

Healthio



# Employee Handbook

June 23, 2023



CA| NY| TX| WV

# **ABOUT THIS HANDBOOK/DISCLAIMER**

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

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

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

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

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

This handbook states only general Healthio guidelines. Healthio may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and the President.

This handbook supersedes all prior handbooks.

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## **Section 1 - Governing Principles of Employment**

### **1-1. Introduction**

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

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

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

Healthio and Insuperity are in a co-employment work relationship. This means that Healthio handles the day-to-day operations related to its core business. Insuperity handles the administrative responsibilities, such as payroll processing and benefits, and supports the company with human resource issues.

You should have already signed an Employment Agreement outlining your employment relationship with Insuperity. Contact your supervisor or an Insuperity payroll or human resource specialist if you have any questions.

Leah Couch, Corporate Human Resources

### **1-2. Equal Employment Opportunity**

Healthio is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, pregnancy-related conditions, and lactation), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws and ordinances. Healthio's management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs, and general treatment during employment.

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





### **1-3. Reasonable Accommodations & Interactive Dialogue**

Healthio is committed to complying with applicable federal, state, and local laws governing reasonable accommodations of individuals, including, but not limited to, the Americans with Disabilities Act (ADA). To that end, we will endeavor to make a reasonable accommodation to applicants and employees who have requested an accommodation or for whom Healthio has notice may require such an accommodation, without regard to any protected classifications, related to an individual's:

- Disability, meaning any physical, medical, mental, or psychological impairment, or a history or record of such impairment;
- Sincerely held religious beliefs and practices;
- Needs as a victim of domestic violence, sex offenses, or stalking;
- Needs related to pregnancy, childbirth, or related medical conditions; and/or
- Any other reason required by applicable law, unless the accommodation would impose an undue hardship on the operation of our business.

Any individual who would like to request an accommodation based on any of the reasons set forth above should contact your supervisor or Insperity human resource specialist. Accommodation requests can be made in writing using a form which can be obtained from your supervisor or Insperity human resource specialist. If an individual who has requested an accommodation has not received an initial response within five (5) business days, the employee should contact your supervisor or Insperity human resource specialist.

After receiving a request for an accommodation or learning indirectly that the employee may require such an accommodation, Healthio will engage in an interactive dialogue with the employee.

Even if employee has not formally requested an accommodation, Healthio may initiate an interactive dialogue under certain circumstances, such as when Healthio has knowledge that employee's performance at work has been negatively affected and a reasonable basis to believe that the issue is related to any of the protected classifications set forth above, in compliance with applicable law. In the event Healthio initiates an interactive dialogue with an employee, it should not be construed as Healthio's belief an individual requires an accommodation, but will serve as an invitation for the employee to share with Healthio any information the employee desires to share, or to request an accommodation.

The interactive dialogue may take place in person, by telephone, or by electronic means. As part of the interactive dialogue, Healthio will communicate openly and in good faith with the employee in a timely manner in order to determine whether and how Healthio may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, Healthio will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the employee. Healthio is not required to provide the specific accommodation sought by the employee, provided the alternatives are reasonable and either meet the specific needs of the employee or specifically address the employee's limitations.



As part of the interactive dialogue, Healthio reserves the right to request supporting documentation, to the maximum extent permitted by applicable law.

Healthio will endeavor to keep confidential all communications regarding requests for reasonable accommodations and all circumstances surrounding the employee's underlying reason for needing an accommodation.

Healthio will not allow any form of retaliation against employees who have requested an accommodation, for whom Healthio has notice may require such an accommodation, or who otherwise engage in the interactive dialogue process.

Employees with questions regarding this policy should contact your supervisor or Insperity human resource specialist.

#### **1-4. Drug-Free and Alcohol-Free Workplace**

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

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale or distribution of controlled substances (including medical marijuana), drug paraphernalia or alcohol by an individual anywhere on Healthio premises, while on Healthio business (whether or not on Healthio premises) or while representing Healthio, is strictly prohibited. Employees and other individuals who work for Healthio also are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, which may impact the employee's ability to perform their job or otherwise pose safety concerns, except when the use is pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee or individual to report to work. However, this exception does not extend any right to report to work under the influence of medical marijuana or to use medical marijuana as a defense to a positive drug test, to the extent the employee is subject to any drug testing requirement, except as permitted by and in accordance with applicable law.

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

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

As a condition of continued employment, all employees must comply with this policy. An employee who engages in an activity prohibited by this policy shall be subject to disciplinary action, up to and including



immediate termination of employment.

Contact the Employee Assistance Program (EAP) for information about the availability of treatment programs such as assistance provided by Insperity's health care plan coverage or drug and alcohol abuse rehabilitation and education programs.

This policy is not intended to replace or otherwise alter applicable U.S. Department of Transportation obligations or any other federal, state or local agency drug testing regulations related to a particular industry.

### **1-5. Workplace Violence**

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

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

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in Healthio policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

#### **Prohibited Conduct**

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

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

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede Healthio's ability to investigate and respond to the complaints. All threats will be promptly investigated. All employees must cooperate with all



investigations. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

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

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

## **1-6. Anti-Harassment**

Healthio and Insperity are committed to a work environment in which all individuals are treated with respect and dignity and are free from all forms of harassment and discrimination. Any form of harassment, even when not unlawful or directed at a protected category, is prohibited and will not be tolerated. All employees, including supervisors, co-workers, vendors, contractors, customers or other third parties, are expected to adhere to this policy.

Reported or suspected occurrences of harassment or discrimination will be promptly and thoroughly investigated. Following an investigation, Healthio and Insperity will promptly take any necessary and appropriate disciplinary action.

Healthio and Insperity will not permit or condone any acts of retaliation against anyone who files or cooperates in the investigation of harassment or discrimination complaints.

1. The term "harassment" includes harassment based on any category protected by federal, state or local law, which may include, but is not limited to, unwelcome slurs, jokes, or verbal, graphic or physical conduct relating to an individual's race (including hair texture and hairstyles), color, religious creed, sex, national origin, ancestry, citizenship status, pregnancy, childbirth, physical disability, mental and/or intellectual disability, age, military status or status as a Vietnam-era or special disabled veteran, marital status, registered domestic partner or civil union status, familial status, gender (including sex stereotyping and gender identity or expression), medical condition (including, but not limited to, cancer related or HIV/AIDS related), genetic information, or sexual orientation.
2. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature where:
  1. Submission to such conduct is an explicit or implicit term or condition of employment;
  2. Employment decisions are based on an employee's submission to or rejection of such conduct; or
  3. Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

## **Complaint Procedure**



Healthio and Insperity provide you with a convenient and reliable method for reporting incidents of alleged harassment, including sexual harassment, and discrimination. Any employee who feels harassed or discriminated against is encouraged to immediately inform the alleged offender that the behavior is unwelcome. In many instances, the person is unaware their conduct is offensive and this action alone may often resolve the problem. If the informal discussion with the alleged offender is unsuccessful in remedying the problem, or if you do not feel comfortable with such an approach, you should immediately report the conduct to your immediate supervisor, manager or company owner and the Insperity Anti-Harassment Hotline number at 844-677-3030. We cannot resolve a harassment or discrimination problem, unless we know about it. Therefore, it is your responsibility to bring those kinds of problems to our attention so we can take the necessary steps to correct any problems. The report should include all facts available to you regarding the alleged harassment, sexual harassment, or discrimination.

When you call the Insperity Anti-Harassment Hotline, please be sure to leave your name, Insperity employee identification number or the last four digits of your social security number, and the name of the client company for which you work. If you wish to make an anonymous complaint, you may do so. However, the scope of our investigation may be limited based on the information you provide.

### **Confidentiality**

All reports of alleged harassment, sexual harassment, or discrimination will be treated seriously. Confidentiality will be maintained to the extent possible. However, to conduct a thorough investigation, certain information may need to be disclosed to other individuals, including the alleged offender. Consequently, absolute confidentiality cannot be promised and cannot be guaranteed.

### **Investigative Procedure**

Once a complaint of alleged harassment, sexual harassment, or discrimination is received, we will begin a prompt and thorough investigation. The investigation may include interviews with all involved employees, including the alleged harasser, and any employees who are aware of facts or incidents alleged to have occurred.

Following an investigation, Healthio and Insperity will promptly take any necessary and appropriate disciplinary action. Disciplinary action will be taken if the investigation reveals that an employee has acted in a manner that is not in alignment with the goals of this policy. Healthio and Insperity may address any workplace issue discovered during an investigation. This may include some or all of the following steps:

1. Restore any lost terms, conditions, or benefits of employment to the complaining employee.
2. Discipline the alleged harasser. This discipline may include written disciplinary warnings, transfer, demotion, suspension and/or termination of employment.

If the alleged harassment, sexual harassment, or discrimination is from a vendor, contractor, customer or other third party, Healthio and Insperity will take appropriate action to stop the conduct.

If you have made a complaint but feel that the action taken in response has not remedied the situation, you should make an additional complaint following the complaint procedure outlined in this policy.



**Duties of Employees and Supervisors**

All employees of the company, both management and non-management, are responsible for assuring that a workplace free of harassment, sexual harassment, and discrimination is maintained. Any employee may file a complaint regarding incidents experienced personally or incidents observed in the workplace. The company strives to maintain a pleasant work environment where all employees are able to effectively perform their work without interference of any type and requests the assistance of all employees in this effort.

All managers and supervisors are responsible for doing all they can to prevent and discourage harassment, sexual harassment, and discrimination from occurring. If a complaint of harassment, sexual harassment or discrimination is raised, the individual to whom the complaint is made (i.e., supervisor, manager, company owner) should act promptly to notify the Insperity Anti-Harassment hotline number so an investigation may promptly proceed. The company and Insperity may discipline any managers or supervisors who fail to follow this policy, which discipline may include termination.



## **Section 2 - General Standards of Conduct**

### **2-1. Confidential Company Information**

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

### **2-2. Workplace Conduct**

Healthio endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge, in Healthio's sole discretion. The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Stealing, removing or defacing Healthio property or a co-worker's property, and/or disclosure of confidential information.
3. Completing another employee's time records.
4. Violation of safety rules and policies.
5. Violation of Healthio's Drug and Alcohol-Free Workplace Policy.
6. Fighting, threatening or disrupting the work of others or other violations of Healthio's Workplace Violence Policy.
7. Failure to follow lawful instructions of a supervisor.
8. Failure to perform assigned job duties.
9. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness or unexcused absences.
10. Gambling on Healthio property.
11. Willful or careless destruction or damage to Healthio assets or to the equipment or possessions of another employee.





12. Wasting work materials.
13. Performing work of a personal nature during working time.
14. Violation of the Solicitation and Distribution Policy.
15. Violation of Healthio's Harassment or Equal Employment Opportunity Policies.
16. Violation of the Communication and Computer Systems Policy.
17. Unsatisfactory job performance.
18. Any other violation of Healthio policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and Healthio reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. Healthio will deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a given situation. However, Healthio will endeavor to utilize progressive discipline but reserves the right in its sole discretion to terminate the employee at any time for any reason.

Where appropriate, supervisors will follow a process of progressive employee discipline. Before or during application of any discipline, employees may be given an opportunity to relate their version of the incident or problem and provide an explanation. Examples of progressive employee discipline include:

- Verbal Counseling - A conversation with an employee explaining that the employee's conduct or poor performance is unacceptable, and repeated or continued unacceptable conduct or performance will result in more severe disciplinary action. A record of the notice of the verbal counseling may be made and retained in the employee's personnel file.
- Written Counseling - A written document or memo that describes the unacceptable conduct or performance of the employee and specifies needed changes or improvements. A copy of the written counseling generally will be retained in the employee's personnel file.
- Termination - If an employee fails to follow acceptable conduct or performance standards, the company may terminate the employee's employment.

Depending on the specific circumstances, the company may suspend or terminate an employee without prior discipline, or without following a particular order of discipline.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

### **2-3. Punctuality and Attendance**

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





We do recognize, however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify Supervisors as early as possible, but no later than the start of the work day. Asking another employee, friend or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the illness and its expected duration, for every day of absenteeism.

Unreported absences of three (3) consecutive work days generally will be considered a voluntary resignation of employment with Healthio.

## **2-4. Employee Dress and Personal Appearance**

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

## **2-5. Use of Communications and Computer Systems**

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

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

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

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

Healthio's policies prohibiting harassment, in their entirety, apply to the use of Healthio's communication and computer systems. No one may use any communication or computer system in a manner that may be construed



by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

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

Healthio intends to prevent computer viruses and unauthorized use of copyrighted materials belonging to entities other than the company. You should obtain prior approval before downloading any software. Users are not permitted to copy, transfer, rename, add or delete information or programs belonging to other users unless given express permission to do so by the owner. Failure to observe copyright or license agreements may result in disciplinary action from the company, up to and including immediate termination or legal action by the copyright owner.

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

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

## **2-6. Personal and Company-Provided Portable Communication Devices**

Healthio-provided portable communication devices (PCDs), including cell phones and personal digital assistants, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes, as permitted, the right to monitor personal communications as necessary.

Some employees may be authorized to use their own PCD for business purposes. These employees should work with the IT department to configure their PCD for business use. Communications sent via a personal PCD also may subject to monitoring if sent through Healthio's networks and the PCD must be provided for inspection and review upon request.

All conversations, text messages and e-mails must be professional. When sending a text message or using a PCD for business purposes, whether it is a Healthio-provided or personal device, employees must comply with applicable Healthio guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles. Using a Healthio-issued PCD to send or receive personal text messages is prohibited at all times and personal use during working hours should be limited to emergency situations.

If employees who use a personal PCD for business resign or are discharged, they will be required to submit the device to the IT department for resetting on or before their last day of work. At that time, the IT department will reset and remove all information from the device, including but not limited to, Healthio information and personal data (such as contacts, e-mails and photographs). The IT department will make efforts to provide employees with the personal data in another form (e.g., on a disk) to the extent practicable; however, the employee may lose some or all personal data saved on the device.



Employees may not use their personal PCD for business unless they agree to submit the device to the IT department on or before their last day of work for resetting and removal of Healthio information. This is the only way currently possible to ensure that all Healthio information is removed from the device at the time of termination. The removal of Healthio information is crucial to ensure compliance with Healthio's confidentiality and proprietary information policies and objectives.

Please note that whether employees use their personal PCD or a Healthio-issued device, Healthio's electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect.

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

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

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

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

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

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

## **2-7. Use of Facilities, Equipment and Property, Including Intellectual Property**

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

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

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



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

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

## **2-8. Bulletin Boards**

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

## **2-9. Camera Phones/Recording Devices**

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

The use of tape recorders, Dictaphones or other types of voice recording devices anywhere on Healthio property, including to record conversations or activities of other employees or management, or while performing work for Healthio, is also strictly prohibited, unless the device was provided to you by Healthio and is used solely for legitimate business purposes.

## **2-10. Use of Social Media**

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

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

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

Whether the employees are posting something on their own blog, web page, social networking, Twitter or similar site or on someone else's, if the employee mentions Healthio and also expresses either a political opinion or an opinion regarding Healthio's actions that could pose an actual or potential conflict of interest



with Healthio, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is a personal opinion and not Healthio's position. This is necessary to preserve Healthio's good will in the marketplace.

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

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

### **2-11. Publicity/Statements to the Media**

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

### **2-12. Personal Visits and Telephone Calls**

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

Employees may bring guests if they specifically discuss with their supervisor as to why they are visiting and for how long and occurrence must be approved by the supervisor. Exceptions include company-wide activities, such as bringing your kid to work day.

### **2-13. Inspections**

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



## **2-14. Health and Safety**

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

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

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

## **2-15. Smoking**

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

## **2-16. Weapons**

Healthio strives to provide a safe and secure workplace for employees, clients, customers and visitors. The company has zero tolerance for, and forbids the possession of any type of weapon, firearm, explosive and/or ammunition while on company property or conducting company business. For purposes of this policy, company property includes, but is not limited to, all company facilities, company-provided vehicles and equipment that are either leased or owned by the company or a company client.

Possession of firearms or other weapons may be cause for discipline, including, but not limited to, immediate termination of employment. In enforcing this policy, Healthio reserves the right to request inspections of any employee and their personal effects while on company property, to the extent allowable under applicable law. Any employee who refuses to allow an inspection will be subject to the same disciplinary action as having been found in possession of firearms or other weapons.

In the event an employee lawfully possesses a firearm, the employee can store the firearm in the employee's personal vehicle while on company-provided parking areas; however, the firearm must be stored in the employee's locked vehicle, or locked to the vehicle, and hidden from plain view.

Employees share the responsibility of identifying violators of this policy. If you either witness or suspect





another individual of violating this policy you should immediately report this information to their onsite supervisor.

## **2-17. Conflict of Interest and Business Ethics**

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

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

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

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

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

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

## **2-18. Hiring Relatives/Employee Relationships**

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

In other cases, such as personal relationships where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or discharged from



employment, at the discretion of Healthio. Accordingly, all parties to any type of intimate personal relationship must inform management.

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

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

## **2-19. Solicitation and Distribution**

To avoid distractions, solicitation by the employee of another employee is prohibited while either employee is on work time. "Work time" is defined as the time the employee is engaged, or should be engaged, in performing their work tasks for Healthio. Solicitation of any kind by non-employees on Healthio premises is prohibited at all times.

Distribution of advertising material, handbills, printed or written literature of any kind in working areas of Healthio is prohibited at all times. Distribution of literature by non-employees on Healthio premises is prohibited at all times.

## **2-20. Operation of Vehicles**

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

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

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

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

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

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving,





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

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

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

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

## **2-21. Business Expense Reimbursement**

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

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

## **2-22. References**

Healthio will respond to reference requests through Insperity's Contact Center at 866-715-3552, option 5 Department. Healthio will provide general information concerning the employee such as date of hire, date of discharge, and positions held. Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to Insperity's Contact Center at 866-715-3552, option 5 Department.

**Only Insperity's Contact Center at 866-715-3552, option 5 Department may provide references.**

## **2-23. If You Must Leave Us**

Should any employees decide to leave Healthio, we ask that they provide a Supervisor with at least 2 weeks advance notice of departure. Thoughtfulness will be appreciated. All Healthio, property including, but not limited to, keys, security cards, parking passes, laptop computers, fax machines, uniforms, etc., must be returned at separation. Employees also must return all of Healthio's Confidential Information upon separation. To the extent permitted by law, employees will be required to repay Healthio (through payroll deduction, if



lawful) for any lost or damaged Healthio property. As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

#### **2-24. Exit Interviews**

Employees who resign are requested to participate in an exit interview with the Office Manager and/or the Department Head and/or the Human Resources Representative, if possible.

#### **2-25. A Few Closing Words**

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



## Section 3 - Operational Policies

### 3-1. Employee Classifications

For purposes of this handbook, all Healthio employees fall within one of the classifications below.

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

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

**Short-Term Employees** - Employees who were hired for a specific short-term project, or on a short-term freelance, per diem or temporary basis.

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

### 3-2. Employee Service Credit

"Length of service" refers to the length of time that employees spend as active full-time or part-time employees with Healthio. Service begins on the day they become full-time or part-time employees.

Length of service may be used in determining certain employee benefits, such as time-off benefits. Employees will not lose credit for service with Healthio provided their last day of service was within 30 days of again becoming an active employee. Human Resources will discuss this issue with any rehired employees upon hire.

### 3-3. Your Employment Records

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

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



To ensure that your personnel file is up-to-date at all times, notify your supervisor or your payroll specialist of any changes in your name, telephone number, home address, withholding instructions, number of dependents, beneficiary designations, or the individuals to notify in case of an emergency. Additionally, complete and forward an Employee Change of Personal Information form to your Insperity payroll specialist or you may update your file through the Insperity Premier™ at <http://portal.insperity.com>. Assistance may also be provided through the Insperity Contact Center at 866-715-3552, 7AM-7PM CT Monday-Friday.

### **3-4. Working Hours and Schedule**

Employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of the business, at some point Healthio may need to change individual work schedules on either a short-term or long-term basis.

Employees will be provided meal and rest periods as required by law. A supervisor will provide further details.

### **3-5. Remote Work/Telecommuting**

Healthio may allow employees to work remotely if their job duties and work performance are determined to be eligible for remote work. Eligibility will be decided on a case-by-case basis by Healthio. Employees also may be required to work remotely during periods of public health emergencies if government orders and mandates recommend such work.

This policy provides general information regarding remote work/telecommuting. Employees who are approved to work remotely should consult their individual agreement for specific details of their remote work/telecommuting arrangement, such as expected work hours, equipment provided, and other important information.

Any remote work/telecommuting arrangement may be discontinued by Healthio at any time and at the discretion of Healthio. Employees also may discontinue the arrangement but may not be guaranteed office space at Healthio's location.

### **At-Will Employment**

This policy and any individual agreement addressing this work arrangement do not create a contract of employment and are not intended to be considered or construed as a promise of continued employment. Employment is at will and may be discontinued at any time by Healthio or employee without notice, cause, or liability.

### **Hours of Work**

Employees will work full time from home. Scheduled hours of work will be set by the employees' manager or supervisor. Employees should maintain regular contact with their supervisors and managers.

Nonexempt employees must accurately record all hours worked pursuant to Healthio's timekeeping system



and take rest and meal breaks as if in Healthio's workplace and as required by law. Nonexempt employees may not work beyond scheduled working hours (including working more than 40 hours in a workweek) without prior, written authorization from their manager or supervisor.

### **Location**

Employees will provide, at their expense, a secure, dedicated work area. Employees are responsible for maintaining the work area in a safe, secure, and nonhazardous condition at all times. Employees will maintain security devices and procedures necessary to prevent use by unauthorized persons, including by preventing the connection of any Healthio-furnished computer system, network, or database to any computer, network, or database other than a computer, network, or database to which connections are provided or authorized by Healthio.

### **Duties**

Employees are expected to follow all existing Healthio policies and procedures. The duties, obligations, responsibilities, and conditions of employment with Healthio remain unchanged. Employees must stay engaged with work throughout the workday and be fully available during normal business hours. If employees do not successfully perform their job duties remotely, this arrangement will be revoked. Employees are expected to follow existing Healthio policies with respect to scheduled and unscheduled time off, including the obligation to speak with their manager or supervisor before the scheduled start time in the event of an unscheduled absence, tardy, or early departure.

### **Accidents and Injuries**

Employees agree to maintain safe conditions in the remote work space and to practice the same safety habits and rules applied on Healthio premises. If employees incur an injury arising out of the course and scope of the assigned job duties while working in the remote work space, the workers' compensation provisions in place for the state in which the employees are working will apply. Employees must notify their supervisor or manager immediately and complete all necessary and/or requested documents regarding the reported injury. Healthio assumes no responsibility for injuries occurring in the remote work space outside normal working hours or for injuries that occur as a result of a reasonably recognizable unsafe remote work space.

### **Equipment**

Employees agree to use electronic equipment that has been encrypted and meets all of Healthio's security requirements. If Healthio provides equipment for home use, employees agree to provide a secure location for Healthio-owned equipment and will not use, or allow others to use, such equipment for purposes other than Healthio business. Employees have no expectation of ownership in such equipment, linkages, property, or other items installed or provided by Healthio. Healthio will bear the expense of removal of any such equipment, linkages, and installations provided by Healthio upon the termination of the remote work/telecommuting arrangement but not modification of or repairs to the work location. Employees hereby release Healthio from any damage or liability incurred in the installing or removal of the equipment provided by Healthio.

### **Return of Healthio Property**



All equipment, records, and materials provided by Healthio will remain Healthio property. Employees agree to return Healthio equipment, records, and materials upon request. All Healthio equipment will be returned by employees for inspection, repair, or replacement as needed or requested or immediately upon termination of the remote work/telecommuting arrangement. All equipment must be returned within five (5) business days of written notice to the employees.

### **Expenses**

Upon presentment of receipts and in accordance with the Business Expense Reimbursement policy, Healthio will reimburse employees for certain preapproved expenses.

Regular household utility charges, such as electricity, water, phone, Internet service, auto, homeowners' insurance, etc., are not reimbursable unless state law requires reimbursement.

### **Confidentiality**

Employees agree that they are subject to Healthio's policies prohibiting the nonbusiness use or dissemination of Healthio's confidential business information. Employees will take all appropriate steps to safeguard Healthio's confidential business information, including segregating it from personal papers and documents, not allowing nonemployees to access such information, and keeping such information in locked drawers or file cabinets when not in use. Employees will maintain confidential information, including, but not limited to, information regarding Healthio's products or services, processing, marketing and sales, client lists, client e-mail addresses and mailing addresses, client data, orders, memoranda, notes, records, technical data, sketches, designs, plans, drawings, trade secrets, research and development data, experimental work, proposals, new product and/or service developments, project reports, sources of supply and material, operating and cost data, and corporate financial information.

### **Contact**

If employees have any questions concerning this policy or would like to apply to work remotely, they should contact their supervisor.

## **3-6. Timekeeping Procedures**

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

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

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

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



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

### **3-7. Overtime**

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

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

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

### **3-8. Travel Time for Non-Exempt Employees**

#### **Overnight, Out-of-Town Trips**

Non-exempt employees will be compensated for time spent traveling (except for meal periods) during their normal working hours, on days they are scheduled to work and on unscheduled work days (such as weekends). Non-exempt employees also will be paid for any time spent performing job duties during otherwise non-compensable travel time; however, such work should be limited absent advance management authorization.

#### **Out-of-Town Trips for One Day**

Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time, except for, among other things: time spent traveling between the employee's home and the local railroad, bus or plane terminal; and meal periods.

#### **Local Travel**

Non-exempt employees will be compensated for time spent traveling from one job site to another job site during a workday. The trip home, however, is non-compensable when the employee goes directly home from the final job site, unless it is much longer than the regular commute home from the regular worksite. In such case, the portion of the trip home in excess of the regular commute is compensable.

#### **Commuting Time**

Under the Portal to Portal Act, travel from home to work and from work to home is generally non-compensable. However, if a non-exempt employee regularly reports to a worksite near their home, but is required to report to a worksite farther away than the regular worksite, the additional time spent traveling is compensable.





If compensable travel time results in more than 40 hours worked by a non-exempt employee, the employee will be compensated at an overtime rate of one and one-half (1-1/2) times the regular rate.

To the extent that applicable state law provides greater benefits, state law applies.

### **3-9. Safe Harbor Policy for Exempt Employees**

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

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

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

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

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

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

- partial day absences for personal reasons, sickness or disability;
- an absence because Healthio has decided to close a facility on a scheduled work day;
- absences for jury duty, attendance as a witness, or military leave in any week in which the employee





- performed any work (subject to any offsets as set forth above); and
- any other deductions prohibited by state or federal law.

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

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

### **3-10. Your Paycheck**

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

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

If there is an error in any employee's pay, the employee should bring the matter to the attention of Employee's Supervisor and Insperity human resource specialist immediately so Healthio can resolve the matter quickly and amicably.

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

### **3-11. Direct Deposit**

Healthio strongly encourages employees to use direct deposit. Authorization forms are available from Employee's Supervisor and Insperity Payroll Specialist.

### **3-12. Salary Advances**

Healthio does not permit advances on paychecks or against accrued paid time off. Advance pay for vacation must be requested in writing at least two weeks prior to the vacation period.



### **3-13. Performance Review**

Depending on the employee's position and classification, Healthio endeavors to review performance Quarterly. However, a positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management.

In addition to these formal performance evaluations, Healthio encourages employees and supervisors to discuss job performance on a frequent and ongoing basis.

### **3-14. Record Retention**

Healthio acknowledges its responsibility to preserve information relating to litigation, audits and investigations. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against Healthio and its employees and possible disciplinary action against responsible individuals (up to and including discharge of the employee). Each employee has an obligation to contact the Supervisor to inform them of potential or actual litigation, external audit, investigation or similar proceeding involving Healthio that may have an impact on record retention protocols.

### **3-15. Job Postings**

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

- be a current, regular, full-time or part-time employee;
- have been in current position for at least six (6) months;
- maintain a performance rating of satisfactory or above;
- not be on conduct/performance-related probation or warning;
- meet the job qualifications listed on the job posting; and
- provide their current manager with notice prior to applying for the position.

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

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



## **Section 4 - Benefits**

### **4-1. Benefits Overview**

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

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

The descriptions of the insurance and other plan benefits merely highlight certain aspects of the applicable plans for general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon request from the Insperity Contact Center at 1-866-715-3552, 7:00 a.m. - 7:00 p.m. CT, Monday through Friday. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this handbook.

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

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

If employees have any questions regarding benefits, they should contact the Insperity Contact Center at 1-866-715-3552, 7:00 a.m. - 7:00 p.m. CT, Monday through Friday.

A benefits package is provided to eligible employees through Healthio's co-employment relationship with Insperity. Details describing these benefits, including eligibility information, can be found in the Benefits Book provided to each employee when hired. Additionally, you can call the Insperity Contact Center at 1-866-715-3552, 7:00 a.m. - 7:00 p.m. CT, Monday through Friday for more information on the benefits available to you.



## 4-2. Paid Holidays

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

New Year's Day

Memorial Day

Independence Day

Labor Day

Thanksgiving Day

Day after Thanksgiving

Christmas Day

Christmas Eve

Day After Christmas

Juneteenth

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

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

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

## 4-3. Paid Time Off

Healthio appreciates how hard employees work and recognizes the importance of providing time for rest and relaxation. Healthio fully encourages employees to get this rest by taking paid time off. Time off under this policy includes extended time off, such as for a vacation, and incidental time due to sickness or to handle personal affairs.

Full-time employees accrue paid time off as follows:

During the first partial calendar year of employment and the first five (5) full calendar years of employment,



full-time employees accrue up to 20 days of paid time off per year. Paid time off is accrued on a pro-rata basis throughout the year.

Thereafter, full-time employees accrue up to 25 days of paid time off per year. Paid time off continues to be accrued on a pro-rata basis throughout the year.

The maximum paid time off entitlement for part-time employees is pro-rated based on hours worked.

Paid time off should be taken during the year received, unless otherwise required by law. Accrued, unused paid time off can be carried over to the following calendar year only if approved by your supervisor or Insperity human resource specialist.

If employees wish to use three (3) or more full days of paid time off consecutively, they must submit a request to their manager at least two (2) weeks in advance of the requested time off. Similar notice should be provided for planned time off of shorter duration. Every effort will be made to grant requests, consistent with operating schedules. However, if too many people request the same period of time off, Healthio reserves the right to choose who may take time off during that period. Individuals with the longest length of service generally will be given preference.

If employees will be out of work due to illness or due any other emergency for which notice could not be provided, they must call in and notify their supervisor as early as possible, but at least by the start of their workday. If they call in sick for three (3) or more consecutive days, they may be required to provide their supervisor with a doctor's note on the day they return to work.

Paid time off may be used only in half-day increments.

Up to 10 days of accrued, unused paid time off is paid out upon separation, unless otherwise required by law.

Advanced but unaccrued paid time off will be deducted from the employee's final paycheck, to the extent permitted by law.

#### **4-4. Paid Pregnancy Disability Benefits**

Paid Pregnancy Disability Benefits may be available to full-time employees who have worked at Healthio for at least 12 consecutive months. Generally, six (6) consecutive weeks of paid Pregnancy Disability Benefits will be granted to eligible employees who are disabled by pregnancy, childbirth or related medical conditions prior to and/or following the birth of a child.

This benefit is calculated (based on the following chart) including any short-term disability benefits.

If the employee has:

- less than one (1) year of continuous full-time service: payment per week is ##10%##.
- one (1) to two (2) years of continuous full-time service: payment per week is ##15%##.
- over two (2) years of continuous full-time service: payment per week is ##20%##.



Pregnancy Disability Benefits are solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the "Leaves of Absence" section of this handbook for more information. In addition, this Pregnancy Disability Benefit will be integrated with any applicable disability benefit offered by Healthio or required by law, and employees must apply for such benefit as a condition of receipt of any Pregnancy Disability Benefit under this policy.

#### **4-5. Lactation Accommodations**

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

Healthio will make reasonable efforts to provide employees with the use of a room or location in close proximity to the employee's work area, other than a bathroom, to express milk in private. This location may be the employee's private office, if applicable. Please consult your supervisor or Insuperity human resource specialist with questions regarding this policy.

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

#### **4-6. Workers' Compensation**

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

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

Questions regarding workers' compensation insurance coverage should be directed to your supervisor or the Insuperity Workers' Compensation Department at 800-242-8893, ext. 4244.

#### **4-7. Jury Duty**

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



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

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

#### **4-8. Bereavement Leave**

The death of a family member is a time when employees wish to be with their families. If employees lose a close relative, they will be allowed paid time off of up to 3 workdays to assist in attending to their obligations and commitments. For the purposes of this policy, a close relative includes a spouse, domestic/civil union partner, child, parent, sibling, in-laws and immediate family or any other relation required by applicable law. Paid leave days only may be taken on regularly scheduled, consecutive workdays following the day of death. Employees must inform their supervisor prior to commencing bereavement leave. In administering this policy, Healthio may require verification of death.

#### **4-9. Voting Leave**

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

#### **4-10. Insurance Programs**

Full-time employees may participate in Healthio's insurance programs. Under these plans, eligible employees will receive comprehensive health and other insurance coverage for themselves and their families, as well as other benefits.

Upon becoming eligible to participate in these plans, employees will receive summary plan descriptions (SPDs) describing the benefits in greater detail. Please refer to the SPDs for detailed plan information. Of course, feel free to contact the Insperity Contact Center at 1-866-715-3552, 7:00 a.m. - 7:00 p.m. CT, Monday through Friday with any further questions.





#### **4-11. Long-Term Disability Benefits**

Full-time employees are eligible to participate in the Long-Term Disability plan, subject to all terms and conditions of the agreement between Healthio and the insurance carrier.

This is solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

#### **4-12. Employee Assistance Program**

We care about our employees' health and well-being and recognize that employees may be faced with personal challenges. The Employee Assistance Program (EAP) provides confidential support, counseling, as well as customized resources and referrals to help employees and their immediate families with work-life services, health information lines, and legal and financial services referrals. All contact between an employee and the EAP is confidential and designed to safeguard the participant's privacy rights. The EAP's telephone number is 1-866-402-0003.

The company reserves the right to amend, suspend, or terminate any of the benefits plans it sponsors at any time.

#### **4-13. Transportation Reimbursement Program**

Healthio provides a Transportation Reimbursement Program which allows all employees to pay for eligible transportation expenses with pre-tax income. Eligible employees may participate at any time, but the benefit selection must be made by the 10<sup>th</sup> in order to apply to the next month. The program works similarly to a Flexible Benefits Program, in which employees elect to have a portion of pre-tax income transferred to an account for future reimbursement for transportation expenses. The amount of contributions is subject to IRS limits, which generally change every year. Upon becoming eligible to participate in this plan, employees will receive a Summary Plan Document (SPD) describing the benefit in greater detail. Employees should refer to the SPD for detailed plan information. Eligible employees may sign up for commuter benefits, set up an account, place orders for transit passes, and manage account information by Accessing WageWorks online under My Account > Benefits > Additional Benefits > Commuter Benefits on Insperity PremierT or by calling WageWorks toll-free at

877-WAGEWORKS (877.924.3967). Employees also should feel free to speak to the Insperity Contact Center at 1-866-715-3552, 7:00 a.m. - 7:00 p.m. CT, Monday through Friday if they have any further questions.





#### **4-14. Retirement Plan**

Eligible employees are able to participate in Healthio's retirement plan. Plan participants may make pre-tax contributions to a retirement account.

Upon becoming eligible to participate in this plan, employees will receive an SPD describing the plan in greater detail. Please refer to the SPD for detailed plan information. Of course, feel free to speak to the Insperity Contact Center at 1-866-715-3552, 7:00 a.m. - 7:00 p.m. CT, Monday through Friday if there are any further questions.

#### **4-15. Insperity Online Services**

Visit Insperity online to access training, secure personal information and work tools. Go to <http://portal.insperity.com> and click CREATE ACCOUNT. Follow the steps below to log in and begin using Insperity Premier™:

Step 1: Enter your last name and date of birth

Step 2: Enter one of the following to identify yourself:

- Your Social Security Number
- Your Individual Taxpayer Identification
- Your Insperity ID (this can be found on your paystub)

Step 3: Enter a username and password of your choice. Then follow the remaining prompts to create the account.

Your personal information is accessible only to you through multiple layers of security and industry-standard data encryption. Since payroll information and other sensitive data are accessible through your account, it is important you do not share your username and password with others.

Contact Insperity's Contact Center toll free at 866-715-3552, Monday through Friday from 7:00 a.m. to 7:00 p.m., CST for questions about Insperity Premier™ and your Insperity benefits.

#### **Employment Verifications**

Requests for employment verifications, for current or former employees, should be directed to Insperity's Contact Center at 866-715-3552, option 5. Insperity will only release your last title and dates of employment, unless you have authorized in writing certain additional information to be provided.



## **Section 5 - Leaves of Absence**

### **5-1. Personal Leave**

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

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

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

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

Personal leave runs concurrently with any Healthio-provided Short-Term Disability Leave of Absence.

### **5-2. Military Leave**

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

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid



temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give management as much advance notice of their need for military leave as possible so that Healthio can maintain proper coverage while employees are away.

### 5-3. Family and Medical Leave

#### The Leave Policy

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

#### I. Eligibility

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

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

#### II. Entitlements

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

##### A. Basic FMLA Leave Entitlement

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

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



A **serious health condition** is an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents employees from performing the functions of their job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

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

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

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

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

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

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

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

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

The taking of another job while on family/medical leave or any other authorized leave of absence is grounds



for immediate discharge, to the extent permitted by law.

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

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

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

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

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

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

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

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

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

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

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

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

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant or have been hospitalized overnight;
- they or a covered family member are under the continuing care of a health care provider;



- the leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active duty status to a foreign country; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

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

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which Healthio has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

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

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

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

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

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

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





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

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

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

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

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

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

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

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

#### **2. Medical Recertifications**

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

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



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

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

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

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

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

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

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

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement. Upon written request, Healthio will allow employees to use accrued paid time to supplement any paid disability benefits.

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

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

If FMLA leave is unpaid, employees must pay their portion of the group health premium through a "pay-as-you-go" method.





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

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

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

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

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

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

For questions regarding rights or responsibilities under this policy, please call the Insperity Contact Center toll free at 866-715-3552 (select "Benefits"), weekdays between 7 a.m. and 7 p.m. Central time.

For questions regarding 401(k) loan payments, contact Insperity Retirement Services at 888-401-5273.

View the Department of Labor Notice to Employees of Rights Under FMLA document located at <http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>.



#### **5-4. Continuation of Benefits**

All active, full-time employees covered by the Insperity Group Health Plan or the Insperity Health Care Flexible Spending Account (FSA) Plan may continue plan coverage for up to 12 weeks during an approved leave of absence, or for any longer period, as required by law.

While on leave, you must continue to pay any required contribution for health coverage, as well as make



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payments for any other applicable benefits which would otherwise be automatically deducted from your wages (e.g., supplemental life insurance, credit union loans, and 401(K) loans). Your failure to pay any required employee contributions does not relieve you of your obligation to pay such contributions. Contact the Insperity Contact Center at 866-715-3552  for details regarding employee contributions. For questions regarding 401(K) loan payments, contact Insperity Retirement Services at 888-401-5273 .

If you do not return to work upon expiration of the applicable 12-week period (or such longer period as required by law), coverage will terminate and you will have the opportunity to continue coverage for a limited period of time under COBRA in accordance with applicable law.



## **Section 6 - California Addendum**

### **6-1. Equal Employment Opportunity**

Healthio is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, religious creed, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, protected medical condition as defined by applicable state or local law (such as cancer), reproductive health decision making, genetic information, or any other characteristic protected by applicable federal, state, or local laws and ordinances. Healthio's management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs, and general treatment during employment.

Healthio will endeavor to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual's: physical or mental disability; sincerely held religious beliefs and practices; needs as a victim of domestic violence, sex offenses, or stalking; needs related to pregnancy, childbirth, or related medical conditions; and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon Healthio's business operations. Any applicant or employee who needs an accommodation to perform the essential functions of the job should contact the Employee's Supervisor to request such an accommodation. The individual should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. Healthio will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made. Healthio will evaluate requested accommodations, and as appropriate identify other possible accommodations, if any. The individual will be notified of Healthio's decision within a reasonable period. Healthio treats all medical information submitted as part of the accommodation process in a confidential manner.

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



## 6-2. Anti-Harassment - CA

Healthio and Insperity are committed to a work environment in which all individuals are treated with respect and dignity and are free from all forms of harassment and discrimination. Any form of harassment, even when not unlawful or directed at a protected category, is prohibited and will not be tolerated. All employees, including supervisors, co-workers, vendors, contractors, customers or other third parties, are expected to adhere to this policy.

Reported or suspected occurrences of harassment or discrimination will be promptly and thoroughly investigated. Following an investigation, Healthio and Insperity will promptly take any necessary and appropriate disciplinary action.

Healthio and Insperity will not permit or condone any acts of retaliation against anyone who files or cooperates in the investigation of harassment or discrimination complaints.

1. The term "harassment" includes harassment based on any category protected by federal, state or local law, which may include, but is not limited to, unwelcome slurs, jokes, or verbal, graphic or physical conduct relating to an individual's race, color, religious creed, sex, national origin, ancestry, citizenship status, pregnancy, childbirth, physical disability, mental and/or intellectual disability, age, military status or status as a Vietnam-era or special disabled veteran, marital status, registered domestic partner or civil union status, familial status, gender (including sex stereotyping and gender identity or expression), medical condition (including, but not limited to, cancer related or HIV/AIDS related), genetic information, or sexual orientation.
2. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature where:
  - a. Submission to such conduct is an explicit or implicit term or condition of employment;
  - b. Employment decisions are based on an employee's submission to or rejection of such conduct; or
  - c. Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

### **Complaint Procedure**

Healthio and Insperity provide you with a convenient and reliable method for reporting incidents of alleged harassment, including sexual harassment, and discrimination. Any employee who feels harassed or discriminated against is encouraged to immediately inform the alleged offender that the behavior is unwelcome. In many instances, the person is unaware their conduct is offensive and this action alone may often resolve the problem. If the informal discussion with the alleged offender is unsuccessful in remedying the problem, or if you do not feel comfortable with such an approach, you should immediately report the conduct to your immediate supervisor, manager or company owner and the Insperity Anti-Harassment Hotline number at 844-677-3030. We cannot resolve a harassment or discrimination problem, unless we know about it. Therefore, it is your responsibility to bring those kinds of problems to our attention so we can take the



necessary steps to correct any problems. The report should include all facts available to you regarding the alleged harassment, sexual harassment, or discrimination.

When you call the Insuperity Anti-Harassment Hotline, please be sure to leave your name, Insuperity employee identification number or the last four digits of your social security number, and the name of the client company for which you work. If you wish to make an anonymous complaint, you may do so. However, the scope of our investigation may be limited based on the information you provide.

### **Confidentiality**

All reports of alleged harassment, sexual harassment, or discrimination will be treated seriously. Confidentiality will be maintained to the extent possible. However, to conduct a thorough investigation, certain information may need to be disclosed to other individuals, including the alleged offender. Consequently, absolute confidentiality cannot be promised and cannot be guaranteed.

### **Investigative Procedure**

Once a complaint of alleged harassment, sexual harassment, or discrimination is received, we will begin a prompt and thorough investigation. The investigation may include interviews with all involved employees, including the alleged harasser, and any employees who are aware of facts or incidents alleged to have occurred.

Following an investigation, Healthio and Insuperity will promptly take any necessary and appropriate disciplinary action. Disciplinary action will be taken if the investigation reveals that an employee has acted in a manner that is not in alignment with the goals of this policy. Healthio and Insuperity may address any workplace issue discovered during an investigation. This may include some or all of the following steps:

1. Restore any lost terms, conditions, or benefits of employment to the complaining employee.
2. Discipline the alleged harasser. This discipline may include written disciplinary warnings, transfer, demotion, suspension and/or termination of employment.

If the alleged harassment, sexual harassment, or discrimination is from a vendor, contractor, customer or other third party, Healthio and Insuperity will take appropriate action to stop the conduct.

If you have made a complaint but feel that the action taken in response has not remedied the situation, you should make an additional complaint following the complaint procedure outlined in this policy.

### **Duties of Employees and Supervisors**

All employees of the company, both management and non-management, are responsible for assuring that a workplace free of harassment, sexual harassment, and discrimination is maintained. Any employee may file a complaint regarding incidents experienced personally or incidents observed in the workplace. The company strives to maintain a pleasant work environment where all employees are able to effectively perform their work without interference of any type and requests the assistance of all employees in this effort.

All managers and supervisors are responsible for doing all they can to prevent and discourage harassment, sexual harassment, and discrimination from occurring. If a complaint of harassment, sexual harassment or



discrimination is raised, the individual to whom the complaint is made (i.e., supervisor, manager, company owner) should act promptly to notify the Insperity Anti-Harassment hotline number so an investigation may promptly proceed. The company and Insperity may discipline any managers or supervisors who fail to follow this policy, which discipline, may include termination.

**Read the DFEH-185 Brochure:**

[https://portal.insperity.com/cs/nsp/Document/Forms\\_Policy/Client\\_Pol\\_Ack/the\\_facts\\_about\\_sexual\\_harassment\\_EG\\_12\\_2017.pdf](https://portal.insperity.com/cs/nsp/Document/Forms_Policy/Client_Pol_Ack/the_facts_about_sexual_harassment_EG_12_2017.pdf). The California Department of Fair Employment and Housing and/or the U.S. Equal Employment Opportunity Commission may also investigate and process complaints of harassment and discrimination.

### **6-3. Business Expense Reimbursement**

Healthio will reimburse employees for reasonable expenses incurred for business purposes including, but not limited to, meals, lodging, and transportation. Mileage driven in a personal automobile for business purposes will be reimbursed at the current IRS-approved rate per mile. All business travel and business purchases must be approved in advance by the employee's Supervisor.

Employees should complete expense reimbursement reports within 14 days of incurring the expenses and submit the reports and receipts to the employee's Supervisor and/or the Director of Payroll.

### **6-4. Working Hours and Schedule**

Employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of the business, at some point Healthio may need to change individual work schedules on either a short-term or long-term basis.

#### **Rest Breaks**

Non-exempt employees who work three-and-one-half (3-1/2) or more hours per day are authorized and permitted one (1) 10-minute rest break for every four (4) hours or major fraction thereof worked. For purposes of this policy, "major fraction" means any time greater than two (2) hours. For example, if employees work more than six (6) hours, but no more than 10 hours in a workday, they are authorized and permitted to take two (2) 10-minute rest breaks: one (1) during the first half of a shift and a second rest break during the second half of the shift. If employees work more than 10 hours but no more than 14 hours in a day, they are authorized and permitted to take three (3) 10-minute rest breaks, and so on.

Rest breaks should be taken as close to the middle of each work period of four (4) hours or major fraction thereof as is practical. Employees do not need to obtain their supervisor's approval or notify their supervisor when taking a rest break. Employees are encouraged to take their rest breaks; they are not expected to and should not work during their rest breaks. Non-exempt employees are paid for all rest break periods and do not need to clock out when taking a rest break.



Rest breaks may not be combined with another rest break or with the meal period. In addition, rest breaks may not be taken at the beginning or end of the work day to arrive late or leave early. Each rest break must be a separate break, meeting the requirements described above. If any work is performed during a rest break, or if the rest break is interrupted for any work-related reason, the employee is entitled to another uninterrupted paid rest break.

Healthio also provides cool down rest and recovery periods as needed to prevent heat illness for employees that perform work outdoors as required under applicable state law.

### **Meal Periods**

Employees who work more than five (5) hours in a workday are provided an unpaid, off-duty meal period of at least 30 minutes. Employees are responsible for scheduling their own meal periods, but they should confirm them with their supervisor. Meal periods must begin no later than the end of the fifth hour of work. For example, the employee who begins working at 8:00 a.m. must begin the meal period no later than 12:59 p.m. When scheduling a meal period, employees should try to anticipate work flow and deadlines.

Employees who work more than 10 hours in a day are entitled to a second unpaid, off-duty 30-minute meal period. Employees entitled to a second meal period should schedule their second meal period so it begins no later than before the end of their tenth hour of work, meaning the meal period should begin after working no more than nine (9) hours, 59 minutes.

During meal periods, employees are relieved of all duty and should not work during this time. When taking a meal period, employees should completely stop working for at least 30 minutes. Employees are prohibited from working "off the clock" during their meal period.

Those employees who use a time clock must clock out for their meal periods. These employees are expected to clock back in and promptly return to work at the end of any meal period. Those employees who record their time manually must accurately record their meal periods by recording the beginning and end of each work period. Unless otherwise directed by a supervisor in writing, employees do not need to obtain a supervisor's approval or notify a supervisor when taking a meal period. Employees are to immediately notify their supervisor if they believe that they are prevented by the nature of their work from taking a timely and/or complete meal period.

### **Meal Period Waiver**

If no more than six (6) hours of work will complete the day's work, employees may voluntarily waive the meal period in writing. Employees should see their supervisor to obtain this waiver form. If the employee works no more than twelve (12) hours, the employee can waive the second meal period, but only if the first meal period was received and not waived in any manner. Any waiver of the second meal period must be in writing and submitted before the second meal period. Employees should see their supervisor to obtain this waiver form. Employees who work more than 12 hours may not waive, and should take, their second unpaid, off-duty and uninterrupted 30-minute meal period.

### **No Working During Rest Breaks and Meal Periods**





Employees are completely relieved of all work duties and responsibilities during their rest breaks and meal periods. All rest breaks and meal periods must be taken outside the work area, such as in a break room. Employees may leave the premises during rest breaks and meal periods. Employees should not visit or socialize with employees who are working while they are taking a rest break or meal period. Employees, including those in a sensitive position like security or information technology, are not expected to remain "on call" or available to respond to messages, monitor radios, telephones, email or other devices during meal periods and rest breaks.

Employees are required to immediately notify their supervisor if they believe they are being pressured or coerced by any manager, supervisor or other employee to not take any portion of a provided rest break or meal period.

### **6-5. Overtime**

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

Non-exempt employees generally will be paid overtime at the rate of time and one-half (1.5) times their regular hourly wage for all hours worked in excess of eight (8) hours in one (1) day or 40 hours in one (1) week, or for the first eight (8) hours on the seventh (7<sup>th</sup>) day in the same workweek.

Non-exempt employees generally will be paid double-time for hours worked in excess of 12 in any workday or in excess of eight (8) on the seventh (7<sup>th</sup>) day of the workweek.

Employees may work overtime only with management authorization.

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

### **6-6. Travel Time for Non-Exempt Employees**

California non-exempt employees are paid for travel time in accordance with state law.

### **6-7. Safe Harbor Policy for Exempt Employees**

It is Healthio policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure employees are paid properly and no improper deductions are made, employees must review their pay stubs promptly to identify and to report all errors.

If the employee believes a mistake has occurred or if the employee has any questions, the employee should use the reporting procedure outlined below.





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

Under state law, salary is subject to certain deductions. For example, the employee's salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability, if the available paid sick leave has been exhausted;
- intermittent absences, including partial-day absences, covered by the federal Family and Medical Leave Act, if other available paid leave has been exhausted;
- to offset amounts received as payment for jury and witness fees or military pay;
- during the first or last week of employment in the event the employee works less than a full week; and
- any work week in which the employee performs no work for Healthio.

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

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

- partial-day absences for personal reasons, sickness or disability;
- absence on a holiday when the facility is closed or because the facility is otherwise closed on a scheduled workday;
- absences for jury duty, attendance as a witness or military leave in any week in which the employee has performed any work; and
- any other deductions prohibited by state or federal law.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to their supervisor. If the supervisor is unavailable or if employees believe it would be inappropriate to contact that person (or if they have not received a prompt and fully acceptable reply), they should immediately contact Insperity human resource specialist or any other supervisor in Healthio with whom the employee feels comfortable. If employees are unsure of whom to contact if they have not received a satisfactory response within five (5) business days after reporting the incident, they should immediately contact the Company President.

Every report will be fully investigated and corrective action will be taken where appropriate, up to and including termination for any employee who violates this policy. In addition, Healthio will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the



investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination.

## **6-8. Paid Time Off (PTO)**

Healthio appreciates how hard employees work and recognizes the importance of providing time for rest and relaxation. Healthio fully encourages employees to get this rest by taking paid time off (PTO). PTO under this policy includes extended time off, such as for a vacation, and incidental time due to sickness or to handle personal affairs.

Full-time employees accrue PTO as follows:

During the first partial calendar year of employment and the first five (5) full calendar years of employment, full-time employees accrue up to 20 days of PTO per year. PTO is accrued on a pro-rata basis throughout the year.

Thereafter, full-time employees accrue up to 25 days of PTO per year. PTO continues to be accrued on a pro-rata basis throughout the year.

The maximum PTO entitlement for part-time employees is pro-rated based on hours worked.

Eligible employees accrue PTO up to a cap of one and one-half (1.5) times their maximum yearly accrual. At that point, accrual stops until banked PTO is used. For example, if the maximum PTO accrual for a year is 20 days, an eligible employee will stop accruing PTO once the employee has 30 banked days.

If employees wish to use three (3) or more full days of PTO consecutively, they must submit a request to their manager at least two (2) weeks in advance of the requested time off. Similar notice should be provided for planned time off of shorter duration. Every effort will be made to grant requests, consistent with operating schedules. However, if too many people request the same period of time off, Healthio reserves the right to choose who may take time off during that period. Individuals with the longest length of service generally will be given preference.

If employees will be out of work due to illness or due to any other emergency for which notice could not be provided, they must call in and notify their supervisor as early as possible but at least by the start of their workday. If they call in sick for three (3) or more consecutive days, they may be required to provide their supervisor with a doctor's note on the day they return to work.

PTO may be used only in half- (1/2-) day increments.

Accrued, unused PTO is paid out upon separation.



## **6-9. Lactation Breaks**

Healthio supports the legal right and necessity of employees who choose to express milk in the workplace. This policy establishes guidelines for promoting a breastfeeding-friendly work environment and supporting lactating employees for as long as they desire to express breast milk.

Healthio will provide a reasonable amount of break time for employees who wish to express breast milk for their infant child each time the employee has a need to express milk, in accordance with applicable local, state, and federal law. If possible, the break time must run concurrently with rest and meal periods already provided. If break time cannot run concurrently with rest and meal periods, it will be unpaid, to the extent permitted by applicable law.

Healthio will provide breastfeeding employees with space, in close proximity to their work area, that is shielded from view and free from intrusion from co-workers and the public. The room or location may include the place where the employee normally works if it otherwise meets the requirements of the lactation space. Restrooms are prohibited from being used for lactation purposes.

Employees who need a lactation accommodation should submit a request for possible accommodation to the Employee's Manager. Upon receiving an accommodation request, Healthio will respond to the employee within five (5) business days. Healthio and the employee shall engage in an interactive process to determine the appropriate accommodations.

California law expressly prohibits discrimination or retaliation against lactating employees for exercising their rights granted by the ordinance. This includes those who request time to express breast milk at work and/or who lodge a complaint related to the right to lactation accommodations.

Employees have the right to file a complaint with the Labor Commissioner for any violation of the rights underlying this policy.

Employees can consult your supervisor or Insperity human resource specialist with questions regarding this policy.

## **6-10. Workers' Compensation**

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

Any leave of absence due to a workplace injury runs concurrently with all other Healthio leaves of absence. Reinstatement from leave is guaranteed only if required by law. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.



Questions regarding workers' compensation insurance coverage should be directed to your supervisor or the Insperity Workers' Compensation Department at 800-242-8893, ext. 4244.

### **6-11. Witness Leave**

Employees called to serve as an expert witness in a judicial proceeding on behalf of the State will be granted leave with pay. Employees summoned to appear in court as an expert witness, but not on behalf of the State may use available vacation and personal time to cover the period of absence.

Employees subpoenaed for witness duty must notify their supervisor as soon as possible.

### **6-12. Voting Leave**

In the event employees do not have sufficient time outside of working hours to vote in a statewide election, employees may take off sufficient working time to vote. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed a maximum of two (2) hours of voting leave on Election Day without loss of pay. Where possible, supervisors should be notified of the need for leave at least three (3) working days prior to the Election Day.

### **6-13. Statutory Short-Term Disability Benefits**

Healthio also provides statutory short-term disability insurance.

This is solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

### **6-14. Paid Family Leave Benefits**

Employees may be eligible to receive benefits through the California Paid Family Leave (PFL) program, which is administered by the Employment Development Department (EDD), when they take leave to:

- care for a child, spouse, parent, grandparent, grandchild, sibling, parent-in-law or registered domestic partner, with a serious health condition;
- bond with a minor child within the first year of the child's birth or placement in connection with foster care or adoption; or
- participate in a qualifying exigency related to the covered active duty or call to covered active duty of the employee's spouse, domestic partner, child or parent in the Armed Forces of the United States.

These benefits are financed solely through employee contributions to the PFL program. That program is solely



responsible for determining if the employee is eligible for such benefits.

If employees need to take time off work for any of the reasons set forth above, they must advise Healthio, and they will be given information about the EDD's PFL program and how to apply for benefits. Employees also may contact their local EDD Office for further information. Employees should maintain regular contact with Healthio during the time off work so Healthio may monitor the employee's return-to-work status. In addition, the employee should contact Healthio when ready to return to work so Healthio may determine what positions, if any, are open.

When the employee applies for PFL benefits, the Human Resources Department will determine if the employee has any accrued but unused vacation and personal days available. If the employee has accrued but unused time available, then the employee will be required to use up to two (2) weeks of such time before becoming eligible for PFL benefits.

Employees taking time off work for any of the reasons set forth above are not guaranteed job reinstatement unless they qualify for such reinstatement under federal or state family and medical leave laws.

Any time off for Paid Family Leave purposes will run concurrently with other leaves of absence, such as Family and Medical Leave/California Family Rights Act Leave, if applicable. Please see the "Family and Medical Leave/California Family Rights Act" policies in this handbook for eligibility requirements, if applicable.

## **6-15. Bereavement Leave**

Employees who have been employed for at least 30 days may take bereavement leave of up to five (5) days upon the death of a family member. For the purposes of this policy a family member includes a spouse or a child, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law.

Bereavement leave need not be consecutive but must be completed within three (3) months of the family member's death.

Bereavement leave will be unpaid. However, employees may substitute accrued [vacation, personal days, or sick leave] during unpaid leave taken under this policy, but this substitution does not extend the length of the leave.

Employees, if requested by Healthio, within 30 days of the first day's leave must provide documentation of the death of the family member. Documentation includes, but is not limited to, a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or governmental agency.

Healthio will maintain the confidentiality of any employee requesting leave under this policy including documentation provided to Healthio related to a request for leave. Employees wishing to utilize bereavement leave should contact your supervisor or Insperity human resource specialist. Employees will not be subject to adverse action for exercising rights or attempting to exercise rights under this policy, opposing practices that they believe to be in violation of this policy, or supporting the exercise of rights of another under this policy.



## **6-16. Personal Leave**

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

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

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

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

Personal leave runs concurrently with any Healthio-provided Short-Term Disability Leave of Absence.

## **6-17. Time Off for Military Spouses**

If the employee works, on average, at least 20 hours per week and their spouse is a qualified member of the United States Armed Forces, the National Guard or the Reserves, the employee is eligible to take leave for a period of up to 10 days while their spouse is home during a qualified leave period. When the employee is also eligible for military family member exigency leave, leave under this policy shall also count toward the employee's leave entitlement under the Family and Medical Leave Act (FMLA), where the time off meets the definition of FMLA military exigency leave.

### **Required Notice to Employer**

Within two (2) business days of receiving official notice that the employee's spouse will be on leave the employee must provide notice to Healthio of their intent to take military spouse leave.

### **Required Documentation**



The employee must submit written documentation to Healthio certifying that during the requested time off, the employee's spouse will be on leave from deployment during a period of military conflict.

### **Leave is Unpaid**

Leave granted under this policy is unpaid. However, employees may substitute the following for any period of unpaid military spouse leave: unused vacation time and/or personal days or personal time off.

### **Definitions**

For the purposes of this policy, the following definitions apply:

**"Qualified Member"** means any of the following:

- a member of the United States Armed Forces who is deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States; or
- a member of the National Guard who is deployed during a period of military conflict; or
- a member of the Reserves who is deployed during a period of military conflict.

**"Period of Military Conflict"** means any of the following:

- a period of war declared by the U.S. Congress; or
- a period of deployment for which members of the Reserves are ordered to active duty.

**"Qualified Leave Period"** means the period during which the qualified member is on leave from deployment during a period of military conflict.

### **6-18. Bone Marrow Donation Leave**

The employee who has been employed for at least 90 days may request a leave of absence for up to five (5) business days in any one-year period to undergo a medical procedure to donate bone marrow. Employees must provide a certification from their physician regarding the purpose and length of each leave requested. The employee must use any accrued vacation time, sick leave or paid time off for this leave, but the use of vacation accrual, sick leave or paid time off does not extend the term of this leave. If accrued vacation, sick leave or paid time off is not available, the time off for such procedure shall be paid, but the paid time off shall not exceed five (5) days. Bone marrow donation leave will not be designated as FMLA or CFRA leave time. Employees will receive health benefits for the duration of their Bone Marrow Donation Leave and upon returning from such leave will have a right to return to the same or equivalent positions they held before such leave.





## **6-19. Organ Donation Leave**

Employees who have been employed for at least 90 days may request a paid leave of absence for up to 30 business days in any one-year period to undergo a medical procedure to donate an organ. Employees can request an additional 30 days of unpaid leave in any one-year period for this same purpose. Employees must provide a certification from their physician regarding the purpose and length of each leave requested. The one-year period is measured from the start of the leave.

For an initial request for organ donation leave, the employee must use up to two weeks of accrued vacation, sick leave or paid time off for this leave, but the use of vacation accrual, sick leave or paid time off does not extend the term of the leave. If accrued vacation, sick leave or paid time off is not available, the time off for such procedure shall be paid however the paid time off shall not exceed 30 days. Organ donation leave will not be designated as FMLA or CFRA leave time. Employees will receive health benefits for the duration of their organ donation leave and upon returning from such leave will have a right to return to the same or equivalent positions they held before such leave. Absences due to organ donation leave do not count as a break in service for the purpose of the employee's right to salary adjustments, sick leave, vacation and paid time off or seniority.

## **6-20. Family and Medical Leave**

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA) and/or the California Family Rights Act (CFRA). Additionally, employees who are CFRA-eligible have certain rights to take both a pregnancy disability leave (PDL) and CFRA leave for the birth of a child.

This policy provides employees with information concerning FMLA/CFRA entitlements and obligations they may have during such leaves and also explains differences between FMLA, CFRA, and PDL. Where more than one (1) of the laws applies, leave taken may be counted under more than one law at the same time to the extent permitted by the applicable law(s). For example, where leave for a pregnancy disability is also FMLA-qualifying, the leave will count against both FMLA and PDL entitlements. However, PDL is separate from and does not count against employees' CFRA leave entitlement. (Please consult the Pregnancy Disability Leave policy for more information on PDL.) This policy will be interpreted to comply with the law(s) that apply to a particular leave.

If employees have any questions concerning FMLA/CFRA leave, they should contact Supervisor.

### **I. Eligibility**

The FMLA and CFRA provide eligible employees with a right to leave, health insurance benefits, and, with some limited exceptions, job restoration. To be an "eligible employee," the employee must: 1) have been employed by Healthio for at least 12 months (which need not be consecutive) and 2) have worked for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave. All California employees who meet these two (2) criteria are eligible for CFRA leave. California employees also may be





eligible to take leave for FMLA reasons if they are eligible for CFRA leave and work at a worksite where 50 or more employees are located within 75 miles.

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

## II. Entitlements for FMLA/CFRA Leave

### A. Basic FMLA/CFRA Leave Entitlement

The FMLA/CFRA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined by a rolling 12-month period measured backward from the date the employee uses their FMLA leave. In some instances, leave may be counted under the FMLA but not CFRA or CFRA but not the FMLA. Leave may be taken for any one (1), or for a combination, of the following reasons:

1. Disability due to pregnancy, childbirth, or related medical condition (counts only toward FMLA leave and PDL leave entitlements);
2. Bonding and/or caring for a newborn child (counts toward FMLA and CFRA leave entitlements);
3. For placement with the employee of a child for adoption or foster care and to care for the newly placed child (counts toward FMLA and CFRA leave entitlements);
4. To care for the employee's spouse, child, or parent with a **serious health condition** (counts toward FMLA and CFRA leave entitlements);
5. To care for the employee's registered domestic partner, parent-in-law, grandparent, grandchild, sibling, or designated person with a serious health condition (counts towards CFRA entitlements only, except when grandparent, grandchild, or sibling meets FMLA definition of parent or child);
6. For the employee's own **serious health condition** (excluding pregnancy) that makes the employee unable to perform (1) one or more of the essential functions of their job (counts toward FMLA and CFRA leave entitlements); and/or
7. Because of any **qualifying exigency** arising out of the fact that the employee's spouse, registered domestic partner, son, daughter, or parent is a military member on covered active duty status (or has been notified of an impending call or order to covered active duty status) in the Reserve component of the Armed Forces for deployment to a foreign country in support of a contingency operation or Regular Armed Forces for deployment to a foreign country (counts toward FMLA/CFRA leave entitlements, except that leave taken for a registered domestic partner counts towards CFRA leave entitlement only).

Leave to care for child after birth or placement for adoption or foster care must be taken within one (1) year of the child's birth or placement.

Under the **FMLA**, a **serious health condition** is an illness, injury, impairment, or physical or mental condition that involves a period of incapacity or treatment connected with inpatient care (e.g., an overnight stay) in a medical care facility, hospice, or residential health care facility; or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of their job or



prevents the qualified family member from participating in school or other daily activities.

Under the **CFRA**, a **serious health condition** is an illness, injury, impairment, or physical or mental condition that involves either inpatient care in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care or any period of incapacity, or continuing treatment by a health care provider. The CFRA defines "inpatient care" broadly and includes a stay in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with inpatient care, or any period of incapacity. A person will be considered an "inpatient" when they are formally admitted to a health care facility with the expectation that they will remain at least overnight and occupy a bed, even if the person is ultimately discharged or transferred to another facility and does not actually remain overnight. The CFRA defines "incapacity" as the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment or the recovery that it requires.

Under the CFRA, a "designated person" means any individual related by blood or whose relationship with the employee is the equivalent of a family relationship. The designated person may be identified by the employee at the time the employee requests the leave. Healthio may limit an employee to one designated person every 12-month period for family care and medical leave.

Under the FMLA and CFRA, subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment or incapacity due to pregnancy (FMLA only) or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

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

A leave of absence in connection with a workers' compensation injury/illness or for which the employee receives disability or State of California Paid Family Leave benefits shall run concurrently with FMLA/CFRA leave.

## **B. Additional Military Family Leave Entitlement (FMLA Only)**

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

A "**covered servicemember**" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary retired list for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." Covered servicemembers also include a veteran who is



discharged or released from military service under conditions other than dishonorable at any time during the five-(5-) year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

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

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

FMLA/CFRA leave usually will be taken for a period of consecutive days, weeks, or months. However, employees also are entitled to take FMLA/CFRA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember (FMLA only). Intermittent or reduced work schedule leave may be taken for absences where the employee or family member is incapacitated or unable to perform the essential functions of the position because of a chronic serious health condition, even if they do not receive treatment by a health care provider. Intermittent leave can also be taken for any qualifying exigency.

Employees also are eligible for intermittent leave for bonding with a child following birth or placement. Intermittent leave for bonding purposes generally must be taken in two-(2-)week increments, but Healthio permits two (2) occasions where the leave may be for less than two (2) weeks.

### **D. Health Insurance Benefits Schedules**

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

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

The taking of another job while on FMLA/CFRA leave or any other approved leave of absence is prohibited except as authorized by Healthio or permitted by applicable law.

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

At the end of FMLA/CFRA leave, employees generally have a right to return to the same or equivalent positions they held before the FMLA/CFRA leave. There is an exception for certain "key employees" under the FMLA that applies to leave for a seriously ill or injured covered servicemember (the CFRA does not have an exception for "key employees"). Healthio will provide notice if employees qualify as "key employees" if it intends to deny reinstatement and any applicable rights in such instances.

Use of FMLA/CFRA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA/CFRA leave.

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

Employees requesting FMLA/CFRA leave are entitled to receive written notice from Healthio telling them whether they are eligible for FMLA/CFRA leave and, if not eligible, the reasons why they are not eligible.



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

Healthio will respond to a leave request within five (5) business days. Once given, approval shall be deemed retroactive to the date of the first day of the leave. Healthio may designate FMLA/CFRA leave retroactively with appropriate notice provided that doing so does not cause harm or injury to employees. In other cases, Healthio and employees can mutually agree that leave is retroactively designated as FMLA/CFRA leave.

## **H. Employee Obligations for FMLA/CFRA Leaves**

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

Employees who take FMLA/CFRA leave must notify, in a timely manner, Healthio of their need for FMLA/CFRA leave. The following describes the content and timing of such notices.

#### **i. Content of Notice**

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

1. A medical condition renders them unable to perform the functions of their job;
2. They are pregnant;
3. They or a covered family member have been hospitalized overnight;
4. They or a covered family member are under the continuing care of a health care provider;
5. The leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active-duty status; or
6. If the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

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

If employees fail to explain the reasons for FMLA/CFRA leave, the leave may be denied. When employees seek leave due to FMLA/CFRA-qualifying reasons for which Healthio has previously provided FMLA/CFRA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA/CFRA leave.

#### **ii. Timing of Notice**



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

#### **b. Cooperating in the Scheduling of Leave**

When planning medical treatment for themselves or family members or requesting to take leave on an intermittent or reduced schedule work basis, employees must consult with Healthio and make a reasonable effort to schedule treatment so as not to unduly disrupt Healthio operations. Employees must consult with Healthio prior to scheduling treatment in order to work out a treatment schedule that best suits the needs of both Healthio and the employees, subject to the approval of the applicable health care provider. To the extent permitted by applicable law, when employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for employees or family members, including a period of recovery from a serious health condition or to care for a covered servicemember, Healthio may temporarily transfer employees to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

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

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

It is the responsibility of employees to provide Healthio with timely, complete, and sufficient medical certifications. Whenever Healthio requests employees to provide FMLA/CFRA medical certifications, they must provide the requested certifications within 15 calendar days after the request, unless it is not practicable to do so despite diligent, good faith efforts. Healthio will inform employees if submitted medical certifications are incomplete or insufficient and provide them at least seven (7) calendar days to address deficiencies. Healthio will delay or deny FMLA/CFRA leave to employees who fail to address deficiencies or otherwise fail to submit requested medical certifications in a timely manner.

Healthio (through individuals other than the employee's direct supervisor) may contact the employee's health care provider to authenticate a medical certification.

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

#### **i. Initial Medical Certifications**

Employees requesting leave because of their own or a covered family member's serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from



their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins.

If Healthio has reason to doubt the validity of an initial medical certification regarding the employee's own serious health condition, it may require the employee to obtain a second opinion at Healthio's expense. If the opinions of the initial and second health care providers differ, Healthio may, at its expense, require the employee to obtain a third, final and binding certification from a health care provider designated or approved jointly by Healthio and the employee. Healthio will reimburse employees for any reasonable "out of pocket" travel expenses incurred to obtain second or third medical opinions.

## **ii. Medical Recertifications**

Depending on the circumstances and duration of FMLA/CFRA leave, Healthio may require employees to provide recertification of medical conditions giving rise to the need for leave. Healthio will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification. In cases of leave that qualifies under CFRA, recertification will be requested only when the original certification has expired and additional leave is requested.

## **iii. Return-to-Work Release**

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA/CFRA leaves that were taken because of their own serious health conditions must provide Healthio with a release to return to work from their healthcare provider stating they are able to resume work. Employees taking intermittent leave may be required to provide a return-to-work release for such absences up to once every 30 days if reasonable safety concerns exist regarding their ability to perform their duties. Healthio may delay and/or deny job restoration until employees provide return-to-work releases.

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

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

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





#### **e. Reporting Changes to Anticipated Return Date**

If the anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide Healthio with reasonable notice (i.e., within two (2) business days) of their changed circumstances and new return-to-work date. If employees give Healthio unequivocal notice of their intent not to return to work, they will be considered to have voluntarily resigned and Healthio's obligation to maintain health benefits (subject to COBRA requirements) and to restore their positions will cease.

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

Employees are required to substitute accrued paid time while taking an unpaid FMLA/CFRA leave as follows:

- If employees request FMLA/PDL leave because of disability due to pregnancy, childbirth, or related medical conditions (excluding absences for which they are receiving short-term disability benefits), they must first substitute any accrued paid sick leave for unpaid family/medical leave. Employees may make a written request to substitute accrued, unused vacation, or other paid time off benefits for unpaid FMLA/PDL leave once their sick time is exhausted.
- If employees request FMLA/CFRA leave because of their own serious health condition (excluding absences for which they are receiving workers' compensation or short-term disability benefits), they must first substitute any accrued paid vacation, sick, or other paid time off for unpaid family/medical leave.
- If employees request FMLA/CFRA leave to care for a covered family member with a serious health condition (excluding absences for which they are receiving Paid Family Leave benefits), they must first substitute any accrued paid vacation or other paid time off for unpaid family/medical leave. Once vacation or other paid time off is exhausted, upon their request, they can substitute paid sick leave for unpaid FMLA/CFRA leave to care for a covered family member with a serious health condition.
- If employees request FMLA/CFRA leave to bond with a newborn or newly placed child (excluding absences for which they are receiving Paid Family Leave benefits), they must first substitute any accrued paid vacation or other paid time off for unpaid leave.

For purposes of this substitution requirement, leave is not "unpaid" during any time for which the employee is receiving compensation from the State of California under its State Disability Insurance or Paid Family Leave programs or when receiving compensation from worker's compensation. Employees will not be required to use accrued paid leave hours during any time off under this policy for which they are receiving compensation under these programs. However, where applicable and permitted by law, they will be required to use paid leave accruals during any waiting periods applicable to these programs, and upon written request, Healthio will allow them to use accrued paid time off to supplement any paid workers' compensation, disability, or Paid Family Leave benefits.

The substitution of paid time off for unpaid family/medical leave time does not extend the length of FMLA/CFRA leaves and the paid time off runs concurrently with the FMLA/CFRA entitlement.

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



As noted above, during FMLA/CFRA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. If paid leave is substituted for unpaid family/medical leave, Healthio will deduct employees' shares of the health plan premium as a regular payroll deduction. If FMLA/CFRA leave is unpaid, employees must pay their portion of the premium through a "pay-as-you-go" method. Healthio's obligation to maintain health care coverage ceases if the premium payment is more than 30 days late. If the payment is more than 15 days late, Healthio will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date.

If employees do not return to work for at least 30 calendar days after the end of the leave period (unless they cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse Healthio for the cost of the premiums Healthio paid for maintaining coverage during their unpaid FMLA/CFRA leave.

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

The FMLA and CFRA do not affect any federal, state, or local law prohibiting discrimination, or supersede any State or local law which provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA/CFRA leave is either not available or exhausted, please consult Healthio's other leave policies in this Handbook or contact Supervisor.

### **QUESTIONS AND/OR COMPLAINTS ABOUT FMLA/CFRA LEAVE**

If employees have questions regarding this policy, they should contact Supervisor. Healthio is committed to complying with the FMLA and CFRA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA and CFRA.

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

### **6-21. Leave for Victims of Crime or Abuse (including Domestic Violence, Sexual Assault or Stalking)**

Employees who are victims of a crime or abuse, including domestic violence, sexual assault or stalking, may take unpaid leave for up to 12 weeks for the following reasons:

- to seek medical attention for injuries caused by crime or abuse;
  - to obtain services from a domestic violence shelter, program, rape crisis center or victim services organization or agency as a result of the crime or abuse;
  - to obtain psychological counseling or mental health services related to an experience of crime or abuse;
- or





- to participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation.

Employees are covered as victims and entitled to leave under this policy if they are:

- a victim of stalking, domestic violence or sexual assault;
- a victim of a crime that caused physical injury or that caused mental injury and a threat of physical injury; or
- a person whose immediate family member is deceased as the direct result of a crime.

Healthio may require proof of the employee's participation in these activities. Whenever possible, employees must provide their supervisor reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick or other time off for the leave under this policy. Leave under this policy does not extend the time allowable under the "Family and Medical Leave" policy in this handbook.

No employees will be subject to discrimination or retaliation because of their status as a victim of a crime or abuse, including crime or abuse related to domestic violence, sexual assault or stalking. Victims of a crime or abuse, including crime or abuse related to domestic violence, sexual assault or stalking, may request other accommodations in the workplace such as implementation of safety measures.

## **6-22. Time Off for Crime Victims**

Employees who have been victims of serious or violent felonies, as specified under California law, or felonies relating to theft or embezzlement, may take time off work to attend judicial proceedings related to the crime. Employees also may take time off if an immediate family member has been a victim of such crimes and the employee needs to attend judicial proceedings related to the crime. "Immediate family member" is defined as spouse, registered domestic partner, child, child of registered domestic partner, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father or stepfather.

Employees must give their supervisor a copy of the court notice given to the victim of each scheduled proceeding before taking time off, unless advance notice to Healthio of the need for time off is not feasible. When advance notice is not feasible, the employee must provide Healthio with documentation evidencing the judicial proceeding, within a reasonable time after the absence. The documentation may be from the court or government agency setting the hearing, the district attorney or prosecuting attorney's office or the victim/witness office that is advocating on behalf of the victim.

Employees may elect to use accrued paid vacation time, paid sick leave time or other paid time off for the absence. If the employee does not elect to use paid time off, the absence will be unpaid. However, exempt employees will be paid their full salary for any workweek interrupted by the need for time off under this policy.



### **6-23. Literacy Assistance**

Healthio is committed to providing assistance to employees who require time off to participate in an adult education program for literacy assistance. If employees need time off to attend such a program, they should inform their direct supervisor or the Human Resources Department. Healthio will attempt to make reasonable accommodations by providing unpaid time off or an adjusted work schedule, provided the accommodation does not impose an undue hardship on Healthio. Healthio will attempt to safeguard the privacy of employees' enrollment in an adult education program.

### **6-24. Pregnancy Disability Leave**

If employees are disabled by pregnancy, childbirth or related medical conditions, they are eligible to take a pregnancy disability leave (PDL). If affected by pregnancy or a related medical condition, employees also are eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if such a transfer is medically advisable and can be reasonably accommodated. Employees disabled by qualifying conditions may also be entitled to other reasonable accommodations where doing so is medically necessary. In addition, if it is medically advisable for employees to take intermittent leave or work a reduced schedule, Healthio may require them to transfer temporarily to an alternative position with equivalent pay and benefits that can better accommodate recurring periods of leave.

The PDL is for any period(s) of actual disability caused by pregnancy, childbirth or related medical condition up to four (4) months per pregnancy. For purposes of this policy, "four months" means time off for the number of days the employee would normally work within the four (4) calendar months (one-third of a year or 17 1/3 weeks), following the commencement date of taking a pregnancy disability leave. For a full-time employee who works 40 hours per week, "four months" means 693 hours of leave entitlement, based on 40 hours per week times 17 1/3 weeks. Employees working a part-time schedule will have their PDL calculated on a pro-rata basis.

The PDL does not need to be taken in one continuous period of time, but can be taken on an intermittent basis pursuant to the law.

Time off needed for prenatal or postnatal care, severe morning sickness, gestational diabetes, pregnancy-induced hypertension, preeclampsia, doctor-ordered bed rest, postpartum depression, loss or end of pregnancy, and recovery from childbirth or loss or end of pregnancy are all covered by PDL.

To receive reasonable accommodation, obtain a transfer or take a PDL, employees must provide sufficient notice so Healthio can make appropriate plans. Thirty days' advance notice is required if the need for the reasonable accommodation, transfer or PDL is foreseeable, otherwise as soon as practicable if the need is an emergency or unforeseeable.

Employees are required to obtain a certification from their health care provider of the need for pregnancy disability leave or the medical advisability of an accommodation or for a transfer. The certification is sufficient



if it contains: (1) a description of the requested reasonable accommodation or transfer; (2) a statement describing the medical advisability of the reasonable accommodation or transfer because of pregnancy; and (3) the date on which the need for reasonable accommodation or transfer became or will become medically advisable and the estimated duration of the reasonable accommodation or transfer.

A medical certification indicating disability necessitating a leave is sufficient if it contains: (1) a statement that the employee needs to take pregnancy disability leave because of disability due to pregnancy, childbirth or a related medical condition; (2) the date on which the employee became disabled because of pregnancy; and (3) the estimated duration of the leave.

Upon request, the employee will be provided with a medical certification form that the employee can take to the doctor.

As a condition of returning from pregnancy disability leave or transfer, Healthio requires the employee to obtain a release from a health care provider stating ability to resume the original job duties with or without reasonable accommodation.

PDL is unpaid. At the employee's option, the employee can use any accrued vacation time or other accrued paid time off as part of the PDL before taking the remainder of leave on an unpaid basis. Healthio requires, however, that the employee use any available sick time during the PDL. The substitution of any paid leave will not extend the duration of the PDL. Employees who participate in Healthio's group health insurance plan will continue to participate in the plan while on PDL under the same terms and conditions as if they were working. Benefit continuation under PDL is distinct from benefit continuation for employees who also take birth bonding leave under the California Family Rights Act. Employees should make arrangements for payment of their share of the insurance premiums.

Healthio encourages employees to contact the California Employment Development Department regarding eligibility for state disability insurance for the unpaid portion of the leave.

If employees do not return to work on the originally scheduled return date, nor request in advance an extension of the agreed upon leave with appropriate medical documentation, they may be deemed to have voluntarily terminated their employment with Healthio. Failure to notify Healthio of their ability to return to work when it occurs or continued absence from work because the leave must extend beyond the maximum time allowed, may be deemed a voluntary termination of employment with Healthio, unless employees are entitled to Family and Medical Leave or entitled to further leave pursuant to applicable law.

Upon return from a covered PDL, the employee, in most instances, will be reinstated to the same position.

Taking a PDL may affect some benefits and the employee's seniority date. The employee may request more information regarding eligibility for PDL and the impact of the leave on seniority and benefits.

Any request for leave after the disability has ended will be treated as a request for family care leave under the California Family Rights Act (CFRA) and the federal Family and Medical Leave Act (FMLA), if the employee is eligible for that type of leave. PDL runs concurrently with FMLA (but not CFRA). Employees should refer to the FMLA policy. Employees who are not eligible for leave under the CFRA or FMLA will have a request for additional leave treated as a request for disability accommodation.



## **6-25. Rehabilitation Leave**

Healthio is committed to providing assistance to our employees to overcome substance abuse problems. Healthio will reasonably accommodate any employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program. This accommodation may include time off without pay or an adjusted work schedule, provided the accommodation does not impose an undue hardship on Healthio. Employees may also use accumulated sick days, if applicable, for this purpose.

Employees should notify Human Resources if they need such accommodation. Healthio will take reasonable steps to safeguard privacy with respect to enrollment in an alcohol or drug rehabilitation program.

## **6-26. Time Off For School Related Activities**

Employees that work at a location with 25 or more employees are provided unpaid time off up to 40 hours in one (1) calendar year if they are parents (including individuals acting in the capacity of a parent under the law), guardians, stepparents, foster parents or grandparents with custody of a child attending, or of age to attend, a licensed child care provider or kindergarten through Grade 12. The unpaid leave must be used for the following child-related activities:

1. to find, enroll or reenroll the child in a school or with a licensed child care provider, or to participate in activities of the school or licensed child care provider of the child.
2. to address a child care provider or school emergency, meaning that the child cannot remain in school or with a child care provider due to one of the following:
  - the school or child care provider has requested that the child be picked up or has an attendance policy, excluding planned holidays, that prohibits the child from attending or requires the child to be picked up from the school or child care provider;
  - behavioral or discipline problems;
  - closure or unexpected unavailability of the school or child care provider, excluding planned holidays; or
  - a natural disaster, including, but not limited to, fire, earthquake or flood.

The amount of time off for reason #1 cannot exceed eight (8) hours in any calendar month of the year. Prior to taking leave for reason #1 above, the employee must provide reasonable notice of the planned absence to their Manager. The employee must give notice to their Manager when taking leave for reason #2 above.

If more than one parent of a child is employed at the same worksite, leave for the reasons above apply, at any one time, only to the parent who first gives notice, such that another parent may take a planned absence simultaneously as to that same child for the reasons above, but only if the parent obtains approval from their Manager for the requested time off.



Employees may be required to provide documentation of their participation in these activities. Parents, guardians or grandparents with custody of schoolchildren who have been suspended also are allowed to take unpaid time off to appear at the school pursuant to the school's request. Employees may use accrued paid time off for purposes of the leave taken under this policy.

#### **6-27. Time Off for Volunteer Firefighters, Reserve Peace Officers & Emergency Rescue Personnel**

Employees who are volunteer firefighters, reserve peace officers, or emergency rescue personnel are permitted unpaid time off, not to exceed 14 days per calendar year, for the purpose of engaging in fire, law enforcement, or emergency rescue training.

Employees are also permitted unpaid time off from work to perform emergency duty as a volunteer firefighter, reserve peace officer, or emergency rescue personnel.

If the employees request time off under the policy, they must notify their direct supervisor immediately after the need for the leave becomes known.

#### **6-28. Civil Air Patrol Leave - CA**

Healthio provides up to 10 days per calendar year of unpaid leave time to eligible employees to serve as a member of the Civil Air Patrol on the request of the state or its political subdivisions. To be eligible, you must have completed 90 days of employment. You may choose to take accrued paid time off for the leave. You must give as much advance notice as possible and provide certification from the Civil Air Patrol authority in advance, unless you are called for emergency service.



## Section 7 - New York Addendum

### 7-1. Anti-Harassment - NY

Healthio and Insperity are committed to a work environment in which all individuals are treated with respect and dignity and are free from all forms of harassment and discrimination. Any form of harassment, even when not unlawful or directed at a protected category, is prohibited and will not be tolerated. All employees, including supervisors and co-workers, as well as vendors, contractors, interns (whether paid or unpaid), temporary workers, customers or other third parties, are expected to adhere to this policy.

Reported or suspected occurrences of harassment or discrimination will be promptly and thoroughly investigated. Following an investigation, Healthio and Insperity will promptly take any necessary and appropriate disciplinary action.

Healthio and Insperity will not permit or condone any acts of retaliation against anyone who files or cooperates in the investigation of harassment or discrimination complaints.

1. The term "harassment" includes harassment based on any category protected by federal, state or local law, which may include, but is not limited to, unwelcome slurs, jokes, or verbal, graphic or physical conduct relating to an individual's race, color, religious creed, sex, national origin, ancestry, citizenship status, pregnancy, pregnancy related condition, including but not limited to childbirth and/or lactation, physical disability, mental and/or intellectual disability, age, military status or status as a Vietnam-era or special disabled veteran, marital status, registered domestic partner or civil union status, familial status, gender (including sex stereotyping and gender identity or expression), medical condition (including, but not limited to, cancer related or HIV/AIDS related), genetic information, or sexual orientation.
2. Sexual harassment is a form of workplace discrimination and Healthio and Insperity have a zero-tolerance policy for any form of sexual harassment. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature where:
  - a. Submission to such conduct is an explicit or implicit term or condition of employment;
  - b. Employment decisions are based on an employee's submission to or rejection of such conduct; or
  - c. Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment, even if the complaining individual is not the intended target of the sexual harassment
  - d. Examples of acts that may be unlawful sexual harassment include, but are not limited to:
    - Physical assaults of a sexual nature, such as: Touching, pinching, patting, grabbing; rape, sexual battery, molestation or attempts to commit these assaults;
    - Unwanted sexual advances or propositions, such as requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance





- evaluation, a promotion or other job benefits or detriments
  - Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.
  - Sexual or discriminatory displays or publications anywhere in the workplace, such as: Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
  - Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as: Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job; Sabotaging an individual's work; Bullying, yelling, name-calling.
3. Harassment and discriminations are forms of employee misconduct that subjects Healthio and Insperity to liability for harm to victims of harassment, including sexual harassment. Harassers may also be individually subject to liability. Any employee, including supervisors and managers, who engage in harassing, including sexual harassing, behavior will be subject to sanctions enforced against them for such behavior.

### **Internal Complaint Procedure**

Healthio and Insperity provide you with a convenient and reliable method for reporting incidents of alleged harassment, including sexual harassment, and discrimination. Any employee who feels harassed or discriminated against, or who is aware of harassment or discrimination occurring in the workplace is encouraged to immediately inform the alleged offender that the behavior is unwelcome. If the informal discussion with the alleged offender is unsuccessful in remedying the problem, or if you do not feel comfortable with such an approach, you should immediately report the conduct to your supervisor or Insperity human resource specialist and the Insperity Anti-Harassment Hotline number at 844-677-3030. A complaint form is available on Insperity Premier<sup>TM</sup> to report harassment and file complaints. This form may be found on Insperity Premier under ***Company > Forms and Policies > Company Documents***.

We cannot resolve a harassment or discrimination problem, unless we know about it. Managers and supervisors are required to report any complaint they received, or any harassment that they observe. Therefore, it is your responsibility to bring those kinds of problems to our attention so we can take the necessary steps to correct any problems. The report should include all facts available to you regarding the alleged harassment, sexual harassment, or discrimination.

When you call the Insperity Anti-Harassment Hotline, please be sure to leave your name, Insperity employee identification number or the last four digits of your social security number, and the name of the client company for which you work. If you wish to make an anonymous complaint, you may do so. However, the scope of our investigation may be limited based on the information you provide.

### **External Complaint Procedure**





If you believe you have been harassed, including sexual harassment, or discriminated against, you may have rights and remedies under federal, state, and/or local law. If you feel you've reported your complaint internally but have not received a satisfactory response, you may file a complaint with the New York State Division of Human Rights (DHR), the U.S. Equal Opportunity Commission (EEOC), or contact the county, city or town in which you live to see if similar laws exist.

- Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint.
- Contact the New York State Division of Human Rights at 1-800-HARASS-3, Monday through Friday, 9:00 a.m. to 5:00 p.m.
- Contact the EEOC at (800) 669-4000 1-800-669-6820 (TTY), or visit [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov)
- Contact the NYC Commission on Human Rights by calling 311 or (212) 306-7450 <http://www.nyc.gov/html/cchr/html/home/home.shtml>

### **Confidentiality**

All reports of alleged harassment, sexual harassment, or discrimination will be treated seriously. Confidentiality will be maintained to the extent possible. However, to conduct a thorough investigation, certain information may need to be disclosed to other individuals, including the alleged offender. Consequently, absolute confidentiality cannot be promised and cannot be guaranteed.

### **Investigative Procedure**

Once a complaint of alleged harassment, sexual harassment, or discrimination is received, we will begin a prompt and thorough investigation. All employees are required to cooperate with management during any investigation of harassment, including sexual harassment.

The investigation may include interviews with all involved parties, including the alleged harasser, and any persons who are aware of facts or incidents alleged to have occurred, and review of any information provided by such parties. While confidentiality will be observed in this procedure, complete confidentiality cannot be guaranteed, however only those persons who are necessary to this process will be informed of events, and only to the extent necessary.

Following an investigation, Healthio and Insperity will promptly take any necessary and appropriate disciplinary action. Disciplinary action will be taken if the investigation reveals that an employee has acted in a manner that is not in alignment with the goals of this policy. Healthio and Insperity may address any workplace issue discovered during an investigation. This may include some or all of the following steps:

If the alleged harassment, sexual harassment, or discrimination is from a vendor, contractor, customer or other third party, Healthio and Insperity will take appropriate action to stop the conduct.

If you have made a complaint but feel that the action taken in response has not remedied the situation, you should make an additional complaint following the complaint procedure outlined in this policy.



### **Duties of Employees and Supervisors**

All employees of the company, both management and non-management, are responsible for assuring that a workplace free of harassment, sexual harassment, and discrimination is maintained. Any employee may file a complaint regarding incidents experienced personally or incidents observed in the workplace. The company strives to maintain a pleasant work environment where all employees are able to effectively perform their work without interference of any type and requests the assistance of all employees in this effort.

All managers and supervisors are responsible for doing all they can to prevent and discourage harassment, sexual harassment, and discrimination from occurring. If a complaint of harassment, sexual harassment or discrimination is raised, the individual to whom the complaint is made (i.e., supervisor, manager, company owner) should act promptly to notify the Insperity Anti-Harassment hotline number so an investigation may promptly proceed. The company and Insperity may discipline any managers or supervisors who fail to follow this policy, which discipline, may include termination.

### **Retaliation Prohibited**

Healthio and Insperity do not condone retaliation against individuals who file complaints of harassment, sexual harassment, or discrimination. Employees who are found to have retaliated against employees or non-employees (i.e. someone who is a contractor, subcontractor, intern, vendor, temporary worker, consultant or otherwise providing services in the workplace) who have filed complaints of harassment, sexual harassment, discrimination, or who testify or assist in any proceeding under the law is unlawful and will be subject to disciplinary action, up to and including termination.

1. Restore any lost terms, conditions, or benefits of employment to the complaining employee.
2. Discipline the alleged harasser. This discipline may include written disciplinary warnings, transfer, demotion, suspension and/or termination of employment.

## **7-2. Reproductive Health Decision Making Discrimination**

Healthio may not:

- discriminate or take any retaliatory personnel action against employees with respect to compensation, terms, conditions or privileges of employment because of, or on the basis of, the employee's or dependent's reproductive health decision making, including but not limited to a decision to use or access a particular drug, device or medical service; or
- require employees to sign a waiver or other document that purports to deny employees the right to make their own reproductive health care decisions, including use of a particular drug, device or medical service.

Healthio also may not access the employee's personal information regarding the employee's or the dependent's reproductive health decision making, including but not limited to the decision to use or access a



particular drug, device or medical service without the employee's prior informed affirmative written consent.

Employees may bring a civil action in any court of competent jurisdiction against Healthio for any alleged violations of this policy. In any civil action alleging a violation of this policy, the court may: award damages, including, but not limited to, back pay, benefits and reasonable attorneys' fees and costs incurred to a prevailing plaintiff; afford injunctive relief against Healthio if it commits or proposes to commit a violation of the provisions of this policy; order reinstatement; and/or award liquidated damages equal to 100 percent of the award for damages unless Healthio proves a good faith basis to believe that its actions in violation of this policy were in compliance with the law.

Any act of retaliation for employees exercising any rights granted under this policy shall subject Healthio to separate civil penalties. For the purposes of this policy, retaliation or retaliatory personnel action means discharging, suspending, demoting or otherwise penalizing employees for: making or threatening to make a complaint to Healthio, co-worker or to a public body, that rights guaranteed under this policy have been violated; causing to be instituted any proceeding under or related to this policy; or providing information to or testifying before any public body conducting an investigation, hearing or inquiry into any such violation of a law, rule or regulation by Healthio.

Employees with issues or concerns regarding this policy or who feel they have been subjected to any alleged violation of this policy should contact your supervisor or Insperity human resource specialist.

### **7-3. Pregnancy Accommodations**

In compliance with New York law, Healthio will not discriminate against employees in relation to pregnancy, childbirth or related conditions and will endeavor to provide reasonable accommodations for any pregnancy-related conditions, unless doing so would impose an undue hardship on the operation of Healthio's business.

Reasonable accommodations that may be provided include:

1. occasional breaks to rest or drink water;
2. a modified work schedule;
3. leave for related medical needs;
4. available light duty assignments; and
5. transfers away from hazardous duty.

The employee must cooperate in providing medical or other information that is necessary to verify the existence of the pregnancy-related condition or that is necessary for consideration of the accommodation. Such medical information will be kept confidential by Healthio.

Healthio will not require any employee to take leave because the employee is pregnant. If the employee takes medical leave due to a pregnancy-related condition or childbirth, Healthio will hold the employee's job for the employee as long as the Healthio does for employees who take medical leave for other reasons.

Healthio will not retaliate against any employee because the employee is pregnant or may become pregnant or



change the terms, conditions and privileges of employment because of pregnancy, childbirth or related conditions. Healthio also will not refuse to hire or to promote a candidate because the individual is pregnant or may become pregnant.

Employees with questions or concerns regarding this policy or who would like to request a reasonable accommodation pursuant to this policy should contact the Employee's Supervisor.

#### **7-4. Biometric Timekeeping - NY**

This policy applies to all employees of Healthio who, in the course of performing their regular job responsibilities, are involved in the collection, use, handling, safeguarding, storage, retention, and destruction of Biometric Identifiers and Biometric Information (collectively, "Biometric Data").

Healthio offers the convenience of a biometric timekeeping system that can collect images and/or features of your fingerprint to facilitate accurate and efficient time records of your work hours. The collected images and/or features of your fingerprint are referred to as "biometric data."

Upon your consent, your biometric data will be collected, stored and used by the company through your employment with Healthio to: (1) identify you; (2) record your work start and end times; and (3) process your pay. You will be asked to sign a Biometric Collection Consent form upon hire for this purpose. The company will not disclose, sell, lease or trade your biometric data for any other purpose.

Healthio will securely store your biometric data in the same manner as it stores other confidential or sensitive company information. Healthio prohibits the sale, lease or trade of Biometric Data. Healthio prohibits any disclosure of Biometric Data other than as permitted by this policy.

Your biometric data will be permanently destroyed after your employment with the company ends. Biometric Data in electronic form will be destroyed in a manner that renders the information irretrievable. Healthio's Human Resources and Information Technology departments shall be responsible for coordinating with the timeclock service provider.

#### **7-5. Lactation Breaks**

Employees have the right to express breast milk in the workplace pursuant to federal and New York law.

Healthio provides employees who are nursing with reasonable unpaid break time or permit employees to use paid break time or meal time to express breast milk for the employee's nursing child each time such employee has a reasonable need to express breast milk for up to three (3) years after the birth of a child.

Upon request of an employee who chooses to express breast milk in the workplace, Healthio will designate a room or other location which will be made available for use by such employee to express breast milk. Such room or other location will be a place that is:

1. In close proximity to the work area,



2. Well-lit,
3. Shielded from view; and
4. Free from intrusion from other persons in the workplace or the public.

Such room or other location will provide, at minimum, a chair, a working surface, nearby access to clean running water, and, if the workplace is supplied with electricity, an electrical outlet. The room or location provided by Healthio for this purpose must not be a restroom or toilet stall.

If the sole purpose or function of such room or other location is not dedicated for use by employees to express breast milk, such room or other location will be made available to such employee when needed and will not be used for any other purpose or function while in use by such an employee. Healthio will provide notice to all employees as soon as practicable when such room or other location has been designated for use by employees to express breast milk.

Where compliance with the lactation room requirements set forth above is impracticable because it would impose an undue hardship on Healthio by causing significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of Healthio's business, Healthio will make reasonable efforts to provide a room or other location, other than a restroom or toilet stall, that is in close proximity to the work area where the employee can express breast milk in privacy.

If the workplace has access to refrigeration, Healthio will extend such access to refrigeration for the purposes of storing the expressed milk.

Employees may submit a request for a room or other location for use by employees to express breast milk by contacting the Manager. Healthio will respond to such requests within five (5) business days.

Employees will not be discharged, threatened, penalized, or in any other manner discriminated against or retaliated against for exercising their rights under this policy and applicable law.

Please consult your supervisor or Insperity human resource specialist with questions regarding this policy.

## **7-6. Jury Duty Leave**

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

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

Healthio will compensate the juror with a fee of \$40 or the juror's regular wage (whichever is lower) for the first three (3) days of jury service. Exempt employees will be paid their full salary less jury duty fees for any



week in which they performed work for Healthio and missed work due to jury service.

### **7-7. Witness Leave**

Employees called to serve as a witness in a judicial proceeding must notify their supervisor as soon as possible.

Employees will not be compensated for time away from work to participate in a court case, but may use available vacation and personal time to cover the period of absence.

Employees that appear in court to testify as a witness or victim, or to consult with a district attorney or obtain an order of protection, will not be disciplined or discharged for their absence.

### **7-8. Voting Leave**

Employees who are eligible to vote in an election and who do not have at least four (4) consecutive hours before or after work while polls are open may request up to two (2) hours with pay to be used at the beginning or the end of their normally scheduled workday as designated by the employer to enable them to vote.

Employees must notify Healthio of their intention to take time off to vote at least two (2) working days prior to Election Day.

### **7-9. Statutory Short-Term Disability Benefits**

Healthio also provides statutory short-term disability insurance.

This is solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

### **7-10. Domestic Violence Leave - NY**

Healthio will make reasonable accommodations for an employee who is a victim of, or whose child is a victim of, domestic violence, provided the employee requesting leave is not the perpetrator of the domestic violence for which leave is being sought.

#### **Approved Reasons for Leave**

Employees may request leave to:

- Seek medical attention for injuries caused by domestic violence,
- Obtain services from a domestic violence shelter, program, or rape crisis center,
- Obtain psychological counseling related to an incident of domestic violence,
- Participate in safety planning or to take any other action to increase safety from future incidents of



- domestic violence,
- Obtain legal services, assist in the prosecution of the offense, or appear in court related to the incident of domestic violence.

### **Employee Notification and Certification**

Employees seeking leave time must provide advance notice where feasible. If advance notice cannot be provided, employee may be required to provide documentation that confirms or supports the reason the employee provided for requesting leave. Such documentation may include:

- A police report indicating the employee or their child was the victim of domestic violence;
- A court order protecting the employee or their child from the abusing party;
- Other evidence from the court or prosecuting attorney that the employee appeared in court; or
- Documentation from a medical professional, domestic violence advocate, health care provider, or counselor that the employee or their child was undergoing counseling or treatment for physical or mental injuries or abuse resulting from domestic violence.


### **Job Restoration**

When returning from an authorized leave, an employee will generally be returned to the same or an equivalent position, with no loss of benefits. Absences due to leave will not be counted as time worked for the purpose of seniority or computing paid time off for vacation, sick leave or personal days. In the event your position is affected by a decision or event not related to your leave of absence (e.g., job elimination or layoff), you will be affected to the same extent as if not on leave.

### **Substitution of Paid Leave**

If you are taking Domestic Violence Leave, you should substitute all accrued paid leave, including accrued and unused sick leave, paid vacation, paid personal time, paid time off and, if applicable, short-term salary continuation, before continuing leave on an unpaid basis. When receiving disability benefits under a disability benefit plan, the substitution of your accrued paid leave is not required. Any Domestic Violence leave, whether paid, unpaid or a combination, will be counted toward the leave entitlement, as applicable.

### **Questions About Domestic Violence Leave**

If you have any questions about your rights or responsibilities under this policy, contact the Insperity Contact Center toll free at 866-715-3552  (select "Benefits"), weekdays between 7 a.m. and 7 p.m. Central time. Healthio and Insperity will comply with all applicable federal, state and local laws in administering this policy.





### **7-11. Family Military Leave**

Employees who work an average of at least 20 hours per week and are spouses of military members generally are entitled to up to 10 days of unpaid leave during any period when the spouse in the military is on leave from active duty. Prior notice is requested for staffing reasons. Employees will not be retaliated against for exercising their rights under this policy.

Leave runs concurrently with FMLA Qualifying Exigency leave to the extent both are applicable.

### **7-12. Bone Marrow Donation Leave**

Employees who work 20 or more hours per week are entitled to up to 24 hours of unpaid leave for the purposes of donating bone marrow. Verification of donation and the length of necessary leave may be required by Healthio. Reasonable notice of leave must be provided. Employees may use accrued paid time off for this purpose.

### **7-13. Blood Donation Leave**

Employees who work an average of at least 20 hours per week are eligible for up to three (3) hours of unpaid leave in any 12-month period for donating blood. Employees must provide advance notice of at least three (3) working days of their intention to avail themselves of this leave, except in emergency situations. Employees may use accrued paid time off for this purpose.

### **7-14. State Paid Family Leave**

#### **Eligibility Requirements**

Employees may be eligible for New York State Paid Family Leave benefits for qualifying leaves of absence. In order to receive paid family leave benefits, an employee must file a claim with the company's designated paid family leave insurance carrier. You may see your supervisor or call Insperity Leave Administration at 877-236-7331 for instructions on how to file your New York Paid Family Leave claim. Or you may contact Insperity Leave Administration by email: [leave\\_administration@insperity.com](mailto:leave_administration@insperity.com).

Employees who have a regular work schedule of 20 or more hours per week and have been employed at least 26 consecutive weeks before the date Paid Family Leave (PFL) begins (or who have a regular work schedule of less than 20 hours per week and have worked at least 175 days to the date PFL begins) are eligible for PFL. Paid time off can be counted toward the employee's eligibility determination. Employees are eligible for PFL regardless of citizenship and/or immigration status. Employees have the option to file a waiver of PFL and therefore not be subject to deductions when their regular employment schedule is:



- 20 or more hours per week but the employee will not work 26 consecutive weeks; or
- Fewer than 20 hours per week and the employee will not work 175 days in a 52-consecutive-week period.

## Entitlement

PFL is available to eligible employees for up to 12 weeks within any 52-consecutive-week period. PFL is available for any of the following reasons:

- To participate in providing care, including physical or psychological care, for the employee's family member (child, stepchild, or anyone for whom the employee has legal custody, spouse, domestic partner, parent, sibling, stepparent, parent-in-law, grandchild, or grandparent) with a serious health condition;
- To bond with the employee's child during the first 12 months after the child's birth, adoption, or foster care placement; or
- For qualifying exigencies, as interpreted by the Family and Medical Leave Act (FMLA), arising out of the fact that the employee's spouse, domestic partner, child, or parent is on active duty (or has been notified of an impending call or order to active duty) in the armed forces of the United States.

For purposes of this policy, family member includes the employee's child, spouse, domestic partner, parent, grandchild, grandparent, or sibling. "Child" means a biological, adopted, or foster son or daughter, a stepson or stepdaughter, a legal ward, a son or daughter of a domestic partner, or the person to whom the employee stands *in loco parentis*. "Parent" means a biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood *in loco parentis* to the employee when the employee was a child. "Grandchild" means a child of the employee's child. "Grandparent" means a parent of the employee's parent. "Sibling" means a biological or adopted sibling, a half-sibling, or stepsibling.

The 52-consecutive-week period is determined retroactively with respect to each day for which PFL benefits are currently being claimed.

PFL benefits are financed solely through employee contributions via payroll deductions.

The weekly monetary benefit will be 67 percent of the employee's average weekly wage up to 67 percent of the state average weekly wage.

Healthio and the employee may agree to allow the employee to supplement PFL benefits up to their full salary with paid time off, to the maximum extent permitted by applicable law.

The employee who is eligible for both statutory short-term disability benefits and PFL during the same period of 52-consecutive-calendar weeks may not receive more than 26 total weeks of disability and PFL benefits during that period of time. Statutory short-term disability benefits and PFL benefits may not be used concurrently. If the employee is unable to work and qualifies for workers' compensation benefits, the employee may not use PFL benefits at the same time the employee is receiving workers' compensation benefits. The employee receiving reduced earnings may be eligible for PFL.



PFL may not be taken for any one (1) of, or for a combination of, the following reasons:

- For a birth mother's pregnancy or prenatal conditions;
- For the employee's own health condition; and/or
- For the employee's own qualifying military event.

### **Definition of a Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition, that involves inpatient care in a hospital, hospice, or residential health care facility; or continuing treatment or continuing supervision by a health care provider.

### **Use of Leave**

The employee does not need to use this leave entitlement in one (1) block. Leave can be taken intermittently in daily increments. Leave taken on an intermittent basis will not result in a reduction of the total amount of leave to which the employee is entitled beyond the amount of leave actually taken.

### **Employee Responsibilities**

The employee must provide 30 days' advance notice before the date leave is to begin if the qualifying event is foreseeable. When 30 days' notice is not practicable for reasons such as a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, the employee must provide notice as soon as practicable and generally must comply with Healthio's normal call-in procedures. Failure by the employee to give 30 days' advance notice of a foreseeable event may result in partial denial of the employee's benefits for a period of up to 30 days from the date notice is provided.

Employees must provide sufficient information to make Healthio aware of the qualifying event and the anticipated timing and duration of the leave. Employees must specifically identify the type of family leave requested. Employees also must provide medical certifications and periodic recertification or other supporting documentation or certifications supporting the need for leave. The employee requesting PFL must submit a completed Request for Paid Family Leave or PFL-1 form and additional certification form(s) as follows to Healthio's insurance carrier: 1) Bonding Certification: PFL-2 Form plus documentation; 2) Health Care Provider Certification: PFL-4 Form plus Personal Health Information (PHI) Release (PFL-3 Form); or 3) Military Qualifying Event: PFL-5 Form plus documentation. These documents are available from your supervisor or Insperity human resource specialist.

To submit a request for PFL, employees must complete the employee's portion of the insurance carrier's PFL-1 Form and submit it to Payroll and/or the Benefits Manager. Healthio will complete its section of the form and will return it to the employee within three (3) business days. If Healthio fails to respond, employees may submit all materials directly to the insurance carrier. Depending on the type of PFL leave employees are seeking, employees will be required to complete additional PFL forms as described in the communication that employees will receive from the insurance carrier. Employees must submit the completed PFL forms before or within 30 days after the start of their leave. The insurance carrier must pay or deny leave requests within 18



calendar days of receiving the employee's completed forms.

### **Job Benefits and Protection**

During any PFL taken pursuant to this policy, Healthio will maintain coverage under any existing group health insurance benefits plan as if the employee had continued to work. The employee must make arrangements with Benefits and/or Payroll prior to taking leave to pay their portion of any applicable health insurance premiums each month.

Healthio's obligation to maintain health insurance coverage ceases if the employee's premium payment is more than 30 days late. If the employee's payment is more than 15 days late, Healthio will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date.

Employees who exercise their right to PFL will, upon the expiration of that leave, be entitled to be restored to the position they held when the leave commenced, or to a comparable position with comparable benefits, pay, and other terms and conditions of employment. The taking of leave covered by PFL will not result in the loss of any employment benefit accrued before the date on which the leave commenced. While on PFL, employees will not continue to accrue sick or vacation time.

### **Leave Concurrent with FMLA**

Healthio will require the employee, who is entitled to leave under both the FMLA and PFL, to take PFL concurrently with any leave taken pursuant to the FMLA. When the total hours taken for FMLA in less than full-day increments reaches the number of hours in the employee's usual workday, Healthio may deduct one (1) day of PFL from the employee's annual available PFL.

### **Questions and/or Complaints About PFL**

If employees have any questions regarding this policy, they should contact your supervisor or Insperity human resource specialist. For additional information concerning leave entitlements and obligations that might arise when PFL is either not available or exhausted, employees should consult Healthio's other leave policies or contact Human Resources and/or Benefits and/or Payroll and/or the Benefits Manager. Healthio is committed to complying with the PFL and will interpret and apply this policy in a manner consistent with the PFL. Employees who disagree with a denial of their claim for PFL may submit their dispute to arbitration. Employees will be provided with information about how to request arbitration.

Employees are protected from discrimination and retaliation for requesting or taking PFL. If employees believe their rights have been violated and/or they have been denied job restoration as a result of requesting and/or taking PFL, they must send the Head of Human Resources and/or the Head of Benefits a formal request for job reinstatement using the Formal Request for Reinstatement Regarding Paid Family Leave (Form PFL-DC-119), which can be found in the forms section of <https://www.ny.gov/PaidFamilyLeave>. Employees must file the completed form with Healthio and send a copy to: Paid Family Leave, P.O. Box 9030, Endicott, NY 13761-9030.

If Healthio does not comply with the employee's request for reinstatement within 30 days, the employee may file a PFL discrimination complaint with the Workers' Compensation Board using the Paid Family Leave



Discrimination Complaint (Form PFL-DC-120), which is also available on the New York PFL website. Once the employee's complaint is received, the Board will assemble the employee's case and schedule a preliminary hearing in front of a workers' compensation law judge.



## **Section 8 - Texas Addendum**

### **8-1. Biometric Timekeeping - TX**

This policy applies to all employees of Healthio who, in the course of performing their regular job responsibilities, are involved in the collection, use, handling, safeguarding, storage, retention, and destruction of Biometric Identifiers and Biometric Information (collectively, "Biometric Data").

Healthio offers the convenience of a biometric timekeeping system that can collect images and/or features of your fingerprint to facilitate accurate and efficient time records of your work hours. The collected images and/or features of your fingerprint are referred to as "biometric data."

Upon your consent, your biometric data will be collected, stored and used by the company through your employment with Healthio to: (1) identify you; (2) record your work start and end times; and (3) process your pay. You will be asked to sign a Biometric Collection Consent form upon hire for this purpose. The company will not disclose, sell, lease or trade your biometric data for any other purpose.

Healthio will securely store your biometric data in the same manner as it stores other confidential or sensitive company information. Healthio prohibits the sale, lease or trade of Biometric Data. Healthio prohibits any disclosure of Biometric Data other than as permitted by this policy.

Your biometric data will be permanently destroyed after your employment with the company ends. Biometric Data in electronic form will be destroyed in a manner that renders the information irretrievable. Healthio's Human Resources and Information Technology departments shall be responsible for coordinating with the timeclock service provider.



## Handbook Acknowledgement

I acknowledge receipt of Healthio's Employee Handbook ("Handbook"). I understand this handbook contains information regarding the Company's rules and benefits which affect me as an employee.

I understand the Handbook is not a written employment contract for any specific term. My employment with Insperity is at-will. My employment with the Company is at-will unless an authorized employment agreement with Healthio provides otherwise.

I further understand that only Company authorized and designated Leadership personnel has any authority to change my at-will status or enter into any agreement guaranteeing employment with the Company for any specific period of time. I also understand that if any agreement is made, it will not be authorized and enforceable unless it is in writing and signed by both parties.

I also understand that an agreement made by designated Company Leadership personnel of Healthio is not binding on Insperity unless it is agreed to in writing by either the president or senior vice president of Insperity.

I understand, if requested by Healthio, I must repay the company any vacation/PTO used but not accrued at the time my employment ends, and I hereby authorize the company to deduct such amounts from my final paycheck to the extent permitted by law. I also agree that if requested, I will complete a new deduction authorization form to facilitate such deductions.

I understand that if I have any questions about the interpretation or application of any policies contained in the Handbook, I should direct these questions to the onsite supervisor.

I further understand the Company reserves the right to modify the policies and benefits in the Handbook at any time without notice.

My signature below acknowledges that I have received the Handbook and understand it is my responsibility to read and comply with all policies contained in this Handbook, including state specific addendums (if any), and any revisions made to it.

*Employee Signature:* \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Insperity Employee ID Number: \_\_\_\_\_

**Please sign and return one acknowledgment to your supervisor and retain the other for your records. A copy of this signed acknowledgment should be sent to Insperity.**

