



**STAFF EMPLOYEE HANDBOOK**

## **Welcome to Prime Staffing Inc.!**

We are pleased to welcome you as a member of the Prime Staffing family. We are excited to have selected you to represent Prime Staffing as one of New York's finest professionals.

Prime Staffing values our clients and employees equally, and firmly believes that the key to a successful relationship is based upon mutual respect, superior customer service, and exciting opportunities.

Starting a new job is exciting, but at times can be overwhelming. This Employee Handbook has been developed to help you become acquainted with the agency and answer many of your initial questions.

As a result, you will always have a Prime representative to assist you with all of your needs. In order to ensure a smooth transition, as a new employee, we have established a comprehensive orientation and assigned a dedicated recruiter to help facilitate this transition.

As an employee of Prime Staffing, you are very important. Your contribution cannot be overstated. Our goal is to provide the finest-quality products and services to our clients and to do so more efficiently and economically than our competitors. By satisfying our clients' needs, we ensure they will continue to do business with us and will recommend us to others.

You are an important part of this process, because your work directly influences the agency's reputation.

We are glad you have joined us and we hope you will find your work to be both challenging and rewarding.

Sincerely,

Michael Fazio  
President

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# The Way We Work

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## A Word About This Handbook

This Employee Handbook contains information about the employment policies and practices of the agency. We expect each employee to read this Employee Handbook carefully, as it is a valuable reference for understanding your job and the agency. The policies outlined in this Employee Handbook should be regarded as management guidelines only, which in a developing business will require changes from time to time. The agency retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the agency. This Employee Handbook supersedes and replaces any and all prior Employee Handbooks and any inconsistent verbal or written policy statements.

The agency complies with federal and state law and this handbook generally reflects those laws. The agency also complies with any applicable local laws, even though there may not be an express written policy contained in the handbook.

Except for the policy of at-will employment, the agency reserves the right to revise, delete and add to the provisions of this Employee Handbook at any time without further notice. All such revisions, deletions or additions to the Employee Handbook must be in writing and must be signed by the president of the agency. No oral statements or representations can change the provisions of this Employee Handbook.

The provisions of this Employee Handbook are not intended to create contractual obligations with respect to any matters it covers. Nor is this Employee Handbook intended to create a contract guaranteeing that you will be employed for any specific time period. Any agreement to

employment for a specified period of time will be put into writing.

Nothing in this Employee Handbook is intended to unlawfully restrict an employee's right to engage in any of the rights guaranteed them by Section 7 of the National Labor Relations Act, including but not limited to, the right to engage in concerted protected activity for the purposes of their mutual aid and/or protection. Nothing in this Employee Handbook will be interpreted, applied or enforced to interfere with, restrain or coerce employees in the exercise of Section 7 rights.

**OUR AGENCY IS AN AT-WILL EMPLOYER. THIS MEANS THAT REGARDLESS OF ANY PROVISION IN THIS EMPLOYEE HANDBOOK, EITHER YOU OR THE AGENCY MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT CAUSE OR NOTICE. NOTHING IN THIS EMPLOYEE HANDBOOK OR IN ANY DOCUMENT OR STATEMENT, WRITTEN OR ORAL, SHALL LIMIT THE RIGHT TO TERMINATE EMPLOYMENT AT-WILL. NO OFFICER, EMPLOYEE OR REPRESENTATIVE OF THE AGENCY IS AUTHORIZED TO ENTER INTO AN AGREEMENT—EXPRESS OR IMPLIED—WITH ANY EMPLOYEE FOR EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME UNLESS SUCH AN AGREEMENT IS IN A WRITTEN CONTRACT.**

This Employee Handbook refers to current benefit plans maintained by the agency. Refer to the actual plan documents and summary plan descriptions if you have specific questions regarding the benefit plan. Those documents are controlling.

Likewise, if a written contract is inconsistent with the Employee Handbook, the written contract is controlling.

## **Building for the Future**

As with any business, revenues are an absolute necessity for maintaining jobs and building for the future. Rather than look at generating sales and revenue as an "undesirable task", we look at it as a "must" situation. How do we continue to generate revenues to ensure a secure future and continued opportunities for all employees? With teamwork, together we must meet the challenges we face on a daily basis.

In general, we have mentioned benefits, responsibilities and operations. We have saved the most crucial component of this business for last -- You.

At all times, you represent the agency, and it is up to each one of you to take this responsibility seriously. Our agency exists with your joint efforts. Don't underestimate your contribution to it. A great many people outside the business who invest their time, money and faith in us are part of that equation. They are our clients. They will determine how fast we grow, how many people we will employ, how much service we render and the profit we make. In order to retain these clients, we want to ensure that our good service continues by always giving our clients the best possible value and quality. Working together and working well provides us with a bright future and with the most important commodity, a good reputation.

## **Equal Employment Opportunity**

Our agency is committed to equal employment opportunity. We will not discriminate against employees or applicants for employment on any legally-recognized basis ["protected class"] including, but not limited to: race; color; religion; genetic information; national origin; sex; pregnancy, childbirth, or related medical conditions; age; disability; citizenship status; uniform service member

status; or any other protected class under federal, state, or local law.

In Arizona, the following also are a protected class: race, color, religion, sex, age [40 or over], disability, AIDS/HIV status, national origin, status as a cardholder for medicinal marijuana, and genetic test results.

In California, the following also are a protected class: race; religious creed; color; national origin; ancestry; physical disability; mental disability; medical condition, including genetic characteristics; genetic information; marital status; status with regard to public assistance; sex; pregnancy, childbirth or related medical conditions; perceived pregnancy; actual or perceived gender; gender identity or expression; sexual orientation; civil air patrol membership; service in the military forces of the State of California or of the United States; military and veteran status; lawful conduct occurring during nonworking hours away from agency premises; and age [40 or over]. Included in the definition of each protected category is the perception of membership in a protected category and an individual's association with an actual or perceived member of a protected category.

In Florida, the following also are a protected class: race; color; religion; sex; pregnancy; national origin; age; handicap; genetic test results; Florida National Guard membership; AIDS and/or related diseases (unless the absence of the AIDS virus is a bona fide occupational qualification); sickle-cell trait [as to refusal to hire or discharge]; and marital status.

In Georgia, the following also are a protected class: age [between 40 and 70].

In Indiana, the following also are a protected class: race; religion; color; sex; disability; national origin; ancestry; off duty use of tobacco; use of a service animal by an

employee with a disability; veteran status; filing for a protective order; and age [between 40 and 75].

In Maine, the following also are a protected class: race; color; sex; sexual orientation; pregnancy and medical conditions which result from pregnancy; physical or mental disability; religion; age; ancestry or national origin; military membership (federal); tobacco use during nonworking hours as long as they comply with agency regulations; and genetic information and testing.

In Maryland, the following also are a protected class: race; color; religion; age; sex; sexual orientation; gender identity; national origin; marital status; pregnancy; childbirth; disability; genetic information; credit history; and those employed with the agency for 90 days who are members of the civil air patrol.

In New Jersey, the following also are a protected class: race; creed; color; national origin; ancestry; age; marital status; domestic partnership status; civil union status; affectional or sexual orientation; gender identity or expression; genetic information; sex; pregnancy; atypical hereditary cellular or blood trait; nationality; refusing to submit to a genetic test or make available the results of a genetic test to an employer; disability; liability for service in the U.S. military; religious practice or observance; an individual's status as a smoker or non-smoker; and for displaying the American flag on the employee's person or work station, as long as the display does not substantially and materially interfere with the employee's job duties.

In New Mexico, the following also are a protected class: race, age, religion, color, national origin, ancestry, sex, spousal affiliation, sexual orientation, gender identity, physical or mental handicap or serious medical condition, genetic information and an individual's status as a smoker or non-smoker.

In New York, the following also are a protected class: age [18 and over], race, creed, color, national origin, sexual orientation, sex, disability (including use of a guide dog, hearing dog, or service dog), predisposing genetic characteristics, military status, marital status, victims of domestic violence or stalking, for displaying the American flag on the employee's person or work station, as long as the display does not substantially and materially interfere with the employee's job duties, legal use of consumable products or legal recreational activities off company premises during nonworking hours, and previous conviction of criminal offenses, unless directly related to employment or would involve an unreasonable risk to property, or to the safety or welfare of specific individuals, or the general public.

In North Carolina, the following also are a protected class: race, religion, color, national origin, age, sex, military service, disability, sickle cell trait [as to discharge or refusal to employ], hemoglobin C trait [as to discharge or refusal to employ], off duty use of lawful products, including tobacco and alcohol, and genetic information or on account of having requested genetic testing or genetic counseling services [as to discharge or refusal to employ].

In South Carolina, the following also are a protected class: race; religion; color; sex; pregnancy, childbirth or related medical conditions; age [40 or over]; national origin; disability; and tobacco use outside the workplace.

In Texas, the following also are a protected class: race; color; disability; religion; sex; pregnancy, childbirth or a related medical condition; national origin; age [40 or over] and genetic information [or refusal to submit to a genetic test].

You may discuss equal employment opportunity related questions with your supervisor or any other designated member of management.

## **Pregnancy Accommodation**

The agency will provide reasonable accommodations to female employees related to pregnancy, childbirth, or related medical conditions, to the extent the accommodation can be made without imposing an undue hardship on the business.

When an employee requests a reasonable accommodation, the agency will explore with the employee the possible means of providing the reasonable accommodation, which may include, but are not limited to:

- allowing more frequent breaks or periodic rest;
- assisting with manual labor;
- modifying job duties;
- modifying work hours/schedules;
- temporary transfer to a less strenuous or less hazardous position; or
- providing a leave of absence.

The agency may require the employee to provide a certification in connection with a request for reasonable accommodation that includes the following:

- the date the reasonable accommodation became medically advisable;
- the probable duration of the reasonable accommodation; and
- an explanatory statement as to the medical advisability of the reasonable accommodation.

If leave is provided as a reasonable accommodation, such leave may run concurrently with the federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.



For more information, or if you require an accommodation, please contact your agency.

## **Americans with Disabilities Act**

Our agency is committed to providing equal employment opportunities to qualified individuals with disabilities. This may include providing reasonable accommodation where appropriate in order for an otherwise qualified individual to perform the essential functions of the job. It is your responsibility to notify your agency of the need for accommodation. Upon doing so, your agency may ask you for your input or the type of accommodation you believe may be necessary or the functional limitations caused by your disability. Also, when appropriate, we may need your permission to obtain additional information from your physician or other medical or rehabilitation professionals. The agency will not seek genetic information in connection with requests for accommodation. All medical information received by the agency in connection with a request for accommodation will be treated as confidential.

## **A Word about our Employee Relations Philosophy**

We are committed to providing the best possible climate for maximum development and goal achievement for all employees. Our practice is to treat each employee as an individual. We seek to develop a spirit of teamwork; individuals working together to attain a common goal.

In order to maintain an atmosphere where these goals can be accomplished, we provide a comfortable and progressive workplace. Most importantly, we have a workplace where communication is open and problems can be discussed and resolved in a mutually respectful atmosphere. We take into account individual circumstances and the individual employee.

We firmly believe that with direct communication, we can continue to resolve any difficulties that may arise and develop a mutually beneficial relationship.

### **No Harassment**

We prohibit harassment of one employee by another employee, supervisor or third party for any reason based upon an individual's race; color; religion; genetic information; national origin; sex (including same sex); pregnancy, childbirth, or related medical conditions; age; disability; or any other category protected under federal, state, or local law ("protected class").

In Arizona, the following also are a protected class: race, color, religion, sex, age [40 or over], disability, AIDS/HIV status, national origin, status as a cardholder for medicinal marijuana, and genetic test results.

In Florida, the following also are a protected class: race; color; religion; sex (including pregnancy); national origin; age; handicap; genetic test results; Florida National Guard membership; AIDS and/or related diseases (unless the absence of the AIDS virus is a bona fide occupational qualification); sickle-cell trait [as to refusal to hire or discharge]; and marital status.

In Georgia, the following also are a protected class: age [between 40 and 70] and disability.

In Indiana, the following also are a protected class: race; religion; color; sex; disability; national origin; ancestry; off duty use of tobacco; use of a service animal by an employee with a disability; veteran status; and age [between 40 and 75].

In Maryland, the following also are a protected class: race; color; religion; age; sex; sexual orientation; gender identity; national origin; marital status; pregnancy; childbirth; disability; genetic information; credit history; and those employed with the agency for 90 days who are members of the civil air patrol.

In New Mexico, the following also are a protected class: race, age, religion, color, national origin, ancestry, sex, spousal affiliation, sexual orientation, gender identity, physical or mental handicap or serious medical condition, genetic information and an individual's status as a smoker or non-smoker.

In New York, the following also are a protected class: age [18 and over], race, creed, color, national origin, sexual orientation, sex, disability (including use of a guide dog, hearing dog, or service dog), predisposing genetic characteristics, military status, marital status, victims of domestic violence or stalking, for displaying the American flag on the employee's person or work station, as long as the display does not substantially and materially interfere with the employee's job duties, legal use of consumable

products or legal recreational activities off agency's premises during nonworking hours, and previous conviction of criminal offenses, unless directly related to employment or would involve an unreasonable risk to property, or to the safety or welfare of specific individuals, or the general public.

In South Carolina, the following also are a protected class: race; religion; color; sex; pregnancy, childbirth or related medical conditions; age [40 or over]; national origin; disability; and tobacco use outside the workplace.

In Texas, the following also are a protected class: race; color; disability; religion; sex; pregnancy, childbirth or a related medical condition; national origin; age [40 or over] and genetic information [or refusal to submit to a genetic test].

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

If you have any questions about what constitutes harassing behavior or what conduct is prohibited by this policy, please discuss the questions with your agency. At a minimum, the term "harassment" as used in this policy includes any of the following activities pertaining to an individual's protected class:

- Offensive remarks, comments, jokes, slurs, threats, or verbal conduct.
- Offensive pictures, drawings, photographs, figurines, writings, or other graphic images, conduct, or communications, including text messages, instant messages, websites, voicemails, social media postings, e-mails, faxes, and copies.

- Offensive sexual remarks, sexual advances, or requests for sexual favors regardless of the gender of the individuals involved; and
- Offensive physical conduct, including touching and gestures, regardless of the gender of the individuals involved.

We also absolutely prohibit retaliation, which includes: threatening an individual or taking any adverse action against an individual for (1) reporting a possible violation of this policy, or (2) participating in an investigation conducted under this policy.

Agency supervisors and managers are covered by this policy and are prohibited from engaging in any form of harassing, discriminatory, or retaliatory conduct. No supervisor or other member of management has the authority to suggest to any applicant or employee that employment or advancement will be affected by the individual entering into (or refusing to enter into) a personal relationship with the supervisor or manager, or for tolerating (or refusing to tolerate) conduct or communication that might violate this policy. Such conduct is a direct violation of this policy.

Even non-employees are covered by this policy. We prohibit harassment, discrimination, or retaliation of our employees in connection with their work by nonemployees. Immediately report any harassing or discriminating behavior by non-employees, including contractor or subcontractor employees. Any employee who experiences or observes harassment, discrimination, or retaliation should report it using the steps listed below.

**If you have any concern that our No Harassment policy may have been violated by anyone, you must immediately report the matter. Due to the very**

**serious nature of harassment, discrimination and retaliation, you must report your concerns to one of the individuals listed below:**

If an employee makes a report to any of these members of management and the manager either does not respond or does not respond in a manner the employee deems satisfactory or consistent with this policy, the employee is required to report the situation to one of the other members of management.

**You should report any actions that you believe may violate our policy no matter how slight the actions may seem.**

We will investigate the report and then take prompt, appropriate remedial action. The agency will protect the confidentiality of employees reporting suspected violations to the extent possible consistent with our investigation.

**You will not be penalized or retaliated against for reporting improper conduct, harassment, discrimination, retaliation, or other actions that you believe may violate this policy.**

We are serious about enforcing our policy against harassment. Persons who violate this or any other agency policy are subject to discipline, up to and including discharge. We cannot resolve a potential policy violation unless we know about it. You are responsible for reporting possible policy violations to us so that we can take appropriate actions to address your concerns.

## **No Harassment (Maine Employees)**

We do not tolerate the harassment of applicants, employees, clients, or vendors. Any form of harassment relating to an individual's race; color; religion; genetic information; national origin; sex (including same sex); pregnancy, childbirth, or related medical conditions; age; disability; or any other category protected by federal, state, or local law ("protected class") is a violation of this policy and will be treated as a disciplinary matter.

In Maine, the following also are a protected class: race; color; sex; sexual orientation; pregnancy and medical conditions which result from pregnancy; physical or mental disability; religion; age; ancestry or national origin; military membership (federal); tobacco use during nonworking hours as long as they comply with agency regulations; and genetic information and testing.

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

If you have any questions about what constitutes harassing behavior or what conduct is prohibited by this policy, please discuss the questions with a member of management or one of the contacts listed in this policy. At a minimum, the term "harassment" as used in this policy includes:

- Offensive remarks, comments, jokes, slurs, or verbal conduct pertaining to an individual's protected class.
  
- Offensive pictures, drawings, photographs, figurines, or other graphic images, conduct, or communications, including e-mail, faxes, and

copies pertaining to an individual's protected class.

- Offensive sexual remarks, sexual advances, or requests for sexual favors regardless of the gender of the individuals involved; and
- Offensive physical conduct, including touching and gestures, regardless of the gender of the individuals involved.

In Maine, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature may constitute sexual harassment when:

- a) submission to such conduct is made an either explicit or implicit a term or condition of an individual's employment; or
- b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples include, but are not limited to:

- Unwelcome Sexual Advances
- Suggestive or Lewd Remark
- Unwanted Hugs, Touches, Kisses
- Requests for Sexual Favors
- Retaliation for Complaining About Sexual Harassment



We also absolutely prohibit retaliation, which includes: threatening an individual or taking any adverse action against an individual for (1) reporting a possible violation of this policy, or (2) participating in an investigation conducted under this policy.

All members of management are covered by this policy and are prohibited from engaging in any form of harassing, discriminatory, or retaliatory conduct. No member of management has the authority to suggest to any applicant or employee that employment or advancement will be affected by the individual entering into (or refusing to enter into) a personal relationship with any member of management, or for tolerating (or refusing to tolerate) conduct or communication that might violate this policy. Such conduct is a direct violation of this policy.

Even non-employees are covered by this policy. We prohibit harassment, discrimination, or retaliation of our employees in connection with their work by nonemployees. Immediately report any harassing or discriminating behavior by non-employees, including vendors, clients, employees of contractors or subcontractors. Any employee who experiences or observes harassment, discrimination, or retaliation should report it using the steps listed below.

**If you have any concern that our No Harassment policy may have been violated by anyone, you must immediately report the matter. Due to the very serious nature of harassment, discrimination and retaliation, you must report your concerns to one of the individuals listed below:**

1. The Compliance Department at (212) 629-7200 or 499 Seventh Avenue, 21st FL New York, NY 10018.

If an employee makes a report to any person listed above and that person either does not respond or does not respond in a manner the employee deems satisfactory or consistent with this policy, the employee is required to report the situation to one of the other persons on the list above designated in this policy to receive complaints.

**You should report any actions that you believe may violate our policy no matter how slight the actions may seem.**

We will investigate the report and then take prompt, appropriate remedial action. The agency will protect the confidentiality of employees reporting suspected violations to the extent possible consistent with our investigation.

**You will not be penalized or retaliated against for reporting improper conduct, harassment, Discrimination, retaliation, or other actions that you believe may violate this policy.**

We are serious about enforcing our policy against harassment. Persons who violate this or any other agency policy are subject to discipline, up to and including discharge. We cannot resolve a potential policy violation unless we know about it. You are responsible for reporting possible policy violations to us so that we can take appropriate actions to address your concerns.

In accordance with Maine state law, we conduct training on this sexual harassment policy.

We encourage our employees to file a complaint of sexual harassment using our agency's complaint procedure.

If you are dissatisfied with the resolution of your concern, you may also file a complaint by visiting, writing or calling the Maine Human Rights Commission, 51 State House

Station, Augusta, Maine 04333-0051, (207) 624-6050 (voice), (207) 624-6064 (TTY). Complaints must be filed within 300 days of the adverse action.

## **Categories of Employment**

**INTRODUCTORY PERIOD:** During this time, you will be able to determine if your new job is suitable for you and your on-site supervisor will have an opportunity to evaluate your work performance. However, the completion of the introductory period does not guarantee employment for any period of time since you are an at-will employee both during and after your introductory period.

**Full-time employees** regularly work at least 35 hours each workweek.

**Part-time Employees** regularly work less than 35 hours or less each week.

**Temporary Employees** a temporary employee is generally an individual who is hired either part time or full time for a specified, limited period.

In addition to the preceding categories, employees are also categorized as "exempt" or "non-exempt."

Non-Exempt Employees are entitled to overtime pay as required by applicable federal and state law.

Exempt Employees are not entitled to overtime pay and may also be exempt from minimum wage requirements pursuant to applicable federal and state laws.

Upon hire, your agency will notify you of your employment classification.

## **Anniversary Date**

The first day you report to work will be recorded in agency records as your anniversary date. This date may be used to calculate many different agency benefits. If you have any questions regarding your anniversary date, please see ask your agency.

## **Notice of Assignment**

You will receive a **Notice of Assignment** for each position you accept with the agency. This **Notice of Assignment** will either be an assignment confirmation sent via email, or a contract, which will need to be signed and dated, prior to starting work. The Notice of Assignment sets forth the specific details pertaining to the assignment, which you have accepted. By receiving an assignment confirmation via email, or signing a contract, you agree to be bound by all the requirements, terms and conditions he rein.

## **Certification, Licensing and Other Requirements**

In order to work for the agency, each employee must complete new-hire paperwork. Additionally, you will be required to submit mandatory documents to the agency or the client facility, which will vary depending on your particular position and the facility at which you work.

Failure to qualify or to maintain the requirements may be sufficient cause for discharge.

## **Client Facilities Policy and Procedures**

Each employee must familiarize, understand and work in accordance with the policies and procedures of the client facility, in which you are providing services, including, but not limited to, policies regarding floating to other departments or units and/or hospitals/location, if within a health system, shift cancellation, multiple location transfers, meal period breaks, and rest periods.

Violation of client facilities policies and procedures, will lead to disciplinary action, up to and including termination.

## **Immigration Reform and Control Act**

In compliance with the federal Immigration Reform and Control Act of 1986 (IRCA), as amended, and any state law requirements, if applicable, our agency is committed to employing only individuals whom are authorized to work in the United States.

Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

If an employee is authorized to work in this country for a limited time period, the individual will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by the agency.

## **New Employee Orientation**

Upon joining our agency, you were given this copy of our Employee Handbook. After reading this Employee Handbook, please sign the receipt page and return it to your agency. You will also be asked to complete personnel, payroll and benefit forms.

Your on-site supervisor is responsible for the operations of your department. (S) He is a good source of information about the agency and your job.

## **Talk to Us**

We encourage you to bring your questions, suggestions and complaints to our attention. We will carefully consider each of these in our continuing effort to improve operations.

If you feel you have a problem, present the situation to the agency, so that the problem can be settled by examination and discussion of the facts.

Your suggestions and comments on any subject are important and we encourage you to take every opportunity to discuss them with us. Your job will not be adversely affected, in any way, because you choose to use this procedure.

## **Emergency Contact**

While you are on assignment, the agency's personnel will be available to answer any questions that arise. Whether they concern general area facts or specific assignment details, we are genuinely interested in your complete satisfaction.

For your convenience, the agency is available 24 -7.

# Your Pay and Progress

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## Recording Your Time

Non-exempt employees must record their hours utilizing each client facility's specific timekeeping system.

It is the agency's policy to only pay for all hours approved by the client facilities.

Accurately recording all of your time is required, in order to be sure that you are paid for all hours worked.

You are expected to follow the established procedures in keeping an accurate record of your hours worked.

Exempt employees may be required to accurately record their time worked, in accordance with federal and state wage and hour law.

Employees are encouraged to familiarize themselves with their client facility's timekeeping system. On-site managers are available for assistance.

## Payday

You will be paid weekly on Thursday for the period that ends on your previous work week, which will either be Saturday or Sunday, depending on your client facility.

When your payday is a holiday, you normally will be paid on the first working day after the holiday.

Please review your paycheck for errors. If you find a mistake, report it to the agency's Payroll Coordinator immediately. The Payroll Coordinator will assist you in taking the steps necessary to correct the error.

## **Paycheck Deductions**

The agency is required by law to make certain deductions from your paycheck each pay period. Such deductions typically include federal and state taxes and Social Security (FICA) taxes. Depending on the state in which you are employed and the benefits you choose, there may be additional deductions. All deductions and the amount of the deductions are listed on your pay stub. These deductions are totaled each year for you on your Form W2, Wage and Tax Statement.

It is the policy of the agency that exempt employees' pay will not be "docked," or subject to deductions, in violation of salary pay rules issued by the United States Department of Labor and any corresponding rules issued by the state government, as applicable. However, the agency may make deductions from employees' salaries in a way that is permitted under federal and state wage and hour rules. Employees will be reimbursed in full for any isolated, inadvertent or improper deductions, as defined by law.

Thus, exempt employees may be subject to the following salary deductions, except where prohibited by state law, but only for the following reasons:

- Absences of one or more full days for personal reasons, other than sickness or disability; or

- Absences of one or more full days due to sickness or disability, if there is a plan, policy or practice providing replacement compensation for such absences; or
- Absences of one or more full days before eligibility under such a plan, policy or practice or after replacement compensation for such absences has been exhausted; or
- Suspensions of one or more full days for violations of safety rules of major significance; or
- Suspensions of one or more full days for violations of written workplace conduct rules, such as rules against sexual harassment and workplace violence; or
- Payment of actual time worked in the first and last weeks of employment, resulting in a proportional rate of an employee's full salary; or
- Any unpaid leave taken under the Family and Medical Leave Act; or
- Negative paid-time-off balances, in whole-day increments only.

The agency will not make deductions, which are prohibited by the Fair Labor Standards Act or state laws from its exempt employees' pay.

If questions or concerns about any pay deductions arise, discuss and resolve them with the agency. If an error is found, you will receive an immediate adjustment, which will be paid no later than on the next regular payday.

## **Garnishment/Child Support**

When an employee's wages are garnished by a court order, our agency is legally bound to withhold the amount indicated in the garnishment order from the employee's paycheck. Our agency will, however, honor applicable federal and state guidelines that protect a certain amount of an employee's income from being subject to garnishment.

## **Direct Deposit**

All employees will enroll in the on line payroll program. Once an assignment is confirmed, each employee receives a link to register. Employees create their own logon and password. Please retain that information so you can access the system. Employees can review their paychecks, authorize any changes and access their annual W2 form.

Employees are responsible for the accuracy of their banking information.

After any lapse in employment with the Agency, please contact the agency's Payroll Department to be sure all banking information is still active in our system.

The agency strongly urges you to verify funds have been deposited each pay period, prior to making a withdrawal. Prime Staffing will not be responsible for any charges assessed by your financial institution due to insufficient funds.

## **Tax Advantage Plan**

Employees who qualify for the agency's Tax Advantage Plan will receive a per diem allowance for meals, lodging and other incidentals. In order to qualify for this benefit, you must meet certain requirements under the Internal Revenue Code.

If you are eligible to participate in our Tax Advantage Plan, the per diem allowance you receive will be treated as an expense reimbursement and not wages (which means the per diem allowance will not be taxed).

Please note that while you may initially qualify for our Tax Advantage Plan, certain facts may change over time, which may cause you to lose your eligibility status for this benefit or may require the per diem allowance to be taxed.

We strongly encourage you to consult with a tax advisor, regarding questions you may have, as this determination is based upon facts, which are specific to each employee.

## **Overtime (California Employees)**

There will be times when you will need to work overtime so that we may meet the needs of our clients. Although you will be given advance notice when feasible, this is not always possible. If you are a non-exempt employee, you must have all overtime approved in advance by your onsite supervisor.

Generally, unless an alternate workweek is in effect or state law dictates otherwise, non-exempt, non-agricultural workers will be paid at a rate of time and one-half their regular rate of pay for: (1) hours worked in excess of eight hours in a day; (2) hours worked in excess of 40 hours in a week not compensated as daily overtime; and (3) for the first eight hours of work on a seventh day of work in a single workweek; and at a rate of double their regular rate of pay for: (a) hours worked in excess of 12 hours in a day; and (b) hours worked in excess of eight hours on a seventh day of work in a single workweek. In accordance with state law, rest and recovery periods may count as hours worked.

We will allow employees to make up time for work missed because of their personal obligations. If you wish to do so, you must provide your supervisor with a written and signed request for each occasion that you desire to make up time. However, an employee who makes up missed time in the same workweek will not be paid overtime for the additional hours of work on a given day unless they exceed 11 on that day or total more than 40 in that week.

Only actual hours worked count toward computing weekly overtime.

If you have any questions concerning overtime pay, check with an agency's Payroll Department.

### **Overtime (All Other Employees)**

There will be times when you will need to work overtime so that we may meet the needs of our clients. Although you will be given advance notice when feasible, this is not always possible. If you are a non-exempt employee, you must have all overtime approved in advance by your onsite supervisor.

Non-exempt employees will be paid at a rate of time and one-half their regular rate of pay for hours worked in excess of 40 hours in a workweek, unless state law provides a greater benefit in which case, we will comply with the state law.

Only actual hours worked count toward computing weekly overtime.

If you have any questions concerning overtime pay, check with an agency's Payroll Department.





## Time Away From Work and Other Benefits

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## **Employee Benefits**

Our agency has developed a comprehensive set of employee benefit programs to supplement our employees' regular wages. Our benefits represent a hidden value of additional income to our employees.

This Employee Handbook describes the current benefit plans maintained by the agency. Refer to the actual plan documents and summary plan descriptions if you have specific questions regarding the benefit plan. Those documents are controlling.

The agency reserves the right to modify and/or terminate its benefits at any time. We will keep you informed of any changes.

## **Health Benefits**

Qualified employees are eligible to join Prime Staffing's Health Benefits. Please contact the Payroll Dept. and/or your recruiter for details regarding current carriers, plans and costs.

## **Holidays**

Depending on the applicable client facility, employees may receive holiday pay, if scheduled to work the following holidays:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day

- Thanksgiving Day
- Christmas Day

Employees, who have worked 2,000 hours in the trailing 12 months, are eligible to receive holiday pay.

Employees must work their scheduled workday before and after the holiday in order to be paid for the holiday, unless they are absent with prior permission from the client facility and/or the agency.

If you are scheduled to work either the day before or the day after the holiday and you call out sick, you will not receive holiday pay.

Please contact the agency's Payroll Department for more details regarding holiday pay for your assignment.

Corporate employees will be notified of their holiday schedule by Senior Management at the start of each calendar year.

### **Sick Leave**

Sick pay is accrued at a rate of 1 hour for every 30 hours worked. An employee is eligible to accrue up to 56 hours per year based on their anniversary date at the company.

An employee can use a minimum of 4 hours per sick day.

For sick days requested for more than 3 days, a doctor's note must be provided to your payroll department and recruiter.

After January 1, 2021, employees may use accrued leave following a verbal or written request to their

employer for the following reasons impacting the employee or a member of their family for whom they are providing care or assistance with care:

Sick Leave:

- For mental or physical illness, injury, or health condition, regardless of whether it has been diagnosed or requires medical care at the time of the request for leave\*; or
- For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for medical diagnosis or preventive care.

\*This includes using leave for the recovery of any side effects of the COVID-19 vaccination. Please see ['Guidance on the use of Paid Sick Leave for COVID-19 vaccine recovery time'](#).

Safe Leave:

- For an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the **State Human Rights Law**, a family offense, sexual offense, stalking, or

human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:

- to obtain services from a domestic violence shelter, rape crisis center, or other services program;
- to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
- to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
- to file a complaint or domestic incident report with law enforcement;
- to meet with a district attorney's office;
- to enroll children in a new school; or
- to take any other actions necessary to ensure the health or safety of the employee or the employee's family

member or to protect those who  
associate or work with the employee.

Any sick time not used by the end of the assignment is not paid out, and is forfeited at the end of the assignment. Any unused sick time in a calendar year does roll over to the following year but still only allows the use of up to 56 hours per year.

## **Vacation**

External Employees who have worked 2,080 hours in the trailing 12 months are eligible to accrue up to 40 hours of paid vacation.

Vacation time is paid at the employee's base pay rate (as of the time of vacation) times the number of hours of work the employee was absent and would otherwise have been scheduled to work, up to eight (8) hours.

Vacation time does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

Every effort will be made to accommodate vacation requests, but all vacations are subject to the client facility and the agency's operational needs. The agency has sole discretion to grant or deny a vacation request. You must submit vacation requests in writing at least two (2) weeks in advance. Vacation time must be in consecutive days.

Vacation pay is granted in lieu of taking the actual time off for external employees.

Corporate employees will be paid vacation time according to their employment offer.

All employees may not carry over accrued but unused vacation days from one year to the next, unless otherwise required by applicable law.

At the end of employment, all employees will not be paid for earned but unused vacation, unless state law dictates otherwise.

## **Paid Sick Leave (California Employees)**

An eligible employee who, on or after July 1, 2015, works in California for 30 or more days within a year from the commencement of employment for the agency is entitled to paid sick leave as described below.

Eligible employees shall accrue paid sick days at the rate of not less than one hour per every 30 hours worked, beginning at the commencement of employment or July 1, 2015, whichever is later.



Eligible employees are entitled to use accrued paid sick days beginning on the 90<sup>th</sup> day of employment. The rate of pay shall be the employee's hourly wage. The actual dollar amount that you receive may vary according to your compensation plan.

Accrued paid sick leave may be used for:

1. Diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member;
2. For an employee who is a victim of domestic violence, sexual assault, or stalking: to obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his/her child; to seek medical attention for injuries caused by domestic violence, sexual assault, or stalking; to obtain services from a domestic violence shelter, program or rape crisis center; to obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking; or to participate in safety planning and take other actions increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

“Family members” include: spouses, registered domestic partners, grandparents, grandchildren, siblings, children, and parents as defined by state law.

If the need to use paid sick leave is foreseeable, you must provide the agency with reasonable advance notification.

If the need to use paid sick leave is not foreseeable, please provide notice of your intent to use paid sick leave as soon as practicable.

Employees will not be discriminated or retaliated against for taking or requesting leave in accordance with this policy.

Accrued, but unused sick leave will not be paid out at the end of employment. If an employee is separated and rehired by the employer within one year from the date of separation, previously accrued and unused paid sick days shall be reinstated and the employee shall be entitled to use those previously accrued and unused paid sick days and to accrue additional paid sick days upon rehiring unless the employee was paid out for all accrued and unused sick leave upon separation of employment.

This leave may run concurrently with the federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

## **Jury Duty (California Employees)**

If you are summoned for jury duty, give reasonable advance notice to human resources that you will need time off to serve. You will be granted an unpaid leave in order to serve.

We reserve the right to request proof of jury service issued by the Court upon return.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

Make arrangements with human resources as soon as you receive your summons.

We expect you to return to your job if you are excused from jury duty during your regular working hours.

Employees summoned for jury duty are granted an unpaid leave in order to serve, unless county statute dictates otherwise.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

Make arrangements with the agency's payroll coordinator as soon as you receive your summons.

We reserve the right to request proof of jury service issued by the Court upon return.

## **Jury Duty**

We expect you to return to your job if you are excused from jury duty during your regular working hours.

## **Jury Duty (Georgia Employees)**

If you are summoned for jury duty, you will receive your regular wages while you are serving as a juror, less any compensation received from the courts for jury duty, provided that you give reasonable advance notice to the agency's Payroll Department that you will need time off to serve.

Employees must provide the agency with a copy of the court payment records.

We expect you to return to your job if you are excused from jury duty during your regular working hours.

## **(Maryland Employees)**

Employees summoned for jury duty are granted an unpaid leave in order to serve.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

We reserve the right to request proof of jury service issued by the Court upon return.

## **Jury Duty**

Make arrangements with your agency as soon as you receive your summons.

When permitted by state law, we expect you to return to your job if you are excused from jury duty during your regular working hours. An employee who is summoned and appears for jury service for four or more hours, including traveling time, will not be required to work an employment shift that begins (1) on or after 5:00 p.m. on the day of the employee's appearance for jury service; or (2) before 3:00 a.m. on the day following the employee's appearance for jury service.

### **(New York Employees)**

Employees summoned for jury duty will receive unpaid leave, except that you shall receive the first \$40 of your daily wages during the first three days of jury service in a state or local court.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

We reserve the right to request proof of jury service issued by the Court upon return.

Make arrangements with the agency's Payroll Department as soon as you receive your summons.

We expect you to return to your job if you are excused from jury duty during your regular working hours.

## **Voting Leave (Arizona Employees)**

Our agency believes that every employee should have the opportunity to vote in any state or federal election, general primary or special primary. Any employee whose work schedule does not provide him or her three consecutive hours either between the opening of the polls and the beginning of his or her shift or between the end of his or her shift and the close of the polls will be allowed to take time off without a deduction in pay in order to vote. We reserve the right to select the hours you are excused to vote.

You must notify the agency's Payroll Department of the need for voting leave at least one day before Election Day. When you return from voting leave, you must present a voter's receipt to the agency's Payroll Department as soon as possible.

## **Voting Leave (California Employees)**

Our agency believes that every employee should have the opportunity to vote in any state or federal election, general primary or special primary. Any employee who does not have sufficient time outside of working hours to vote in a statewide election may request up to two paid hours off in order to vote. We reserve the right to select the hours you are excused to vote.

Notify human resources of the need for voting leave as soon as possible. When you return from voting leave, you

## **Voting Leave**

must present a voter's receipt to human resources as soon as possible.

### **(Georgia Employees)**

Our agency believes that every employee should have the opportunity to vote in any municipal, county, state or federal election, general primary or special primary. Any employee whose work schedule does not provide him or her two consecutive hours either between the opening of the polls and the beginning of his or her shift or between the end of his or her shift and the close of the polls will be granted up to two unpaid hours off in order to vote. We reserve the right to select the hours you are excused to vote.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

Notify the agency's Payroll Department of the need for voting leave as soon as possible. When you return from voting leave, you must present a voter's receipt to the agency's Payroll Department as soon as possible.

### **(Maryland Employees)**

Our agency believes that every employee should have the opportunity to vote in any state or federal election, general primary or special primary. Any employee whose work schedule does not provide him or her at least two hours to vote while polls are open, will be granted up to two paid hours off in order to vote. We reserve the right to select the hours you are excused to vote.

Notify the agency's Payroll Department of the need for voting leave as soon as possible. When you return from

## **Voting Leave**

voting leave, you must present written proof that you have voted or attempted to vote.

## **Voting Leave (New Mexico Employees)**

Our agency believes that every employee should have the opportunity to vote in any state or federal election, general primary or special primary. Any employee whose work schedule does not provide him or her either two consecutive hours between the opening of the polls and the beginning of his or her shift or three consecutive hours between the end of his or her shift and the close of the polls will be granted up to two paid hours off in order to vote.

Notify the agency's Payroll Department of the need for voting leave as soon as possible, within two to ten working days before the election. We reserve the right to select the hours you are excused to vote. When you return from voting leave, you must present a voter's receipt to the agency's Payroll Department as soon as possible.

## **(New York Employees)**

Our agency believes that every employee should have the opportunity to vote in any state or federal election, general primary or special primary. Any employee whose work schedule does not provide him or her four consecutive hours to vote while polls are open will be granted up to two paid hours off in order to vote. Any additional time off will be without pay. We reserve the right to select the hours you are excused to vote.



## **Voting Leave**

Exempt employees may be provided additional time off with pay when necessary to comply with state and federal wage and hour laws.

Notify the agency's Payroll Department of the need for voting leave two to ten days before the election. When you return from voting leave, you must present a voter's receipt to the agency's Payroll Department as soon as possible.

### **(Texas Employees)**

Our agency believes that every employee should have the opportunity to vote in any state or federal election, general primary or special primary. Any employee whose work schedule does not provide him or her two consecutive hours to vote while polls are open, will be granted reasonable time off in order to vote. This time off will be paid.

Notify the agency's Payroll Department of the need for voting leave as soon as possible. We reserve the right to select the hours you are excused to vote. When you return from voting leave, you must present a voter's receipt to the agency's Payroll Department as soon as possible.

## **Political Activity Leave (Texas Employees)**

The agency will provide unpaid leave to an employee for the purpose of attending a precinct convention in which

## **Voting Leave**

the employee is eligible to participate or to attend a county, district, or state convention to which the employee is a delegate.

Eligible employees must provide advance notice of their need for leave. The agency may also require the employee to submit documentation in support of any leave request under this policy.

## **Military Leave**

Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in state military service will be given the necessary time off and reinstated in accordance with federal and state law.

The time off will be unpaid, except where state law dictates otherwise. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

Accrued vacation (if any) may be used for this leave if the employee chooses, but the agency will not require the employee to use vacation. Military orders should be presented to the agency's Payroll Department and arrangements for leave made as early as possible before departure. Employees are required to give advance notice of their service obligations to the agency unless military necessity makes this impossible. You must notify the agency's Payroll Department of your intent to return to employment based on requirements of the law. Your benefits may continue to accrue during the period of leave in accordance with state and federal law.

Additional information regarding military leaves may be obtained from the agency's Payroll Department.

### **Family Military Leave (California Employees)**

An employee who works an average of 20 or more hours per week whose spouse or registered domestic partner is a member of the Armed Forces, National Guard or Reserves that has been deployed during a period of military conflict is eligible to receive up to 10 unpaid days off when their spouse is on leave from military deployment.

You must provide the agency's Payroll Department with notice of your intention to take leave within two business days of receiving official notice that your spouse or registered domestic partner will be on leave from deployment. Employees taking family military leave must also provide the agency with written documentation certifying their spouse will be on leave from deployment.

## **Family Military Leave (Indiana Employees)**

Eligible employees who are the spouse, parent, grandparent, or sibling (whether by blood, marriage, adoption, or foster care) of a person who is ordered to active duty for military service for a period longer than eighty-nine (89) days may take up to ten (10) working days of unpaid family military leave. Such leave may be taken during the thirty (30) days before active duty orders are in effect, during a period in which the person ordered to active duty is on leave while active duty orders are in effect, or during the thirty (30) days after the active duty orders are terminated.

To be eligible for family military leave, employees must have been employed by the agency for 12 months and worked 1,500 hours during the 12-month period immediately preceding the start of the leave.

An eligible employee may elect to substitute any earned paid vacation leave, personal leave, or other paid leave, except for paid medical or sick leave, for any part of the ten (10) day period of such leave.

If you want to take leave, you shall provide written notice, including a copy of the active duty orders if available, to the agency of the date the leave will begin. An employee shall give at least thirty (30) days' notice before the date on which the leave will begin, unless the active duty orders are issued less than thirty (30) days before the date the requested leave is to begin.

The employee shall consult with the agency to attempt to schedule the leave so as not to unduly disrupt the operations of the agency. The agency may require certification to verify an employee's eligibility for family military leave. Failure to provide requested certification will result in the leave being considered an unexcused absence from employment.

**Family Military Leave  
(Maine Employees)**

Eligible employees who are the spouse, domestic partner or parent of a person who is a resident of Maine and who is deployed for military service for a period longer than 180 days may take up to 15 total days of unpaid family military leave during the period 15 days immediately prior to the period of deployment (if the military member is granted leave during the period of deployment), during the period of deployment, and in the 15 days immediately following the period of deployment.

To be eligible for family military leave, employees must have been employed by the agency for 12 months and worked 1,250 hours during the 12-month period immediately preceding the start of the leave.

Employees must provide the agency with at least 14 days' notice for leave lasting five or more consecutive workdays. For leaves of less than five days, employees must provide the agency with as much notice as possible.

The employee shall consult with the agency to attempt to schedule the leave so as not to unduly disrupt the operations of the agency. The agency may require certification to verify an employee's eligibility for family military leave.

**Family Military Leave  
(Maryland Employees)**

An eligible employee may take unpaid leave from work on the day that an immediate family member (spouse,



parent, stepparent, child, stepchild, or sibling) of the employee is leaving for, or returning from, active duty outside the United States as a member of the Armed Forces of the United States.

To be eligible for family military leave, an employee must work full or part time, have been employed by the agency for the last 12 months, and worked 1,250 hours during the last 12-month period.

The agency may require an employee requesting leave under this policy to submit proof verifying the need for leave.

### **Family Military Leave (New York Employees)**

Eligible employees who are the spouse of a member of the Armed Forces of the United States, National Guard or Reserves who has been deployed during a period of military conflict to a combat theatre or combat zone may take up to ten days of unpaid family military leave during the military service member's leave or deployment.

To be eligible for family military leave, employees must work an average of twenty hours or more per week.

### **Civil Air Patrol Leave (California Employees)**

An employee who is a voluntary member of the California Wing of the Civil Air Patrol will be permitted no less than 10 days of unpaid leave per calendar year in order to respond to an emergency operational mission as defined by state law.

In order to qualify for leave under this policy, an employee volunteer member must be employed by the agency for at least 90 days immediately preceding the commencement of leave. The employee must give the agency as much notice as is possible of the intended leave dates. Leave for a single emergency operational mission shall not exceed three days, unless an extension of time is granted by the governmental entity that authorized the emergency operational mission, and the extension of the leave is approved by the agency.

The agency may require certification from the proper Civil Air Patrol authority to verify the employee's eligibility for leave. The agency reserves the right to deny the leave request if the employee fails to provide the required certification.

Upon expiration of the leave, the agency will restore the employee to his or her position or to a position with equivalent seniority, benefits, pay and other terms and conditions of employment, unless the employee is not restored because of conditions unrelated to use of leave under this policy.

This policy does not apply to employees who serve as first responders or disaster service workers for a local, state, or federal agency to the same or a simultaneous emergency operational mission.

Employees may substitute accrued vacation for unpaid leave, but are not required to exhaust accrued leave prior to taking leave under this policy.

### **Volunteer Firefighter Leave (California Employees)**

Employees who serve as volunteer firefighters, reserve peace officers, or emergency rescue personnel (includes officers, employees, or members of a disaster medical





response entity sponsored or requested by the state) may be eligible for unpaid leave up to 14 days per calendar year for the purpose of engaging in fire, law enforcement, or emergency rescue training.

Employees who take leave should provide the agency with a written statement from the chief of the employee's fire department verifying the time, date, and duration of the training.

### **Emergency Civil Air Patrol Leave (Indiana Employees)**

Employees who are members of the Indiana Wing of the Civil Air Patrol will not be disciplined for absences from work if you have notified the agency in writing that you are a member of the Civil Air Patrol.

In the event that you have already reported for work on the day of the emergency service operation, you must secure authorization from the agency to leave work before leaving to engage in the emergency service operation.

To request leave, you must present a written statement to the agency's Compliance Department from the commander or other officer in charge of the civil air patrol indicating that you were engaged in an emergency service operation at the time of your absence from work.

The time off will be unpaid, except where state law dictates otherwise. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

Accrued vacation may be used for this leave if the employee chooses.

You must notify the agency of your intent to return to employment based on requirements of the law. Your benefits may continue to accrue during the period of leave in accordance with state and federal law.

Additional information regarding emergency service leaves may be obtained from the agency's Compliance Department.

## **Volunteer Firefighter Leave (Indiana Employees)**

Employees who serve as a volunteer firefighter are entitled to an unpaid leave when absent from work in order to respond to an emergency call received prior to or during the time the employee is scheduled to report to work.

An employee who serves as a volunteer firefighter may also be entitled to unpaid leave when (s)he is injured or absent from work because of an injury that occurs while the employee is engaged in emergency firefighting or emergency response activities.

Employees must have previously provided the agency with written documentation from the fire chief or other officer in charge of the volunteer fire department of the employee's status as a volunteer firefighter.

If you take leave, you must provide the agency with a written statement from the chief or other officer in charge of the volunteer fire department that you were engaged in emergency firefighting activity at the time of the absence or injury.

Information obtained by the agency regarding an injury will be retained in a separate medical file created for the employee; and treated as a confidential medical record.

Leave under this policy is subject to the business needs of the agency. For more information regarding this leave, see the agency's Compliance Department.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

### **Emergency Response Leave (Maine Employees)**

Employees who are firefighters are entitled to time off from work without pay when late for work due to responding to an emergency prior to the employee's regular working hours consistent with state law.

An employee who is absent from work as a result of responding to an emergency is expected to return to work as soon as they are released from their duties.

When possible, the employee, their designee or the fire department supervisor shall notify the agency that the employee will not report to work at the appointed time.

Upon return from leave, the employee shall provide the agency with a statement from the chief of the fire department stating that the employee was responding to an emergency call, including the time of release from the call.

Employees may use accrued, but unused leave in lieu of unpaid leave.

For more information regarding this leave, please see human resources.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

### **Extreme Public Health Emergency Leave (Maine Employees)**

Employees are entitled to a reasonable and necessary leave from work without pay for a qualified reason related to an extreme public health emergency, consistent with state law.



Employees utilizing this leave shall make reasonable efforts to notify the agency of their need for leave and shall continue to make reasonable notification efforts over the course of any absence.

The agency will maintain your health benefits under the same terms and conditions applicable to employees not on leave as required by applicable state and federal law.

Upon the employee's return to work, the employer has the right to request and receive written documentation from a physician or public health official supporting the employee's leave.

For more information regarding this leave, please see human resources.

### **Civil Air Patrol Leave (Maryland Employees)**

Employees who serve as a member of the Maryland wing of the Civil Air Patrol, and who are called to perform a civil air patrol mission are entitled up to 15 days of unpaid leave.

In order to be eligible for leave under this policy, the employee must have been employed by the agency for at least 90 days immediately preceding the commencement of leave.

Eligible employees must give as much notice as possible of the beginning and ending dates of the leave. If leave is due to an emergency, you must provide notice to the agency as soon as possible after the commencement of the emergency and provide the estimated time for the mission. It is your duty to keep the agency informed should the time for leave change.

Employees may be required to provide certification from a civil air patrol authority of eligibility for the requested leave.

Employees may choose to use accrued vacation for leave under this policy.

### **Emergency Services Leave (Maryland Employees)**

An employee who is a member of the Civil Air Patrol, civil defense, volunteer fire department, or volunteer rescue squad will be permitted unpaid leave to respond to an emergency declared by the Governor of Maryland or governing body of a county or municipal corporation.

Employees must submit written proof that their participation in the emergency was required.

Employees may choose to use accrued vacation for leave under this policy.

## **Emergency Responders Leave (New Jersey Employees)**

An employee who serves as a volunteer firefighter, as a county or municipal volunteer for the Office of Emergency Management who responds to fire or emergency calls, or as part of a volunteer first aid, rescue or emergency squad will receive unpaid leave for missing work due to responding to a qualified emergency.

A qualified emergency includes responding to a state of emergency declared by the President of the United States or Governor of this state, or being actively engaged in responding to an emergency alarm.

Employees must notify the agency at least one hour prior to his/her scheduled shift that they are responding to an emergency and will be absent from work. Upon return, employees must provide a copy of the incident report and certification by the incident commander or other official confirming that the employee was actively engaged and necessary for the emergency response. The report should set forth the date and time the volunteer was relieved of emergency service duties.

If an employee will miss more than one consecutive day of work due to emergency volunteer service, the employee must notify the agency each day in advance of his/her shift.

Although the agency will not require the employee to use otherwise available paid time off, the employee may choose to do so.

Essential employees may be denied leave under this policy as permitted by state law.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

## **Disaster and Emergency Services Leave (New Mexico Employees)**

Employees who serve as “volunteer emergency responders” are entitled to up to ten days of unpaid time off each calendar year (consistent with state and federal law) when absent from work in order to respond to an “emergency or disaster” as declared by the Governor of New Mexico or the President of the United States. For purposes of this leave, “volunteer emergency responder” means a person who is a member in good standing of a volunteer fire department, an emergency medical service, a search and rescue team or a law enforcement agency or who is enrolled by the state or a political subdivision of the state for response to an emergency or disaster.

Employees utilizing this leave shall make reasonable efforts to notify the agency of their service and shall continue to make reasonable notification efforts over the course of any absence.

The agency may request an employee to provide a written verification from the office of emergency management or a state or local official managing an emergency or disaster of the dates and time that the employee served as a volunteer emergency responder to an emergency or disaster.

For more information regarding this leave, please see the agency's Compliance Department.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

## **Volunteer Emergency Responders Leave (New York Employees)**

During the time that an emergency exists following a declaration of emergency under the law, the company will grant a “volunteer emergency responder” a paid leave of

absence while engaged in the actual performance of his or her duties as a volunteer firefighter or an enrolled member of a volunteer ambulance service unless the company determines that the employee's absence would impose an undue hardship on company business.

The company will only grant leave when it has previously received written documentation from the head of the fire department or volunteer ambulance service documenting the employee's status as a volunteer firefighter or member of a volunteer ambulance service.

Upon request, the employee must provide the company with a notarized statement from the head of the volunteer fire department or volunteer ambulance service certifying the period of time that the employee responded to any emergency.

### **Disaster Response Leave (North Carolina Employees)**

An employee who serves as a member of a volunteer fire department, rescue squad, or emergency medical service agency who is called into service after the Governor or General Assembly proclaims a state of disaster, will receive unpaid leave. The agency reserves the right to limit the amount of leave if the employee's services are required to address an on-going emergency or disaster relief activities within the agency.

Although the agency will not require the employee to use otherwise available paid time off, the employee may choose to do so.

Employees taking leave must present the agency with a letter from the Director of the Division of Emergency Management or the head of the local emergency management agency requesting the services of the employee.



Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

### **Emergency Evacuation Volunteers Leave (Texas Employees)**

An employee will be provided unpaid leave to participate in a general public evacuation ordered by an emergency evacuation order as defined by state law. Emergency services personnel include fire fighters, police officers and other peace officers, emergency medical technicians, and other individuals who are required, in the course and scope of their employment, to provide services for the benefit of the general public during emergency situations. The employee will provide the agency with as much advance notice as possible of the need for leave.

### **Witness Leave (California, Florida, Georgia, Indiana, Maryland, New York, South Carolina and Texas Employees)**

Employees are given the necessary time off without pay to attend or participate in a court proceeding in accordance with state law. We ask that you notify the agency of the need to take witness leave as far in advance as is possible.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

### **Juvenile Court Attendance Leave (Texas Employees)**

Employees are given the necessary time off without pay to attend juvenile court proceedings involving their child or a child for whom they are the legal guardian. We ask

that you notify human resources of the need to take leave as far in advance as is possible.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

## **Bone Marrow and Organ Donation Leave (California Employees)**

Employees are eligible to receive up to 30 business days of paid leave to serve as an organ donor and up to five business days of paid leave to serve as a bone marrow donor in a one-year period. The one-year period is measured from the date the employee's leave begins and shall consist of 12 consecutive months. Employees must be employed by the agency for at least 90 days immediately preceding the commencement of leave and request leave in writing.

When available, the employee must utilize up to five business days of accrued but unused sick or vacation leave for initial bone marrow donation leave and up to two weeks of accrued but unused sick or vacation leave for initial organ donation leave.

Please provide human resources with written physician verification of the purpose and length of each leave.

Leave under this policy will not run concurrently with any leave taken pursuant to the Federal Family and Medical Leave Act or the California Family Rights Act.

For more information regarding this leave, please see human resources.

## **Witness Leave (All Other Employees)**

Employees are given the necessary time off without pay to attend, participate or prepare for a court proceeding. We ask that you notify human resources of the need to take witness leave as far in advance as is possible.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

## **Bone Marrow Donation Leave (New York Employees)**

Employees who work an average of 20 hours or more each week are eligible to receive up to 24 hours of unpaid leave to donate bone marrow.

Please provide the agency with written physician verification of the purpose and length of each leave.

For more information regarding this leave, please see the agency.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

## **Blood Donation Leave (New York Employees)**

Employees who work an average of 20 or more hours per week are entitled to up to three hours of unpaid leave in any 12-month period to donate blood.

The 12-month period will be based on the calendar year.

Employees must give “reasonable notice” of their intent to take leave to give blood.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

For more information regarding this leave, please see the agency's Compliance Department.

### **School Visitation Leave (California Employees)**

If you are the parent or guardian of a child who is suspended and are required to appear at the child's school, you may take time off without pay if you provide reasonable advance notice to human resources of the need for time off.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

### **School Visitation Leave (North Carolina Employees)**

Employees who are parents, guardians or acting in place of the parents of a school-aged child are allowed four hours without pay per year, at a mutually agreed upon time, to attend or otherwise be involved at that child's school. You must provide a written request 48 hours prior to the leave and verification from the school that you attended or were otherwise involved at the school during the time of the leave.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

## **Domestic Violence Leave (California Employees)**

The agency will not discriminate against employees who are victims of domestic violence, sexual assault or stalking for taking time off from work to obtain or attempt to obtain any relief, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of a victim or his or her child.

The agency will also not discriminate against an employee who is a victim of domestic violence, sexual assault or stalking for taking time off from work to seek medical attention for injuries caused by such domestic violence, sexual assault or stalking, to obtain services from a related support program, to obtain psychological counseling, or to participate in actions to increase safety from future domestic violence, sexual assault or stalking, including temporary or permanent relocation.

Affected employees must give the agency reasonable notice that they are required to be absent for a purpose stated above, except for unscheduled or emergency court appearances or other emergency circumstances. In such a case, the agency will take no action against affected employees if, within a reasonable time after the appearance, they provide the agency with documentary evidence that their absence was required for any of the above reasons.

This leave will be unpaid. However, affected employees may use vacation, personal leave or other accrued time off (if available).

## **Domestic and Sexual Violence Leave (Florida Employees)**

An employee who has been employed by the agency for three or more months and who is the victim of domestic or sexual violence, or whose family member or a member of their household is a victim of domestic or sexual violence, shall be permitted to take up to three working

days of unpaid leave in any 12-month period. Such leave must be used to: 1) obtain or attempt to obtain judicial relief such as a restraining order; 2) seek medical attention and/or mental health counseling; 3) obtain services from a domestic or sexual violence shelter, domestic or sexual violence program, or rape crisis center; 4) seek new housing to escape the perpetrator or make the employee's home secure from the perpetrator; or 5) seek legal assistance arising from the act of domestic or sexual violence or to attend or prepare for court-related proceeding arising from the act of domestic or sexual violence.

Affected employees must give the agency reasonable advance notice of the intention to take leave along with sufficient documentation of the act of domestic or sexual violence, unless providing that notice is not practicable due to imminent danger to the employee, a family member of the employee or member of the employee's household.

The agency will hold the employee's information provided to the agency in order to request leave in confidence, except to the extent that disclosure is: (1) requested or consented to in writing by the employee; or (2) otherwise required by applicable federal or state law.

Affected employees may elect to use other accrued paid or unpaid leave (including family, medical, sick, annual, personal or similar leave) for the time off allowed under this policy. This leave will run concurrently with any other applicable leave.

### **Domestic Violence Leave (New Jersey Employees)**

Employees who have worked for the agency for at least 12 months, have worked at least 1,000 hours during the preceding 12-month period, and are the victim of an incident of domestic violence or a sexually violent offense,

or whose child, parent, spouse, domestic partner or civil union partner was a victim of an incident of domestic violence or sexually violent offense, shall be permitted to take unpaid leave of no more than 20 days in any 12-month period to be used in the 12-month period immediately following the covered incident or offense.

In the event that an employee has been laid off due to a state of emergency since October 22, 2012, the employee may receive credit (as if the employee had worked) for up to 90 calendar days toward the 12-month base period for purposes of calculating eligibility for leave.

Each incident of domestic violence or any sexually violent offense constitutes a separate offense for which an employee is entitled to unpaid leave, provided that the employee has not exhausted the allotted 20 days for the 12-month period.

Leave may be taken intermittently in intervals of no less than one day or on a reduced leave schedule basis upon approval from the agency.

Leave may be taken as needed for purposes of engaging in any of the following activities as they relate to the incident of domestic violence or sexually violent offense: (1) seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence; (2) obtaining services from a victim services organization; (3) obtaining psychological or other counseling; (4) participating in safety planning, temporarily or permanently relocating, or taking other actions to increase safety from future domestic or sexual violence or to ensure economic security; (5) seeking legal assistance or remedies to ensure health and safety, including preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic or sexual violence; or (6) attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.



Affected reasonable advance written notice of their intention to take leave for a purpose stated above if the need for leave is foreseeable. The notice should be provided as far in advance as is reasonable and practicable under the circumstances. The agency may require documentation supporting the basis of the need for leave.

The agency will hold the information that employees provide in order to request leave in confidence, except to the extent that disclosure is: 1) requested or consented to in writing by the employee or 2) otherwise required by applicable federal or state law, rule or regulation.

An eligible employee may elect, or the agency may require the employee, to use any accrued paid time off during any part of the 20-day period of unpaid leave. Any paid leave provided shall run concurrently with the unpaid leave.

If an employee requests leave for a reason covered by this policy and the Family Leave Act, or the federal Family and Medical Leave Act, the leave will count simultaneously against the employee's entitlement under each respective law.

The agency will not discriminate against employees who are victims of an incident of domestic violence or sexually violent offense for taking leave or requesting leave to which the employee was entitled pursuant to this policy and applicable law or on the basis that an employee refused to authorize the release of information deemed confidential under applicable law.

For more information, speak to human resources.

## **Domestic and Sexual Violence Leave (New Mexico Employees)**

The agency will grant intermittent leave from work without pay for up to 14 days in any calendar year, up to eight hours in one day, to employees who require time away from work in order to obtain or attempt to obtain an order of protection or other judicial relief from domestic abuse or to meet with law enforcement officials, to consult with attorneys or district attorneys' victim advocates or to attend court proceedings related to the domestic abuse of an employee or an employee's family member. "Family member" means a minor child of the employee or a person for whom the employee is a legal guardian.

The agency may require an employee or the employee's designee to provide notification of leave within 24 hours of commencing leave for the reasons stated above.

The agency may require the employee to provide documentation in support of the need for domestic violence leave and, if so, the employee will provide one of the following forms of verification: a police report; a copy of an order of protection; or a written statement of an attorney representing the employee.

The agency will keep all information provided by an employee concerning leave under this policy confidential, including the employee's request and approval for leave, the fact that the employee or employee's family member was involved in a domestic incident, and verification documentation for leave. The agency will only disclose such information if requested or consented to by the

employee, ordered by a court or administrative agency, or otherwise required by state or federal law.

An employee may use accrued sick leave or other available paid time off consistent with company policy.

Exempt employees who take leave under the policy may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

## **Domestic Violence Leave (North Carolina Employees)**

The agency will grant reasonable leave from work without pay to employees who require time away from work in order to pursue legal action to protect themselves from domestic violence. For the purposes of this policy, domestic violence occurs when an employee or a minor child residing with, or in the custody of, the employee is subject to actual or threatened physical harm, including sexual offenses, by a current or former spouse, a person of the opposite sex who lives with (or lived with) the employee, a parent, a party who stands in loco parentis to the minor child, a grandparent, a person who has a child in common with the employee, a current or former household member, or a person of the opposite sex who is in a dating relationship with the employee, or who is a victim of stalking as defined by N.C.G.S. § 14-277.3.

The agency may require an employee who takes leave under this policy to submit documentation to support the employee's request for leave.

When feasible, affected employees must provide the agency with advance notice of the need for leave. If an employee is not able to provide advance notice of the need for leave, the agency may require the employee to

provide documentation of the emergency(ies) that prevented the employee from providing advance notice.

Exempt employees who take leave under the policy may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

### **Flexible Family Leave (Maryland Employees)**

Pursuant to the Maryland Flexible Leave Act, all employees who are eligible for paid leave including sick leave, vacation, and other paid time off may use the time to take care of any member of their immediate family, including a child, parent or spouse who is sick. Employees who earn more than one type of leave with pay may elect the type and amount of leave with pay to be used.

The amount of leave is limited to actually earned leave or time off; employees cannot take advances on their paid sick leave or time off benefits to use for flexible family leave.

## **Rehabilitation Leave (California Employees)**

Our agency is committed to providing assistance to our employees. Any employee who wishes to voluntarily enter and participate in an alcohol and/or drug rehabilitation program may be granted a reasonable accommodation. This accommodation may include time off without pay and/or an adjusted work schedule provided the accommodation does not impose an undue hardship on the agency. In general, it is your responsibility to notify human resources of the need for accommodation.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

The agency shall take reasonable steps to safeguard the privacy of any employee as to the fact that he or she has enrolled in an alcohol or drug rehabilitation program.

This policy does not prevent the agency from refusing to hire or disciplining, up to and including discharge, an employee who, because of the current use of alcohol or drugs, is unable to perform his or her duties or cannot perform the duties in a manner that would not endanger his or her health or safety or the health or safety of others.

## **Victims of Crime Leave (Maryland and New York Employees)**

The agency will grant reasonable and necessary leave from work, without pay, to employees who are victims of a crime to attend or participate in legal proceedings pertaining to the crime. Affected employees must give the agency reasonable notice that leave under this policy is required.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

## **Victims of Crime Leave (Arizona Employees)**

The agency will grant reasonable and necessary leave from work, without pay, to employees who are victims of a crime to exercise their rights to be present at a proceeding pertaining to the crime or to obtain or attempt to obtain an order of protection, an injunction against harassment or any other injunctive relief to help ensure the health, safety or welfare of the victim or the victim's child. The agency will also grant reasonable and necessary leave from work, without pay, to employees who are victims of a juvenile offense to exercise their rights to be present at a proceeding pertaining to the juvenile offense.

Prior to taking leave under this policy, eligible employees must provide the agency with reasonable notice of the need for leave including a copy of the form provided to the employee by the law-enforcement agency pursuant to Section 13-4405 (for victims of a crime) and Section 8386 (for victims of a juvenile offense) of the Arizona Revised Statutes and if applicable, notice of each scheduled proceeding. However, the agency may limit the leave provided under this section if the employee's leave creates an undue hardship to the agency's business.

Employees seeking leave under this policy may elect to use accrued paid vacation, personal leave or sick leave.

The agency will hold the employee's information provided to the agency in order to request leave in confidence, except to the extent that disclosure is: (1) requested or consented to in writing by the employee; or (2) otherwise required by applicable federal or state law.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

## **Victims of Felony Crimes Leave (California Employees)**

The agency will grant reasonable and necessary leave from work without pay, to employees who are victims, or whose spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, stepfather, registered domestic partner, or child of a registered domestic partner is a victim of a violent or serious felony or felonious theft or embezzlement, for the purposes of attending legal proceedings related to the crime.

Affected employees may elect to use accrued paid vacation, personal leave and/or sick leave in lieu of unpaid leave.

When feasible, affected employees must provide the agency with advance notice of the employee's need for leave, including a copy of the notice of the scheduled proceeding. If advance notice is not feasible, affected employees must provide documentation evidencing the legal proceeding requiring the employee's absence within a reasonable time after leave is taken.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

## **Victims of Crime Leave (Maine Employees)**

The agency will grant reasonable and necessary leave from work, without pay, to employees for the purpose of preparing for and attending court proceedings, receiving medical treatment or attending to medical treatment for a victim who is the employee's daughter, son, parent or spouse, or to obtain necessary services to remedy a crisis caused by domestic violence, sexual assault or stalking.

The leave must be needed because the employee or the employee's daughter, son, parent or spouse is a victim of violence, assault, sexual assault or stalking or any act that would support an order of protection.

Affected employees must give the agency reasonable notice that leave under this policy is required.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

### **Victims of Crime Leave (North Carolina Employees)**

The agency will grant reasonable leave from work without pay to employees who require time away from work in order to pursue protective orders and civil no contact orders to protect themselves against non-consensual sexual conduct and stalking as defined by N.C.G.S. § 14277.3.

The agency may require an employee who takes leave under this policy to submit documentation to support the employee's request for leave.

When feasible, affected employees must provide the agency with advance notice of the need for leave. If an emergency prevents an employee from providing advance notice of the need for leave, the agency may require the employee to provide documentation of the event(s) that prevented the employee from providing advance notice.

Exempt employees who take leave under this policy may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

### **COBRA**





You and/or your covered dependents will have the opportunity to continue medical benefits for a period of up to 36 months under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA) when group medical coverage for you and/or your covered dependents would otherwise end due to your death or because:

- your employment terminates, for a reason other than gross misconduct; or
- your employment status changes due to a reduction in hours; or
- your child ceases to be a "dependent child" under the terms of the medical plan; or
- you become divorced or legally separated; or
- you become entitled to Medicare.

In the event of divorce, legal separation, or a child's loss of dependent status, you or a family member must notify the plan administrator within 60 days of the occurrence of the event.

The plan administrator will notify the individuals eligible for continuation coverage of their right to elect COBRA continuation coverage.

For more information regarding COBRA, you may contact human resources.

## **Federal Family and Medical Leave Act**

The Family and Medical Leave Act ("FMLA") provides eligible employees the opportunity to take unpaid job protected leave for certain specific reasons. The maximum amount of leave an employee may use is either 12 or 26 weeks within a 12-month period depending on the reasons for the leave.

### **Employee Eligibility**

To be eligible for FMLA leave, you must:

1. have worked at least 12 months for the agency in the preceding seven years (limited exception apply to the seven-year requirement);
2. have worked at least 1,250 hours for the agency over the preceding 12 months; and
3. currently work at a location where there are at least 50 employees within 75 miles.

All periods of absence from work due to or necessitated by service in the uniformed services are counted in determining FMLA eligibility.

### **Conditions Triggering Leave**

FMLA leave may be taken for the following reasons:

1. birth of a child, or to care for a newly-born child (up to 12 weeks);
2. placement of a child with the employee for adoption or foster care (up to 12 weeks);
3. to care for an immediate family member (employee's spouse, child, or parent) with a serious health condition (up to 12 weeks);
4. because of the employee's serious health condition that makes the employee unable to perform the employee's job (up to 12 weeks);
5. to care for a covered Service member with a serious injury or illness related to certain types of military service (up to 26 weeks) (see Military-Related FMLA Leave for more details); or

6. to handle certain qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on covered active duty or call to covered active duty status in the Uniformed Services (up to 12 weeks) (see Military-Related FMLA Leave for more details).

The maximum amount of leave that may be taken in a 12month period for all reasons combined is 12 weeks, with one exception. For leave to care for a covered Service member, the maximum combined leave entitlement is 26 weeks, with leaves for all other reasons constituting no more than 12 of those 26 weeks.

### **Definitions**

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 the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement includes an incapacity of more than three full calendar days and two visits to a health care provider or one visit to a health care provider and a continuing regimen of care; an incapacity caused by pregnancy or prenatal visits, a chronic condition, or permanent or long-term conditions; or absences due to multiple treatments. Other situations may meet the definition of continuing treatment.

### **Identifying the 12 Month Period**

The 12-month period in which 12 weeks of leave may be taken is a rolling backward 12-month period from the date an employee uses any FMLA. For leave to care for a covered Service member, the agency calculates the 12month period beginning on the first day the eligible employee takes FMLA leave to care for a covered Service

member and ends 12 months after that date. FMLA leave for the birth or placement of a child for adoption or foster care must be concluded within 12 months of the birth or placement.

### **Using Leave**

Eligible employees may take FMLA leave in a single block of time, intermittently (in separate blocks of time), or by reducing the normal work schedule when medically necessary for the serious health condition of the employee or immediate family member, or in the case of a covered Service member, his or her injury or illness. Eligible employees may also take intermittent or reduced scheduled leave for military qualifying exigencies. Intermittent leave is permitted for birth of a child, to care for a newly-born child, or for placement of a child for adoption or foster care if mutually agreed to by the agency. Employees who require intermittent or reduced schedule leave must try to schedule their leave so that it will not unduly disrupt the agency's operations.

### **Use of Accrued Paid Leave**

Depending on the purpose of your leave request, you may choose (or the agency may require you) to use accrued paid leave (such as sick leave, vacation, or PTO), concurrently with some or all of your FMLA leave. In order to substitute paid leave for FMLA leave, an eligible employee must comply with the agency's normal procedures for the applicable paid-leave policy (e.g., advance notice, etc.).

### **Maintenance of Health Benefits**

If you and/or your family participate in our health benefit program, the agency will maintain coverage during your FMLA leave on the same terms as if you had continued to work. If applicable, you must make arrangements to pay your share of health program premiums while on leave. In

some instances, the agency may recover premiums it paid to maintain health coverage or other benefits for you and your family. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of your leave.

### **Notice and Medical Certification**

When seeking FMLA leave, you are required to provide:

1. Sufficient information for us to determine if the requested leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that you are unable to perform job functions, a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. You must also inform the agency if the requested leave is for a reason for which FMLA leave was previously taken or certified.

If the need for leave is foreseeable, this information must be provided 30 days in advance of the anticipated beginning date of the leave. If the need for leave is not foreseeable, this information must be provided as soon as is practicable and in compliance with the agency normal call-in procedures, absent unusual circumstances.

2. medical certification supporting the need for leave due to a serious health condition affecting you or an immediate family member within 15 calendar days of the agency request to provide the certification (additional time may be permitted in some circumstances). If you fail to do so, we may delay the commencement of your leave, withdraw any designation of FMLA leave or deny the leave,

in which case your leave of absence would be treated in accordance with our standard leave of absence and attendance policies, subjecting you to discipline up to and including termination. Second or third medical opinions and periodic recertification's may also be required;

3. periodic reports as deemed appropriate during the leave regarding your status and intent to return to work; and
4. medical certification of fitness for duty before returning to work, if the leave was due to your serious health condition. The agency will require this certification to address whether you can perform the essential functions of your position.

Failure to comply with the foregoing requirements may result in delay or denial of leave, or disciplinary action, up to and including termination.

### **Employer Responsibilities**

To the extent required by law, the agency will inform employees whether they are eligible under the FMLA. Should an employee be eligible for FMLA leave, the agency will provide him or her with a notice that specifies any additional information required as well as the employee's rights and responsibilities. If employees are not eligible, the agency will provide a reason for the ineligibility. The agency will also inform employees if leave will be designated as FMLA-protected and, to the extent possible, note the amount of leave counted against the employee's leave entitlement. If the agency determines that the leave is not FMLA-protected, the agency will notify the employee.

### **Job Restoration**

Upon returning from FMLA leave, eligible employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

### **Failure to Return After FMLA Leave**

Any employee who fails to return to work as scheduled after FMLA leave or exceeds the 12-week FMLA entitlement (or in the case of military caregiver leave, the 26-week FMLA entitlement), will be subject to the agency's standard leave of absence and attendance policies. This may result in termination if you have no other agency-provided leave available to you that applies to your continued absence. Likewise, following the conclusion of your FMLA leave, the agency's obligation to maintain your health program benefits ends (subject to any applicable COBRA rights).

### **Other Employment**

The agency generally prohibits employees from holding other employment. This policy remains in force during all leaves of absence including FMLA leave and may result in disciplinary action, up to and including immediate termination of employment.

### **Fraud**

Providing false or misleading information or omitting material information in connection with an FMLA leave will result in disciplinary action, up to and including immediate termination.

### **Employer's Compliance with FMLA and Employee's Enforcement Rights**

The FMLA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA, or discharge or discriminate against any person for opposing any practice made unlawful by FMLA

or for involvement in any proceeding under or relating to FMLA.

While the agency encourages employees to bring any concerns or complaints about compliance with FMLA to the attention of the agency's Compliance Department, FMLA regulations require employers to advise employees that they may file a complaint with the U.S. Department of Labor or bring a private lawsuit against an employer.

Further, FMLA does not affect any Federal or state law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

## **Military-Related Federal FMLA Leave**

FMLA leave may also be available to eligible employees in connection with certain service-related medical and non-medical needs of family members. There are two forms of such leave. The first is Military Caregiver Leave, and the second is Qualifying Exigency Leave. Each of these leaves is detailed below.

### **Definitions**

A "covered Service member " is either: (1) a current Service member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness incurred in the line of duty for which the Service member is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list; or (2) a "covered veteran" who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

A "covered veteran" is an individual who was discharged under conditions other than dishonorable during the fiveyear period prior to the first date the eligible employee



takes FMLA leave to care for the covered veteran. The period between October 28, 2009 and March 8, 2013 is excluded in determining this five-year period.

The FMLA definitions of “serious injury or illness” for current Service members and veterans are distinct from the FMLA definition of “serious health condition.” For current Service members, the term “serious injury or illness” means an injury or illness that was incurred by the member in the line of duty while on active duty in the Armed Forces or that existed before the beginning of active duty and was aggravated by such service, that may render them medically unfit to perform the duties of their office, grade, rank or rating.

For covered veterans, this term means a serious injury or illness that was incurred in the line of duty while on active duty in the Armed Forces or that existed before the beginning of active duty and was aggravated by such service and manifested itself before or after the individual assumed veteran status, and is: (1) a continuation of a serious injury or illness that was incurred or aggravated when they were a member of the Armed Forces and rendered them unable to perform the duties of their office, grade, rank or rating; (2) a physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; (3) a physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would be so absent treatment; or (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

“Qualifying exigencies” include activities such as shortnotice deployment, military events, arranging alternative childcare, making financial and legal

arrangements related to the deployment, rest and recuperation, counseling, parental care, and post-deployment debriefings.

## **Military Caregiver Leave**

Unpaid Military Caregiver Leave is designed to allow eligible employees to care for certain family members who have sustained serious injuries or illnesses in the line of duty while on active duty. Military Caregiver Leave is a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered Service member during a single 12-month period.

To be “eligible” for Military Caregiver Leave, the employee must be a spouse, son, daughter, parent, or next of kin of the covered Service member. “Next of kin” means the nearest blood relative of the Service member, other than the Service member’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the Service member by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the Service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of Military Caregiver Leave. The employee must also meet all other eligibility standards as set forth within the FMLA Leave policy.

An eligible employee may take up to 26 workweeks of Military Caregiver Leave to care for a covered Service member in a “single 12-month period.” The “single 12-month period” begins on the first day leave is taken to care for a covered Service member and ends 12 months thereafter, regardless of the method used to determine leave availability for other FMLA-qualifying reasons. If an employee does not exhaust his or her 26 workweeks of Military Caregiver Leave during this “single 12-month period,” the remainder is forfeited.

Military Caregiver Leave applies on a per-injury basis for each Service member. Consequently, an eligible employee may take separate periods of caregiver leave for each and every covered Service member, and/or for each and every serious injury or illness of the same covered Service member. A total of no more than 26

workweeks of Military Caregiver Leave, however, may be taken within any “single 12-month period.”

Within the “single 12-month period” described above, an eligible employee may take a combined total of 26 weeks of FMLA leave including up to 12 weeks of leave for any other FMLA-qualifying reason (i.e., birth or adoption of a child, serious health condition of the employee or close family member, or a qualifying exigency). For example, during the “single 12-month period,” an eligible employee may take up to 16 weeks of FMLA leave to care for a covered Service member when combined with up to 10 weeks of FMLA leave to care for a newborn child.

An employee seeking Military Caregiver Leave may be required to provide appropriate certification from the employee and/or covered Service member and completed by an authorized health care provider within 15 days. Military Caregiver Leave is subject to the other provisions in our FMLA Leave Policy (requirements regarding employee eligibility, appropriate notice of the need for leave, use of accrued paid leave, etc.). Military Caregiver Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

### **Qualifying Exigency Leave**

Eligible employees may take unpaid “Qualifying Exigency Leave” to tend to certain “exigencies” arising out of the duty under a call or order to active duty of a “military member” (i.e. the employee's spouse, son, daughter, or parent). Up to 12 weeks of Qualifying Exigency Leave is available in any 12-month period, as measured by the same method that governs measurement of other forms of FMLA leave within the FMLA policy (with the exception of Military Caregiver Leave, which is subject to a maximum of 26 weeks of leave in a “single 12-month period”). Although Qualifying Exigency Leave may be

combined with leave for other FMLA-qualifying reasons, under no circumstances may the combined total exceed 12 weeks in any 12-month period (with the exception of Military Caregiver Leave as set forth above). The employee must meet all other eligibility standards as set forth within the FMLA policy.

Persons who can be ordered to active duty include active and retired members of the Regular Armed Forces, certain members of the retired Reserve, and various other Reserve members including the Ready Reserve, the Selected Reserve, the Individual Ready Reserve, the National Guard, state military, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard, Air Force Reserve, and Coast Guard Reserve.

A call to active duty refers to a *federal* call to active duty, and *state* calls to active duty are not covered unless under order of the President of the United States pursuant to certain laws.

Qualifying Exigency Leave is available under the following circumstances:

1. **Short-notice deployment.** To address any issue that arises out of short notice (within seven days or less) of an impending call or order to active duty.
2. **Military events and related activities.** To attend any official military ceremony, program, or event related to active duty or call to covered active duty status or to attend certain family support or assistance programs and informational briefings.
3. **Childcare and school activities.** To arrange for alternative childcare; to provide childcare on an urgent, immediate need basis; to enroll in or transfer to a new school or daycare facility; or to attend meetings with staff at a school or daycare facility.

4. **Financial and legal arrangements.** To make or update various financial or legal arrangements; or to act as the covered military member's representative before a federal, state, or local agency in connection with service benefits.
5. **Counseling.** To attend counseling (by someone other than a health care provider) for the employee, for the military member, or for a child or dependent when necessary as a result of duty under a call or order to covered active duty.
6. **Temporary rest and recuperation.** To spend time with a military member who is on short-term, temporary rest and recuperation leave during the period of deployment. Eligible employees may take up to 15 days of leave for each instance of rest and recuperation.
7. **Post-deployment activities.** To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of up to 90 days following termination of the military member's active duty status. This also encompasses leave to address issues that arise from the death of a military member while on active duty status.
8. **Parental care.** To care for the military member's parent who is incapable of self-care. The parent must be the military member's biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the military member when the member was under 18 years of age.
9. **Mutually agreed leave.** Other events that arise from the military member's duty under a call or

order to active duty, provided that the agency and the employee agree that such leave shall qualify as an exigency and agree to both the timing and duration of such leave.

An employee seeking Qualifying Exigency Leave may be required to submit appropriate supporting documentation in the form of a copy of the military member's active duty orders or rest and recuperation orders or other military documentation indicating the appropriate military status and the dates of active duty status, along with a statement setting forth the nature and details of the specific exigency, the amount of leave needed and the employee's relationship to the military member, within 15 days. Qualifying Exigency Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

### **Limited Nature of This Policy**

This Policy should not be construed to confer any express or implied contractual relationship or rights to any employee not expressly provided for by FMLA. The agency reserves the right to modify this or any other policy as necessary, in its sole discretion to the extent permitted by law. State or local leave laws may also apply.

### **State Disability Insurance (California Employees)**

All employees are eligible for disability insurance benefits when an illness, injury or pregnancy-related disability prevents them from working and they meet all the eligibility requirements.

The benefits are calculated as a percentage of your salary up to a weekly maximum as specified by law, for up to 52 weeks.

Employees who apply for this benefit must provide written notice of disability, including a doctor's certificate stating

the nature of the disability and your expected date of return to work.

You are responsible for filing your claim and other forms promptly and accurately with the Employment Development Department. A claim form may be obtained from the Employment Development Department by telephone, letter or in person.

The cost of this insurance is fully paid by the employee.

## **Family and Medical Leave (California Employees)**

### **The Leave Policy**

Under the California Family Rights Act (CFRA) an eligible employee is entitled to up to 12 weeks of unpaid family/medical leave within any 12-month period. The total amount of leave taken is 12 work weeks in a 12-month period, unless you are qualified for additional time for a disability due to pregnancy, childbirth or related medical condition. In that event, you may be eligible for up to four months of leave under the pregnancy leave policy and eligible for an additional 12 weeks under this policy. The 12-month period begins with the first day leave is taken under the appropriate law. At the end of the leave, you will be restored to the same or an equivalent position upon your return from leave, provided you satisfy certain requirements described below. With the exception of a covered pregnancy disability leave, at the end of the leave, you will be restored to the same or an equivalent position upon your return from leave. Upon the return from a covered pregnancy disability leave, you will be restored to the same position, or subject to



business requirements that may exist, an available similar position.

This leave does not run concurrently with leave provided under the California Pregnancy Disability Act. However, this leave may run concurrently with the Federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

### **Eligible Employees**

To be eligible for a leave under CFRA you must:

1. Have worked for the agency for a total of at least 12 months, and for at least 1,250 hours in the last 12 months; and
2. Be employed at a worksite that has 50 or more employees within 75 miles.

### **Reasons For Leave**

You may take family/medical leave for any of the following reasons:

1. Birth of a child of an employee or the employee's registered domestic partner, or to care for a newly born child; or
2. Placement of a child with the employee and/or the employee's registered domestic partner for adoption or foster care; or
3. To care for an immediate family member (spouse, registered domestic partner, child, registered domestic partner's child, or employee's parent) with a serious health condition; or
4. An employee's serious health condition that makes the employee unable to perform the functions of the employee's job.

Under CFRA if both parents are employed by the agency, and leave is taken for the birth, placement or adoption of a child their combined leave is limited to 12 weeks. A leave for the birth, placement or adoption of a child must be completed within the 12-month period beginning on the date of birth or placement of the child. Under the CFRA, leave for your own serious health condition does not include a disability caused by pregnancy, childbirth or related medical condition since this is covered by a separate state law. See California's Pregnancy Disability Leave policy which provides:

1. Pregnancy Disability Leave can be up to four months for continued disability due to pregnancy.
2. The employee requesting pregnancy leave is entitled to take the leave at any time after the commencement of employment without any waiting.
3. The employee returning from pregnancy leave is entitled to return to her same job position, unless that position no longer exists due to operational necessity.
4. If the employee's pregnancy disability period exceeds four months, the employee may take additional leave in the form of family leave, as described and limited herein.

### **No Work While On Leave**

Taking of another job while on family or medical leave or any other authorized leave may lead to disciplinary action, up to and including discharge.

### **Local Family and Medical Leave Laws**

Where local family and medical leave laws offer more protection or benefits to employees, the protection or benefits provided by such laws will apply.

## **Notice To Employer Of Leave**

If your need for family/medical leave is foreseeable, give the agency at least 30 days' prior written notice. When the need is not foreseeable, notify the agency within one or two business days of learning of your need for leave, except in extraordinary circumstances. If you do not provide this notice, your leave may be delayed. If your need is because of a planned medical treatment, attempt to schedule the treatment to avoid disrupting the agency's operations.

Request forms for family/medical leave are available from human resources. You must use this form when requesting a leave.

## **Medical Certification For A Serious Health Condition**

If you are requesting leave because of your own or a covered relation's serious health condition, the appropriate health care provider must supply medical certification. Obtain a medical certification form from human resources. If possible, you should provide the medical certification within 15 days after you request leave. If you provide at least 30 days' notice of your need for medical leave, you should provide the medical certification before your leave begins. If you do not provide the required medical certification in a timely manner, your leave may be delayed until it is provided.

The agency, at its expense, may require an examination by a second health care provider designated by the agency, if it has a good faith, objective reason to doubt the medical certification you initially provide (only for the employee's own serious health condition). If the second health care provider's opinion conflicts with the original medical certification, the agency, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding

opinion. The agency may require subsequent medical recertification. Failure to provide requested certification within 15 days, if such is practicable, may result in delay of further leave until it is provided.

### **Reporting While on Leave**

If you take leave because of your own serious health condition or to care for a covered relation with a serious health condition, you may be required to contact the agency on a pre-scheduled basis regarding the status of the medical condition and your intention to return to work. In addition, you must give notice as soon as practicable (within two business days if feasible) if the dates of leave change are extended or initially were unknown.

### **Leave Is Unpaid**

Family/medical leave is unpaid leave. If you request leave because of the birth, adoption or foster care placement of a child, or to care for a covered relation with a serious health condition, any accrued paid vacation, personal or family leave, if applicable, will be substituted for unpaid family/medical leave. If you request leave because of your own serious health condition, any accrued paid vacation, personal or family leave or medical/sick leave, if applicable, will be substituted for any unpaid family/medical leave. The substitution of paid time for unpaid family/medical leave time does not extend the length of the leave provided by the law. Also, your family/medical leave may run concurrently with other types of leave.

Employees on a medical leave may also receive pay from short-term or long-term disability payments, or workers' compensation benefits, if applicable, according to the terms of those plans. The fact that an employee may receive compensation under these plans does not extend the length of the family/medical leave provided by the law.

### **Medical and Other Benefits**

During an approved family/medical leave, the agency will maintain your health benefits under the same terms and conditions applicable to employees not on leave.

- If paid leave is substituted for unpaid family/medical leave, the agency will deduct your portion of the health plan premium as a regular payroll deduction.
- If your leave is unpaid, you must pay your portion of the premium by making arrangements with human resources.
- Your health coverage may cease if your premium payment is more than 30 days late. If your payment is more than 30 days late, we will send you a letter to this effect. If we do not receive your co-payment within 15 days of this letter, your coverage will cease.

If you elect not to return to work at the end of the leave for at least 30 calendar days, you will be required to reimburse the agency for the cost of the premiums paid by the agency for maintaining coverage during your unpaid leave, unless you cannot return to work due to a serious health condition or because of other circumstances beyond your control.

### **Exemption For Key Employees**

Certain key employees may not be returned to their former or equivalent position following a leave if doing so would cause substantial economic injury to the agency. Key employees are paid on a salary basis and are among the highest paid ten percent of employees at a worksite or within 75 miles of that work site. The agency will notify you if you qualify as a key employee, if the agency intends to deny reinstatement and of your rights in such instances.

## **Intermittent and Reduced Schedule Leave**

Leave due to a serious health condition may be taken intermittently (in separate blocks of time due to a single serious health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday) if medically necessary. If your leave is unpaid, the agency will adjust your salary based on the amount of time actually worked. Also, while you are on an intermittent or reduced schedule leave, the agency may temporarily transfer you to an available alternate position that better accommodates your intermittent or reduced leave and that has equivalent pay and benefits.

## **At The End Of Your Leave**

If your leave is because of your own serious health condition (except if you are taking intermittent leave), you are required to provide medical certification that you are able to resume work prior to your return. Before you return, obtain a return-to-work medical certification form from human resources. An employee who fails to provide the return-to-work medical certification form will not be permitted to resume work until it is provided.

## **Family Leave Insurance (New Jersey Employees)**

The State of New Jersey may provide partial wage benefits to eligible employees for up to six weeks in a 12month period for the following reasons:

- To bond with a child during the first 12 months after the child's birth, if the covered individual or the domestic partner or civil union partner of the covered individual, is a biological parent of the

child, or the first 12 months after the placement of the child for adoption with the covered individual.

- To care for a family member with a serious health condition supported by a certification provided by a health care provider.

Parent of a covered individual means a biological parent, foster parent, adoptive parent, or stepparent of the covered individual or a person who was a legal guardian of the covered individual when the covered individual was a child.

Family member means a child, spouse, domestic partner, civil union partner or parent of a covered individual.

Child means a biological, adopted, or foster child, stepchild or legal ward of a covered individual, child of a domestic partner of the covered individual, or child of a civil union partner of the covered individual, who is less than 19 years of age or is 19 years of age or older but incapable of self-care because of mental or physical impairment.

The Temporary Disability Leave Law (Family Leave Insurance) provides benefits to eligible employees who have worked 20 or more calendar weeks in covered New Jersey employment, and have earned the minimum wage amount determined by the New Jersey Department of Labor and Workforce Development during the 52 weeks immediately preceding the leave.

In the event that an employee has been laid off due to a state of emergency since October 22, 2012, the employee may receive credit (as if the employee had worked) for up to 13 base weeks for purposes of determining eligibility in accordance with state law.

The Family Leave Insurance benefits program provides covered individuals with a monetary benefit, not a leave

entitlement. Further, this policy does not provide additional time off, rather family leave insurance may provide compensation during an approved leave of absence pursuant to the New Jersey Family Leave Law, the Federal Family and Medical Leave Act or any other agency provided leave.

Please refer to our Family Leave and Federal Family and Medical Leave policies for more information about available leave entitlements which may run concurrently with family leave insurance benefits.

The Family Leave Insurance benefits program does not establish the right of a covered employee to be restored to employment following a period of leave from work to participate in providing care for a family member who has a serious health condition or to bond with a newborn or newly adopted child.

As a condition of initial receipt of Family Leave Insurance you will be required to use any earned but unused paid sick days, or other paid leave, up to a maximum of two weeks.

You are responsible for filing your claim for benefits under this program and other forms promptly and accurately with the Department of Labor and Workforce Development, Division of Temporary Disability Insurance.

When requesting benefits during a leave to care for a child after birth or adoption, you must provide human resources with at least 30 days prior notice, except when unforeseeable circumstances prevent prior notice. Leave taken on an intermittent basis for this reason must be taken in periods of seven days or more and the schedule must be mutually agreed to by both the employer and the employee.

When requesting family leave insurance benefits during a leave to care for a family member with a serious health condition, you must provide human resources with reasonable and practicable notice unless the time of the leave is unexpected or the time of the leave changes for



unforeseeable reasons and is required to schedule, when possible, the leave in a manner to minimize disruption of employer operations. If you intend to take leave on an intermittent basis, you must provide at least 15 days advance notice. Employees taking leave to care for a family member may be required to provide medical certification.

The cost of this insurance is fully paid by the employee. Please contact human resources for additional information.

## **Short-Term Disability Insurance (New Jersey Employees)**

All employees who have met the minimum earning requirements are eligible for short-term disability insurance. This insurance is designed to provide income for you when you are absent from work for more than seven calendar days due to non-occupational illness, injury or pregnancy-related disability.

The benefits are calculated as a percentage of your salary up to a weekly maximum, as specified by law, for up to 26 weeks.

The cost of this insurance is shared between the agency and the employee.

Provide written notice including a doctor's certificate stating the nature of the disability and your expected date of return to work. Disability insurance information may be obtained from human resources.

## **Short-Term Disability Insurance (New York Employees)**

Employees are eligible for short-term disability insurance after four consecutive weeks of full-time employment or 25 days of regular part-time employment in accordance with state law. Other employees may also be eligible for this insurance, depending on the employee's previous employer. This insurance is designed to provide income for you when you are absent from work for more than seven calendar days due to non-occupational illness, injury or pregnancy-related disability.

The benefits are calculated as a percentage of your salary up to a maximum each week, as specified by law, for up to 26 weeks.

The cost of this insurance is shared between the agency and the employee.

Provide written notice including a doctor's certificate stating the nature of the disability and your expected date of return to work. Disability insurance information may be obtained from the agency.

### **Family Sick Leave (Maine Employees)**

Employees who are eligible for paid leave, such as sick time, vacation time or other paid time off, may use the time, up to a maximum of 40 hours in a 12-month period, to take care of an immediate family member who is ill. Family Sick Leave may be used to care for the employee's child, spouse or parent.

### **Pregnancy Disability Leave (California Employees)**

Female employees are eligible for an unpaid leave of absence up to four (4) months (i.e. the working days you would normally work in one-third of a year or 17 1/3 weeks, unless your hours vary from month to month in which case the agency will use a monthly four month average of the hours worked prior to commencing leave) for disabilities relating to pregnancy, childbirth or related medical conditions per pregnancy.

Leave may include, but is not limited to, additional or more frequent breaks, time for prenatal or postnatal medical appointments, doctor-ordered bed rest, severe morning sickness, gestational diabetes, pregnancy-induced hypertension, preeclampsia, recovery from childbirth or loss or end of pregnancy, and/or post-partum depression. Leave may be taken consecutively or intermittently. The amount of leave needed is determined by your health care provider's recommendation.

At your option, you can use any accrued vacation time as part of your pregnancy disability leave before taking the remainder of your leave on an unpaid basis. We require, however, that you use any available sick leave during your pregnancy disability leave. The substitution of any paid leave will not extend the duration of your pregnancy disability leave.

Employees who are granted leaves for pregnancy will be returned to their same position to the extent required by state law. Upon the advice of your health care provider, you may also be entitled to reasonable accommodation, to the extent required by law, for conditions related to pregnancy, childbirth or related medical conditions. You should promptly notify the agency of the need for a reasonable accommodation. In addition, a transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties may be available pursuant to your request, if such a transfer is medically advisable.

You must give the agency at least 30 days' advance notice if your need for pregnancy-related disability leave, reasonable accommodation, or transfer is foreseeable. Otherwise please give the agency notice as soon as is practicable if the need is an emergency or unforeseeable.

Prior to the start of the leave, the agency will require a written medical certification indicating that you are disabled because of pregnancy or that it is medically advisable for you to be transferred to a less strenuous or hazardous position or duties or otherwise to be reasonably accommodated. The certification should

include an anticipated date when you will be able to return to your job or job duties. In the event your leave exceeds the anticipated date of return, it is your responsibility to provide further certification from your health care provider that you are unable to perform your job or job duties and the revised anticipated date of return.

Leave under this policy may run concurrently with leave afforded under the Family and Medical Leave Act (FMLA), but will not run concurrently with leave provided under the California Family Rights Act (CFRA).

## **Pregnancy Accommodation (Maryland Employees)**

The agency, consistent with state law, will provide reasonable accommodations to female employees during pregnancy, to the extent the accommodation can be made without imposing an undue hardship on the business.

When an employee requests a reasonable accommodation, the agency shall explore with the employee the possible means of providing the reasonable accommodation, which may include:

- changing the employee's job duties;
- changing the employee's work hours;
- relocating the employee's work area;
- providing mechanical or electrical aids;
- transferring the employee to a less strenuous or less hazardous position; or
- providing a leave of absence.

The agency may require the employee to provide a certification in connection with a request for reasonable accommodation that includes the following:

- the date the reasonable accommodation became medically advisable;
- the probable duration of the reasonable accommodation; and
- an explanatory statement as to the medical advisability of the reasonable accommodation.

If leave is provided as a reasonable accommodation, such leave may run concurrently with the federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

For more information, or if you require an accommodation, please contact the agency's Compliance Department.

### **Pregnancy Accommodation (New Jersey Employees)**

The agency, consistent with state law, will provide reasonable accommodations to female employees related to pregnancy, childbirth or related medical conditions, to the extent the accommodation can be made without imposing an undue hardship on the business.

When an employee requests a reasonable accommodation, the agency shall explore with the employee the possible means of providing the reasonable accommodation, which may include, but are not limited to:

- allowing more frequent breaks or periodic rest;
- assistance with manual labor;
- modifying job duties;
- modifying work hours/schedules;
- temporary transfer to a less strenuous or less hazardous position; or
- providing a leave of absence.

The agency may require the employee to provide a certification in connection with a request for reasonable accommodation that includes the following:

- the date the reasonable accommodation became medically advisable;
- the probable duration of the reasonable accommodation; and
- an explanatory statement as to the medical advisability of the reasonable accommodation.

If leave is provided as a reasonable accommodation, such leave may run concurrently with the federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

For more information, or if you require an accommodation, please contact human resources.

## **Family and Medical Leave (California Employees)**

### **The Leave Policy**

Under the California Family Rights Act (CFRA) an eligible employee is entitled to up to 12 weeks of unpaid family/medical leave within any 12-month period. The total amount of leave taken is 12 workweeks in a 12-month period, unless you are qualified for additional time for a disability due to pregnancy, childbirth or related medical condition. In that event, you may be eligible for up to four months of leave under the pregnancy leave policy and eligible for an additional 12 weeks under this policy. The 12-month period begins with the first day leave is taken under the appropriate law. At the end of the leave, you will be restored to the same or an equivalent position upon your return from leave, provided you satisfy certain requirements described below. With the exception of a covered pregnancy disability leave, at the end of the leave, you will be restored to the same or an equivalent

position upon your return from leave. Upon the return from a covered pregnancy disability leave, you will be restored to the same position, or subject to business requirements that may exist, an available similar position.

This leave does not run concurrently with leave provided under the California Pregnancy Disability Act. However, this leave may run concurrently with the Federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

### **Eligible Employees**

To be eligible for a leave under CFRA you must:

1. Have worked for the agency for a total of at least 12 months, and for at least 1,250 hours in the last 12 months; and
2. Be employed at a worksite that has 50 or more employees within 75 miles.

### **Reasons For Leave**

You may take family/medical leave for any of the following reasons:

1. Birth of a child of an employee or the employee's registered domestic partner, or to care for a newly born child; or
2. Placement of a child with the employee and/or the employee's registered domestic partner for adoption or foster care; or
3. To care for an immediate family member (spouse, registered domestic partner, child, registered domestic partner's child, or employee's parent) with a serious health condition; or



4. An employee's serious health condition that makes the employee unable to perform the functions of the employee's job.

Under CFRA if both parents are employed by the agency, and leave is taken for the birth, placement or adoption of a child their combined leave is limited to 12 weeks. A leave for the birth, placement or adoption of a child must be completed within the 12-month period beginning on the date of birth or placement of the child. Under the CFRA, leave for your own serious health condition does not include a disability caused by pregnancy, childbirth or related medical condition since this is covered by a separate state law. See California's Pregnancy Disability Leave policy which provides:

1. Pregnancy Disability Leave can be up to four months for continued disability due to pregnancy.
2. The employee requesting pregnancy leave is entitled to take the leave at any time after the commencement of employment without any waiting.
3. The employee returning from pregnancy leave is entitled to return to her same job position, unless that position no longer exists due to operational necessity.
4. If the employee's pregnancy disability period exceeds four months, the employee may take additional leave in the form of family leave, as described and limited herein.

### **No Work While On Leave**

Taking of another job while on family or medical leave or any other authorized leave may lead to disciplinary action, up to and including discharge.

### **Local Family and Medical Leave Laws**

Where local family and medical leave laws offer more protection or benefits to employees, the protection or benefits provided by such laws will apply.

### **Notice To Employer Of Leave**

If your need for family/medical leave is foreseeable, give the agency at least 30 days' prior written notice. When the need is not foreseeable, notify the agency within one or two business days of learning of your need for leave, except in extraordinary circumstances. If you do not provide this notice, your leave may be delayed. If your need is because of a planned medical treatment, attempt to schedule the treatment to avoid disrupting the agency's operations.

Request forms for family/medical leave are available from human resources. You must use this form when requesting a leave.

### **Medical Certification For A Serious Health Condition**

If you are requesting leave because of your own or a covered relation's serious health condition, the appropriate health care provider must supply medical certification. Obtain a medical certification form from human resources. If possible, you should provide the medical certification within 15 days after you request leave. If you provide at least 30 days' notice of your need for medical leave, you should provide the medical certification before your leave begins. If you do not provide the required medical certification in a timely manner, your leave may be delayed until it is provided.

The agency, at its expense, may require an examination by a second health care provider designated by the agency, if it has a good faith, objective reason to doubt the medical certification you initially provide (only for the employee's own serious health condition). If the second health care provider's opinion conflicts with the original

medical certification, the agency, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. The agency may require subsequent medical recertification. Failure to provide requested certification within 15 days, if such is practicable, may result in delay of further leave until it is provided.

### **Reporting While on Leave**

If you take leave because of your own serious health condition or to care for a covered relation with a serious health condition, you may be required to contact the agency on a prescheduled basis regarding the status of the medical condition and your intention to return to work. In addition, you must give notice as soon as practicable (within two business days if feasible) if the dates of leave change are extended or initially were unknown.

### **Leave Is Unpaid**

Family/medical leave is unpaid leave. If you request leave because of the birth, adoption or foster care placement of a child, or to care for a covered relation with a serious health condition, any accrued paid vacation, personal or family leave, if applicable, will be substituted for unpaid family/medical leave. If you request leave because of your own serious health condition, any accrued paid vacation, personal or family leave or medical/sick leave, if applicable, will be substituted for any unpaid family/medical leave. The substitution of paid time for unpaid family/medical leave time does not extend the length of the leave provided by the law. Also, your family/medical leave may run concurrently with other types of leave.

Employees on a medical leave may also receive pay from short-term or long-term disability payments, or workers' compensation benefits, if applicable, according to the terms of those plans. The fact that an employee may receive compensation under these plans does not extend the length of the family/medical leave provided by the law.

## **Medical and Other Benefits**

During an approved family/medical leave, the agency will maintain your health benefits under the same terms and conditions applicable to employees not on leave.

- If paid leave is substituted for unpaid family/medical leave, the agency will deduct your portion of the health plan premium as a regular payroll deduction.
- If your leave is unpaid, you must pay your portion of the premium by making arrangements with human resources.
- Your health coverage may cease if your premium payment is more than 30 days late. If your payment is more than 30 days late, we will send you a letter to this effect. If we do not receive your co-payment within 15 days of this letter, your coverage will cease.

If you elect not to return to work at the end of the leave for at least 30 calendar days, you will be required to reimburse the agency for the cost of the premiums paid by the agency for maintaining coverage during your unpaid leave, unless you cannot return to work due to a serious health condition or because of other circumstances beyond your control.

## **Exemption For Key Employees**

Certain key employees may not be returned to their former or equivalent position following a leave if doing so would cause substantial economic injury to the agency. Key employees are paid on a salary basis and are among the highest paid ten percent of employees at a worksite or within 75 miles of that work site. The agency will notify

you if you qualify as a key employee, if the agency intends to deny reinstatement and of your rights in such instances.

### **Intermittent and Reduced Schedule Leave**

Leave due to a serious health condition may be taken intermittently (in separate blocks of time due to a single serious health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday) if medically necessary. If your leave is unpaid, the agency will adjust your salary based on the amount of time actually worked. Also, while you are on an intermittent or reduced schedule leave, the agency may temporarily transfer you to an available alternate position that better accommodates your intermittent or reduced leave and that has equivalent pay and benefits.

### **At The End Of Your Leave**

If your leave is because of your own serious health condition (except if you are taking intermittent leave), you are required to provide medical certification that you are able to resume work prior to your return. Before you return, obtain a return-to-work medical certification form from human resources. An employee who fails to provide the return-to-work medical certification form will not be permitted to resume work until it is provided.

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## **Family Leave (New Jersey Employees)**

All employees who have worked 1,000 hours in the previous 12 months of consecutive employment are eligible to receive up to 12 weeks of unpaid family leave within a 24 month period. The 24 month period is measured rolling backward from the date leave is used.

In the event that an employee has been laid off due to a state of emergency since October 22, 2012, the employee may receive credit (as if the employee had worked) for up to 90 calendar days toward the 12-month base period for purposes of calculating eligibility for leave.

Family leave may be used only in the event of a birth or adoption of a child or to provide care due to the serious health condition of a child, spouse, civil union partner, parent or your spouse's parent.

You must provide notice to human resources of your need for leave no later than 30 days prior to the leave, except where emergent circumstances warrant shorter notice. You may be required to provide a certification issued by a licensed health care provider prior to the agency granting a request for family leave.

Leave taken due to the birth or adoption of a child may begin any time within one year of the birth or placement for adoption. Such leave must be taken consecutively, unless the agency agrees to permit the employee to take this leave on an intermittent or reduced leave schedule. Leave taken due to the serious illness of a child or covered family member may be taken consecutively or, if medically necessary, on an intermittent basis if prior notice is given in a manner that is reasonable and practical and the employee makes a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the agency.

Where intermittent leave is taken, the employer may require the employee to transfer to an alternative position having the equivalent pay and benefits for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position.

You are entitled to return to your previous or similar position, unless during such leave the agency has experienced a reduction in force or layoff and you would have lost your position had you not been on a family leave.

Consistent with the agency's policies, you may be required to substitute certain accrued paid leave time for unpaid family medical leave.

This leave may run concurrently with the Federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

## **Social Security**

During your employment, you and the agency both contribute funds to the federal government to support the Social Security program. This program is intended to provide you with retirement benefit payments and medical coverage once you reach retirement age.

## **Lactation Breaks (California, Georgia, Indiana, Maine, New Mexico, and New York Employees)**

The agency will provide a reasonable amount of break time to accommodate a female employee's need to express breast milk for the employee's infant child. In Maine and New York, lactation breaks will be provided for the following length of time after the birth of the child:

### **Maine and New York Employees**

Up to three years following the child's birth.

The break time should, if possible, be taken concurrently with other break periods already provided. Non-exempt employees should clock out for any time taken that does not run concurrently with normally scheduled rest periods, and such time generally will be unpaid, in accordance with state law. The agency will also make a reasonable effort to provide the employee with the use of a room or other location in close proximity to the employee's work area, for the employee to express milk in private.

Notify your supervisor to request time to express breast milk under this policy. The agency reserves the right to deny an employee's request for a lactation break if the additional break time will seriously disrupt operations and in accordance with applicable law.

No provision of this policy applies or is enforced if it conflicts with or is superseded by any requirement or prohibition contained in a federal, state, or local law or regulation. If you have knowledge of such a conflict or a potential conflict you should contact your supervisor.

## **Lactation Breaks**

The agency will provide a reasonable amount of break time to accommodate a female employee's need to express breast milk for the employee's infant child up to one year of age; unless additional time is required by state law. The break time should, if possible, be taken concurrently with other break periods already provided. Non-exempt employees should clock out for any time taken that does not run concurrently with normally scheduled rest periods, and such time generally will be unpaid in accordance with state law. The agency will also make a reasonable effort to provide the employee with the use of a room or other location in close proximity to the employee's work area, for the employee to express milk in private.



Notify your supervisor to request time to express breast milk under this policy.

No provision of this policy applies or is enforced if it conflicts with or is superseded by any requirement or prohibition contained in a state or local law, or regulation. If you have knowledge of such a conflict or a potential conflict you should contact your supervisor.

## **Unemployment Insurance**

Upon separation from employment, you may be entitled to state and federal unemployment insurance benefits. Information about unemployment insurance can be obtained from the agency.

## **Workers' Compensation**

On-the-job injuries are covered by our Workers' Compensation insurance policy. This insurance is provided at no cost to you. If you are injured on the job, no matter how slightly, report the incident immediately to the agency's Compliance Department. Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize your claim. We ask for your assistance in alerting management to any condition that could lead to or contribute to an employee accident.

- If you suffer an on-the-job injury, work-related illness or exposure, it is your responsibility to follow the procedure below for filing a worker's compensation claim;
- Report the injury to your facility and seek immediate medical treatment as necessary;
- Complete an incident report and have it signed and dated by your on-site supervisor.

- Call the Prime Staffing, Compliance Dept., 212-629-7200 to report the incident and follow their direction. A written report must be emailed with 24 hours of the incident. Email: Compliance@primestaffingnyc.com

Failure to report injuries in a timely manner may delay your benefits.

If you are unable to work due to an on-the-job injury, work related illness or exposure, you are required to send a doctor's note stating any work related limitations in an email to Compliance@primestaffingnyc.com

Employees are required to follow the agency's policies and procedures for all work-related injuries.

Keep in close contact with your assigned Workers' Compensation Insurance adjuster for guidance and instructions on receiving appropriate and timely care.

## On the Job

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## **Confidentiality of Client Matters**

Our professional ethics require that each employee maintain the highest degree of confidentiality when handling client matters.

To maintain this professional confidence, no employee shall disclose client information to other clients, friends, or members of one's own family.

Questions concerning client confidentiality may be addressed with your on-site supervisor and/or agency recruiter.

Violations of confidential matters will lead to disciplinary actions up to and including termination of client assignment.

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## **Attendance and Punctuality**

Attendance and punctuality are important factors for your success within our agency. We work as a team and this requires that each person be in the right place at the right time.

As a Prime Staffing employee, you play a pivotal role in delivering the highest quality care to our clients/patients.

When you call off from work, or show up late for your scheduled shift, it has a ripple effect – your agency may have to find a replacement, your colleagues must pick up the extra workload, and ultimately the client/patient suffers by not receiving the highest level of attention.

For this reason, there is a zero policy for calling out and tardiness, for which may result in termination.

If a situation does arise and you will be late or absolutely not able to make it to work, you need to email your employer's payroll department, notify your recruiter, as well as your onsite facility manager. We would greatly appreciate the courtesy of you giving us as much advanced notice as possible, in order to give us enough time to ensure we find a replacement.

Personal issues requiring time away from your work, such as doctor's appointments or other matters, should be scheduled during your nonworking hours if possible.

Additionally, we have a zero-tolerance policy, when it comes to no-call/no-shows, and may result in immediate termination.

Each client has specific guidelines for sick calls, canceling shifts, lateness and any habitual negative behavior affecting their staffing. Canceling shifts previously submitted to the client may result in disciplinary action equal to sick calls.

If you are absent for two days without notifying the agency, it is assumed that you have voluntarily abandoned your position with the agency, and you will be removed from the payroll.

## **Meal, Rest, and Recovery Time (California Employees)**

Except for certain exempt employees, all employees who work five or more hours in a day are required to take an uninterrupted 30-minute unpaid duty-free meal period to commence no later than the end of the fifth hour of work and a second uninterrupted 30-minute meal period free from all duty to commence no later than the end of the 10th hour, should an employee work that many hours in any given day. Only in limited circumstances, discussed below, can meal periods be waived. For this reason, unless there is a written agreement for an on-duty meal period approved by the agency, employees must record the beginning and ending time of their meal period in the timekeeping system every day. It is also our policy to relieve such employees of all duty during their meal periods, with the employee being at liberty to use the meal period time as the employee wishes.

An employee shall not be required to work during a meal period, in accordance with state law. If the agency fails to provide an employee with a required meal period, the employee will be paid one additional hour of pay at the employee's regular rate of compensation.

The agency schedules all work assignments with the expectation that all employees will take their duty-free meal periods and we encourage you to do so. Employees may be asked to confirm in writing that they have been relieved of all duty and otherwise provided all of their daily meal periods during the pertinent pay period, or in the alternative, identify any meal periods they missed. At no time may any employee perform off-the-clock work or otherwise alter, falsify, or manipulate any aspect of their timekeeping records to inaccurately reflect or hide meal periods or time spent working during meal periods.

No agency manager or supervisor is authorized to instruct an employee how to spend his or her personal time during a meal period. You should immediately report a manager's or supervisor's instruction to skip or work during a meal period to your supervisor.

### Waiver of Meal Period

Employees may waive their meal periods only under the following circumstances. If an employee will complete their workday in six hours, the employee may waive their meal period. Additionally, depending upon your occupation, employees who work more than ten hours in a day may be able to waive their second meal period, but only if they take their first meal period and they do not work more than 12 hours that day. Please speak to your supervisor for clarification on whether you are entitled to waive your second meal period. Anytime you elect to waive a meal period you must submit a written request and receive prior written authorization from your supervisor. Employees may not waive meal periods to shorten their workday or to accumulate meal periods for any other purpose.

### On Duty Meal Period

In limited situations, certain designated employees may be required to work an on-duty meal period due to the nature of the employee's duties. Only if the nature of your job duties requires it, and you and the agency have agreed to an on-duty meal period in writing, will you be permitted to take an on-duty meal period. In this situation, your on-duty meal period will be paid and treated as hours worked.

## **Meal Time**



Employees working a shift of more than six hours will be provided at least 30 unpaid minutes. Your on-site supervisor is responsible for approving the scheduling of this time.

### **Meal Time (Maine Employees)**

A 30-minute, unpaid meal break should be taken each day. Approving the scheduling of this time is the responsibility of your supervisor.

### **Rest and Recovery Periods (California Employees)**

Employees will receive one 10-minute paid break for every four hours worked (or major fraction thereof). Rest and recovery periods will occur as close to the middle of a four-hour work period as is practical. This time must be approved by your supervisor each day.

Rest and recovery periods are counted as hours worked, and thus, employees are not required to record their rest periods on their timesheets or time cards. However, no supervisor is authorized or allowed to instruct or allow an employee to waive a rest or recovery period, and they cannot be used to shorten the workday or be accumulated for any other purpose. Employees may be required to confirm that they have been provided an opportunity to take all of their rest or recovery periods during the pertinent pay period.

## Standards of Conduct

Each employee has an obligation to observe and follow the agency's policies and to maintain proper standards of conduct at all times. If an individual's behavior interferes with the orderly and efficient operation of a department, corrective disciplinary measures will be taken.

Disciplinary action may include a verbal warning, written warning, suspension with or without pay, and/or discharge. The appropriate disciplinary action imposed will be determined by the agency. The agency does not guarantee that one form of action will necessarily precede another.

Among other things, the following may result in disciplinary action, up to and including discharge:

- violation of the agency's and/or client facility policies or safety rules;
- insubordination;
- unauthorized or illegal possession, use or sale of alcohol or controlled substances on work premises or during working hours, while engaged in agency activities or in agency vehicles;
- unauthorized possession, use or sale of weapons, firearms or explosives on work premises;
- theft or dishonesty; inappropriate physical contact;
- harassment; discrimination or retaliation;
- performing outside work or use of agency property, equipment or facilities in connection with outside work while on agency time;
- poor attendance or poor performance.

These examples are not all inclusive. We emphasize that discharge decisions will be based on an assessment of all relevant factors.

Nothing in this policy is designed to limit an employee's rights under Section 7 of the National Labor Relations Act.

Nothing in this policy is designed to modify our employment -at-will policy.

### **Access to Personnel Files (Arizona Employees)**

Upon request, you, or your designee, may inspect your own payroll records. Inspections will be held on agency premises in the presence of an agency official. Contact your agency to arrange a time to view these records. You, or your designee, will be permitted to review and copy these records.

For more information, contact your agency.

### **Access to Personnel Files (California Employees)**

Upon request, current and former employees may inspect their own personnel files at a mutually agreeable time, on agency premises in the presence of an agency official. You will be permitted to see any records regarding your qualification for employment, promotion, wage increases, earnings and deductions, or discipline. The agency will

make the records available within 30 days after receipt of a written or oral request for review. Exceptions include records regarding criminal investigation and any letters of reference maintained by the agency. You will be allowed to have a copy of any document that relates to your performance or any grievance that concerns you. The agency complies with state law record retention requirements for current and former employees.

For more information, contact your supervisor.

## **Access to Personnel Files (Maine Employees)**

Employees who submit a written request may review their own personnel file at the location where the files are maintained, and during normal business hours. During any calendar year, the agency will provide employees, upon their request, with one copy of their personnel file, at no cost.

If an employee requests more than one copy of his or her personnel file in a calendar year, the employee must bear the expense of a reasonable copying fee.

For more information, contact your supervisor.

## **Client and Public Relations**

Our agency's reputation is built on excellent service and quality work. To maintain this reputation requires the active participation of every employee.

The opinions and attitudes that clients have toward our agency may be determined for a long period of time by the actions of one employee. It is sometimes easy to take

a client for granted, but if we do we run the risk of losing not only that client, but his or her associates, friends or family who may also be clients or prospective clients.

Each employee must be sensitive to the importance of providing courteous treatment in all working relationships.

## **Non-Solicitation**

The agency believes employees should have a work environment free from interruptions of a non-work related nature, as work time is for work. When you are to be working you should focus on your duties and not engage in activities that would interfere with your own work or the work of others. For the purpose of this policy, solicitation includes, but is not limited to, for collection of any debt or obligation, for raffles of any kind or chance taking, or for the sale of merchandise or business services, the attempt to sell any product or service (e.g. selling or collecting for Tupperware®, Avon® products, churches, schools, Girl Scout cookies, etc.). Such interruptions can be both detrimental to the quality of work and efficiency, and may not be respectful of others job responsibilities and right not to be interrupted.

Employees may not engage in solicitation for any purpose during his/her work time, which includes the working time of the employee who seeks to solicit and the employee who is being solicited. Although solicitation is not encouraged, it is permitted as long as it is limited to the employee's break and lunch time and kept out of active working areas. Nothing in this policy is intended to restrict an employee's statutory rights, including discussing terms and conditions of employment.

## **Distribution**

Distribution by employees of any type (materials, goods, paper) is prohibited in work areas at any time, whether or not the employees are on working time. Electronic distribution is subject to the agency's Electronic Mail and Monitoring Policy, and may not occur during the employee's working time. Non-employees are prohibited from distributing materials to employees on agency premises at any time. Literature that violates the agency's EEO and No Harassment policies, includes threats of violence, or is knowingly and recklessly false is never permitted. Nothing in this policy is intended to restrict an employee's statutory rights, including discussing terms and conditions of employment.

## **Changes in Personal Data**

To aid you and/or your family in matters of personal emergency, we need to maintain up-to-date information.

Changes in name, address, telephone number, marital status, number of dependents or changes in next of kin and/or beneficiaries should be given to your agency promptly.

## **HR Online (Self-Service Portal)**

A self-service portal is available. You have the ability to view personal and agency information on this portal. You may submit changes to your personal information including address, tax status and dependent information at your convenience. If updates are made, please contact the agency to ensure those changes are entered in the payroll system. You may also receive important management notices and reminders, such as benefit enrollment deadlines and time-off approvals at this portal.

Please contact Prime Staffing's Payroll Department if you need assistance with obtaining login information.

## **Care of Agency's Property**

You are expected to demonstrate proper care when using the agency's and client's property and equipment. No property may be removed from the premises without the proper authorization of management. If you lose, break or damage any property, report it to your on-site supervisor and/or agency recruiter at once.

Upon completion, cancellation or termination of an assignment for any reason, you must return your identification badge and any other items loaned to you by the facility and/or agency.

Employees assume responsibly for any lost and/or broken property or equipment's and promptly pays the cost for any unreturned items.

## **Acceptable Use of Electronic Communications**

This policy contains guidelines for Electronic Communications created, sent, received, used, transmitted, or stored using agency communication systems or personal equipment and systems or equipment used either in the workplace, during working time or to accomplish work tasks during working time. "Electronic Communications" include, among other things, messages, images, data or any other information used in e-mail, instant messages, voice mail, fax machines, computers, personal digital assistants (including Blackberry, iPhone, iPad, tablet, smart phone or similar devices), text messages, pagers, telephones, cellular and mobile phones including those with cameras, Intranet, Internet, back-up storage, information on a memory or flash key or card, jump or zip drive or any other type of internal or external removable storage drives. In the remainder of this policy, all of these communication devices are collectively referred to as "Systems."

Employees may use our Systems to communicate internally with co-workers or externally with clients, suppliers, vendors, advisors, and other business acquaintances for business purposes during working time.

All Electronic Communications contained in agency Systems are agency records and/or property. Although an employee may have an individual password to access our Systems, the Systems and Electronic Communications belong to the agency. The Systems and Electronic Communications are accessible to the agency at all times including periodic unannounced inspections. Our Systems and Electronic Communications are subject to use, access, monitoring, review, recording and disclosure without further notice. Our Systems and Electronic Communications are not confidential or private.



The agency's right to use, access, monitor, record and disclose Electronic Communications without further notice applies equally to employee-provided systems or equipment used in the workplace, during working time, or to accomplish work tasks.

Although the use of both our Systems and your own personal Systems for work purposes during work are permitted, personal use of our Systems, as well as your own personal Systems, while working is strictly prohibited and a violation of policy.

Since all Electronic Communications and Systems can be accessed without advanced notice, employees should not use our Systems for communication or information that employees would not want revealed to third parties.

Employees may not use our Systems in a manner that violates our policies including but not limited to Equal Employment Opportunity, No Harassment, Confidentiality of Client Matters, Protecting Agency Information, Non-Solicitation, and Distribution. Employees may not use our Systems in any way that may be seen as insulting, disruptive, obscene, offensive, or harmful to morale. Examples of prohibited uses include, but are not limited to, sexually-explicit drawings, messages, images, cartoons, or jokes; propositions or love letters; ethnic or racial slurs, threats of violence or bullying, or derogatory comments; or any other message or image that may be in violation of agency policies or federal, state or local law.

In addition, employees may **not** use our Systems:

- To download, save, send or access any discriminatory or obscene material;
- To download, save, send or access any music, audio or video file for non-business purposes during working time;

- To download anything from the internet (including shareware or free software) without the advance written permission of your on-site supervisor;
- To download, save, send or access any site or content that the agency might deem “adult entertainment;”
- To access any “blog” or otherwise post a personal opinion on the Internet during working time or our Intranet (see Social Media policy);
- To solicit employees or others during working time;
- To attempt or to gain unauthorized or unlawful access to computers, equipment, networks, or systems of the agency or any other person or entity;
- In connection with any infringement of intellectual property rights, including but not limited to copyrights; and
- In connection with the violation or attempted violation of any law.

An employee may not misrepresent, disguise, or conceal his or her identity or another's identity in any way while using Electronic Communications; make changes to Electronic Communications without clearly indicating such changes; or use another person's account, mail box, password, etc. without prior written approval of the account owner and without identifying the actual author.

Employees must always respect intellectual property rights such as copyrights and trademarks. Employees must not copy, use, or transfer trade secrets or proprietary materials of the agency or others without appropriate authorization.

All Systems passwords and encryption keys must be available and known to the agency. You may not install password or encryption programs without the written permission of your on-site supervisor. Employees may not use the passwords and encryption keys belonging to others.

Numerous state and federal laws apply to Electronic Communications. The agency will comply with applicable laws. Employees also must comply with applicable laws and should recognize that an employee could be personally liable and/or subject to fine and imprisonment for violation of applicable laws.

This policy does not limit an employee's rights under Section 7 of the National Labor Relations Act. Nothing in this policy is meant to restrict an employee's right to discuss the terms and conditions of his/her employment during non-working hours using non-agency systems. Nothing in this policy is meant to restrict an employee's right to engage in Section 7-protected communications on nonworking time.

Violations of this policy may result in disciplinary action up to and including discharge as well as possible civil liabilities or criminal prosecution. Where appropriate, the agency may advise legal officials or appropriate third parties of policy violations and cooperate with official investigations. We will not, of course, retaliate against anyone who reports possible policy violations or assists with investigations.

If you have questions about the acceptable use of our Systems or the content of Electronic Communications, ask your agency for advance clarification.

## **Social Media**

The agency has in place policies that govern use of its own electronic communication systems, equipment, and resources which employees must follow. We encourage you to use good judgment when communicating via social media.

“Social media” includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog,

journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the agency, as well as any other form of electronic communication.

The same principles and guidelines found in the agency's Employee Handbook policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects clients, vendors, suppliers, people who work on behalf of the agency or its legitimate business interests may result in disciplinary action up to and including immediate discharge.

The following is a general and non-exhaustive list of guidelines you should keep in mind:

1. Always be fair and courteous to fellow employees, clients, vendors, suppliers or people who work on behalf of the agency. Also, keep in mind that you are more likely to resolve work related complaints by speaking directly with your co-workers or by utilizing our Talk To Us policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, and threatening or intimidating, that disparages clients, employees, vendors, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, age, gender, national origin, color, disability, religion or any other status protected by federal, state or local law or agency policy.

Inappropriate postings that may include discriminatory remarks, harassment, retaliation, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including immediate discharge.

2. Make sure you are always truthful and accurate when posting information or news. If you make a mistake, correct it quickly. Be open about any previous posts you have altered. Use privacy settings when appropriate. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. The Internet is immediate. Nothing that is posted ever truly “expires.” Never post any information or rumors that you know to be false about the agency, fellow employees, clients, vendors, suppliers, and people working on behalf of the agency or competitors.
3. Maintain the confidentiality of agency trade secrets and proprietary or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications.
4. Do not create a link from your blog, website or other social networking site to the agency's website without identifying yourself as an agency employee.

5. Express only your personal opinions. Never represent yourself as a spokesperson for the agency. If the agency is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the agency, fellow employees, clients, vendors, suppliers or people working on behalf of the agency. If you do publish a blog or post online related to the work you do or subjects associated with the agency, make it clear that you are not speaking on behalf of the agency. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of Prime Staffing Inc.”
6. You must refrain from using social media while on working time or while using equipment we provide, unless it is work-related as authorized by your on-site supervisor, or other member of management; or consistent with the Acceptable Use of Electronic Communications Policy.
7. Do not use any agency email addresses to register on social networks, blogs or other online tools utilized for personal use.

Employees are encouraged to report violations of this policy. The agency prohibits retaliation against any employee for reporting a possible deviation from this policy or for cooperating in an investigation.

Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including immediate discharge.

You should not speak to the media on either the agency's or client's behalf without contacting one of your agency directors. All media inquiries should be directed to them.

Where applicable, the agency complies with state laws concerning access to an employee's personal social networking account, including restrictions concerning employer requests for an employee's username and/or password.

Nothing in this policy is designed to limit an employee's rights under Section 7 of the National Labor Relations Act.

If you have questions or need further guidance, please contact your agency.

## **Protecting Agency Information**

Protecting our agency's information is the responsibility of every employee. Do not discuss the agency's confidential business or proprietary business matters, or share confidential, personal employee information (such as social security numbers, personal banking or medical information) with anyone who does not work for us such as friends, family members, members of the media, or other business entities.

Confidential information does not include information pertaining to the terms and conditions of an employee's employment, including wages. Nothing in this policy is designed to limit an employee's rights under Section 7 of the National Labor Relations Act.

All telephone calls regarding a current or former employee's position/compensation with our agency must be forwarded to the Compliance Department.

The agency's address shall not be used for the receipt of personal mail.

## **Conflict of Interest/Code of Ethics**

An agency's reputation for integrity is its most valuable asset and is directly related to the conduct of its officers and other employees. Therefore, employees must never use their positions with the agency, or any of its clients, for private financial gain, to advance personal financial interests, to obtain favors or benefits for themselves, members of their families or any other individuals, corporations or business entities, or engage in activities, investments or associations that compete with the agency, interferes with an employee's business judgment concerning the agency's best interests, or exploits an employee's position with the agency for personal gain.

The agency adheres to the highest legal and ethical standards applicable in our business. The agency's business is conducted in strict observance of both the letter and spirit of all applicable laws and the integrity of each employee is of utmost importance.

Employees of the agency shall conduct their personal affairs such that their duties and responsibilities to the agency are not jeopardized and/or legal questions do not arise with respect to their association or work with the agency.

This policy will not be enforced to prevent employees from discussing their wages or other terms of employment.

### **If You Must Leave Us**

End or Cancellation of Assignment:

A client/facility may terminate or cancel your assignment for any reason or no reason. However, this does not alter your employment with the agency. If an assignment is terminated by a client/facility due to a lack of work or a



change in the staffing needs during the term of your assignment.

Upon the termination of your assignment on its scheduled end date or otherwise, the agency will review your eligibility for placement on future assignments. You will be notified of your eligibility for future assignments with the agency as soon as that information becomes available.

With respect to Staffing Assignments, you will remain employed until you receive notification that your employment has been terminated by the agency.

Should you decide to leave your employment with us, we ask that you provide your agency recruiter and on-site supervisor with at least two weeks' advance notice, as a professional courtesy. Your thoughtfulness is appreciated and will be noted favorably, should you ever wish to reapply for employment with the agency.

Our agency does not provide a "letter of reference" to former employees. Generally, we will confirm upon request our employees' dates of employment, salary history, and job title.

You must notify the agency if your address changes during the calendar year in which discharge occurs so that your tax information will be sent to the proper address.

## **Annual Performance Evaluations (APE)**

Our agency will complete an Annual Performance Evaluations on all employees who meet a one year anniversary date and have worked 1000 hours. The evaluation will provide employees with feedback on performance and identify areas of improvement and/or career advancement.

## **End of Assignment Evaluation**

Each employee will have an end of assignment evaluation performed by a member of the agency's staff. This will allow the employee and the agency to identify future assignment recommendations and assist the employee in identifying career growth.

# Safety in the Workplace

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## **Each Employee's Responsibility**

Safety can only be achieved through teamwork at our agency. Each employee, supervisor and manager must practice safety awareness by thinking defensively, anticipating unsafe situations and reporting unsafe conditions immediately.

Please observe the following precautions:

1. The use of alcoholic beverages or illegal substances during working hours will not be tolerated. The possession of illegal substances on the agency's property is forbidden.
2. Use, adjust and repair machines and equipment only if you are trained and qualified.

3. Know the proper lifting procedures. Get help when lifting or pushing heavy objects.
4. Understand your job fully and follow instructions. If you are not sure of the safe procedure, don't guess; just ask your on-site supervisor.
5. Know the locations, contents and use of first aid and fire-fighting equipment.
6. Wear personal protective equipment in accordance with the job you are performing.

Notify your on-site supervisor and the agency recruiter of any emergency situation. If you are injured or become sick at work, no matter how slightly, you must inform your on-site supervisor and agency recruiter immediately.

A violation of a safety precaution is in itself an unsafe act. A violation may lead to disciplinary action, up to and including discharge.

## **Reporting Requirements**

You are required to report any patient care or work related incidents by phone to the HR representative and your recruiter at 212-629-7200. Reportable incidents include, but are not limited to, the following:

- Any work-related injury or incident;
- Sudden or unexpected death of a patient;
- Patient fall, regardless of whether or not it results in injury;
- Unanticipated neurological, sensory and/or systemic deficits, for example- permanent paralysis, brain damage, loss of sign, loss of hearing or sepsis;
- Birth related injuries, either maternal or fetal
- Any significant medication error;
- Anesthesia related injuries;

- Substantial disability, for example: amputation, disfigurements or fractures;
- Severe wounds or internal injuries; or

Any other situations deemed reportable.

Please do not write, sign or give any statements to anyone regarding an incident prior to contacting the Agency's Compliance Department.

## **Blood borne Pathogens Exposure Control**

To protect employees who may reasonably anticipate being occupationally exposed to blood and other potentially infectious materials during work tasks, our agency has instituted a Blood-borne Pathogens Exposure Control Program.

Briefly, the program includes an employee exposure determination, information and training about blood borne pathogens, the availability of hepatitis B vaccinations, Universal Precautions, engineering controls, safe work practices, personal protective equipment and housekeeping measures to help reduce the risks of occupational exposure. Procedures to be used following an exposure incident and necessary record keeping are also included. These matters are discussed in the written Infection Control Plan, which is available to you in accordance with the plan.

### **Exposure Control Plan/Universal Precautions**

Definition: Blood-borne Pathogens are microorganisms in human blood that can cause disease in humans. The two most significant are Hepatitis B (HBV) and Human Immunodeficiency Virus (HIV).

## Exposure Determination/Classification

The risks of blood-borne disease in the workplace are quite serious, yet you can learn effective ways of minimizing them. A good place to start is with the client facility's written exposure control plan. A copy should be available for you to consult at the Facility during your work shift. If you are directly exposed to blood or infectious materials during the course of employment with the agency, you shall be considered eligible for free Hepatitis B vaccinations.

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### *Standard Precautions*

The agency recognizes and instructs all working personnel to treat blood and body fluids as infectious. You cannot identify every patient who may transmit infection nor can you afford not to since it takes just one exposure to become infected. Standard precautions resolve this uncertainty by requiring you to treat all human blood and certain human body fluids as if they were known to be infected with HIV, HBV or other blood borne pathogens.

### Engineering and Work Practice Controls

Each client facility agrees to include provisions for traveling staff as they would for their permanent staff regarding engineering, housekeeping and work practice controls for protection.



1. The whole range of equipment must be available wherever blood or infectious materials might reach your work clothes (i.e., gloves, gown, mask), skin, eyes, mouth or other mucous membranes.
2. Gloves shall be worn when it can be reasonably anticipated you may have contact with blood or infectious materials. Disposable gloves must be disposed of after each use.
3. Subject to each client facility's policies and procedures, sharps must be discarded in leak proof and labeled or color-coded containers for transport or shipping. Contaminated sharps should not be sheared or broken, bent, recapped or removed unless "no alternative is available."
4. The client facility shall provide hand washing facilities readily accessible to you. You should wash your hands and any other skin with soap and water, or flush mucous membranes with water immediately after contact of such body areas with blood or other potentially infectious materials.
5. You are required to follow the assigned client facility's policy and procedures, including, but not limited to, housekeeping, disposal of contaminated materials, observance of precautions of biohazard labels and infection control procedures.

You are responsible for reporting actual occupational exposures or any on the job injury to the agency's Workers' Compensation Department. A record of all known occupational exposures shall be kept by the Workers' Compensation Coordinator.

Further information about Blood-borne Pathogens Exposure Control Program will be provided to affected employees and may be obtained from your agency.

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## **OSHA Requirements**

In compliance with the OSHA final ruling on Blood-borne pathogens (29 CFR Part 1910-1030), as an employee of the agency having occupation exposure to potentially infectious materials, you have the right to receive the Hepatitis B vaccination series, free of cost to you. The agency requires the completion and the return of the Hepatitis B vaccination consent/declination form from you. You have elected to receive the vaccination series at any time while on assignment.

Please ask to speak with the Prime Staffing Director of Compliance at any time for this and any other OSHA related question or concern.

Education and training on standard precautions and Blood-borne pathogens is required as a part of the annual competencies. It is required that you review the manual carefully and complete the module.

Protective equipment should be available at all facilities. Please contact your immediate on-site supervisor to locate any specific items that you may need.

If you are exposed to blood-borne pathogens during your assignment, report the incident immediately to your onsite supervisor at the Facility and seek immediate treatment. The Facility will provide you with a confidential medical evaluation.

Contact the agency's Compliance Department and your Recruiter immediately following treatment to report the incident.

## **Workplace Violence**

Violence by an employee or anyone else against an employee, supervisor or member of management will not be tolerated. The purpose of this policy is to minimize the potential risk of personal injuries to employees at work and to reduce the possibility of damage to agency property in the event someone, for whatever reason, may be unhappy with an agency decision or action by an employee or member of management.

If you receive or overhear any threatening communications from an employee or outside third party, report it to your on-site supervisor at once. Do not engage in either physical or verbal confrontation with a potentially violent individual. If you encounter an individual who is threatening immediate harm to an employee or visitor to our premises, contact an emergency agency (such as 911) immediately.

All reports of work-related threats will be kept confidential to the extent possible, investigated and documented. Employees are expected to report and participate in an investigation of any suspected or actual cases of workplace violence and will not be subjected to disciplinary consequences for such reports or cooperation.

Violations of this policy, including your failure to report or fully cooperate in the agency's investigation, may result in disciplinary action, up to and including discharge.

## **Workplace Searches**

To protect the property and to ensure the safety of all employees, clients and the agency, the agency reserves the right to conduct personal searches consistent with state law, and to inspect any packages, parcels, purses, handbags, brief cases, lunch boxes or any other possessions or articles carried to and from the agency's property. In addition, the agency reserves the right to search any employee's office, desk, files, locker, equipment or any other area or article on our premises. In this regard, it should be noted that all offices, desks, files, lockers, equipment, etc. are the property of the agency, and are issued for the use of employees only during their employment. Inspection may be conducted at any time at the discretion of the agency.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy may not be permitted to enter the premises. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property or illegal substances, will be subject to disciplinary action, up to and including discharge, if upon investigation they are found to be in violation of the agency's security procedures or any other agency rules and regulations.

### **Smoking in the Workplace (Maine Employees)**

Our agency is committed to providing a safe and healthy environment for employees and visitors. Smoking is not permitted indoors or outdoors.

Violations of this policy may result in disciplinary action, up to and including discharge.

### **Smoking in the Workplace (Maryland Employees)**

Our agency is committed to providing a safe and healthy environment for employees and visitors. Smoking is allowed only in designated areas outside the building or in private vehicles when not being used in the course of employment.

Violations of this policy may result in disciplinary action, up to and including discharge.

## **Isolation and Quarantine Leave (South Carolina Employees)**

An employee subject to an isolation or quarantine order issued in compliance with state law and pursuant to DHEC's rules and orders will be granted unpaid leave.

Affected employees may elect to use accrued paid or unpaid leave (including family, medical, sick, annual, personal, disability or similar leave) for the time off allowed under this policy. This leave will run concurrently with any other applicable leave.

Please notify the agency of your need for leave as soon as practicable.

## **No Weapons in the Workplace (Arizona, Florida, Georgia, Indiana, Maine and Texas Employees)**

Possession, use or sale of weapons, firearms or explosives on work premises, while operating agency machinery, equipment or vehicles for work-related purposes or while engaged in agency business off premises is forbidden except where expressly authorized by the agency and permitted by state and local laws. This policy applies to all employees, including but not limited to, those who have a valid permit to carry a firearm. This policy does not apply to firearms stored in the employee's locked motor vehicle.

If you are aware of violations or threats of violations of this policy, you are required to report such violations or threats of violations to your agency immediately.

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

## **No Weapons in the Workplace (All Other Employees)**

Possession, use or sale of weapons, firearms or explosives on work premises, while operating agency machinery, equipment or vehicles for work-related purposes or while engaged in agency business off premises is forbidden except where expressly authorized by the agency and permitted by state and local laws. This policy applies to all employees, including but not limited to, those who have a valid permit to carry a firearm.

If you are aware of violations or threats of violations of this policy, you are required to report such violations or threats of violations to your supervisor immediately.

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



## **Substance Abuse**

The agency has vital interests in ensuring a safe, healthy and efficient working environment for our employees, their co-workers and the clients we serve. The unlawful or improper presence or use of controlled substances or alcohol in the workplace presents a danger to everyone. For these reasons, we have established as a condition of employment and continued employment with the agency the following substance abuse policy.

The agency has implemented a drug testing program in compliance with local, state and federal laws. Employees are prohibited from reporting to work or working while using illegal or unauthorized substances. Employees are prohibited from reporting to work or working when the employee uses any controlled substance, except when the use is pursuant to a doctor's orders and the doctor advised the employee that the substance does not adversely affect the employee's ability to safely perform his or her job duties.

In addition, employees are prohibited from engaging in the unlawful or unauthorized manufacture, distribution, sale or possession of illegal or unauthorized substances and alcohol in the workplace including: on agency paid time, on agency premises, in agency vehicles, or while engaged in agency activities. Our employees are also prohibited from reporting for duty or remaining on duty with any alcohol in their systems. Employees are further prohibited from consuming alcohol during working hours, including meal and break periods.

Your employment or continued employment with the agency is conditioned upon your full compliance with the foregoing substance abuse policy. Any violation of this policy may result in disciplinary action, up to and including discharge. Furthermore, any employee who violates this policy who is subject to discharge, may be permitted in lieu of discharge, at the agency's sole discretion, to participate in and successfully complete an appropriate treatment, counseling or rehabilitation program as recommended by a substance abuse professional as a condition of continued employment and in accordance with applicable federal, state, and local laws.

Consistent with its fair employment policy, the agency maintains a policy of non-discrimination and reasonable accommodation with respect to recovering addicts and alcoholics, and those having a medical history reflecting treatment for substance abuse conditions. We encourage employees to seek assistance before their substance or alcohol use renders them unable to perform their

essential job functions or jeopardizes the health and safety of themselves or others. The agency will attempt to assist its employees through referrals to rehabilitation, appropriate leaves of absence and other measures consistent with the agency's policies and applicable federal, state or local laws.

The agency further reserves the right to take any and all appropriate and lawful actions necessary to enforce this substance abuse policy including, but not limited to, the inspection of agency issued lockers, desks or other suspected areas of concealment, as well as an employee's personal property when the agency has reasonable suspicion to believe that the employee has violated this substance abuse policy.

This policy represents management guidelines. For more information, please speak to your agency.

## 15 Covered Preventive Services for Adults

1. **Abdominal Aortic Aneurysm** one-time screening for men of specified ages who have ever smoked
2. **Alcohol Misuse** screening and counseling
3. **Aspirin** use for men and women of certain ages
4. **Blood Pressure** screening for all adults
5. **Cholesterol** screening for adults of certain ages or at higher risk
6. **Colorectal Cancer** screening for adults over 50
7. **Depression** screening for adults
8. **Type 2 Diabetes** screening for adults with high blood pressure
9. **Diet** counseling for adults at higher risk for chronic disease
10. **HIV** screening for all adults at higher risk
11. **Immunization** vaccines for adults--doses, recommended ages, and recommended populations vary:
  - Hepatitis A    ○ Hepatitis B    ○ Herpes Zoster    ○ Human Papillomavirus
  - Influenza (Flu Shot)    ○ Measles, Mumps, Rubella    ○ Meningococcal    ○ Pneumococcal
  - Tetanus, Diphtheria, Pertussis
  - Varicella

Learn more about immunizations and see the latest vaccine schedules.
12. **Obesity** screening and counseling for all adults
13. **Sexually Transmitted Infection (STI)** prevention counseling for adults at higher risk
14. **Tobacco Use** screening for all adults and cessation interventions for tobacco users

15. **Syphilis** screening for all adults at higher risk

## **22 Covered Preventive Services for Women, Including Pregnant Women**

The eight new prevention-related health services marked with an asterisk ( \* ) must be covered with no cost-sharing in plan years starting on or after August 1, 2012.

1. **Anemia** screening on a routine basis for pregnant women

2. **Bacteriuria** urinary tract or other infection screening for pregnant women
3. **BRCA** counseling about genetic testing for women at higher risk
4. **Breast Cancer Mammography** screenings every 1 to 2 years for women over 40
5. **Breast Cancer Chemoprevention** counseling for women at higher risk
6. **Breastfeeding** comprehensive support and counseling from trained providers, as well as access to breastfeeding supplies, for pregnant and nursing women\*
7. **Cervical Cancer** screening for sexually active women
8. **Chlamydia Infection** screening for younger women and other women at higher risk
9. **Contraception:** Food and Drug Administration approved contraceptive methods, sterilization procedures, and patient education and counseling, not including abortifacient drugs\*
10. **Domestic and interpersonal violence** screening and counseling for all women\*
11. **Folic Acid** supplements for women who may become pregnant
12. **Gestational diabetes** screening for women 24 to 28 weeks pregnant and those at high risk of developing gestational diabetes\*
13. **Gonorrhea** screening for all women at higher risk
14. **Hepatitis B** screening for pregnant women at their first prenatal visit
15. **Human Immunodeficiency Virus (HIV)** screening and counseling for sexually active women\*
16. **Human Papillomavirus (HPV) DNA Test:** high risk HPV DNA testing every three years for women with normal cytology results who are 30 or older\*

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## Self-Insured Health Plans

17. **Osteoporosis** screening for women over age 60 depending on risk factors
18. **Rh Incompatibility** screening for all pregnant women and follow-up testing for women at higher risk
19. **Tobacco Use** screening and interventions for all women, and expanded counseling for pregnant tobacco users
20. **Sexually Transmitted Infections (STI)** counseling for sexually active women\*
21. **Syphilis** screening for all pregnant women or other women at increased risk
22. **Well-woman visits** to obtain recommended preventive services\*

## 26 Covered Preventive Services for Children

1. **Alcohol and Drug Use** assessments for adolescents
2. **Autism** screening for children at 18 and 24 months
3. **Behavioral** assessments for children of all ages  
Ages: 0 to 11 months, 1 to 4 years, 5 to 10 years, 11 to 14 years, 15 to 17 years.
4. **Blood Pressure** screening for children  
Ages: 0 to 11 months, 1 to 4 years, 5 to 10 years, 11 to 14 years, 15 to 17 years.

5. **Cervical Dysplasia** screening for sexually active females
6. **Congenital Hypothyroidism** screening for newborns
7. **Depression** screening for adolescents
8. **Developmental** screening for children under age 3, and surveillance throughout childhood
9. **Dyslipidemia** screening for children at higher risk of lipid disorders Ages: 1 to 4 years, 5 to 10 years, 11 to 14 years, 15 to 17 years.
10. **Fluoride Chemoprevention** supplements for children without fluoride in their water source
11. **Gonorrhea** preventive medication for the eyes of all newborns
12. **Hearing** screening for all newborns
13. **Height, Weight and Body Mass Index** measurements for children  
Ages: 0 to 11 months, 1 to 4 years, 5 to 10 years, 11 to 14 years, 15 to 17 years.
14. **Hematocrit or Hemoglobin** screening for children
15. **Hemoglobinopathies** or sickle cell screening for newborns
16. **HIV** screening for adolescents at higher risk
17. **Immunization** vaccines for children from birth to age 18 —doses, recommended ages, and recommended populations vary:
  - o Diphtheria, Tetanus, Pertussis
  - o Haemophilus influenzae type b
  - o Hepatitis A
  - o Hepatitis B
  - o Human Papillomavirus
  - o Inactivated Poliovirus
  - o Influenza (Flu Shot)
  - o Measles, Mumps, Rubella
  - o Meningococcal
  - o Pneumococcal
  - o Rotavirus
  - o Varicella

Learn more about immunizations and see the latest vaccine schedules.
18. **Iron** supplements for children ages 6 to 12 months at risk for anemia
19. **Lead** screening for children at risk of exposure



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## Self-Insured Health Plans

20. **Medical History** for all children throughout development  
Ages: 0 to 11 months, 1 to 4 years, 5 to 10 years, 11 to 14 years, 15 to 17 years.
21. **Obesity** screening and counseling
22. **Oral Health** risk assessment for young children  
Ages: 0 to 11 months, 1 to 4 years, 5 to 10 years.
23. **Phenylketonuria (PKU)** screening for this genetic disorder in newborns
24. **Sexually Transmitted Infection (STI)** prevention counseling and screening for adolescents at higher risk
25. **Tuberculin** testing for children at higher risk of tuberculosis  
Ages: 0 to 11 months, 1 to 4 years, 5 to 10 years, 11 to 14 years, 15 to 17 years.
26. **Vision** screening for all children