

Employee Handbook

ABOUT THIS HANDBOOK

This Handbook, and any supplement or addendum, should help you understand what is expected from you, provide avenues to gather more information, and outline some of the advantages and benefits of your employment with Genesis Rehab Services® (hereinafter, "GRS" or "Company"). This Handbook is designed for use by employees of Genesis Rehab Services and Respiratory Health Services.*

This Handbook is not a contract for employment. The relationship between you and GRS is "at will" throughout your employment. This means that the employment relationship may be ended, at any time, by GRS or you, for any reason with or without cause or notice.

In situations where a provision of this Handbook conflicts with the specific provisions of applicable law or collective bargaining agreement, the provisions in the law or agreement will take precedence.

It is our intent to periodically update the Handbook. In the event that material changes are made, a copy of the addendum to the Handbook will be posted on the HR tab of RehabCentral, our company intranet. You must be connected to the Genesis network in order to access RehabCentral.

Policy and Procedure Manuals

Please remember, this Handbook contains only general guidelines and information. It is not intended to be comprehensive or to address every possible application of, or exception to, the general policies and procedures described. You should contact your supervisor or Human Resources for specific information relating to GRS policies and procedures. In the event of a conflict, the Company's Policy and Procedure manuals and Benefit Summary Plan Descriptions take precedence.

In addition, the policies, procedures, practices, and benefits described in this Handbook may be modified or discontinued over time. Every attempt will be made to inform you of any changes as they occur. However, it is your responsibility to keep current on all GRS policies and procedures.

Working for GRS' Customers

GRS provides services to many different private customers, and as an employee of GRS, you may be assigned to work in a customer's facility. It is common for our private customers to have policies, procedures, and practices that are different than our own. Those expectations are not covered in this Handbook. Because we are a guest in our customers' facilities, it is customarily expected that those working in our customers' facilities become familiar with and comply with their policies, procedures, and practices as well as our own. For example, you may be working in a facility that upholds a dress code that is more conservative than the GRS dress code. In that case, you would likely be expected to comply with the customer's more conservative dress code. If you are uncertain about which policies, procedures, and practices you are expected to follow, or if you believe there is a conflict between the expectations of GRS and the expectations in a customer's facility, you should speak to your supervisor for clarification.

** Genesis Healthcare employees working in a rehab setting in the state of New Mexico should refer to this handbook.*

ADDITIONAL RESOURCES

This Handbook is a valuable resource and is intended to provide you with an overview of the many aspects of employment with GRS. While reviewing your Handbook, you'll notice symbols next to many topic headers. This indicates that more information is available to you. The legend below describes each symbol and explains where you can go to obtain additional information.



Our company intranet, RehabCentral, contains a wealth of information and is updated regularly. When you see this symbol, you can find more information about a topic on RehabCentral (or RC). To access RehabCentral, visit <http://rehabcentral.genesishcc.com> from any computer connected to the Genesis network.



Your GRS Human Resources team is available to assist and support you throughout your employment. When you see this symbol, contact HR for additional information. If you're not sure who to contact, you can find the HR Directory on RehabCentral under the HR tab.



Many of the topics outlined in this Handbook have corresponding policies and procedures that contain further details. When you see this symbol, make sure to reference the applicable policy(s). To access Rehab Services Policies & Procedures Manual on RehabCentral, visit the P&Ps tab.

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ABOUT GENESIS REHAB SERVICES

Genesis Rehab Services is the leading provider of physical therapy, occupational therapy, speech therapy, respiratory therapy, and wellness services for the older adult population. As one of the largest and strongest rehab organizations in the country, GRS partners with skilled nursing centers, assisted living facilities, independent living facilities, hospitals, home health companies, adult day care programs, and outpatient clinics to provide comprehensive therapy services.

Genesis Rehab Services, through Respiratory Health Services, provides a variety of treatment options for patients with respiratory and cardiopulmonary disorders.

Vitality to You, offered by Genesis Rehab Services, allows patients to continue their medically-necessary outpatient rehabilitation therapy services in their most comfortable and functional environment – whether in their home, neighborhood or community.

GRS Academy provides education and training services to GRS' international employees and partners.

GRS is proud to be part of Genesis HealthCare® (GHC), one of the nation's largest providers of post-acute and long term care services.

Our Mission

We improve the lives we touch through the delivery of high-quality health care and everyday compassion.

Our Vision

Genesis Rehab Services will be the premier physical, occupational, speech, and respiratory therapy provider for the adult population by delivering remarkable outcomes and experiences.

Our Core Values

- *Care & Compassion* for every life we touch
- *Respect & Appreciation* for each other
- *Teamwork & Enjoyment* in working together
- *Focus & Discipline* on improving the quality of care
- *Creativity & Innovation* to develop effective solutions
- *Honesty & Integrity* in all dealings

Living the Promises at GRS

GRS supports an innovative, dynamic culture where ethical and compassionate people work together to achieve clinical excellence. Our goal is to create remarkable experiences for our patients, their families, our customers and each other. In order to promote and sustain our culture, GRS asks all employees to uphold a set of Promises.

Employee Promises

be ethical

I will always act with integrity and honesty, and expect others to do the same. I will ensure my actions comply with the standards set forth by our Policies and Procedures Manuals and the GRS Employee Handbook.

be respectful

I will treat others in the way I would like to be treated. I will appreciate and respect others' beliefs, and I will cherish our diversity.

be accountable

I will take responsibility for myself in my actions and my quality of work. I will hold others to those same standards.

be actively engaged

I will make a conscious effort to be an active part of our community. I will check email and RehabCentral regularly to keep up-to-date on important information. I will be aware of the numerous resources available to me as an employee.

take pride in my work & my company

I will be proud of the work I've done each and every day. I will always represent my company in a positive, professional manner both inside and outside of work.

embrace change

I understand that change is a necessary part of life. I will approach change with a positive attitude and will work with my team members to overcome any obstacles associated with change.

communicate compassionately

I will communicate in an appropriate, professional and timely manner. I will strive to be an active listener by making an effort to hear not just the words another person is saying but, more importantly, understand the total message being conveyed.

strive for excellence

I will continuously work to grow and develop myself as an employee. I will ask for assistance if I need it, and I will be open to receiving feedback from my manager.

celebrate

I will contribute to a positive work environment where my team members and I enjoy coming to work and celebrating each other's successes.

Manager Promises

be ethical

I will lead by example by always acting with integrity and honesty. I will expect the same of my staff and team members. I will ensure my actions comply with the standards set forth by our Policies and Procedures Manuals and the GRS Employee Handbook.

be respectful

I will treat others in the way I would like to be treated. I will appreciate and respect others' beliefs, and I will cherish our diversity.

be accountable

I will take responsibility for myself in my actions and my quality of work. I will hold others to those same standards.

be actively engaged

I will make a conscious effort to be a leader in our community. I will actively check email and will check RehabCentral regularly to keep up-to-date on important information, and I will encourage my staff to do the same. I will be aware of and utilize the numerous resources available to me as a manager and an employee.

take pride in my work & my company

I will be proud of the work I have done each and every day. I will always represent my company in a positive, professional manner both inside and outside of work.

embrace change

I understand that change is a necessary part of life. I will approach change with a positive attitude and a determination to succeed, and my actions will serve as an example for my staff. I will attentively guide my staff through changes and support them in overcoming obstacles.

communicate compassionately

I will communicate in an appropriate, professional and timely manner, and I will provide explanations along with my instructions. I will promote open, two-way communication between employees at all levels. I will strive to be an active listener by making an effort to hear not just the words another person is saying but, more importantly, understand the total message being conveyed.

be supportive & approachable

I will offer encouragement and support for my staff and will be constructive when giving feedback. I will view mistakes as opportunities to teach, not to criticize. I will regularly round with my staff on a one-on-one basis to discuss what is going well and what is not, and I will attentively respond to concerns.

facilitate growth

I will encourage growth for my staff, my company and myself. I will help my staff work toward their professional goals by showing them the abundant resources our company has to offer. I, too, will work to further develop myself as a leader and a professional. I understand that by fostering an environment where employees can grow, I will be developing the future leaders of the organization who will be vital to the successful growth of the company as a whole.

celebrate

I will contribute to a positive work environment where my team members and I enjoy coming to work and celebrating each other's successes.

YOUR FIRST 90 DAYS

New Employee Orientation



As a new member of the GRS team, you can expect a thorough orientation to your new role within our company. Your orientation is a critical part of establishing successful, productive working relationships. Most of your orientation will be coordinated by your direct supervisor.

Introductory Period



As a full-time or part-time employee, you will have the opportunity to decide if we provide the right work environment for you during your first 90 days of employment. At the same time, we will evaluate your performance to ensure we are building a team of skilled, dedicated, and compassionate employees. This 90-day period is known as your introductory period.

As you near the end of your introductory period, your supervisor will prepare a performance evaluation and review your performance with you. If your performance meets or exceeds standards, your supervisor will advise you that your introductory period has been successfully completed. If your performance has been marginal, your supervisor may extend your introductory period as part of a performance improvement plan or, alternatively, may decide not to continue your employment. Although introductory period activities are a foundation of your employment with GRS, successful completion of the introductory period is not a guarantee of employment in the future and your employment remains “at will.”

Employees who transfer or are promoted into new positions will be afforded a similar 90-day introductory period to become familiar with their new job duties and to demonstrate their potential for success in the new position.

MUTUAL RESPECT

You and your fellow employees are GRS. Mutually respecting one another without regard to title, position, or role by listening, acknowledging differences, and behaving professionally is vital.

At GRS, we expect all employees to live the Core Values and GRS Promises. Our success is dependent on the relationships each of us establish with patients, residents, family members, vendors, visitors, and other employees.

Manager's Role and Responsibility



It is the responsibility of all levels of management to achieve excellence by hiring the best talent and driving results by managing the work at hand and leading to exceptional performance.

Your supervisor will communicate with you regularly to set expectations, coach for outstanding performance, recognize your accomplishments, develop your job knowledge and skills, and provide feedback so you understand your strengths and opportunities for improvement.

Employee's Role and Responsibility

Your responsibility as a GRS employee is to provide excellent customer service in a caring, compassionate, and professional manner.

Customer Service

You are the face of GRS. Regardless of your job role, it is very important that you provide excellent customer service to everyone – patients, residents, family members, facility staff, and your fellow employees.

You should always strive to:

- Live the GRS Promises and Core Values
- Provide quality care
- Be respectful, friendly, and considerate
- Cooperate and find ways to achieve positive outcomes
- Build relationships

SAFETY

Resident Abuse Prohibition

All GRS employees are responsible for the safety and protection of the residents and patients in their care. This is a legal requirement. Anyone who witnesses or suspects abuse, neglect, misappropriation, or a crime is required to immediately report it to a supervisor, administrator, or member of management. Failure to do so may result in discipline, up to and including termination of employment.

Abuse is defined as the willful infliction of injury, unreasonable confinement, intimidation, or punishment with resulting physical harm, pain, or mental anguish.

Types of abuse include:

- **Verbal Abuse:** Use of oral, written, or gestured language that willfully includes disparaging and derogatory terms to patients, residents, and/or their families, directly or within hearing distance, regardless of their age, ability to comprehend, or disability
- **Sexual Abuse:** Sexual harassment, sexual coercion, or sexual assault
- **Physical Abuse:** Hitting, slapping, pinching, and kicking; also includes controlling behavior through corporal punishment
- **Mental Abuse:** Humiliation, harassment, threats of punishment, or deprivation
- **Involuntary Seclusion:** Separating a patient or resident from other patients or residents or his/her room against the patient's or resident's will or the will of his/her legal representative
- **Misappropriation of Patient or Resident Property:** Deliberate misplacement, exploitation, or wrongful temporary or permanent use of a patient's or resident's belongings or money without the patient's or resident's consent

Neglect is commonly defined as failure to provide goods and services necessary to avoid physical harm, mental anguish, or mental illness.

All employees will receive annual training on Abuse Prohibition in accordance with their state specific regulations.

Elder Justice Act

The Elder Justice Act requires that certain covered individuals in federally funded long-term care facilities timely report any reasonable suspicion of a crime committed against a resident of the facility.

A covered individual may be:

- A full-time, part-time, or casual employee regardless of his/her position at the center and/or gym
- A manager, director, or VP
- A temporary employee or a consultant
- A vendor, agent, or contractor
- A physician or a nurse practitioner

Under the Act, every GRS employee is strictly obligated, under both federal law and our Compliance and Ethics Program, to report a suspicion of such a crime. Failure to report a suspicion of a crime can place a covered individual at risk of losing a professional license, possible severe civil monetary fines, and/or disciplinary action by GRS - including possible termination.

If you see or hear about a possible criminal action against a patient or resident, you must immediately:

- Directly contact the state survey agency and local police. A group of employees may also report suspicion of a crime jointly. If you do make direct contact, you must immediately inform your supervisor or department head.
- Alternately, you may report a suspicion to your facility's Administrator or Director of Nursing, your Clinical Operations Area Director, supervisor or your department head, who will then contact the state survey agency and local police.

Time is of the essence and quick action is required:

- If the suspicion results in serious bodily harm to the patient, including sexual abuse, you must report it **no later than 2 hours** after forming a suspicion.
- If the suspected crime does not appear to cause serious bodily harm to the patient, **you must report it within 24 hours** of forming the suspicion.

In accordance with the law, GRS prohibits retaliation or punishment of any employee who lawfully reports suspicion of a crime. You have the right to file a complaint with the state survey agency if you feel that the Company has retaliated against you.

Safe Resident Handling



The Safe Resident Handling (SRH) program integrates the use of equipment and other assistive devices in the processes of lifting, transferring, and repositioning. The SRH program reduces not only injuries experienced by employees while performing their job duties, but also reduces injuries experienced by patients such as skin tears, bruising, fractures, and falls resulting from manual and/or improper lifting techniques.

Participation by gym or center-based employees is required by policy to ensure the safest environment for our patients and employees.

Zero Tolerance for Violence



Your safety, and the safety of those in our care, is paramount. As a result, we have adopted a zero tolerance policy on workplace violence and/or threats of violence. GRS will not tolerate any physical, verbal, or mental abuse or intimidation of residents, patients, employees, visitors, vendors, or volunteers. We do not tolerate fighting (physical or verbal) or disorderly conduct on the job. In addition, we prohibit the possession of firearms, knives, or any other weapon on company property, or while conducting business on behalf of the Company.

Any employee who instigates or participates in workplace violence will be subject to the disciplinary process. If you believe you are a victim of workplace violence or if you suspect or witness an act of violence, you must report it immediately through the channels described in the Problem Resolution Procedure section of this Handbook.

Identification Badges



It is important for residents, customers, co-workers, and visitors to quickly identify you as a GRS employee and as someone they can call on for help. All GRS employees are issued a photo identification badge. Upon hire, your supervisor will print out a temporary badge for you to wear until your permanent badge is available. Your identification badge must be worn while on duty using a lanyard or clip (no pins) with your name and photo clearly visible to others. If you lose your photo ID, notify Human Resources immediately to obtain a replacement. Please note: GRS employees who work for a private customer may be required to wear a badge issued by the customer in lieu of or in addition to their GRS badge.

Dress Code and Grooming



The GRS dress code projects the professionalism, respect, and dignity with which we provide the highest quality care. Employees are required to adhere to the following dress code:

- Attire must be clean, in good repair, and reflective of professional standards encouraged by the department.
- Attire must be properly fitted and of appropriate length to avoid restricted or unsafe movement or inappropriate personal exposure.
- An identification badge must be worn while on duty or any time an employee is present at the workplace.
- Hair styles and hair color are expected to be conservative and in good taste.
- Fingernails must be clean and well-manicured.
- Jewelry must not interfere with patient or employee safety.

- Employees performing direct patient care activities must wear shoes that have a closed toe, a closed heel, and are slip resistant.

We reserve the right to ask you to change your attire, cover body art, or remove jewelry if it is not appropriate or is deemed in any way to be a potential safety or infection control risk. GRS employees reporting to work improperly dressed may be sent home by their supervisor. Every effort will be made to accommodate employees' religious beliefs and practices. Please note: GRS employees who work for a private customer will generally be required to adhere to the customer's dress code in addition to the GRS dress code.

COMMUNICATION

GRS employees are located in a number of states across the country, so we use a variety of ways to communicate important information to you.

Email/Internet

Most GRS employees are granted access to the internet and are provided with their own GRS email account. It is the company's expectation that you check your GRS email on a daily basis during work hours. However, it is important to remember that email cannot be used to transmit protected health information (PHI) as this may be considered a HIPAA violation. It is also expected that you use your own professional discretion while using email and the internet – they are provided to you so that you can more easily do your job and to keep up to date with the happenings of the company. Please keep in mind these tools are not intended for personal use, although some limited personal use during non-working time is permitted.

GRS reserves the right to monitor all system activities and provide as evidence information regarding any criminal, unlawful, or other behavior that is in violation of the company's policies. By using the Genesis systems, you expressly consent to such monitoring.

RehabCentral

RehabCentral, our company intranet, contains a wealth of information including the latest company news, important announcements, resources, and information relating to the various departments within GRS. You can access RehabCentral by going to <http://rehabcentral.genesishcc.com> on any computer connected to the Genesis network.

Each department has a "tab" at the top of RehabCentral. To view the department information you are seeking, simply click on the tab name or use the "search" function at the top right corner of the screen. RehabCentral also celebrates employee and/or team accomplishments. It is expected that you check RehabCentral on a weekly basis during work hours to familiarize yourself with the latest news and innovations.

Bulletin Boards

Many work sites have department bulletin boards where you can find important announcements for all staff.

If you are located within a Genesis HealthCare owned facility, you will have access to "VitalLink." VitalLink is a bimonthly communications board with news and happenings throughout Genesis HealthCare and its affiliates.

Phone and Video Conferences

GRS employees are dispersed throughout the country, so phone and video conferences play an important role in our company communications.

While some staff meetings are held in person, many meetings are also conducted via conference calls during work hours. How your department's meetings are held will depend on your work location. Check with your supervisor for further information.

Employee Surveys

Your overall job satisfaction is very important to us. Confidential employee surveys are conducted on a regularly scheduled basis. Human Resources, Operations, and Clinical Services will work together to develop a plan to address the priority concerns identified by employees and will communicate a summary of the results to staff, where appropriate.

SUPPORT

We expect our managers to have an "open door" policy. Freedom to talk openly with your supervisor is essential to a productive work environment and to your satisfaction while working at GRS. Although most concerns are solved on an informal basis with your supervisor, formal processes are available to resolve difficult problems. If you have any form of complaint/dispute concerning your employment or wish to contest any disciplinary action, please use the following procedure.

Problem Resolution Procedure

We understand that problems may sometimes arise in the workplace. If you find that you are faced with an issue, follow the Problem Resolution Procedure outlined below.

1. Give notice of the complaint, concern or issue to your immediate supervisor as soon as you can after its occurrence. Your supervisor will discuss the problem with you in a private interview. The supervisor shall take whatever action is deemed reasonable to settle the complaint.
2. If you do not feel comfortable bringing your concern to your direct supervisor or do not agree with your supervisor's response, you may discuss the issue with your next-level manager(s) in an attempt to resolve the issue.
3. If you are unable to resolve the issue with management, you may contact GRS Human Resources for assistance. Please refer to the HR tab on RehabCentral for the GRS HR Directory.
4. If you are unable to resolve your issue in the preceding steps, you may give written notice of your concern to the Vice President of Human Resources for GRS.

Genesis Rehab Services
Attn: VP of Human Resources
101 East State Street
Kennett Square, PA 19348

5. If you are still unable to resolve your issue, you may call the Reach Out Line at 1(800) 893-2094.

No manager may place an employee at a disadvantage or retaliate against an employee lodging a complaint or an appeal of disciplinary action. Any substantiated allegation of retaliation will result in disciplinary action.

We understand that it takes courage to voice your concerns up through the organization. Although confidentiality cannot be guaranteed, we will investigate and address issues in a discrete and professional manner.

We are here to listen to your concerns and address them promptly and appropriately. Effective problem resolution is important in all employment and customer service interactions.

Employee Assistance Program

The Employee Assistance Program (EAP) offers confidential telephone assessment and referral services to help full-time employees and their eligible dependents successfully manage life's problems. Your EAP counselor will listen to your concerns and work with you to find practical solutions. You can turn to your EAP for help with issues that interfere with your personal or work life, such as stress management, marital or relationship issues, parenting, depression, grief or loss, alcohol and drug problems, child or elder care, and financial concerns. The EAP counselors are available 24 hours a day, 7 days a week. Most importantly, the EAP is strictly confidential. You may contact the EAP Hotline directly at (877) 240-6863.

Genesis Employee Foundation

The Genesis Employee Foundation (GEF) is an independent charitable 501(c) (3) organization primarily funded by Genesis employee contributions and established to support the employees of Genesis. The GEF responds to employees whose financial situation has been severely impacted by circumstances such as natural disasters/fire, burial expenses for loved ones, domestic violence, and unforeseen medical emergencies. To request assistance or to arrange for your own contributions to the GEF, please go to the GEF website at <http://www.genesisemployeefoundation.org>.

PEER Program

The PEER Program enables employees to donate vacation time to co-workers who are absent due to a personal or medical emergency and have exhausted all available paid time off.

Employees who wish to donate or become a PEER recipient should go to the PEER Program page on the HR tab of RehabCentral to obtain the required forms. PEER time may not be donated after a resignation is given. Employees in the notice period for a contract closure or position elimination are eligible to participate in the PEER program.

Income and Employment Verifications



GRS provides income and employment verification through Thomas & Company, a third party service provider. This automated service enables you to give third party verifiers (such as a mortgage broker or social services agency) instant and private access via the web or telephone to your employment or income information.

GRS policy limits employment references to a verification of title and dates of employment. Some states require health care employers to provide more detailed employment information. In these states, a written request, with your signature of authorization, must be provided to Human Resources before GRS will release prior or current employment information.

COMPLIANCE AND ETHICS

Code of Conduct



Genesis has a Code of Conduct that provides an ethical and legal framework for business practices and conduct to which all Company employees must adhere. The basic premise is summarized as follows:

Genesis is committed to the delivery of high quality health care services. To achieve this goal, it is the policy of Genesis to conduct all business affairs with the highest level of integrity. Genesis requires that every employee strictly comply with all applicable laws and regulations. The Genesis Standard of Conduct applies to all aspects of operations including patient and resident care, billing and maintenance of accurate corporate records, business conduct and all other facets of the Company's operations.

The majority of our Genesis employees are primary caregivers who provide direct care or services for the elderly. Our responsibility to our patients and residents requires a very high standard of performance from our employees. Therefore, conduct that limits, restricts or interferes with our ability, or another person's ability, to respond to our patients' or residents' needs is unacceptable. These values are discussed in detail in the Code of Conduct. Employees are expected to fully adhere to the Code of Conduct, and report issues of concern in a timely manner. Within 30 days of hire and annually, each employee must certify receipt, understanding, and agreement to abide by the Code.

Deficit Reduction Act



The Deficit Reduction Act (DRA) of 2005 requires employers to provide employees with information about both the False Claims Act and other laws, including state laws, dealing with fraud, waste, and abuse. Key elements of the False Claims Act include the following:

- The Act provides for penalties and triple damages for anyone who knowingly submits or causes the submission of false or fraudulent claims for government funds or property
- A person with evidence of fraud, also known as a whistle-blower, is authorized to file a case in a federal court
- It is against the law for an employer to fire or harass a whistle-blower who makes a protected disclosure

To ensure compliance with such laws, the Genesis Compliance and Ethics Program helps us to detect and prevent fraud, waste, and abuse. It also supports the efforts of federal and state authorities in identifying incidents of fraud and abuse.

You may contact the Corporate Reach Out Line directly at (800) 893-2094.

Genesis Compliance and Ethics Program

“Honesty and integrity in all dealings” is a Core Value at Genesis. The Genesis Compliance and Ethics Program empowers you to prevent, detect, and report any conduct or action which fails to comply with applicable laws or which fails to satisfy the Genesis Code of Conduct.

Upon hire, every employee is required, as a condition of employment, to complete training on the Genesis Compliance and Ethics Program and the Code of Conduct, after which an annual Code of Conduct certification is required. All Genesis employees must promptly report any actual or suspected compliance and ethics issues.

You have multiple options for reporting any actual or suspected compliance and ethics issues:

- Directly to your supervisor (manager)
- Directly to another member of the management team
- Directly to a member of your area, corporate, or regional leadership team or Compliance Liaison
- Directly to the Compliance Officer via the Corporate Reach Out Line at (800) 893-2094

We are highly committed to the Compliance and Ethics program. We prohibit retaliation against any employee who reports what was reasonably believed to be an act of wrongdoing or violation of the Genesis Code of Conduct.

Visit the Compliance Tab at <http://central.genesisihcc.com> for more information.

Corporate Reach Out Line

As part of the Genesis Compliance and Ethics Program, you are required to report any conduct or action which fails to comply with applicable law or which fails to satisfy the Genesis Code of Conduct. You may contact the Corporate Reach Out Line directly at (800) 893-2094 at any time if you have any compliance questions or concerns. You will receive training annually on the Genesis Compliance and Ethics Program and the Code of Conduct.

Any employee who is uncertain whether a particular situation is a compliance issue may discuss the issue with his or her supervisor, Compliance Liaison, or HR representative.

Employees may file reports anonymously, but must provide enough information to start the investigation process. Employees may make reports without fear of reprisal, retaliation or punishment for reporting. Anyone, including a supervisor, who retaliates against an employee for reporting an issue, will be disciplined, including possible termination.

COMPENSATION

Employee Classification



Employees are classified into one of three categories; full-time, part-time, or casual.

- **Full-time:** Scheduled to work at least 30 hours per week in a regular work assignment.
- **Part-time:** Scheduled to work at least 15 hours per week but less than 30 hours per week in a regular work assignment.
- **Casual:** Scheduled to work less than 15 hours per week in a regular work assignment.

Pay Classification



Employees are classified as either exempt (salaried) or non-exempt (hourly) in accordance with Fair Labor Standards Act (FLSA) regulations. Exempt or non-exempt status determines how you are paid and the benefits you will receive.

Exempt employees must be given credit for working an entire day or, alternatively, for being absent an entire day. The pay of exempt employees is not conditioned on the amount of time worked during each work day. An exempt employee, however, is expected to work “core business hours” as established by his/her supervisor. Non-exempt employees must be paid for all hours worked, including overtime, even if the time is not scheduled or authorized by a supervisor. Additionally, non-exempt employees are eligible for overtime pay.

Employment Status Changes



As a result of the Affordable Care Act, there are implications when a full-time employee experiences a change in status to part-time or casual. Employees in this situation retain eligibility for medical and HSA coverage until the end of the calendar year effective the date of their status change (they do not retain eligibility for FSA, dental and vision coverage unless they elect COBRA). Eligibility for all other benefits is based upon employee classification (part-time or casual). Change in employment status (full-time to part-time or casual) is no longer considered a qualifying event for COBRA for medical coverage.

An employee's current medical and HSA coverage will continue at the time of status change unless the employee notifies Corporate Benefits Services within 30 days of the effective date of the status change by submitting a completed *Rescission of Medical Benefits Attestation Form*. Employees can access this form on the Forms tab of RehabCentral or by contacting Human Resources.

Recording Time Worked



Depending on your job role, you may be using one of the following time-keeping systems: GenSTAR, TeleTime or Kronos.

Per federal and state regulations, if you are a non-exempt employee, you are required to accurately record **all** of the hours you work.

It is imperative to record your time accurately and obtain the necessary approval when changes to your schedule occur to ensure you are paid for all hours worked.

Employees who fail to accurately record time worked, who start late or leave early, or who do not have overtime approval by their supervisor may be subject to disciplinary action, up to and including termination of employment.

Meal and Break Periods



GRS wants to ensure you are given the opportunity to take a break during your daily schedule. Unless state law indicates otherwise, company policy requires non-exempt employees who work more than six (6) hours to receive one 15-minute paid break (if time permits) and a 30-minute uninterrupted, unpaid meal break.

Breaks may not be taken in work areas, and food and drinks may only be consumed in designated areas. This is particularly important for safety and infection control.

Although all breaks, paid and unpaid, are generally pre-scheduled by your supervisor, you are required to check in with your supervisor before you leave for your break to ensure the care process is uninterrupted. If you are non-exempt, you will be required to clock out for your 30-minute meal break and clock back in after your break is finished or record in GenSTAR depending upon your time record requirements. Your supervisor can provide additional information on recording time requirements.

Paid breaks may not be added to unpaid meal breaks or accumulated for later use.

GRS understands that situations arise where you may not be able to take a meal break, or your meal break is interrupted. In these situations, it is your responsibility to immediately communicate to your supervisor that you need to work through your meal break. Your supervisor must approve this request, and if you work through your meal break, you will be paid for this time, in compliance with state guidelines.

Overtime



Non-exempt employees are entitled to overtime compensation at the rate of one and one-half times their regular hourly rate for overtime hours or as otherwise required by federal and state law. Permission to work overtime must be approved in advance by your direct supervisor, except in certain situations when unapproved overtime is necessary to maintain patient safety. Employees will be paid for all overtime worked, even if unapproved. Paid time off is not included in determining eligibility for overtime.

Your Pay



Your pay is released only on regularly scheduled paydays, generally Fridays, according to the schedule for your department. Please contact Human Resources for information regarding your pay period and pay dates.

If you have questions or if you do not think your pay is accurate, please contact Human Resources for assistance.

Job Description



Your supervisor will review your job description with you upon hire, when you are transferred or promoted into a new position, or when the job description is changed or updated. You will be asked to sign your job description, and a copy will be maintained in your personnel file.

If you have any questions about your job description or need accommodations to perform the essential functions of your job, it is important to discuss this with your supervisor.

Job Code and Job Grade

GRS strives to maintain competitive wage and benefit packages and to administer them consistently across our organization. Each job or position at GRS is assigned a unique job code. Job codes, in turn, are given a job grade based upon the skills, knowledge and abilities required to perform the job.

Changing Your Employee and/or Pay Classification

When an employee transfers or is promoted into a different employee classification or pay classification, eligibility for benefits may change. If your benefit eligibility changes, you will be required to complete a new *Benefit Election Form* within 30 days of the change to confirm your benefit elections. When this occurs, you should discuss with Human Resources how the classification change will impact you.

Performance Evaluations

It is important to us that you know how you are doing as a member of the GRS team. Most employees receive a performance evaluation at the end of their 90-day introductory period and on an annual basis thereafter. The performance evaluation process is an opportunity for you and your supervisor to talk openly about how each of you feels you are doing in your position and to set performance and development goals for the upcoming year.

You will be asked to provide your comments in the employee comment section and then sign your performance evaluation to acknowledge that you have received a copy. This review will become part of your employee file.

Wage and Salary Increases

For most employees, wage and salary increases, also known as merit increases, are awarded annually in conjunction with the performance evaluation process. Increases are at GRS' discretion and are dependent upon your level of performance and the achievement of annual goals set by your supervisor. In some instances, employees may receive an across-the-board increase in lieu of a merit increase.

Employee Job Transfers

Promotions, lateral moves, and downgrades are considered employee job transfers. An employee must have at least six months in his/her current position (in good standing) before he/she is eligible for a transfer unless both the hiring manager and current manager are in agreement that the transfer is in the best interest of the organization.

A promotion occurs when an employee transfers into a position with a higher grade level. A lateral move occurs when an employee transfers into a position that has the same grade level. It may be the same position at a different location, or a new position within the same grade. A downgrade occurs when an employee transfers into a position that has a lower grade level.

Employee job transfers may receive pay adjustments based on the responsibilities of the new position, local pay rates, and pay practices. When an employee transfers to a new position, the originating manager should complete a performance evaluation for the transferring employee and may recommend a pro-rated merit increase. Promoted employees may also receive a promotional increase in accordance with established promotional increase guidelines.

Employees interested in transferring should review the internal job postings (see Job Postings section of this Handbook), complete the *Employee Application for Transfer* form, submit the form to their supervisor and follow the process outlined in the form. The *Employee Application for Transfer (Form and Process)* can found on RehabCentral under HR > Forms.

BENEFITS

Benefits Package



At GRS, we strive to provide our employees with a comprehensive and affordable benefits package. We care about our employees' health and wellness and offer a wide variety of benefits including medical, dental, vision, and life insurance coverage as well as paid time off.

Factors such as pay classification, job grade, and length of service determine benefit eligibility.

Employees eligible for benefits must make their elections within 30 days of their eligibility date and/or change of status and annually during open enrollment. For detailed benefits information, please refer to your Benefits Guidebook or contact Human Resources.

Paid Time Off Benefits



You are a dedicated and respected member of our team. We understand that you will be at your best when you are able to meet your personal needs and enjoy regular rest and relaxation. GRS offers paid time off to employees based on applicable state law, employee classification, grade level, pay classification, length of service, and hours worked. Please contact Human Resources to discuss these benefits.

Jury Duty



Full-time and part-time employees are eligible for jury duty leave. We support the need to fulfill your civic duty and will accommodate you accordingly. If you are called for jury duty, GRS will provide full pay for standard hours the first 10 days of jury duty service on a scheduled work day. After the first 10 days, GRS will pay the difference between jury duty pay and your base pay for time spent serving on jury duty on a scheduled work day. There is no waiting period for this benefit. Jury duty pay does not include time off requested for personal legal matters.

Bereavement



Our employees' families are very important to us. We recognize how difficult it is to lose a loved one. Full-time employees may use up to three (3) days or a maximum of 24 hours of paid bereavement leave for the death of a spouse/domestic partner, child, grandchild, parent, sibling, or grandparent, including step and in-law relatives. Paid time off may be used for additional time off with approval from your supervisor.

Leaves of Absence (LOA)



GRS provides different types of leaves for family, medical, and personal reasons. These different types of leaves are described in this section.

Employees are generally eligible for leaves of absence if they have completed at least one year of service, unless otherwise specified by state or local law. As a responsible employee, you must provide 30 days advance written notice to your supervisor when the need for the leave of absence is foreseeable. If the leave of absence is not foreseeable, you are expected to notify your supervisor as soon as possible.

If you require a leave due to your own serious medical condition, an *Attending Physician's Fitness for Duty Recommendations* form must be provided to your HR Generalist before you return to work/duty.

Employees are not permitted to work for any other employers (except for military service) while on a leave of absence unless specifically permitted.

In some cases, it may become necessary to replace an employee who is absent for a non-FMLA leave of absence. In this case, the employee will be given the opportunity to return to work before his/her position is filled or to apply for an open position within the company for which the employee is qualified.

Family and Medical Leave Act (FMLA)

FMLA allows employees to balance their work and family life by taking leave for certain family and medical reasons. In order to be eligible for an FMLA leave, you must have been employed by GRS for at least 12 months and have worked 1,250 hours during the past 12 months.

Reason	Maximum Duration of Leave
Your own serious health condition	12 weeks
Birth of a child and to bond with the newborn child	12 weeks
Placement of a child with you for adoption or foster care and to bond with that child	12 weeks
To care for an immediate family member with a serious health condition	12 weeks
To respond to an urgent situation arising out of a covered family member's active duty or call to active duty	12 weeks
To care for a covered family member who has incurred an injury or illness while on active duty in the Armed Forces	26 weeks

Employees who have been absent from work for four (4) or more consecutive scheduled days for an FMLA qualifying event and are eligible for FMLA will be placed on an FMLA leave. Please notify both your supervisor and Human Resources to obtain the required paperwork as soon as you become aware of the immediate or impending need for a leave of absence.

When the leave of absence is foreseeable, a written request for a leave of absence should be submitted on the *Employee Request for Leave of Absence* form as soon as practical to your supervisor and Human Resources stating the reason for the request and expected dates of absence. Additionally, you will be required to support your request for leave by providing a medical certification form appropriate for the type of leave. Certification documents must be returned within 15 days after being provided to the employee. Failure to provide adequate certification may be grounds for delaying or denying approval of a requested leave.

FMLA leave runs concurrently with certain other Worker's Compensation and state leaves. In appropriate circumstances, FMLA leave may be taken intermittently.

Employees on a qualifying FMLA leave of absence will normally be returned to the same position and conditions of employment as before the leave began. An employee who is on an approved intermittent leave of absence may be temporarily transferred to an available alternative position which better accommodates the employee's planned medical treatment and which has equivalent pay and benefits. State or local leave laws, if applicable, may expand or extend the FMLA benefits.

Additional leave may be granted to employees who are not able to return to work after their FMLA leave has exhausted. Employees are expected to provide appropriate documentation from their health care provider, military, or other documentation appropriate for the type of medical leave. Based upon individual need, additional leave may be granted.

For additional information about your rights and obligations, contact Human Resources.

Personal Leave of Absence

We recognize that some employees may need to attend to personal or medical matters, but are not eligible for an FMLA leave or have exhausted their FMLA entitlement. To accommodate employees who fall into this category, GRS offers Personal Leaves of Absence. Employees requesting a Personal Leave of Absence related to their own serious health condition or to care for an immediate family member with a serious health condition will be expected to provide appropriate documentation from their health care provider to support the request for leave.

In some cases, it may become necessary to replace an employee who is absent for a non-FMLA leave of absence. In those cases, the employee is given the opportunity to return to work before his/her position is filled or to apply for an open position within the Company for which the employee is qualified, when available to return to work. Please notify both your supervisor and Human Resources immediately to obtain the required paperwork.

Educational Leave of Absence

In some circumstances, GRS offers an educational leave of absence for employees to further their education while retaining their employment. Please contact Human Resources or visit RehabCentral for more details.

Military Leave of Absence

Any annual commitment to reserve active duty or a call to full active duty constitutes a Military Leave, and employees will be granted such Military Leave in compliance with all applicable state and federal laws. Employees are requested to utilize the *Employee Request for Leave of Absence* form and attach a copy of their military orders to the application. Upon return from military service, an employee is entitled to be restored to the same or comparable position. However, you must provide timely notice to the Company regarding your desire to return to the Company following your commitment.

Any employee returning from military service shall be entitled to any increases in salary (including cost of living increases), benefits, or any advance in grade which would normally be accorded to a person in this position.

Workers' Compensation



Your safety in the workplace is paramount. You will receive annual training on safety topics which provide information intended to protect you and your fellow employees from workplace injury and illness.

On occasion, however, workplace accidents do occur. Employees are required to report any work-related injury to their supervisors immediately. The employee and supervisor must complete an *Employee Incident Report* for all work-related accidents, no matter how minor.

Should time off be required, you will be covered in accordance with the state Workers' Compensation program and FMLA, if applicable. In addition, GRS will attempt to meet your work restrictions through transitional duty assignments. These transitional duty assignments are temporary in nature and do not permanently replace your job duties. Once your medical provider has released you to work, you must notify Human Resources and provide a medical release before returning to work.

If you expect to be out of work for four (4) or more consecutive scheduled days for any work-related injury, you are required to complete an *Employee Request for Leave of Absence* form and submit the completed form to your supervisor and Human Resources. Where applicable, FMLA leave will run concurrently with the state Workers' Compensation program.

Transitional Duty

GRS will explore all possible means of providing transitional duty to a temporarily disabled employee who cannot perform the essential functions of his/her job, where business needs allow and patient needs can be met, so the employee can continue working during the period of temporary disability.

If transitional duty cannot be offered, GRS will provide the employee with an opportunity to apply for a leave of absence.

Any state or local laws regarding transitional duty will take precedence.

COBRA



Your benefits will cease and you will be offered COBRA in the following circumstances:

- When employment ends (last day of employment)
- When on an approved leave and unable to return to work
 - After six months following approved FMLA for your own serious medical condition
 - After six months following an approved Educational leave
 - After three months for all other leaves.
- Experience any other COBRA qualifying event

If you experience a change of status while on leave, please refer to the Employment Status Changes section of this Handbook for information regarding your benefits.

For additional information regarding COBRA benefits, see the Benefits at Termination section in this Handbook.

CAREER AND GROWTH OPPORTUNITIES

Job Postings



GRS promotes the advancement of employees from within the organization whenever possible. Job openings will be posted internally except when there is a logical successor for the position or when an organizational requirement or collective bargaining agreement dictates otherwise.

The job postings will be sent via email on a weekly basis to those employees who have local area network (LAN) access. Available job postings can be found on RehabCentral and at <http://www.genesisrehab.jobs>.

To be eligible for a transfer, you must have been in your current position for at least six (6) months, must be an employee in good standing, and must have appropriate qualifications for the position. If you have less than six (6) months in your current position and are interested in a transfer, both the hiring manager and current supervisor must be in agreement that the transfer is in the best interest of the organization. An employee with less than six (6) months of service must notify his/her current supervisor prior to discussing the new position with the hiring manager. An employee with more than six (6) months of service must notify his/her current supervisor upon accepting an interview for the new position.

Interested applicants should complete the *Employee Application for Transfer* form, submit the form to their supervisor, and follow the process outlined in the *Employee Application for Transfer Operational Guidelines*.

Continuing Education through GRS University



GRS University is an online continuing education portal that contains an extensive library of in-service and continuing education courses focused on the long-term care industry. GRS

University allows eligible employees to meet their licensing, certification, and professional development needs.

Full-time clinical employees receive full access to the extensive online library of courses available on GRS University, including GRS-required trainings and proprietary courses, with no out-of-pocket expenses.

Full-time administrative and support staff, part-time employees, and casual employees will receive access to GRS-required trainings and proprietary courses on GRS University with no out-of-pocket expense.

Employees can access GRS University at: <http://genesishrehab.training.reliaslearning.com>.

Full-time administrative and support staff, part-time employees, and casual employees who want to take advantage of online continuing education courses may purchase courses at a discount using GRS Institute, a retail site built specifically for GRS. Students and non-Genesis individuals will also use this site to register for GRS-sponsored courses. GRS Institute can be accessed by going to: <http://grsinstitute.academy.reliaslearning.com>.

APPRECIATION

GRS employees are encouraged to celebrate employee accomplishments. RehabCentral also regularly highlights employees and/or teams making a difference in the lives of the individuals they touch every day.

Genesis 20-Year Club



Upon completing 20 years of service, employees are honored as members of the Genesis “20-Year Club” to acknowledge their hard work and dedication. Employees who reach this milestone receive a 20-year service award certificate, have their name added to the “20-Year Club” plaque at their location (GHC sites only), and receive a special “20-Year” ID badge.

In addition, eligible employees grade level 57 and below will receive a cash award as follows:

- Full-time employees will receive a \$750 payout at the 20-year mark and \$1,000 at the 30-year and 40-year mark
- Part-time employees will receive a \$375 payout at the 20-year mark and \$500 at the 30-year and 40-year mark
- Casual employees will receive a \$200 payout at the 20-year mark and \$250 at the 30-year and 40-year mark

Retirement Award



The Retirement Award recognizes the special contributions of our retiring employees.

Military Family Support



In appreciation of our employees with military obligations, GRS provides financial assistance to employees who are called to active duty in the United States military. The assistance is

meant to offset the financial burden that military families often experience when the primary wage earner is called to active duty and household income is impacted.

COMPANY-WIDE COMMITMENTS

Equal Employment Opportunity (EEO)



At GRS, it is our policy to provide equal employment opportunities to all employees and applicants for employment based on qualifications, abilities, and merit. GRS believes that effective working relationships between employees must be based upon mutual respect. We prohibit, therefore, any discrimination based on an employee's race, color, religion, gender, gender expression, gender identity, sexual orientation, national origin, age, actual or perceived disability, pregnancy, marital status, ancestry, citizenship, genetic information, amnesty, military status or status as protected veterans, or any other characteristic protected by applicable federal, state, and local laws.

In that regard, you should know:

- Employment decisions are made without regard to race, color, religion, gender, gender expression, gender identity, sexual orientation, national origin, age, actual or perceived disability, pregnancy, marital status, ancestry, citizenship, genetic information, amnesty, military status or status as protected veterans, or any other characteristic protected by applicable federal, state, and local laws.
- Our EEO policy applies to all terms and conditions of employment including, but not limited to, recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, benefits, and educational and training programs.
- Questions or concerns about discrimination, or the fairness of an employment practice at your worksite, should be reported to your immediate supervisor or Human Resources without fear of retaliation. Alternatively, employees can use the Company's Problem Resolution Procedure described in this Handbook.
- All complaints of discrimination will be investigated and appropriate action taken.

Statement on Discrimination and Harassment



Discrimination and harassment of any patient, resident, applicant, employee, visitor, vendor, or volunteer is strictly prohibited. This includes conduct that offends an individual based on his/her race, color, religion, gender, gender expression, gender identity, sexual orientation, national origin, age, actual or perceived disability, marital status, pregnancy, ancestry, citizenship, genetic information, amnesty, military status or status as protected veterans, or any other characteristic protected by applicable state, local, or federal law.

Harassment includes, but is not limited to:

- Slurs, threats, insults, unwelcome jokes, teasing, or other similar verbal, visual, or physical conduct

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature also constitute harassment when:

- Submitting to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- Submitting to or rejecting such conduct is used as the basis for employment decisions affecting the individual, or
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile, or offensive working environment.

If you feel you are a victim of discrimination or harassment, or have witnessed any act of discrimination or harassment toward a patient, resident, applicant, employee, visitor, vendor, or volunteer, you must promptly report it through the Company's Problem Resolution Procedure.

Pay Transparency

Pursuant to 41 C.F.R. 60-1.35(c), GRS will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant.

However, employees who have access to the compensation information of other employees or applicants as part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information unless the disclosure is:

- In response to a formal complaint or charge;
- To further an investigation, proceeding, hearing or action, including an investigation conducted by Genesis; or
- Consistent with the Company's legal duty to furnish information.

Accommodations for Religious Observance

GRS is proud of its diversified workforce and will make reasonable accommodations for religious observance. Safety and impact on resident care and well-being will receive consideration when evaluating an accommodation request. If you would like to request an accommodation, please contact Human Resources. If the request for accommodation is not addressed, you should refer to the Company's Problem Resolution Procedure.

Disability Accommodations

GRS is committed to complying fully with the Americans with Disabilities Act (ADA), the ADA Amendments Act and Section 504 of the Rehabilitation Act of 1973 to ensure equal opportunity for employment for qualified persons with disabilities. All employment practices are conducted on a non-discriminatory basis in accordance with ADA and all other applicable federal, state, and local laws. If you would like to request an accommodation, please contact Human Resources. If the request for accommodation is not addressed, you should refer to the Company's Problem Resolution Procedure.

Service Animals



A disabled employee may be accompanied by his or her service animal in areas that are open to the public provided that the service animal is under the control of the handler. Contact Human Resources for further information.

Background Screening



All GRS job offers for new employees or eligible former employees applying for rehire are contingent upon successful completion of a criminal background check. This policy protects the patients and residents we serve, ensuring they are safe and secure in our care. Transferring employees may also be subject to criminal background screening when the transfer involves a promotion or change in the state of employment or where required by law. If you have any questions regarding our criminal background check process, please contact Human Resources.

In addition, GRS performs a check to ensure that each new employee is not excluded by the Department of Health and Human Services - Office of Inspector General (HHS OIG), by any state, or listed in the Excluded Parties List System (EPLS/SAM). Employees are periodically re-screened. Subsequent to being hired, it is your obligation to immediately notify your supervisor and Human Resources of any communication to you from an outside party regarding your inability to provide services to a Medicare or Medicaid patient.

Arrest, Indictment or Conviction



If you are arrested, indicted, or convicted of a misdemeanor or felony, or have pled guilty or no contest, you must notify your supervisor as soon as possible. Management, in conjunction with Human Resources, will review all available information before taking any action. If you are convicted of certain serious crimes or fail to report this activity, you will not be permitted to continue employment.

If you have information of a co-worker's arrest, indictment, or conviction, you should report this information to Human Resources.

In the event of a conflict between this policy and applicable state law, the applicable state law will apply.

Drug and Alcohol Testing



Under certain circumstances, candidates for employment and existing employees are subject to drug/alcohol testing.

Our ability to provide quality care can be adversely affected by drug and alcohol abuse. We encourage anyone who thinks he/she may have any kind of addiction or drug-related problem to seek professional help immediately. The Company provides an Employee Assistance Program to help meet this need.

Inspection of Packages/Right to Search



Packages or bags you carry into or out of work may be inspected by any GRS supervisor at any time. You are discouraged from bringing large or valuable personal items to work. The Company is not responsible for any loss or theft of personal items. You are also advised to place personal items in the trunk of your car rather than inside the visible areas of the vehicle.

As part of a Company investigation of possible violations of a GRS policy, your supervisor reserves the right to inspect your work area, including the opening and inspection of your desk and/or items on a computer, if applicable, at any time. This includes the right to search your car while it is on Company premises.

Health Insurance Portability and Accountability Act (HIPAA)



HIPAA is a federal law which requires health care providers like GRS to protect the privacy of patients and residents by safeguarding their protected health information (PHI). We have policies, procedures, and systems to comply with these federal regulations, and you will receive HIPAA training during your new employee orientation and annually thereafter. This training covers the requirements for privacy protection of protected health information (PHI), administrative and physical security for storage of PHI, personally identifiable information (PII), administrative and physical security for storage of PHI, and use of standardized code sets for transactions involving PHI.

Protection and Proper Use of Company Assets and Proprietary Information



You should make every attempt to protect the Company's assets and ensure their efficient use. Theft, carelessness and waste have a direct impact on maintaining the quality of patient and resident care. Any suspected incident of fraud or theft should be immediately reported to your supervisor for investigation. Company equipment, property, and supplies should not be used for non-Company business, though incidental personal use may be permitted.

Patient information may only be stored on a Genesis supplied, authorized, and encrypted PC, mobile device, or storage device (including USB drives). If you discover that an unencrypted or unauthorized device is being used, you are required to inform your supervisor.

Unauthorized use or distribution of confidential and proprietary information violates Company policy and could also be illegal and result in civil or even criminal penalties. Confidential and proprietary information includes but is not limited to:

- Company trade secrets;
- Information that is subject to strict federal financial disclosure laws such as pending dividend changes, earnings estimates, mergers or acquisitions or other sensitive information that impacts our shareholders;
- Non-public information about the Company's operating results, and financial performance, contract terms or arrangements, all of which could be used by competitors to the Company's disadvantage;
- Confidential or personal information about patients to which you have access as a result of your employment with the Company that could, if disclosed inappropriately, subject the Company or you to liability;

- Private information about the Company's employees and vendors which, if disclosed, could violate privacy laws or result in legal actions against the Company.

Conflict of Interest

A conflict of interest exists when a person's private interest interferes, or appears to interfere, in any way with the interests of the Company. Conflicts of interest also arise when an employee, or a member of his or her family, receives improper personal benefits because of his or her position in the Company.

The Company has established a policy whereby each employee is expected to avoid an actual conflict, or the appearance of a conflict, between the Company's interests and the financial or other personal interests of the employee. A conflict of interest exists even if there is no reason to believe that the individual involved would resolve the situation to his or her own personal advantage.

Failure to comply with the *Conflict of Interest* policy will result in appropriate disciplinary action. If you become aware of a potential conflict of interest, you must promptly and fully report all relevant facts in accordance with the reporting requirements of the Genesis Compliance and Ethics Program and the Code of Conduct.

Hiring of Relatives, Family, or Household Members

Hiring of relatives, family members, and persons living in the same household may be permitted as long as there is not a direct or indirect supervisory relationship. If personal relationship concerns impact the work environment, management may require one or more persons to transfer to a different department or location, or to resign their position(s).

Providing Care to Relatives

All situations where an employee is providing direct care to a relative or supervising the care of a relative must be disclosed to relevant management. Upon disclosure, each situation will be evaluated on a case-by-case basis to determine if the matter constitutes a conflict of interest.

Accepting Gifts or Gratuities

Employees may not solicit, extend, or accept gratuities, gifts, or loans from patients or residents, their families, visitors, customers, colleges/universities, or vendors. In the case where a gratuity is forced upon you, it must immediately be given to your supervisor who will either return it or donate it, either to the Genesis Employee Foundation or a local organization.

Employees may accept common courtesies usually associated with customary business practices. However, unless those "courtesies" are of a nominal value and are not provided repeatedly, disclosure to the recipient's supervisor is required.

Soliciting, extending, or accepting gifts, cash, cash equivalents, payments, services, vacations, or any favors from referral sources, suppliers, vendors, or any other person, firm or corporation that does or seeks to do business with the Company is strictly prohibited. In

addition, employees should not borrow, hold money, or agree to cash checks on behalf of a resident, patient, family member, or visitor.

Solicitation and Distribution

It is the Company's policy to protect residents, patients, visitors, and employees from disruptive intrusions on their time and privacy.

The only individuals permitted on Company premises at any time are employees, residents, patients, visitors, vendors, and suppliers doing business. Individuals other than employees of the Company may not engage in solicitation, distribution, or postings of written or printed materials of any nature at any time in or on the Company's premises, with the exception of employee distribution of company materials.

Employees are prohibited from engaging in solicitation of any kind during work time and *at any time* in patient/resident care areas; dining, treatment, examination, and admitting rooms; resident lounges; or in their adjoining corridors.

Employees are prohibited from engaging in distribution of non-Genesis materials of any kind during working time. Also, no distribution of any kind is allowed *at any time* in any working areas such as patient and resident rooms; treatment, dining, examination, and admitting rooms; offices and resident lounges; or in their adjoining corridors.

"Working time" includes the working time of both the employee doing the soliciting or distributing and the employee to whom it is directed, but does not include break or lunch periods. These guidelines also apply to solicitation by electronic means.

Access to Personnel and Medical Files

Upon written request to Human Resources, current and former employees may obtain a copy of their personnel and medical files. Employees may not remove documents from their personnel and medical files.

PERSONAL COMMITMENTS

Attendance

Being at work on time and as scheduled is critical to performing your duties. Your colleagues also depend on your attendance and punctuality so they can meet their job and personal commitments.

Absence and Tardiness

You are expected to report to work for your assigned shifts. We recognize and understand that circumstances beyond your control may cause you to be absent from all or part of your assigned shift.

If you are going to be late or absent from work, it is your responsibility to notify your supervisor as early as possible for each shift but at least a minimum of two (2) hours prior to your scheduled shift. In the event that your supervisor is unavailable, you should report to another managerial employee, not a co-worker.

If you are absent for four (4) or more consecutive scheduled days, please provide your supervisor with a signed and dated physician's statement certifying that you are medically and physically able to return to work and perform your assigned duties. The supervisor reserves the right to request a physician's note at any time for any length of absence, unless state law dictates otherwise. Please also refer to the Leave of Absence section of this Handbook.

Cooperation with Investigation



If an employee is identified as a witness to or accused of a violation of Company policy or the law, he/she will be asked to cooperate in the related investigation by speaking truthfully and candidly to an internal investigator or other authorized GRS representative in an interview and/or by providing a written statement documenting his/her direct knowledge. It is not acceptable to refuse to cooperate in a Company investigation. Failure to comply may result in disciplinary action.

Licensure and Certification



If your position requires that you be licensed, certified, and/or registered, you must furnish evidence of certification before starting employment. The document you provide must be the original. Throughout your employment with us, it is your responsibility to maintain and renew your license and certifications as required by law, provide verification to your supervisor, and notify all appropriate agencies of any name or address changes.

You are also required to report to your supervisors if any licensing agency has initiated an investigation, action has been taken against your license or certification, or if you have worked when your required license/certification has expired or lapsed. Failure to report may result in disciplinary action, up to and including termination of employment.

Failure to maintain licensure and/or certification is grounds for immediate termination.

Language Policy



English is the common language to be used by all employees in patient and resident care areas (e.g., patient rooms, shower rooms, dining area). We respect our employees, patients, and residents, and want to make sure they can understand us. This is particularly important in the event of an emergency. However, if speaking in a language other than English will enable an employee to communicate more effectively with a patient, resident, or visitor, this practice is encouraged.

This policy is designed to ensure that patients and residents receive the care they need and does not limit an employee's ability to speak languages other than English when not providing care to a patient or resident in a patient and resident care area. For example, when not providing care to a patient or resident, employees are free to speak languages other than English during meals and breaks.

Nothing in this policy shall be construed to prevent any visitor or other individual present at the facility in a capacity other than employee, patient, or resident from speaking a language other than English. Nor shall this policy be construed to prevent an employee who is not providing care to a patient or resident from speaking in a language other than English with such visitor or other individual.

Employees who have limited English proficiency and are unable to read and/or understand the revised Language Policy can request a translated copy by contacting Human Resources.

Resident/Patient Rights

GRS strives to protect and promote the rights of every resident and patient. It is our responsibility and duty to abide by the federal and state regulations for resident rights.

Smoking Policy

GRS strives to provide a healthy, safe, and comfortable environment for residents, patients, visitors, and employees. Employees may smoke only in designated areas and during approved breaks.

Substance-Free Policy

At GRS, it is our policy to maintain a workplace that is free from the effects of drug and alcohol abuse. The illegal use, solicitation, sale, sharing, possession, impairment from narcotics, drugs, paraphernalia, alcohol, or controlled substances while on the job or on Company property is prohibited and is a terminable offense.

Off-the-job illegal use, solicitation, sale, sharing or possession of narcotics, drugs, paraphernalia, alcohol, or controlled substances which adversely affects an employee's job performance, or which could jeopardize the safety of others, the public, or Company equipment is proper cause for administrative or disciplinary action, up to and including termination of employment.

The need to take prescription medications that may impair your ability to perform the essential functions of your job effectively and safely should be discussed with your supervisor. The consumption of prescription medications while on the work site must be reviewed to address any safety issues to the employee, co-workers or patients. All narcotic prescriptions must be discussed with your supervisor.

Photographing Patients and Residents

Photographing patients and residents is not permitted without explicit consent from the patient or resident on the appropriate company release.

The *Authorization to Release Patient Information - Photo Consent and Authorization* form can be found on the Forms tab on RehabCentral.

Phone, Cell Phone, Computer and Internet Use



Phone and personal cell phone use should be limited to break times. In the event of an emergency, notify your supervisor to get permission to leave the care area to address the emergency.

GRS provides access to computer systems for business purposes. Employees who are granted access to the intranet/internet are responsible for compliance with Company policies and procedures regarding their use. Under no circumstances can work product or materials be emailed or saved to a personal email account or to personal devices not approved (encrypted) by GRS. Employees who use GRS equipment acknowledge that the company reserves the right to monitor their use at any time.

Unauthorized internet posting, texting, or emailing of patient or resident photos, or other personal patient or resident information, is considered a serious HIPAA breach and is therefore prohibited. Any violation is grounds for immediate termination.

Social Media Use



Except for certain job roles, most social networking sites, including Facebook, Twitter, and LinkedIn, are not accessible on Company equipment.

Employees who use social media are prohibited from posting or displaying comments about coworkers, supervisors, or GRS that are vulgar, obscene, threatening, intimidating, or harassing, or that are a violation of our policies against discrimination or harassment on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected class, status, or characteristic.

Employees are also prohibited from posting, using, or disclosing confidential and/or proprietary information, including the personal health information of patients or residents. Confidential and proprietary information includes but is not limited to:

- Company trade secrets;
- Information that is subject to strict federal financial disclosure laws such as pending dividend changes, earnings estimates, mergers or acquisitions or other sensitive information that impacts our shareholders;
- Non-public information about the Company's operating results, and financial performance, contract terms or arrangements, all of which could be used by competitors to the Company's disadvantage;
- Confidential or personal information about patients to which you have access as a result of your employment with the Company that could, if disclosed inappropriately, subject the Company or you to liability;
- Private information about the Company's employees and vendors which, if disclosed, could violate privacy laws or result in legal actions against the Company.

Employees may not post patient information, including photographs, on websites or social media sites at any time.*

Violations may result in disciplinary action, up to and including termination.

*For business purposes, GRS' Marketing and Communications departments are permitted to use patient information in compliance with HIPAA rules and regulations.

Personal Visitors

In most situations, personal visitors are discouraged during your scheduled shift. On occasion, your location may organize an event where it is appropriate to invite family and/or friends. Please speak with your supervisor if you have questions about visitor guidelines at your location.

Right to Work Documentation

Federal law requires GRS to verify your identity and work authorization upon hire.

Personal Information Changes

GRS requires your assistance in maintaining accurate personnel and payroll records. You can make appropriate changes to your personal data promptly using the Employee Self-Service menu available in GenSERV, the Company's online employee information database.

GRS Required Trainings

To maintain compliance with federal, state, and local requirements, all employees must complete designated in-service training. These trainings ensure the safety and well-being of our employees and support full regulatory compliance.

You will be required to complete the trainings during orientation (within 30 days of your hire date) and on an annual basis thereafter.

IMPROVING PERFORMANCE

Performance Improvement Process

In most cases, employees whose performance or conduct fails to meet the expectations for the job will be given an opportunity to work with their supervisors to develop an action plan for improved performance.

Typically, the process involves four steps:

- Step 1: Verbal Counseling
- Step 2: Written Counseling
- Step 3: Final Written Counseling
- Step 4: Termination

At each step, the problems identified by the supervisor will be discussed with the employee. An action plan will be developed to correct the performance issues and a timeline for following up on the employee's progress will be determined. Depending on the severity of the conduct or performance cases, a supervisor, in conjunction with Human Resources, may move directly to a more progressive step in the process, including termination.

Failure to meet the expectations established in the action plan will result in moving to the next step in the process. GRS uses a 12-month 'look-back' in determining the next level of individual improvement. If an employee has not received any warnings in the previous 12 months, he/she may return to the beginning of the four-step process. If he/she has received a warning in the previous 12 months, he/she will move to the next level in the process. Each step of the process will be documented and will become part of the employee's file.

The Performance Improvement Process deals with:

- Unprofessional conduct and/or poor performance;
- Attendance concerns; and
- Serious infractions which can result in immediate dismissal

No list of conduct and performance standards can include all instances which can result in individual improvement, and the examples in the tables that follow do not replace sound judgment. GRS reserves the right to determine the appropriate level of discipline based upon the particular circumstances and severity of the matter and may move to any level in the counseling process as deemed appropriate.

Examples of Unprofessional Conduct/Poor Performance

(Please note: depending on the seriousness of the misconduct, any of these may be grounds for immediate termination of employment.)

- 1st Offense: Verbal Counseling
- 2nd Offense: Written Counseling
- 3rd Offense: Final Written Counseling
- 4th Offense: Termination of Employment

1	Failure to comply with resident rights
2	Failure to comply with policies related to HIPAA
3	Creating conflict with patients, residents, visitors, vendors, volunteers, or the Company
4	Treating patients, residents, visitors, vendors, or volunteers in a discourteous or unprofessional manner
5	Leaving assigned work area during work hours without the supervisor's permission
6	Abusing meal breaks and break periods or working through meal breaks without authorization
7	Violating safety rules or contributing to unsanitary or unsafe conditions
8	Failing to report injury or damage to or an accident involving Company equipment
9	Negligence in performance of job duties
10	Insubordination
11	Unsatisfactory job performance
12	Time clock misuse or failure to accurately record time worked
13	Smoking in non-smoking areas
14	Loitering on the premise while off duty
15	Using Company or work location telephones, computers, communication systems, or other equipment for unauthorized purposes or without authorization
16	Disregarding the Company's or work location's dress code
17	Removing, posting or altering notices on any bulletin board on Company property without permission by your supervisor or Human Resources
18	Eating food and/or drinking beverages in non-designated areas
19	Violating other rules or policies not specifically listed

Examples of Unsatisfactory Attendance Record

(Please note: absences protected by law do not lead to disciplinary action. Furthermore, GRS will consider a request for a leave of absence as a reasonable accommodation in appropriate situations.)

- 1st Offense: Verbal Counseling
- 2nd Offense: Written Counseling
- 3rd Offense: Final Written Counseling
- 4th Offense: Termination of Employment

1	Unscheduled absences (three (3) occurrences in 90 days)
2	Arriving late or leaving early (three (3) occurrences in 90 days)
3	Unscheduled absences or lateness that follows a pattern (such as Monday, Friday, payday, or day before/after a paid time off day)
4	Failure to provide two (2) hours notice and/or failure to follow department guidelines concerning notification of an unscheduled absence or lateness
5	First no call/no show (automatic Final Written Counseling)
6	Second no call/no show (Termination of Employment)

Dismissal is the immediate termination of an employee for serious breaches of responsibility, unsatisfactory performance, or gross misconduct.

Due to the seriousness of these offenses, the person or persons accused may be placed on administrative leave pending the outcome of a thorough investigation. If the allegation is deemed unsubstantiated, the employee will be returned to work. The employee may be disciplined for a lesser infraction based on the investigation findings, if warranted. If the allegation is substantiated, the employee may be dismissed. Dismissal may be imposed by the immediate supervisor after consulting with Human Resources.

Examples of Grounds for Immediate Dismissal	
1st Offense: Termination of Employment	
1	Abuse (physical, sexual, verbal, or mental) or harassment of a patient, resident, co-worker, visitor, vendor, or volunteer
2	Neglect of a patient or resident
3	Having a romantic or otherwise inappropriate relationship with a patient or resident
4	Misappropriation of Company, location, patient, or resident property
5	Workplace violence, including, but not limited to, fighting, physical or verbal threats to any patient, resident, co-worker, visitor, vendor or volunteer
6	Failure to report abuse, neglect, or misappropriation of property
7	Failure to report a reasonably suspected Genesis Code of Conduct violation
8	Refusing to complete a Genesis Code of Conduct re-certification
9	Refusing to participate in or obstructing a Company investigation
10	Retaliation against any employee making a report in good faith
11	Illegal use, solicitation, sale, sharing, or possession of, or impairment from narcotics, drugs, paraphernalia, alcohol, or controlled substances while on the job or on Company property
12	Possession of an illegal substance on Company property
13	Failure to report arrest or conviction of a felony or misdemeanor (except if state law does not require disclosure)
14	Sleeping or failure to remain alert and oriented while on duty
15	Second no call/no show
16	Unscheduled absence on three (3) or more consecutive shifts without appropriate validation (also referred to as a voluntary resignation)
17	Job abandonment
18	Working outside of the scope of professional practice
19	Being dishonest including, but not limited to, deception, fraud, lying, cheating, theft, or falsification of records to include patient medical records, employment documents (such as employment application or time card), or financial documents (such as expense reports)
20	Carrying a weapon on Company property, including the parking lot (where the right to carry is not protected by state law)
21	Engaging in indecent behavior (verbal or physical)
22	Removing, copying, posting, or disclosing confidential records or information relating to patients, residents, Company, co-workers, vendors, service providers, or volunteers
23	Taking or posting pictures of a resident or patient without written permission
24	Soliciting or accepting gifts or tips from patients, residents, families, or business-related contacts
25	Using the Company's or work location's computer systems, including accessing confidential computer files and data, without authorization
26	Performing personal business or work for another employer on work time or while on a leave of absence
27	Failing to comply with/maintain licensure and/or certification requirements or exclusion from the Medicare/Medicaid Program (sanctioned)
28	Demonstrating gross misconduct, gross insubordination, gross negligence, or other serious violations of Company policies or procedures

LEAVING GRS

As a valued member of our team, we appreciate the significance of your contribution to GRS. Hopefully, you will find a long career within our organization; however, if you choose to leave, we ask that you honor these standard procedures in order to leave the company in good standing:

- You must give the appropriate written notice and then work out the full notice period.
- Unless approved prior to giving notice, you will not be eligible to take paid time off during the notice period. This will ensure continuity of care for our patients and will ensure that you are able to close out any projects and assignments prior to leaving.
 - Should you have pre-approved, scheduled time off, you must extend your notice period by the length of time you are unable to work your regular schedule if requested.
- Should a serious medical condition arise which requires you to take time during your notice period, you should contact Human Resources for guidance.
- Employment cannot be ended on paid time off.
- You must return all property belonging to GRS.
- You should meet with your supervisor before your last day to fill out any paperwork we may need.

If you don't meet these requirements, you may not be eligible for rehire with GRS.

You should also review policy *GRSHR 127 Separating Employment* for more detailed information on leaving GRS.

Notice of Resignation



In the event you resign your employment with us, you must give the appropriate written notice for your role and work the full notice period.

- Non-supervisory employees in grades 39 and below are expected to provide the Company with at least two (2) weeks written notice.
- Supervisory personnel and all employees in grade 40 and above are expected to provide at least four (4) weeks written notice.

Company Property



On or before your last day of work, you must return all property belonging to GRS and settle any outstanding financial commitments.

Tax Forms (W-2)



GRS provides terminated employees with year-end W-2 statements every January. Contact Human Resources for more information.

Retirement Plan - 401(k)



When you terminate employment, you have the following 401(k) options:

- If your balance is over \$5,000.00, you are permitted to keep your account invested in the Company 401(k);
- If your balance is under \$5,000.00 or if you so choose, you may:
 - Rollover your account to another qualified 401(k) or IRA; or
 - Take a cash distribution and pay any associated taxes and early withdrawal penalties, if applicable.

For additional information and/or assistance in reference to the 401(k) plan, please call Wells Fargo Retirement Services at 1-800-377-9188 or visit them online at www.WellsFargo.com/401K. (Please note: When calling Wells Fargo, the PIN ID requested will be the last 4 digits of your social security number.)

COBRA



Upon termination of employment, your employee benefits will end as of the end of the day on your last day of employment. You will receive information in the mail at home from our third party COBRA vendor notifying you of your eligibility to continue health care coverage at your expense under COBRA.

In most cases, you will have 60 days from the day your COBRA notification was mailed (post-marked) to elect COBRA benefits. Please review your COBRA notification carefully to ensure that you take appropriate action to protect your rights.

If you or your dependent(s) have questions about your rights under COBRA, please contact Human Resources.

Rehire Service Credit



At GRS, we recognize that our employees will have different priorities at various points in their lives. If you leave GRS in good standing and return to us within two years, you will be given credit for your prior years of service with GRS.

ACKNOWLEDGMENT

I have received a copy of the GRS Employee Handbook and understand that I am responsible for reviewing and abiding by the policies described in it and all policies and procedures applicable to my position.

I understand that the information contained in it represents management guidelines only and that GRS reserves the right to establish, amend or do away with policies in this Handbook at any time or to deviate from any policy in this Handbook in any given situation, as the needs of the Company may require. ***I understand that nothing in the application form, operating manuals or any other verbal representations made by a management representative, at the time of hire or subsequently, is to be interpreted as a contract between GRS and any of its employees.***

I further understand that my employment is voluntarily entered into, that I am free to resign at any time and that GRS may terminate the employment relationship whenever it determines that it is in its best interest to do so, with or without notice or cause.

Employee Name (Please Print)

Employee Signature

Date

ADDENDUM – EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- 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, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) 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 otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-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.*

***The FMLA definitions of "serious injury or illness" for current service members and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

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

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement 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.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

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, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights. **FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.**

CITY/ STATE SPECIFIC ADDENDAS

DELAWARE

Delaware Code, Title 19, Section 7

Pregnancy and Employment

Pursuant to Section 711(a)(3) of Title 19 of the Delaware Code, employees have the right to be free from discrimination in relation to pregnancy, childbirth, and related conditions. Employees also have the right to reasonable accommodation to known limitations related to pregnancy, childbirth, and related conditions.

ILLINOIS

Illinois Department of Human Rights

Pregnancy and your Rights in the Workplace (IL Human Rights Act-Public Act 98-1050)

Pursuant to Public Act 98-1050, an employee who is pregnant, recovering from childbirth or has a medical or common condition related to pregnancy has the right to:

- Ask their employer for a reasonable accommodation for their pregnancy, such as more frequent bathroom breaks, assistance with heavy work, a private space for expressing milk, or time off to recover from their pregnancy.
- Reject an accommodation offered by their employer for their pregnancy that they do not desire.
- Continue working during their pregnancy if a reasonable accommodation is available which would allow them to continue performing their job.

An employer cannot discriminate against an employee because they are pregnant and they cannot retaliate against an employee because they requested a reasonable accommodation.

It is illegal for an employer to fire an employee, refuse to hire an employee or refuse to provide a reasonable accommodation to an employee because of their pregnancy. For more information about employee rights, download the Illinois Department of Human Rights fact sheet from the website at www.illinois.gov/dhr.

An employer may require an employee to provide a certification from the employee's healthcare provider concerning the medical advisability of a reasonable accommodation to the same extent a certification is required for other temporary disabilities. The certification must include the date the reasonable accommodation became medically advisable, the probable duration of the reasonable accommodation, and an explanatory statement as to the medical advisability of the reasonable accommodation.

MARYLAND

Maryland Commission on Civil Rights

Reasonable Accommodation for Disabilities Due to Pregnancy (State Government Article §20–609)

Pursuant to State Government Article §20–609, an employee with a disability caused by or contributed to by pregnancy may request a reasonable accommodation from her employer. The employer must explore all possible means of providing the reasonable accommodation, including, but not limited to, changing job duties, changing work hours, relocating the employee's work area, providing mechanical or electrical aids, transferring the employee under certain conditions, or providing leave.

An employer is not required to provide an accommodation that constitutes an undue hardship on its business.

An employer may require an employee to provide a certification from the employee's healthcare provider concerning the medical advisability of a reasonable accommodation to the same extent a certification is

required for other temporary disabilities. The certification must include the date the reasonable accommodation became medically advisable, the probable duration of the reasonable accommodation, and an explanatory statement as to the medical advisability of the reasonable accommodation.

An employer may not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under State Government Article, §20–609.

MASSACHUSETTS

MA Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (“the Act”) amends the current statute prohibiting discrimination in employment, G.L. c. 151B, §4, enforced by the Massachusetts Commission Against Discrimination (MCAD). The Act, effective on April 1, 2018, expressly prohibits employment discrimination on the basis of pregnancy and pregnancy-related conditions, such as lactation or the need to express breast milk for a nursing child. It also describes employers’ obligations to employees that are pregnant or lactating and the protections these employees are entitled to receive. Generally, employers may not treat employees or job applicants less favorably than other employees based on pregnancy or pregnancy-related conditions and have an obligation to accommodate pregnant workers.

Under the Act:

- Upon request for an accommodation, the employer has an obligation to communicate with the employee in order to determine a reasonable accommodation for the pregnancy or pregnancy-related condition. This is called an “interactive process,” and it must be done in good faith. A reasonable accommodation is a modification or adjustment that allows the employee or job applicant to perform the essential functions of the job while pregnant or experiencing a pregnancy-related condition, without undue hardship to the employer.
- An employer must accommodate conditions related to pregnancy, including post-pregnancy conditions such as the need to express breast milk for a nursing child, unless doing so would pose an undue hardship on the employer. “Undue hardship” means that providing the accommodation would cause the employer significant difficulty or expense.
- An employer cannot require a pregnant employee to accept a particular accommodation, or to begin disability or parental leave if another reasonable accommodation would enable the employee to perform the essential functions of the job without undue hardship to the employer.
- An employer cannot refuse to hire a pregnant job applicant or applicant with a pregnancy-related condition, because of the pregnancy or the pregnancy-related condition, if an applicant is capable of performing the essential functions of the position with a reasonable accommodation.
- An employer cannot deny an employment opportunity or take adverse action against an employee because of the employee’s request for or use of a reasonable accommodation for a pregnancy or pregnancy-related condition.
- An employer cannot require medical documentation about the need for an accommodation if the accommodation requested is for: (i) more frequent restroom, food or water breaks; (ii) seating; (iii) limits on lifting no more than 20 pounds; and (iv) private, non-bathroom space for expressing breast milk. An employer, may, however, request medical documentation for other accommodations.

If you believe you have been discriminated against on the basis of pregnancy or a pregnancy-related condition, you may file a formal complaint with the MCAD. You may also have the right to file a complaint with the Equal Employment Opportunity Commission if the conduct violates the Pregnancy Discrimination Act, which amended Title VII of the Civil Rights Act of 1964. Both agencies require the formal complaint to be filed within 300 days of the discriminatory act. www.mass.gov/mcad/

NEW YORK

New York Paid Family Leave Notice

Nearly all private employees in New York State will be eligible for Paid Family Leave. Starting January 1, 2018, Paid Family Leave will provide paid time off so an employee can:

- bond with a newly born, adopted, or fostered child,
- care for a family member with a serious health condition, or
- assist loved ones when a family member is deployed abroad on active military duty.

Additional Protections

- Employees have a right to return to their same or comparable job upon return from Paid Family Leave.
- Employees are guaranteed continued health insurance while on leave. Employers may require employees continue to pay their health insurance premium contributions.
- Citizenship and immigration status do not impact eligibility.
- Employers cannot discriminate against employees for taking Paid Family Leave.

Eligibility

- Employees with a regular work schedule of 20 or more hours per week are eligible after 26 weeks of employment.
- Employees with a regular work schedule of less than 20 hours per week are eligible after 175 days worked.

Employees are guaranteed wage replacement for 8 weeks in 2018, increasing to 12 weeks by 2021.

Paid Family Leave coverage is funded by employee payroll contributions. An employer may not discriminate or retaliate against employees for taking or inquiring about Paid Family Leave.

For more information visit ny.gov/paidfamilyleave.

CITY OF PHILADELPHIA, PA

Philadelphia Paid Sick Time

Starting May 13, 2015 employees who work at least 40 hours a year within the City of Philadelphia limits will be eligible to earn paid/unpaid sick leave.

- Employees are eligible to earn 1 hour of sick time for every 40 hours they work.
- Employers with 10 or more employees are required to provide paid sick leave. Employers with 9 or fewer employees are required to provide unpaid sick leave.
- A maximum of 40 sick time hours may be earned in a calendar year. Accrued sick time may be used after an employee has worked a minimum of 90 days. Accrual begins May 13, 2015 for all current employees.
- Earned sick time can be used for the employee's own health needs, to care for a family member or for leave due to domestic abuse or sexual assault.
- If an employer refuses to provide earned sick time or retaliates against employees for utilizing sick time, the employee can make a formal complaint to the City of Philadelphia's Sick Leave Agency after September 2015.

Philadelphia Wage Theft Complaints

Starting July 1, 2016 employees will be able to file official wage thief complaints with the City of Philadelphia's Wage Theft Coordinator. Qualifying complaints submitted by a Proper Party will be reviewed and resolved by the Wage Theft Coordinator.

- Wage Theft means a violation of the Pennsylvania Wage Payment and Collection Law or any State of Pennsylvania or Federal Law regulating compensation where the work is performed in Philadelphia or the employment contract underlying the violation is made in Philadelphia.
- Complaints can be submitted directly by employees or by authorized organizations including a group of employees, labor organization or party acting on behalf of an employee

Filing Wage Theft Complaints:

- Alleged wage theft violations of unpaid wages must be equal to or greater than the minimum threshold amount and equal to or less than the maximum threshold amount.
- A signed wage theft complaint must be filed with the wage theft coordinator, in the Office of Benefits and Wage Compliance, less than three years from the date the wage theft occurred.
- The complaint must include facts and supporting details/documents to identify the employer(s) and for the wage theft coordinator to determine both that an allegation of wage theft has been made and that the threshold amount has been met.
- The Wage Theft Coordinator will provide by certified mail or personal service written notice to the Proper Party and accused employer(s). The notice will include the details of the allegations and the rights and obligations of all parties involved.
- Each employer shall file a response with the wage theft coordinator within thirty (30) days after receipt of the complaint. Employer(s) must include all available records of the hours worked by the complaining employee or employees, the amounts paid to those employees, and any credits or deductions that may have been lawfully taken. Employer(s) may admit liability for either part of or the entire amount in dispute.

All Wage Theft inquiries and complaints will be managed by the Mayor's Office of Labor's Office of Benefits and Wage Compliance. Submit inquiries and Official Complaints via Email to wagetheft@phila.gov.

CITY OF SAINT PAUL, MN

SAINT PAUL EARNED SICK AND SAFE TIME (ESST)

Employers in Saint Paul must provide employees working in Saint Paul with paid leave for medical or safety reasons.

Sick Time: An employee or family member's mental or physical illness, including preventative medical care.

Safe Time: Reasons related to domestic violence, sexual assault, stalking, school closures due to inclement weather or other public safety issues, for an employee or an employee's family member.

You can use ESST for an employee's own care or care of a family member.

Earned Sick and Safe Time Rates and Usage:

- Employees accrue 1 hour of ESST per 30 hours worked in Saint Paul
- Employees can accrue up to 48 hours per year and can save unused time
- Employees can carry over up to 80 hours of unused ESST hours per year
- Employees begin accruing sick leave on the 1st day of employment
- Employees can start using ESST after 90 days of employment
- Employees must work 80 hours in Saint Paul to be eligible

EMPLOYERS MUST PROVIDE ESST. RETALIATION IS ILLEGAL. If you believe your right to ESST has been violated, you can file a complaint: 651-266-8900 | laborstandards@stpaul.gov | www.stpaul.gov/esst

Additionally, if you have been retaliated against, you may also file a complaint in court. Language interpretation, translation, and accommodations are available.