their job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of



more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**Qualifying exigencies** may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

## **B. Additional Military Family Leave Entitlement (Injured Servicemember Leave)**

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a **covered servicemember** is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember shall only be available during a single-12 month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A "**covered servicemember**" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." **Covered servicemembers** also include a veteran who is discharged or released from military services under condition other than dishonorable at any time during the five years preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

The FMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

## **C. Intermittent Leave and Reduced Leave Schedules**

FMLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember. Qualifying exigency leave also may be taken on an intermittent basis.

## **D. No Work While on Leave**

The taking of another job while on family/medical leave or any other authorized leave of absence is grounds for immediate discharge, to the extent permitted by law.

## **E. Protection of Group Health Insurance Benefits**

During FMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

## **F. Restoration of Employment and Benefits**

At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause the Facility substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. The Facility will notify employees if they qualify as "key employees," if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

### **G. Notice of Eligibility for, and Designation of, FMLA Leave**

Employees requesting FMLA leave are entitled to receive written notice from the Facility telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) Facility's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

The Facility may retroactively designate leave as FMLA leave with appropriate written notice to employees provided the Facility's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, the Facility and employee can mutually agree that leave be retroactively designated as FMLA leave.

## **III. Employee FMLA Leave Obligations**

### **A. Provide Notice of the Need for Leave**

Employees who take FMLA leave must timely notify the Facility of their need for FMLA leave. The following describes the content and timing of such employee notices.

#### **1. Content of Employee Notice**

To trigger FMLA leave protections, employees must inform Office Manager of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow the Facility to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant or have been hospitalized overnight;
- they or a covered family member are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active duty status to a foreign country; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to the Facility's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees

seek leave due to FMLA-qualifying reasons for which the Facility has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

## **2. Timing of Employee Notice**

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide the Facility notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

### **B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules**

When planning medical treatment, employees must consult with the Facility and make a reasonable effort to schedule treatment so as not to unduly disrupt the Facility's operations, subject to the approval of the employee's health care provider. Employees must consult with the Facility prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both the Facility and the employees, subject to the approval of the employee's health care provider . If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, the Facility may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, the Facility may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise the Facility of the reason why such leave is medically necessary. In such instances, the Facility and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting the Facility's operations, subject to the approval of the employee's health care provider.

### **C. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)**

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three types of FMLA medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide the Facility with timely, complete and sufficient medical certifications. Whenever the Facility requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after the Facility's request, unless it is not practicable to do so despite the employee's diligent, good faith efforts. The Facility will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. The Facility will deny FMLA

leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, the Facility (through individuals other than the employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide the Facility with authorization allowing it to clarify or authenticate certifications with health care providers, the Facility may deny FMLA leave if certifications are unclear.

Whenever the Facility deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

### **1. Initial Medical Certifications**

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If the Facility has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at the Facility's expense. If the opinions of the initial and second health care providers differ, the Facility may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by the Facility and the employee.

### **2. Medical Recertifications**

Depending on the circumstances and duration of FMLA leave, the Facility may require employees to provide recertification of medical conditions giving rise to the need for leave. The Facility will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

### **3. Return to Work/Fitness for Duty Medical Certifications**

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide the Facility with medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. The Facility may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

### **D. Submit Certifications Supporting Need for Military Family Leave**

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, the Facility may require employees to provide: 1) a copy of the military member's active duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to covered active duty status and the dates of the military member's covered active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out

of a different covered active duty or call to covered active duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, the Facility may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, the Facility may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

#### **E. Substitute Paid Leave for Unpaid FMLA Leave**

Employees must use any accrued paid time while taking unpaid FMLA leave.

The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with the employee's FMLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement.

#### **F. Pay Employee's Share of Health Insurance Premiums**

During FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless the Facility notifies employees of other arrangements, whenever employees are receiving pay from the Facility during FMLA leave, the Facility will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If FMLA leave is unpaid, employees must pay their portion of the group health premium through a method determined by the Facility upon leave.

The Facility's obligation to maintain health care coverage ceases if the employee's premium payment is more than 30 days late. If the employee's payment is more than 15 days late, the Facility will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse the Facility for the cost of the premiums the Facility paid for maintaining coverage during their unpaid FMLA leave.

#### **IV. Questions and/or Complaints about FMLA Leave**

If you have questions regarding this FMLA policy, please contact Office Manager. The Facility is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact Office Manager immediately. The Facility will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

## **V. Coordination of FMLA Leave with Other Leave Policies**

The FMLA does not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law that provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult the Facility's other leave policies in this handbook or contact Office Manager.

## Section 5 - GENERAL STANDARDS OF CONDUCT

### 5-1. PUNCTUALITY AND ATTENDANCE

Employees are hired to perform important functions at PRIME HEALTHCARE MANAGEMENT. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive and place an unfair burden on fellow employees and Supervisors. We expect excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

We do recognize, however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify Supervisors as early as possible, but no later than 2 hours before start of the work day via phone call only. Leaving a message and/or texting coworkers or a different supervisor is not considered proper notice of being tardy or absent. Asking another employee, friend or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the illness and its expected duration, for every day of absenteeism. Failure to provide proper notice may result in disciplinary action, up to and including termination.

Unreported absences of one (1) work days generally will be considered a voluntary resignation of employment with the Facility.

Tardy: defined as either arriving seven (7) or more minutes after the start of your shift or leaving seven (7) or more minutes before the end of your shift without permission.

Absence: defined as not working your scheduled shift without prior approval by our supervisor, also referred to as a "call-in".

Spell of illness: defined as two (2) or more consecutive scheduled days of absence.

Policy of Attendance:

ABSENCES: (90 day probation period no absences is allowed) \*Administrator may make exceptions\*

2 absence/occurrences in a 30(thirty)-day period- Formal Warning

6 absences/occurrences in a 6(six) month starting with first formal warning- Final Warning

2 absence/occurrences after final warning in a 12(twelve) month period from first absence/occurrences- Termination

TARDY:

3 (three) tardy's = 1 absence/occurrence and the above will be followed.

JOB ABANDONMENT:

If you are absent for one (1) shift without notifying your supervisor (a "No-Call/No Show"), for reasons other than illness, injury or reasonable emergency (to be determined by your

supervisor), you will be considered to have resigned. We consider this job abandonment. Per the attendance policy, if you are going to be absent you must notify your designated supervisor at least two (2) hours before your regular starting time.

Documentation may be required to substantiate an unusual or unforeseeable circumstance and will be accepted no later than twenty-four (24) hours after the scheduled start time of the missed shift. Leaving a shift assigned without written approval from Administrator or Supervisor will be considered "voluntary resignation" and place the employees on the "no rehire" list for the Facility

## 5-2. USE OF COMMUNICATIONS AND COMPUTER SYSTEMS

PRIME HEALTHCARE MANAGEMENT's communication and computer systems are intended primarily for business purposes; however limited personal usage is permitted if it does not hinder performance of job duties or violate any other Facility policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of the PRIME HEALTHCARE MANAGEMENT systems.

PRIME HEALTHCARE MANAGEMENT may access the voice mail and e-mail systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when the Facility deems it appropriate to do so. The reasons for which the Facility may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Facility operations continue appropriately during the employee's absence.

Further, PRIME HEALTHCARE MANAGEMENT may review Internet usage to ensure that such use with Facility property, or communications sent via the Internet with Facility property, are appropriate. The reasons for which the Facility may review employees' use of the Internet with Facility property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Facility operations continue appropriately during the employee's absence.

The Facility may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

The Facility's policies prohibiting harassment, in their entirety, apply to the use of Facility's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Further, since the Facility's communication and computer systems are intended for business use, all employees, upon request, must inform management of any private access codes or passwords.



Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited.

No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including discharge.

### 5-3. USE OF SOCIAL MEDIA

PRIME HEALTHCARE MANAGEMENT respects the right of any employee to maintain a blog or web page or to participate in a social networking, Twitter or similar site, including but not limited to Facebook and LinkedIn. However, to protect Facility interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not post on a blog or web page or participate on a social networking platform, such as Twitter or similar site, during work time or at any time with Facility equipment or property.

All rules regarding confidential and proprietary business information apply in full to blogs, web pages and social networking platforms, such as Twitter, Facebook, LinkedIn or similar sites. Any information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed in a blog, web page or social networking site.

Whether the employees are posting something on their own blog, web page, social networking, Twitter or similar site or on someone else's, if the employee mentions the Facility and also expresses either a political opinion or an opinion regarding the Facility's actions that could pose an actual or potential conflict of interest with the Facility, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is his/her personal opinion and not the Facility's position. This is necessary to preserve the Facility's good will in the marketplace.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking, Twitter or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous or violent is forbidden. Facility policies apply equally to employee social media usage.

PRIME HEALTHCARE MANAGEMENT encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page, and/or social networking site is received and often misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their manager. Failure to follow these guidelines may result in discipline, up to and including discharge.

### 5-4. CAMERA PHONES/RECORDING DEVICES

Due to the potential for issues such as invasion of privacy, sexual harassment and loss of productivity, as well as inappropriate disclosure of confidential information, no employee may use a camera phone function on any phone on PRIME HEALTHCARE MANAGEMENT property or while performing work for the Facility.

The use of tape recorders, Dictaphones or other types of voice recording devices anywhere on Facility property, including to record conversations or activities of other employees or management, or while performing work for the Facility, is also strictly prohibited, unless the device was provided to

you by the Facility and is used solely for legitimate business purposes.

## 5-5. INSPECTIONS

PRIME HEALTHCARE MANAGEMENT reserves the right to require employees while on Facility property, or on client property, to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on Facility or client property, and work areas. This includes lockers, vehicles, desks, cabinets, work stations, packages, handbags, briefcases and other personal possessions or places of concealment, as well as personal mail sent to the Facility or to its clients. Employees are expected to cooperate in the conduct of any search or inspection.

## 5-6. SMOKING

Smoking, including the use of e-cigarettes, is prohibited in Facility premises and in all Facility vehicles.

## 5-7. PERSONAL VISITS AND TELEPHONE CALLS

Disruptions during work time can lead to errors and delays. Therefore, personal telephone calls must be kept to a minimum, and only be made or received after working time, or during lunch or break time.

For safety and security reasons, employees are prohibited from having personal guests visit or accompanying them anywhere in PRIME HEALTHCARE MANAGEMENT facilities other than the reception areas.

## 5-8. SOLICITATION AND DISTRIBUTION

To avoid distractions, solicitation by the employee of another employee is prohibited while either employee is on work time and in all immediate patient care areas. "Work time" is defined as the time the employees are engaged, or should be engaged, in performing their tasks for PRIME HEALTHCARE MANAGEMENT. Solicitation of any kind by non-employees on Facility premises is prohibited at all times.

Distribution of advertising material, handbills, printed or written literature of any kind in immediate patient care areas and all other working areas of Facility is prohibited at all times. Distribution of literature by non-employees on Facility premises is prohibited at all times.

## 5-9. BULLETIN BOARDS

Important notices and items of general interest are continually posted on PRIME HEALTHCARE MANAGEMENT bulletin boards. Employees should make it a practice to review bulletin boards frequently. This will assist employees in keeping up with what is current at PRIME HEALTHCARE MANAGEMENT. To avoid confusion, employees should not post or remove any material from the bulletin board.

## 5-10. CONFIDENTIAL COMPANY INFORMATION

During the course of work, employees may become aware of confidential information about PRIME HEALTHCARE MANAGEMENT's business, including but not limited to information regarding Facility finances, pricing, products and new product development, software and computer programs, marketing strategies, suppliers and customers and potential customers. Employees also may become aware of similar confidential information belonging to the Facility's clients. It is extremely important that all such information remain confidential, and particularly not be disclosed to PRIME HEALTHCARE MANAGEMENT's competitors. Any employee who improperly copies, removes (whether physically or electronically), uses or discloses confidential information to anyone outside of the Facility may be subject to disciplinary action up to and including termination. Employees may be required to sign an agreement reiterating these obligations.

## 5-11. CONFLICT OF INTEREST AND BUSINESS ETHICS

It is PRIME HEALTHCARE MANAGEMENT's policy that all employees avoid any conflict between their personal interests and those of the Facility. The purpose of this policy is to ensure that the Facility's honesty and integrity, and therefore its reputation, are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal interests or relationships that actually or potentially conflict with the best interests of the Facility.

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, the situations that would constitute a conflict in most cases include but are not limited to:

1. holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do, business with the Facility, by any employee who is in a position to directly or indirectly influence either the Facility's decision to do business, or the terms upon which business would be done with such organization;
2. holding any interest in an organization that competes with the Facility;
3. being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do, business with the Facility or which competes with the Facility; and/or
4. profiting personally, e.g., through commissions, loans, expense reimbursements or other payments, from any organization seeking to do business with the Facility.

A conflict of interest would also exist when a member of the employee's immediate family is involved in situations such as those above.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

It is the employee's responsibility to report any actual or potential conflict that may exist between the employee (and the employee's immediate family) and the Facility.

Facility recognize the right of employees to engage in private endeavors unrelated to our business. However, a policy of full disclosure will be followed to assess and prevent potential conflicts of

interest from arising. As a general rule, you can never use your position for private gain or to obtain benefits or favors either for yourself or anyone else. Such conflicts can arise with suppliers, residents, other facilities, or other parties.

employee's must have permission from Administration and/or Regional Team when family and/or friends are employed at the same facility. No family member can supervise or report to another family member. Administrator will assign who the employee will report to, this will be to avoid conflicts of interest. Administrator will submit a conflict of interest approval letter to Regional HR and a copy will be placed in employee's HR file.

## **5-12. USE OF FACILITIES, EQUIPMENT AND PROPERTY, INCLUDING INTELLECTUAL PROPERTY**

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

Employees should notify their supervisor if any equipment, machines, or tools appear to be damaged, defective or in need of repair. Prompt reporting of loss, damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Supervisors can answer any questions about the employees' responsibility for maintenance and care of equipment used on the job.

Employees also are prohibited from any unauthorized use of the Facility's intellectual property, such as audio and video tapes, print materials and software.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including discharge.

Further, the Facility is not responsible for any damage to employees' personal belongings unless the employee's supervisor provided advance approval for the employee to bring the personal property to work.

## **5-13. HEALTH AND SAFETY**

The health and safety of employees and others on Facility property are of critical concern to PRIME HEALTHCARE MANAGEMENT. The Facility intends to comply with all health and safety laws applicable to our business. To this end, we must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to management immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on the Facility's premises, or in a product, facility, piece of equipment, process or business practice for which the Facility is responsible should be brought to the attention of management immediately.

Periodically, the Facility may issue rules and guidelines governing workplace safety and health. The Facility may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident.

#### **5-14. HIRING RELATIVES/EMPLOYEE RELATIONSHIPS**

A familial relationship among employees can create an actual or at least a potential conflict of interest in the employment setting, especially where one relative supervises another relative. To avoid this problem, PRIME HEALTHCARE MANAGEMENT may refuse to hire or place a relative in a position where the potential for favoritism or conflict exists.

In other cases, such as personal relationships where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or discharged from employment, at the discretion of the Facility. Accordingly, all parties to any type of intimate personal relationship must inform management.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. The Facility generally will attempt to identify other available positions, but if no alternate position is available, the Facility retains the right to decide which employee will remain with the Facility.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

#### **5-15. EMPLOYEE DRESS AND PERSONAL APPEARANCE**

Employees are expected to report to work well groomed, clean, and dressed according to the requirements of their position. Some employees may be required to wear uniforms or safety equipment/clothing. Employees should contact their supervisor for specific information regarding acceptable attire for their position. If employees report to work dressed or groomed inappropriately, they may be prevented from working until they return to work well groomed and wearing the proper attire.

#### **5-16. PUBLICITY/STATEMENTS TO THE MEDIA**

All media inquiries regarding the position of the Facility as to any issues must be referred to Administrator. Only Administrator is authorized to make or approve public statements on behalf of the Facility. No employees, unless specifically designated by Administrator, are authorized to make those statements on behalf of Facility. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of the Facility must first obtain approval from Administrator.

## 5-17. OPERATION OF VEHICLES

All employees authorized to drive Facility-owned or leased vehicles or personal vehicles in conducting Facility business must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to management immediately.

Employees must have a valid driver's license in their possession while operating a vehicle off or on Facility property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times.

Facility-owned or leased vehicles may be used only as authorized by management.

### **Portable Communication Device Use While Driving**

Employees who drive on Facility business must abide by all state or local laws prohibiting or limiting portable communication device (PCD) use, including cell phones or personal digital assistants, while driving. Further, even if use is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employees are driving, and permitted by law, they must use a hands-free option and advise the caller that they are unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a PCD while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

## 5-18. BUSINESS EXPENSE REIMBURSEMENT

Employees will be reimbursed for reasonable approved expenses incurred in the course of business. These expenses must be approved by the employee's Supervisor, and may include air travel, hotels, motels, meals, cab fare, rental vehicles, or gas and car mileage for personal vehicles. All expenses incurred should be submitted to Administrator along with the receipts in a timely manner.

Employees are expected to exercise restraint and good judgment when incurring expenses. Employees should contact their Supervisor in advance if they have any questions about whether an expense will be reimbursed.

## 5-19. REFERENCES

PRIME HEALTHCARE MANAGEMENT will respond to reference requests through the Human Resources Department. The Facility will provide general information concerning the employee such as date of hire, date of discharge, truly state of reason such as quit or terminated, and positions held. Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to the Human Resources Department.

**Only the Human Resources Department may provide references.**

## 5-20. IF YOU MUST LEAVE US

Should any employees decide to leave the Facility, we ask that they provide an appropriate notice in advance notice of departure. Appropriate notice is considered 30 days for Administration and Managers, 3 weeks for nurses and 2 weeks for all other employees. Please advise your supervisor of your decision in writing so that an orderly transition can be made. Thoughtfulness will be appreciated.

Employee agrees that this will represent the notice required to be given before reducing the pay to minimum wage.

**Failing to submit the required notice of resignation per employee handbook gives employer permission to reduce employees' final pay to minimum wage on a paper check in the following payroll cycle.**

Employees are considered for re-hire if he/she returns to work within 90 days after the employment separation date. The original date of hire is honored for rehired employees. Rehired employees are subject to applicable benefit waiting periods, regardless of the length of a break in service.

All Facility property including, but not limited to, keys, security cards, parking passes, laptop computers, fax machines, uniforms, etc., must be returned at separation. Employees also must return all of the Facility's Confidential Information upon separation. To the extent permitted by law, employees will be required to repay the Facility (through payroll deduction, if lawful) for any lost or damaged Facility property. As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

## 5-21. EXIT INTERVIEWS

Employees who resign are requested to participate in an exit interview with the Human Resources Representative, if possible.

## 5-22. STANDARDS OF CONDUCT

**To maintain a safe and productive work environment, certain guidelines pertaining to conduct and relationships must be followed. We strive to take a constructive approach to discipline.**

**Violations of these standards will be taken seriously and may subject employees to**

**disciplinary action, up to and including discharge. An employee's direct supervisors and/or other members of management have the authority to enforce our standards of conduct, as well as any other facility policies or procedures. To protect our employees and the facility, employees witnessing a violation of this policy are required to immediately report any such incident to a supervisor or any member of Facility management team.**

**This list is intended to be representative of the types of activities that may result in disciplinary action, and is not all-inclusive. Depending on the severity of the particular situation, such as the circumstances involved, severity of the violation, the employee's work history and disciplinary history, Facility, in its discretion, reserves the right to not follow any particular progressive discipline process and to take appropriate disciplinary action, up to and including immediate discharge.**

**Violation of the Conduct Standards include, but are not limited to:**

**1. Stealing from a resident, visitor, other employee of facility.**

1st Offense - Discharge

**2. Reporting for work while under the influence of alcohol or while suffering from its effects, or while under the influence of hallucinatory drugs or narcotics such as heroin, LSD, amphetamines (unless such amphetamines are being taken pursuant to a physician's written prescription - please see the Drug Free Worksite policy for more information) or marijuana.**

1st Offense - Discharge

**3. Possession of, or drinking of, alcoholic beverages, or possession of or using any hallucinatory drugs or narcotics such as heroin, LSD, amphetamines (unless such amphetamines are being taken pursuant to a physician's written prescription - please see the Drug Free Worksite policy for more information) or marijuana on company property or company time.**

1st Offense - Discharge

**4. No firearms, knives or weapons of any type shall be displayed in the facility or on the grounds.**

1st Offense - Discharge

**5. Employees who do not follow directions and instruction given them by the Administrator, their Department Head and/or their immediate supervisor or other supervisor.**

1st Offense - Discharge



**6. Willful destruction or damage of property belonging to the facility or persons, to include residents, family members, visitors or employees.**

1st Offense - Discharge

**7. Physical or verbal abuse, neglect or attempting to injure residents or other persons to include residents, family members, visitors or employees.**

1st Offense - Discharge

**8. Intentionally falsifying employment or other facility records to include medical or financial information for self, other employees, residents, or family members while on or off duty.**

1st Offense - Discharge

**9. Verbal or written threat to injure or harm any other person.**

1st Offense - Discharge

**10. Failure to verbally report an incident involving a resident or staff member, including yourself if involved with any incident. Reports may be confirmed in writing in the appropriate log.**

1st Offense - Discharge

**11. Falsifying the time clock records for yourself or any other employee.**

1st Offense - Discharge

**12. Discourteous, dishonest or inappropriate behavior or language to any resident, family member, visitor or employee.**

1st Offense -Final Warning

2nd Offense - Discharge

**13. Absent for one scheduled work shift without notifying the facility in the proper manner, unless an unforeseen circumstances can be documented.**

1st Offense - Automatic Resignation

**14. Unauthorized use of any device with cameras or recording capability (audio or video) within the facility or on grounds.**

1st Offense - Discharge

**15. Requesting or accepting loans or tips, monetary or other forms, from residents, their families, or other visitors or vendors.**

1st Offense - Discharge

**16. Revealing to any person, other than an employee working with the resident, any confidential information concerning any resident.**

1st Offense - Discharge

**17. Sleeping while on duty.**

1st Offense - Discharge

**18. Failure to follow parking lot regulations, if any, identified by the facility.**

1st Offense - Informal Warning

2nd Offense - Formal Warning

3rd Offense - Final Warning

4th Offense - Discharge

**19. No employee shall visit other parts of the facility or leave the facility other than in the line of duty or with the permission of the supervisor. When leaving the facility for non-duty related purposes, the employee shall notify the supervisor and shall punch out.**

1st Offense - Formal Warning

2nd Offense - Final Warning

3rd Offense - Discharge

**20. Gambling on facility premises.**

1st Offense - Formal Warning

2nd Offense - Final Warning

3rd Offense - Discharge

**21. Employees not meeting health test/immunization requirements will not be permitted to work until the test/immunization is satisfactorily completed. If the test/immunization is not satisfactorily completed within seven (7) days of the required date, the employee will be:**

Discharged

**22. Solicitation of any kind, distribution or circulation of literature, petitions and written or printed matter of any description in the facility shall not be done by the employee during his or her working time without prior written consent of the Administrator.**

1st Offense - Informal Warning

2nd Offense - Formal Warning

3rd Offense - Final Warning

4th Offense - Discharge

**23. Unauthorized posting, removal or tampering with bulletin board items.**

1st offense- Formal Warning

2nd offense-Final Warning

3rd offense- Discharge

**24. Playing of radios, music, other media, etc., loudly so as to disturb residents or others.**

1st offense- Informal Warning

2nd offense- Formal Warning

3rd offense- Final Warning

4th offense- Discharge

**25. Personal use of cellular phones, Blackberry and similar personal devices or other personal media devices (including those with recording capabilities) while on work time.**

1st offense- Formal Warning

2nd offense- Final Warning

3rd offense- Discharge

**26. Unauthorized use of facility telephone or other facility equipment for personal needs.**

1st offense- Formal Warning

2nd offense- Final Warning

3rd offense- Discharge

**27. Loitering in the work area when not scheduled to work.**

1st offense- Informal Warning

2nd offense- Formal Warning

3rd offense- Final Warning

4th offense- Discharge

**28. No employee shall eat in resident areas unless permitted by facility policy related to direct-care resident activity.**

1st offense- Informal Warning

2nd offense- Formal Warning

3rd offense- Final Warning

4th offense- Discharge

**29. No employee shall smoke in unauthorized areas.**

1st offense- Formal Warning

2nd offense-Final Warning

3rd offense- Discharge

**30. No work shall be performed in an unsafe manner and employees shall not engage in any horseplay.**

1st offense- Informal Warning

2nd offense- Formal Warning

3rd offense- Final Warning

4th offense- Discharge

**31. Failure to notify the HR/Payroll Representative of address or telephone number change which the facility shall keep confidential.**

1st offense- Informal Warning

2nd offense- Formal Warning

3rd offense- Final Warning

4th offense- Discharge

**32. Not in assigned work place at starting and quitting time, or leaving work during working hours without your supervisor's permission.**

1st offense- Informal Warning

2nd offense- Formal Warning

3rd offense- Final Warning

4th offense- Discharge

**33. Failure to clock in or out or obtain supervisor's approval during the same shift.**

1st offense- Informal Warning

2nd offense- Formal Warning

3rd offense- Final Warning

4th offense- Discharge

**34. Swearing, obscene, demeaning, derogatory, or offensive language, gestures, or horseplay.**

1st offense- Informal Warning

2nd offense- Formal Warning

3rd offense- Final Warning

4th offense- Discharge

**35. In unassigned areas during working hours without permission other than in the line of duty.**

1st offense- Informal Warning

2nd offense- Formal Warning

3rd offense- Final Warning

4th offense- Discharge

**36. Overstaying rest or lunch period.**

1st offense- Informal Warning

2nd offense- Formal Warning

3rd offense- Final Warning

4th offense- Discharge

**37. Failure to follow any work standard or any policy or procedure for residents established by the facility. Copies of applicable work standards and resident care policies and procedures shall be kept available for inspection by employees.**

1st offense- Formal Warning

2nd offense- Final Warning

3rd offense- Discharge

**38. Unbecoming conduct while off duty that may negatively impact the reputation of the facility in the community, undermine the functioning of the facility or compromise resident safety, well-being or dignity.**

1st offense- Formal Warning

2nd offense- Final Warning

3rd offense- Discharge

**The above list is not intended to be comprehensive and, therefore, Facility may impose discipline up to and including discharge for any other violation or inappropriate conduct not listed above. This policy does not alter the employment-at-will relationship between you and the facility. This list is not intended to and does not prohibit any conduct that is protected by law.**

## 5-23. SUBSTANCE ABUSE

The facility upholds the obligation to its employees, residents and the general public, to reasonably ensure safety in our workplace, comply with federal and state health and safety regulations and prevent accidents. We also believe that by following this policy the safety, health and productivity of employees will improve. The use, possession or sale of illegal drugs is prohibited on our premises or when conducting facility business. Alcoholic beverages may never be brought into the worksite. Employees must not be under the influence of alcoholic beverages while at work or while conducting facility business. If the facility, as part of a social function or authorized entertainment, provides alcoholic beverages, employees choosing to consume such beverages must do so responsibly and by their own individual choice. Additionally, employees are reminded that our policies are still in effect for such functions and that violation of these policies may result in disciplinary action, up to and including termination. Employees are strictly prohibited from driving following consumption of

any quantity of alcohol at such functions that could impair their ability to drive safely and legally, and must request assistance if transportation is needed. These facility-sponsored or approved functions are the only times that consumption of alcoholic beverages on facility time or premises is permissible.

Any employee may be subject to take a drug and alcohol test at a facility designated by the facility.

The company may test employees for substance abuse under the following conditions:

1. If an employee appears to be under the influence of alcohol or drugs when reporting to work or while on the job;
2. Following an on-premises accident involving injury or property damage;
3. On a random basis.

Refusal to submit to testing when directed by management shall be deemed a voluntary resignation. Positive test results may be grounds for disciplinary action up to and including termination. Injuries sustained when drug use is evident may not be covered under various forms of insurance. Only those with a "need to know" will be provided information regarding a drug test and/or its results, consequences and status. Such records and information may be disclosed among managers and supervisors on a need to know basis and may be disclosed where relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

Any employee taking a legally prescribed drug or other medication is responsible for determining if it can impair judgment, coordination or perception or generally interfere with the ability to perform work in a safe and productive manner. Ask your doctor about all the possible effects a prescription may have on you and read the warning labels. Your supervisor will help determine whether you can handle the essential responsibilities of your job and an appropriate response to your situation. You may be asked to have your doctor document your fitness for work. Remember, neither you nor your doctor is being asked to provide any information about your condition. We only need to know if there are any aspects of your position that you can and cannot do based on your medical doctor's instructions. All legally prescribed drugs and other medications allowed on premises must be in the original packaging, and secured from residents.

## 5-24. DRUG DIVERSION

In the event of a drug diversion incident, a thorough investigation will be conducted. Employees who are determined to be potentially involved will be required to submit to a drug test. Employees who are not scheduled for that day will be required to come in for testing and will be paid at their hourly rate for the time spent submitting to the drug test. Refusal to submit to testing when directed by management shall be deemed a voluntary resignation. Employees who test positive for the missing drugs will be subject to a thorough investigation, which may result in disciplinary action, up to and including termination. Employees who test positive for drugs other than the diverted drugs will be counseled and encouraged to submit to an evaluation by a drug rehabilitation center.

## 5-25. A FEW CLOSING WORDS

This handbook is intended to give employees a broad summary of things they should know about PRIME HEALTHCARE MANAGEMENT. The information in this handbook is general in nature and, should questions arise, any member of management should be consulted for complete details. While we intend to continue the policies, rules and benefits described in this handbook, PRIME HEALTHCARE MANAGEMENT, in its sole discretion, may always amend, add to, delete from or modify the provisions of this handbook and/or change its interpretation of any provision set forth in this handbook. Employees should not hesitate to speak to management if they have any questions about the Facility or its personnel policies and practices.