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Employee Manual

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ABOUT THIS EMPLOYEE MANUAL


This Employee Manual provides summary information regarding the employment policies and procedures of [REDACTED] ("Foundation"). The summaries of policies, work rules and benefits contained herein, which are to be applied in accordance with federal, state, and local law, are being provided by the Foundation for informational and guidance purposes only. Neither this Manual, Foundation practices, nor other communications from the Foundation are intended to establish a direct, implied or an inferred contract or other legal rights between the Foundation and its employees and interns. Any implication to the contrary is expressly denied. This Employee Manual supersedes all prior Employee Manuals for the Foundation.

Disclaimer and Confidentiality Notice: The Foundation reserves the right to unilaterally modify, revise, discontinue, or amend any or all of the employment policies and procedures, as it deems appropriate, at any time, in whole or in part, for any reason and without prior notice, consent, or approval. This policy contains proprietary and confidential information of the Foundation. It is for internal use and distribution only.

Employment with the Foundation is "at-will." Either an employee or the Foundation may terminate the employment relationship at any time, for any reason. Nothing in these summaries is intended to alter or affect the at-will basis of employment with the Foundation. No representative of the Foundation is authorized to provide any employee, individually or on a collective basis, with an employment contract or special arrangement concerning the terms or conditions of employment unless the contract or agreement is in writing and signed by the Foundation's President or Executive Director. Nothing herein is intended to modify the terms of any written employment agreement in effect between an employee and the Foundation.

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I. FOUNDATION EMPLOYMENT POLICIES

1.1 EMPLOYMENT AT-WILL

It is the policy of the Foundation that all employees are employed at the will of the Foundation. Accordingly, either the Foundation or the employee can terminate this relationship at any time, for any reason or for no reason at all, with or without cause and with or without advance notice.

Nothing contained in this Employee Manual, employment applications, Foundation memoranda or any other materials provided to or communications with employees in connection with their employment shall restrict the Foundation's right to terminate an employee at any time for any reason. Any statements of specific grounds for termination set forth in this Employee Manual or elsewhere are not all-inclusive and are not intended to restrict the Foundation's right to terminate at-will.

No Foundation representative is authorized to modify this policy for any employee or to make any representations to employees or applicants concerning the terms or conditions of employment with the Foundation that are not consistent with the Foundation's policy on "at-will," except the Foundation's President or Executive Director, and then by written agreement only signed by the President and/or Executive Director.

1.2 EQUAL EMPLOYMENT OPPORTUNITY

The Foundation is an equal opportunity employer, provided however it reserves the right to establish special criteria for employment related to gender specific programs, services and facilities where such criteria are inimical to safe, effective service delivery for such program participants and customers. Subject to the foregoing, it is the Foundation's policy to recruit, hire, train, and promote individuals, as well as to administer any and all personnel actions, compensation and benefits, without regard to race, color, religion/creed, age, sex, national origin, ancestry, citizenship status/alienage, military/veteran status, disability, pregnancy, marital/partnership status, arrest or conviction record, status as a victim of domestic violence/stalking/sex offenses, unemployment status, credit history, personal appearance, gender identity, sexual orientation, family responsibilities, matriculation, political affiliation, source of income, place of business or resident, genetic information, or any other category covered by applicable federal, state or local law. This policy extends to all employees and to all aspects of the employment relationship. Any employee or supervisor who violates this policy will be subject to disciplinary action up to and including termination.

Employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Executive Director or Director. We will not allow any form of retaliation against employees who raise equal employment opportunity issues in good faith. To ensure our workplace is free of artificial barriers, violation of this policy may result in disciplinary action, up to and including discharge.

1.3 INTRODUCTORY PERIOD

The Foundation recruits carefully and believes that it is hiring the best employee for each position. It is, however, to both the Foundation's and the employee's advantage to have an initial period of employment in which the employee has time to appraise the Foundation and job content, and the Foundation has a similar opportunity to appraise the new employee's job performance. Thus, each new employee must satisfactorily complete an introductory period for *ninety (90) days*, measured from his or her initial date of employment. The Foundation or the employee may terminate the employment relationship during the introductory period and/or anytime thereafter, with or without cause and with or without prior notice.

At the successful completion of the introductory period, the employee becomes a regular employee. On the 91st day of employment, the employee will be eligible to receive any Foundation benefits (beyond any benefits to which employees were entitled prior to this point pursuant to applicable law) made available to regular employees. The successful completion of the introductory period, however, does not mean that the employee is guaranteed employment for any specific duration, nor does it change the at-will status of regular employment.

1.4 BACKGROUND INVESTIGATIONS

The Foundation may conduct background investigations, including without limitation a Level One and/or Level Two criminal background investigations, prior or subsequent to extending an offer of employment to employees. The Foundation may also conduct background investigations annually thereafter, including without limitation Level One and/or Level Two criminal background investigations. Other situations may arise where a background investigation is appropriate or may be necessary and will be conducted by the Foundation, at its discretion. Employment candidates and employees are required to cooperate in all respects with these background checks. Accordingly, the Foundation reserves the right to conduct background investigations on any employment candidate or employee at any time, and in a manner consistent with the provisions of the Federal Fair Credit Reporting Act and any other applicable federal, state, and local laws.

A clear Level Two background check is required for each employee and employment candidate via the Florida Department of Law Enforcement, unless an exemption is obtained from the applicable requiring agency and is approved by the Executive Director or Director. In addition, a check will be made of the United States Department of Justice Dru Sjodin National Sex Offender Public Website (NSOPW) Database and the Florida Department of Law Enforcement Sex Offender Predator Database (FDLE). Employment candidates and employees must not be listed on the NSOPW or FDLE Databases.

If driving is a part of a prospective or current employee's duty, the employee must possess and maintain at all times a Florida driver's license in good standing, insurable at standard rates that do not result in any increase in premium for the Foundation, unless waived or otherwise agreed to by the Foundation in its sole and absolute discretion. Employees are required to immediately notify the Foundation in the event of any change in status of their license.

ONGOING OBLIGATION

Any employee of the Foundation who is arrested, whether on duty or off duty, during any period while the individual is still an employee of the Foundation must report their arrest—for any offense whatsoever—to their immediate supervisor and the Executive Director or Director, within 72 hours of the arrest. Failure to report the arrest in this 72-hour timeframe will result in corrective action, which may include, regardless of the underlying offense, and without limitation, termination of employment.

Any employee of the Foundation who receives a ticket, citation or is arrested for any driving, motor vehicle or traffic offense while operating a Foundation Vehicle or a personal vehicle (whether on Foundation business or during your personal time), including without limitation any of the following, must notify their immediate supervisor and the Executive Director or Director, within 72 hours of the occurrence:

- Speeding
- Violation of a Traffic Control Device
- Allowing unlicensed operator to drive
- Driving while license canceled/revoked/suspended/disqualified
- Driving under the influence or Driving with unlawful blood alcohol level (0.08% or

above) Driving under the influence or Driving with unlawful blood alcohol level (0.08% or above) with property damage/personal injury

- Expired Driver's License
- Reckless Driving
- Careless Driving
- Racing
- Refusal to submit to chemical test
- Fleeing or attempting to elude police officer/law enforcement
- Leaving the scene of accident before police/law enforcement arrives
- Habitual Traffic Offender

Failure to report this occurrence within the 72-hour timeframe may result in disciplinary action up to and including, without limitation, termination of employment.

1.5 EMPLOYMENT REFERENCE CHECKS AND CREDENTIAL VERIFICATION

To ensure that individuals who join our organization meet expected qualifications, it is the policy of the Foundation to check the employment references of candidates and confirm candidates have the required credentials or degree required for the position.

Human Resources personnel will respond to all reference check inquiries from other employers. Responses to such inquiries will confirm only dates of employment, position(s) held and duties employed with those position(s). Salary figures will only be verified when requested in writing and authorized by the employee. Additional information about the former employee may only be given out with prior permission from the Executive Director or Director.

The Foundation may verify the degree(s), registration with the state, certification, license or other credential (collectively "Credentials") and will require documentation to verify such Credentials as a condition of employment.

1.6 PERSONAL DATA CHANGES

It is the responsibility of each employee to promptly notify his/her manager of any changes in personal data such as personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency and educational accomplishments.

1.7 NON-HARASSMENT POLICY AND COMPLAINT PROCEDURE

Harassment

The Foundation prohibits harassment on the basis of an individual's race, color, religion/creed, sex, age, national origin, ancestry, citizenship status/alienage, military/veteran status, marital/partnership status, disability, personal appearance, arrest or conviction record, status as a victim of domestic violence/stalking/sex offenses, unemployment status, credit history, gender identity, sexual orientation, family responsibilities, matriculation, political affiliation, source of income, place of business or residence, genetic information, or any other category protected by applicable federal, state, or local law, provided, however, it reserves the right to establish special criteria for employment related to gender specific programs, services and facilities where such criteria are inimical to safe, effective service delivery for such program participants and customers, in accordance with applicable federal, state, and local laws. In the event any such prohibited conduct should occur in the workplace, you should follow the reporting procedures outlined below. Persons harassing others will be dealt with swiftly and vigorously. Any employee who violates this policy will be subject to disciplinary action up to and including termination.

Sexual Harassment

Employees are expected to act in a professional manner and to contribute to a productive work environment that is free from harassing or disruptive activity. All employees are entitled to work in an atmosphere free of sexual harassment. The Foundation will not condone nor tolerate sexual harassment of any type by any employee. This policy applies to all employee actions and relationships, within or outside the workplace (e.g. business trips, meetings, parties, etc.), regardless of position or gender.

While it is not easy to define precisely what types of conduct could constitute sexual harassment, examples of prohibited behavior include, but are not limited to:

- unwelcome sexual advances;
- requests for sexual favors;
- obscene gestures;
- displaying sexually graphic magazines, calendars, or posters;
- sending sexually explicit emails;
- verbal or physical conduct of a sexual nature, such as uninvited touching of a sexual nature;
- sexually-related comments, and depending upon the circumstances, improper conduct also can include sexual joking;
- vulgar or offensive conversation or jokes;
- commenting about an employee's physical appearance;
- conversation about an employee's or someone else's sex life;
- teasing or other conduct directed toward a person because of his or her sex or gender which is sufficiently severe or pervasive to create an unprofessional and hostile working environment.

The Foundation will promptly and thoroughly investigate any bona fide complaint of sexual harassment and take appropriate corrective action. In the event any such prohibited conduct should occur in the workplace, you should follow the reporting procedures outlined below.

Reporting Procedures

Each employee is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of their coworkers to be free from discrimination and harassment, sexual or otherwise.

If you experience any job-related harassment based on your sex, gender identity, sexual orientation, race, color, religion/creed, age, national origin, ancestry, citizenship status/alienage, disability, military/veteran status, marital/partnership status, arrest or conviction record, status as a victim of domestic violence/stalking/sex offenses, unemployment status, credit history, gender identity, sexual orientation, genetic information, or any other category protected by applicable federal, state, or local law, or believe that you have otherwise been treated in a manner that violates the Non-Harassment or Sexual Harassment policies, you must promptly report the incident directly to your supervisor, or to upper management (i.e., President, Executive Director or Director). If the alleged harassment involves upper management, the employee should bring the matter to the President, or if the matter involves the President, to the Director and Executive Director, who will address the matter with the Board of the Foundation. As necessary, the employee may be asked to complete a Title VI complaint form in addition to reporting the issue to their supervisor or upper management. See *Title VI Plan* [REDACTED] [REDACTED] for more information on this process. Additionally, staff may file a complaint with the Office of Chief Inspector General, Agency Inspector General, [REDACTED] [REDACTED]

All complaints of sexual or other harassment will be investigated promptly, impartially and thoroughly, as the Foundation deems appropriate. In addition, the Foundation's investigation will be conducted as discreetly as possible; however, the Foundation cannot guarantee complete confidentiality. The Foundation's general policies regarding harassment investigations are as follows:

- Employees are required to cooperate in any investigation;
- The Foundation will investigate any allegations of sexual or other harassment or other inappropriate conduct, even when the complaining employee later decides not to pursue the matter;
- Retaliation against any employee for filing a legitimate complaint in good faith or participating in an investigation in good faith is strictly prohibited and shall be cause for termination; and
- Employees who make complaints in bad faith may be subject to disciplinary action, up to and including termination.

In all cases where sexual or other harassment or other inappropriate conduct is determined to have occurred, the offender will face immediate and appropriate disciplinary action up to and including termination of employment. An employee determined to be violating the Foundation's policies against harassment and sexual harassment also may be held personally liable for their actions.

If the employee is not satisfied with the outcome of the investigation, the employee should bring the matter to the President who will address the matter with the Board of the Foundation.

Additionally, personal relationships may not be appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities. A member of management should never become sexually involved with any subordinate employee in her or his department.

Adherence to this policy is an absolute necessity. The penalties for any employee who does not comply with this policy will be severe, up to and including possible termination of employment.

1.8 SUBSTANCE ABUSE POLICY

The Foundation has adopted a policy of "zero-tolerance" with respect to an alcohol and drug-free workplace and is committed to promoting safety in the workplace, employee health, program participant confidence and a work environment that is conducive to attaining high work standards.

The Foundation has a vital interest in maintaining safe, healthful, and efficient working conditions for its employees and our program participants and customers. Being under the influence of a drug or alcohol on the job may pose serious safety and health risks not only to the user, but to all those who work with the user, as well as our program participants and guests. Accordingly, the Foundation has established the following guidelines with regard to the use, possession or sale of alcohol or drugs:

- The manufacture, possession, use, distribution, sale, purchase, or transfer of, or being under the influence of alcohol or illegal drugs is strictly prohibited by employees, including but not limited to while on the Foundation's premises or while performing Foundation business. An employee shall notify the Foundation of any criminal drug conviction or alcohol related conviction no later than five (5) days after receiving notification of such conviction and the Foundation reserves the right to impose appropriate personnel action against the employee including termination for cause. In the event that an employee does not have a driver's license in good standing or such license is suspended or revoked due to such conviction or related proceedings or the employee becomes uninsurable or the insurance premiums charged to the Foundation are increased as a result of employee's driver's record the Foundation reserves the right to terminate such employee for cause.

- Employees will not be permitted to work or be present at the Foundation’s facilities while under the influence of illegal drugs, alcohol or medical marijuana. All employees who appear to be unfit for duty may be subject to a medical fitness-for-duty evaluation, which may include drug or alcohol screening. Additionally, the Foundation reserves the right to conduct periodic medical fitness-for-duty evaluations, which may include drug or alcohol screening at any time. Refusal to comply with a medical fitness-for-duty evaluation may result in disciplinary action up to and including termination.
- Employees using controlled substances (including both prescription and over-the-counter substances) that may affect the safe performance of their jobs are required to report this treatment to their manager through their personal physician so that the Foundation can ensure the safety and security of persons and property.

Nothing in this policy should be construed to prohibit the Foundation from its responsibility to maintain a safe and secure work environment for its employees or from invoking such disciplinary actions as may be deemed appropriate for actions of misconduct by virtue of their having arisen out of the use or abuse of alcohol or drugs or both. The availability of substance abuse rehabilitation and employee substance abuse assistance programs will be discussed on an as needed basis.

1.9 DRUG FREE WORKPLACE POLICY

The Foundation is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any Foundation employee illegally uses drugs on the job; comes to work under the influence; possesses, distributes or sells drugs in the workplace; or abuses alcohol on the job. Therefore, the Foundation has established the following policy. It is a violation of the Foundation's policy for any employee to use, possess, sell, trade, offer for sale or offer to buy illegal drugs, abuse alcohol, or otherwise engage in the illegal use of drugs while on the premises [REDACTED] or while working on behalf of the Foundation.

It is a violation of the Foundation's policy for anyone to report to work [REDACTED] under the influence of illegal drugs, alcohol or medical marijuana.

It is a violation of the Foundation's policy for anyone to use prescription drugs illegally. (However, nothing in this policy precludes the appropriate use of legally prescribed medications.) Violations of this Drug Free Workplace policy are subject to disciplinary action up to and including termination.

It is the responsibility of the Foundation's directors and/or assistant directors to counsel employees whenever they see changes in performance or behavior that suggest an employee has a drug problem. Although it is not the directors and/or assistant directors' job to diagnose personal problems, the directors and/or assistant directors should encourage such employees to seek help and advise them about available resources for getting help.

Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who has a substance abuse problem to seek help. The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment at the Foundation.

This policy was created pursuant to and consistent with the Florida Drug Free Workplace Law, Florida Statute Section 440.102.

Drug Tests

All Foundation employee drug tests are conducted by a third-party provider licensed to conduct such tests.

Types of Drug Test

Job Applicant Testing. All final candidates for employment (persons to whom the Foundation has offered employment) must be tested and must have a negative drug test result for all unlawful and unprescribed substances.

Reasonable Suspicion Testing. Drug tests must be conducted following any observed behavior creating "reasonable suspicion." Reasonable Suspicion must be based on "specific and articulable facts", "taken together with rational inferences from those facts," and the suspicion must be associated with the specific individual.

Some examples of reasonable suspicion include, but are not limited to:

- Direct observation of drug/alcohol use.
- Exhibiting the symptoms of being under the influence of a drug or alcohol [REDACTED]
- Abnormal behavior while at work or a deterioration in work performance.
- A report of drug use.
- Information that an employee has caused, contributed to, or been involved in, an accident while at work.
- Evidence that an employee has used, possessed, sold, or solicited drugs while working or while on the [REDACTED] premises.

A Director or Assistant Director who observes or has been informed of any grounds for reasonable suspicion must report it to the Human Resources personnel, Legal Counsel, Director, and/or the Executive Director of the Foundation. All accounts of behavior that rise to reasonable suspicion for a drug test will be documented and maintained by the Human Resources personnel, Legal Counsel, Director, and/or the Executive Director of the Foundation. A copy of this documentation shall be given to the employee upon request and the original documentation shall be kept confidential by the Foundation and shall be retained by the Foundation for at least 1 year.

Follow-up Testing

If an employee enters into an employee assistance program, or an alcohol or drug rehabilitation program, the employee must submit to a random drug test, at least once per year for a two (2) year period after completion of the program. Advance notice of the testing date will not be given to the employee prior to testing.

Random Testing

As a condition of employment, all the Foundation employees are subject to random drug testing. Random drug testing may be requested of a program group, a clinical group, individual departments, shift groups, or all staff. If you are required to participate in random testing, you will be required to submit to said testing within twelve (12) hours of the request.

[REDACTED]

Drugs That Will Be Tested For:

- Amphetamines (Amphetamine and Methamphetamine)
- Cocaine Metabolites
- Marijuana Metabolites
- MDA-Analogues (MDA and MDMA)
- Opiates (Morphine and Codeine)
- 6-Acetylmorphine
- Opiates (semi-synthetic) (Hydromorphone and Hydrocodone)
- Oxycodones (Oxymorphone and Oxycodone)
- Phencyclidine

Medical Review Officer (MRO)

Florida Statute § 440.102 (1)k states that a “Medical review officer” or “MRO” is a licensed physician, employed with or contracted by the Foundation, who has knowledge of substance abuse disorders, laboratory testing procedures, and chain of custody collection procedures; who verifies positive, confirmed test results; and who has the necessary medical training to interpret and evaluate an employee’s positive test result in relation to the employee’s medical history or any other relevant biomedical information.

It is the responsibility of the MRO to interpret the drug test results. If an employee’s drug test results are positive, the MRO will contact the employee within five (5) working days. The MRO is required to contact the employee who has a confirmed positive test result before reporting the results of the test to the Executive Director, Director, General Counsel, and/or Human Resource personnel at the Foundation. If an employee has a plausible explanation for the test result showing positive (i.e., legal use of prescription or nonprescription medication), as determined by the MRO, the MRO will report the test result as negative.

Positive Drug Tests

Within 5 working days after receipt of a positive confirmed test result from the medical review officer, the Executive Director, Director, General Counsel, and/or Human Resource Personnel of the Foundation shall inform an employee or job applicant in writing of such positive test result, the consequences of such results, and the options available to the employee or job applicant. A copy of the test results shall be provided to the employee or job applicant, upon request.

Within 5 working days after receiving notice of a positive confirmed test result, an employee or job applicant may submit information to the Executive Director, Director, General Counsel, and/or Human Resource personnel of the Foundation explaining or contesting the test result, and explaining why the result does not constitute a violation of the Foundation’s policy. An employee or job applicant is not in violation of the Foundation’s policy if they test positive for marijuana and present a medical marijuana card within 5 working days after receiving notice of the positive test. If the employee’s or job applicant’s explanation or challenge of the positive test result is unsatisfactory to the Foundation, a written explanation as to why the employee’s or job applicant’s explanation is unsatisfactory, along with the report of positive result, shall be provided by the Executive Director, Director, General Counsel, and/or Human Resource personnel of the Foundation to the employee or job applicant; and all such documentation shall be kept confidential by the Foundation and shall be retained by the Foundation in the employee’s file. A positive drug test is subject to disciplinary action up to and including termination.

Common Medications That Could Produce A Positive Drug Test:

- Alcohol - All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick’s Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40

proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).

- Amphetamines - Obetrol, Biphedamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastin.
- Cannabinoids - Marinol (Dronabinol, THC).
- Cocaine - Cocaine HCl topical solution (Roxanne).
- Phencyclidine - Not legal by prescription.
- Methaqualone - Not legal by prescription.
- Opiates - Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guaiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin, etc.
- Barbiturates - Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butalbital, Phrenilin, Triad, etc.
- Benzodiazepines - Ativan, Azene, Klonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.
- Methadone - Dolophine, Metadose.
- Propoxyphene - Darvocet, Darvon N, Dolene, etc.

Consequences of Refusing to Submit to a Drug Test

Refusal to submit to a drug test upon request is subject to disciplinary action up to and including termination.

Confidentiality

All information, interviews, reports, statements, memoranda, and drug test results received by the Foundation through our drug-testing program are to be considered confidential information. The only exceptions to this are: 1) when such a release is compelled by a hearing officer or a court of competent jurisdiction, and 2) for determining qualification for unemployment compensation benefits.

Employee Assistance Program (EAP)

As an employee you have access to an invaluable Employee Assistance Program (EAP) provided by the Foundation's Health Insurance Company at no cost to you. EAP personal advocates will work with you and your household family members to help you resolve personal issues, direct you to a variety of helpful resources in your community, and more. Take advantage of the wide range of services offered at no cost to you including but not limited to financial planning assistance, parental resources, and so much more.

Notice to the Lab

It is the employee's responsibility to contact [REDACTED] the third-party licensed provider laboratory, who conducted the contested analysis, of any Administrative or Civil Action brought Pursuant to Section 440.102, F.S.

1.10 WORKPLACE VIOLENCE

The Foundation is committed to promoting a safe and healthful working environment for its personnel, program participants, independent contractors, suppliers, volunteers and other guests, one where violence of any kind is not tolerated. Expressly prohibited are all violent acts and threats and other potentially violent behavior by Foundation personnel and other including, but not limited to, the following:

- physical assault;

- physical intimidation or attempts to instill fear through, for example, stalking or menacing gestures;
- direct or veiled verbal threats of harm;
- engaging in behavior that creates a reasonable fear of injury in another or that subjects another to extreme emotional distress;
- engaging in bizarre or dangerous behavior evidencing a reckless disregard for the safety of others;
- possessing, brandishing, or using a weapon while on Foundation premises or engaged in Foundation business; and
- destroying, defacing, or misusing Foundation property or property of Foundation personnel, program participants, volunteers, independent contractors, suppliers, or other guests, or threatening to do so.

Reporting Procedures

The following reporting procedures should be followed whenever an employee believes that they have been a victim of workplace violence or observes or has knowledge of a violation of the Foundation's policy on workplace violence. Any Employee member who witnesses or has information about such violation has an obligation to promptly report the situation.

If time is of the essence because the threat of harm to persons or property is imminent, immediately contact the Executive Director, Director, Deputy Directors, Program Directors (Families, Youth, Singles, or Children's Services), Assistant Clinical Directors, Counselors or the police. Never hesitate to call the Executive Director, Director, Deputy Directors, Program Directors (Families, Youth, Singles and Children's Services), Assistant Clinical Directors, Counselors or the police if confronted with a potentially violent situation.

It is better to have called the Executive Director, Director, Deputy Directors, Program Directors (Families, Youth, Singles, or Children's Services), Assistant Directors, Counselors or the police unnecessarily than not to have the Executive Director, Director, Deputy Directors, Program Directors (Families, Youth, Singles, or Children's Services), Assistant Clinical Directors, Counselors or the police available when a threatening situation turns violent. Where criminal investigations are involved, the Foundation will fully cooperate with police and other law enforcement officials in the investigation and prosecution of violent incidents.

If time permits, report the offending incident or conduct promptly to the office. The employee reporting the incident or conduct may choose the one they are most comfortable with- the choice is strictly up to the employee. The employee making the complaint should also feel free to report the incident or conduct even if in the past if it was not reported, or if they have taken some time to decide to make the complaint. The Foundation has no requirement for the form or content of a harassment complaint, only that it be made in good faith. The complaint may be verbal or written. Please provide as much information as possible regarding the offending incident or conduct, such as what happened or is continuing to happen, the person or persons causing the policy violation, and the time(s) and place(s) the incident or conduct occurred. If available, the names of witnesses should be provided, but an individual should not hesitate to report potential violations of this policy merely because there are no witnesses or because they cannot identify the witnesses.

The Foundation is committed to prompt examination of any complaint of workplace violence received from whatever source and will take whatever action is appropriate under the circumstances, up to and including termination. Confidentiality for all parties involved will be respected to the utmost extent possible. Foundation policy also prohibits retaliation against employees who in good faith have filed complaints of potential violations of this policy, even if insufficient evidence is found to support the complaint.

Moreover, if a violent incident caused by outside persons such as a program participant or an employee or agent of the program participant occurs outside of Foundation premises in connection with work for

the Foundation, these same procedures to report the incident should be followed. Although the Foundation may not have the same control over outside persons engaging in violent acts or threats and other potentially violent behavior outside of Foundation premises, as it does over its own personnel, the Foundation will still examine the workplace violence complaint promptly and take whatever action is appropriate under the circumstances.

1.11. VACCINATION POLICIES

CORONAVIRUS DISEASE 2019 VACCINATION POLICY

The Foundation recognizes the 2019 novel severe acute respiratory syndrome coronavirus disease, and all applicable variants thereof (“COVID-19”), as a public health emergency. In an effort to limit the spread of COVID-19 and as a condition of employment with the Foundation, all employees must receive all the United States Department of Health and Human Services Centers for Disease Control and Prevention (CDC) recommended COVID-19 vaccination administrations on or before the required date announced annually by the Foundation’s Director, or submit one of the two (2) COVID-19 Vaccination Exemption Forms in Appendix F prior to such date. This policy is to protect the health and safety of all employees, program participants, visitors and volunteers, and advance the mission of the Foundation.

COVID-19 VACCINATION EXEMPTION:

A Foundation employee may request to be exempt from the COVID-19 vaccination(s) by submitting one of the two (2) COVID-19 Vaccination Exemption Forms in Appendix F to the Human Resources Director of the Foundation. If approved, the employee will receive a distinctly colored lanyard that must be worn at all times while the employee is on the premises [REDACTED] or while working on behalf of the Foundation in the proximate presence of another person. For everyone’s safety, any employee whose COVID-19 vaccination requirement exemption has been approved will be required to wear the distinctly colored lanyard and a face mask as designated by the Foundation any time said person is on premises [REDACTED] while working on behalf of the Foundation in the presence of another person. If the Foundation no longer has any of the designated face masks available, it is the responsibility of that staff member to obtain the designated face masks in compliance with the Foundation’s standards. Any employee whose COVID-19 vaccination requirement exemption has been approved that fails to wear the lanyard and designated mask at all times while at [REDACTED] and/or while working for the Foundation in the presence of another person will be subject to disciplinary action up to and including termination. In addition, any employee who is granted an exemption from the COVID-19 vaccination requirement is required to obtain a COVID-19 test and provide the results thereof to the Foundation’s Human Resources Director and direct supervisor every month. All COVID-19 test results must be emailed to the Foundation’s Human Resource Director and employee’s direct supervisor no later than 48 hours following the COVID-19 test. If the employee’s monthly results are not provided within 48 hours following the COVID-19 test, the employee may be subject to disciplinary action up to and including termination.

[REDACTED] recognizes two (2) categories of exemptions for the COVID-19 vaccination requirement.

The Exemption categories are:

1. ON THE BASIS OF RELIGION:

If an employee is seeking an exemption because the COVID-19 vaccination conflicts with doctrines of an individual’s religious belief, they must complete and submit a Request for Religious Beliefs Exemption Request Form, to the Human Resources Director for review by no later than five days prior to starting employment if not yet employed by the Foundation or if employed by the Foundation as of November 1, 2021, the date announced annually by the Foundation’s Director (in 2021, November 1). An employee who is denied their request for an exemption based on religious beliefs can appeal in writing to the Foundation’s Director and

Executive Director. The Director and Executive Director may elect to interview the employee prior to making a decision on behalf of the Foundation. Please be advised that a request for an exemption from the mandatory vaccination policy may be denied if it creates an undue hardship on the Foundation.

2. ON THE BASIS OF A MEDICAL CONDITION:

Medical Exemption Requests may be granted under certain circumstances. The employee must have their healthcare provider complete the lower portion of the Medical Exemption Request Form. The completed Medical Exemption Request Form and all documentation in support of the medical exemption request must be submitted to the Human Resources Director for review by no later than five days prior to start of employment if not yet employed by the Foundation or if employed by the Foundation, on a date announced annually by the Foundation's Director (in 2021, November 1). Medical exemptions will generally be granted where an employee has a history of a severe adverse reaction to the mRNA, COVID or flu vaccines; the components of said vaccines; or has a history of Guillain-Barre syndrome. An employee who is denied their request for a Medical exemption can appeal in writing to the Foundation's Director and Executive Director. The Director and Executive Director may elect to interview the employee prior to making a decision on behalf of the Foundation.

EMPLOYEES WAITING FOR EXEMPTION RESPONSE

If an employee has timely submitted a COVID-19 Vaccination Exemption Request Form but has yet to receive a response to the exemption request, the employee is required to comply with each and all of the requirements for employees who receive an exemption as specified above, pending the final determination of the Foundation, and failure to do so may result in disciplinary action up to and including termination.


PROOF OF VACCINATION

Proof of the required vaccinations must: (1) be presented on a document completed by a medical doctor, pharmacist, nurse, or other medical professional licensed to administer a vaccination; (2) include the administering medical professional or organization's name and contact information; (3) include the name of the manufacturer of the vaccination, the vaccine lot number, and date the vaccination was administered to the staff.

Applicants who accept an offer of employment with the Foundation must obtain the required vaccinations and supply proof of vaccination, or submit one of the two (2) COVID-19 Vaccination Exemption Forms, found in Appendix F, to the Human Resources Director of the Foundation, prior to commencing work with the Foundation. Proof of vaccination must comply with the requirements of the paragraph above.

INFLUENZA VACCINATION POLICY

In an effort to limit the spread of an influenza infection and as a condition of employment with the Foundation, all employees must receive an annual influenza vaccination or complete the Influenza Vaccination Waiver Form. This policy will help us better serve our community and protect our guests, employees, families, and associates from the unnecessary spread of the influenza virus.

The Foundation will make seasonal influenza vaccines available on site  free of charge, while supplies last, at the start of the influenza season (i.e., generally from September to March; however, this timeframe may be modified in practice based upon guidelines from CDC. The CDC defined dates for the influenza season will be provided to all employees by email. Prior to the start of influenza season, the Foundation will provide employees with the dates that the seasonal influenza vaccine will be

available [REDACTED]. If an employee is on leave of absence before the start of the influenza season, and returns to work during the influenza season, the employee will be required to receive an Influenza vaccination, supply proof of vaccination, or submit the Influenza Vaccination Waiver Form in Appendix E upon their return to work. For vaccinations received outside of the Foundation, refer to your Health Insurance benefit plan for coverage options. Proof of receipt of the seasonal influenza vaccination must be provided to the Foundation's Human Resources Director on or before November 1 of each year.

INFLUENZA VACCINATION WAIVER:

A Foundation employee may waive the influenza vaccination by filing a completed Influenza Vaccination Waiver Form with the Human Resources Director of the Foundation. At the time the Influenza Vaccination Waiver Form is turned in, the employee will receive a distinctly colored lanyard that must be worn at all times while the employee is on the premises [REDACTED] and/or while working for the Foundation. For everyone's safety, any employee who waives the participation in the influenza vaccination(s) will be required to wear the lanyard, a face mask, as designated by the Foundation, any time said person is on premises [REDACTED] and/or working for the Foundation in the presence of another person. If a staff member waives participation in the influenza vaccination requirement and the Foundation no longer has any of the designated face masks available, it is the responsibility of that staff member to obtain the face masks that are in compliance with the Foundation's standards. Any employee who has waived participation in the influenza vaccination(s) and fails to wear the lanyard, designated mask at all times [REDACTED] while working for the Foundation in the presence of another person will be subject to disciplinary action up to and including termination.

PROOF OF VACCINATION

Proof of the required vaccinations must: (1) be presented on a document completed by a medical doctor, pharmacist, nurse, or other medical professional licensed to administer a vaccination; (2) include the administering medical professional or organization's name and contact information; (3) include the name of the manufacturer of the vaccination, the vaccine lot number, and date the vaccination was administered to the staff.

Applicants who accept an offer of employment with the Foundation must obtain the required vaccinations and supply proof of vaccination, or submit an Influenza Vaccination Waiver Form (found in Appendix E) to the Human Resources Director for the Foundation prior to commencing work with the Foundation. Proof of vaccination must comply with the requirements of the paragraph above.

1.12 NO SMOKING POLICY

[REDACTED] maintains a smoke- and tobacco-free environment. No smoking or other use of tobacco products (including, but not limited to, cigarettes, E-cigarettes, pipes, cigars, snuff, or chewing tobacco) is permitted inside any building owned or occupied by [REDACTED] and any Foundation vehicles. Team members, vendors, volunteers, visitors and [REDACTED] guests may smoke or consume tobacco-based products only in the outdoor areas specifically designated and labeled by signage as a smoking area. Team members who utilize a designated smoking area are expected to maintain the area in an acceptable, clean condition. Failure to do so may result in revocation of your smoking privileges or the elimination of a team member smoking area. Smoke breaks must be authorized by your Department Head, Manager or Supervisor.

II. COMPENSATION, BENEFITS, PERFORMANCE POLICIES AND TIME OFF

2.1 EMPLOYEE CATEGORIES

Generally, employees fall within one of the following categories:

Regular Full-Time Employees: Employees who are regularly scheduled to work at least forty (40) hours per week. They are normally eligible for the benefits outlined in this Employee Manual.

Temporary and Part-Time Employees: Employees who are regularly scheduled to work less than forty (40) hours per week or who are engaged on a temporary basis, e.g., for 90 days or less. They are not normally eligible for the benefits outlined in this Employee manual except those that are legally required.

Exempt and Nonexempt Employees: All employees are also classified into “exempt” and “non-exempt” categories for purposes of establishing eligibility for overtime pay under the federal and state wage and hour laws. Employees classified as “non-exempt” are eligible for overtime pay. “Exempt” employees receive a salary which is intended to cover all hours worked including any hours worked in excess of 40 in a workweek or overtime, and therefore are not eligible for overtime pay. Employees are informed of their initial employment classification and status as exempt or non-exempt upon commencing employment. If an employee changes position during his/her employment as a result of a promotion, transfer or otherwise, the Director or Executive Director will inform him/her of any change in his/her job classification if there is such a change.

2.2 OVERTIME

From time to time employees may be asked to work overtime. If an employee is a non-exempt employee, the employee must obtain the approval of their supervisor or the Executive Director and/or Director of the Foundation before working any overtime hours. If an employee is a non-exempt employee and the employee performs overtime work, provided they have obtained prior approval for such overtime, such employee will be compensated as follows:

1. All hours worked in excess of 40 hours per week will be paid at the rate of one and one-half times the employee’s regular hourly rate.
2. Paid holidays will not be considered as hours worked for the purpose of computing overtime.
3. Short-term disability, Personal/Sick leave, emergency time off, vacation, jury duty and bereavement leave are not counted as hours worked with respect to calculation of overtime pay.
4. Employees may not take compensatory time off in lieu of receiving overtime pay.

2.3 PERFORMANCE REVIEWS

Employees will receive an annual performance review. A performance review after the employees initial 90 days of employment may be performed at the supervisor’s discretion. Special performance reviews may be conducted at any time, however, at the Foundation's sole discretion. Annual performance reviews are conducted first by the employee completing the Foundation’s self-evaluation form, attached as Appendix D. Once completed, the employee should submit the form to their supervisor who will schedule a review to discuss the employee’s self-evaluation and supervisor’s performance review. After the review, the supervisor must submit the completed Performance Review form with the supervisor’s notations to the Human Resources personnel and Director or Executive Director for filing in the employee files and review for additional information and support for the team member, if applicable. Performance reviews provide an opportunity for employees and supervisors to establish additional goals for each employee’s performance and satisfaction in their work for the Foundation, as well as the opportunity to seek out or offer training, new responsibilities and other professional growth opportunities for employees.

2.4 PROMOTION FOR EXISTING EMPLOYEES

Unless the Executive Director or Director expressly permits, employees are not eligible for lateral move or promotion to another employment position with the Foundation until they have completed at least one year of full-time employment. Employees wishing to be considered for promotion to an open position at the Foundation should notify their supervisor in person and submit their resume and cover letter, if applicable, via email to their supervisor, and specify for which position the employee wishes to apply. The employee's supervisor must then advise the Executive Director or Director of the employee's submission for the open position. The Foundation may post available job openings for which it is seeking candidates in a variety of public forums, including without limitation, web-based commercial sites such as indeed.com, careerbuilder.com or craigslist.org; on the Foundation's website, [REDACTED] newsletters, bulletins or databases of organizations, funders or professional organizations [REDACTED]

2.5 LACTATION

The Foundation will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for up to three (3) years after the birth of a child. If possible, the break time must run concurrently with rest and meal periods already provided to the employee.

The Foundation will make reasonable efforts to provide an employee with use of a private room or other location in close proximity to the employee's work area to express milk in private. Employees will not be discriminated against or retaliated against for exercising their rights under this policy. Employees can contact the Director or Executive Director with questions regarding this policy.

2.6 ABSENTEEISM

Regular and prompt daily attendance is an essential function of an employee's job. In order to minimize disruption to the Foundation's operations and as a courtesy to co-workers, all absences and lateness are to be reported as soon as possible. It is an employee's obligation to notify their supervisor as soon as possible but no later than *one hour* prior to the start of the workday except in cases of extreme emergency.

Employees must contact their supervisor every day that they are absent unless specifically instructed otherwise such as during an approved leave of absence. If an employee calls in sick for three or more consecutive days or has a pattern of absence, the employee may be required to provide their supervisor with a doctor's note on the day the employee returns to work, to the maximum extent permitted by applicable law.

Excessive or unexcused absences or tardiness may result in disciplinary action up to and including termination. Two (2) consecutive days of unexcused absence shall be considered by the Foundation to be a voluntary resignation by the employee and termination by the Foundation.

2.7 PAYROLL INFORMATION

All employees are paid on a bi-weekly basis, and payday is every other Friday. Should a regular payday fall on a Foundation holiday, employees will be paid the last working day before the scheduled holiday. It is the policy of the Foundation to make all regular payroll payments by direct deposit into the employee's account.

The Foundation is required by law to make certain deductions from an employee's paycheck, such as

federal and state withholding taxes, social security taxes (FICA), and court-ordered deductions. An employee may voluntarily authorize in writing additional deductions from her/his paycheck for contribution to benefit plans and other items permitted by the Foundation. It is the employee's responsibility to check those deductions and ensure that all such deductions are correct. Employees who believe there is an error in their pay should bring the matter to the attention of the Director or Executive Director and Controller immediately, so that the Foundation can investigate and resolve the matter quickly and amicably.

2.8 VACATION LEAVE

The eligibility for vacation leave and the applicable amount of vacation leave a full-time employee accrues biweekly depends upon the terms of such employee's written employment agreement with the Foundation. No changes to such agreement shall be valid or binding on the Foundation unless in writing and signed by the Foundation's Executive Director, with the exception of the Employee Wellness and Appreciation Provision below.

Employee Wellness and Appreciation Provision - Awards one additional vacation day to each full-time employee on the anniversary of each full employment year with the Foundation, for up to 10 years.

Vacation Use and Approval - All vacation days must be taken no later than the calendar year in which they accrue, unless prior written approval from a supervisor is obtained. Vacation days not taken within this time period will be forfeited. Vacation time cannot be taken randomly and must be pre-approved by the Foundation. Requests for vacations must be in writing, using the online timekeeping system, and submitted not less than thirty (30) days prior to the first day of the planned vacation. The Foundation has critical operational safety issues and deadlines that are subject to mandatory attendance, and therefore, vacation use must be approved in advance by the Director or for employees reporting directly to the President, the President. Upon resignation, vacation leave will not be available for use, but any unused accrued time will be paid out.

Scheduling Conflicts - In the event that you and another employee have requested vacations covering the same period and may not be absent simultaneously, preference will be given to the employee with the greater length of service.

Holidays - A holiday that falls during a vacation period will be treated as a holiday and not as a day of vacation.

Vacation Time Does Not Rollover - Employees may not receive pay in lieu of vacation time. Any vacation time not used within the year accrued will lose such time and it will be forever waived. Vacation time does not rollover to the following year. Therefore, it is imperative that you schedule your vacation time with prior approval of the Foundation and within the year that it is accrued.

Vacation Pay on Termination - Upon termination/resignation of employment, you will be paid all accrued but unused vacation time, but not for accrued and unused Personal/Sick days.


2.9 HOLIDAYS

All regular, full-time employees are eligible for six (6) paid holidays each year for which they will receive eight (8) hours straight-time pay. The following are paid holidays:

- New Year's Day
- Memorial Day
- Juneteenth (Observed on June 19th of each year)
- Independence Day
- Thanksgiving Day
- December 25

In every presidential election year, the Foundation will observe John Lewis Voting Day, which is also Election Day (First Tuesday of November). On John Lewis Voting Day all employees will receive eight (8) hours straight-time pay.

Provided however, an employee may volunteer or be required to work a paid holiday if requested by the Foundation's Director or Executive Director, and in such case the employee shall receive two paid vacation days in exchange for such holiday, to be scheduled in the same manner as other vacation days.

Floating Holidays - All full-time, regular employees receive three (3) floating holidays per employment year in addition to vacation and sick leave and  Foundation's regular holidays. These 3 floating holidays allow employees to have additional paid leave to cover absences for personal reasons, such as religious, cultural or historical observances or, if you prefer, to supplement other leave time such as personal or vacation days.

Floating holidays are available at the beginning of each employment year. Floating holidays will not be carried over to the next calendar year, nor may they be cashed out if not taken or paid upon termination/resignation of employment. As with all time off, floating holidays must be scheduled and approved at least 2 weeks in advance by your supervisor.

Eligibility - Part-time and temporary employees are ineligible for holiday benefits. All employees are ineligible for holiday benefits that accrue while on leave of absence.

2.10 PERSONAL/SICK LEAVE/LATE ARRIVAL

Personal/Sick leave is to be used for illnesses and injuries that prevent an employee from working, or to undertake personal tasks which cannot be accomplished during working hours. Each employee is entitled to ten (10) personal/sick days (80 hours), five (5) days (40 hours) at the start of employment and at the start of each year, the remaining hours will be accrued throughout the year at the rate of 1.54 hours biweekly. For each employee, the start of the year is on their anniversary date. An employee may not use more than 10 days/80 hours of accrued paid sick/personal time in a year. For purposes of this policy, the "year" is the 12-month period starting on the employee's anniversary date.

Personal/Sick leave may not be accumulated from year to year, and any Personal/Sick leave days not used by the end of the employment year or upon termination of employment will be forfeited. In no event will unused Personal/Sick Leave days be paid if the employee leaves the Foundation.

Employees must provide reasonable advance notice of the need to use accrued paid sick/personal to their manager/supervisor if the need is foreseeable. Where the need is not foreseeable, employees should provide notice as early as possible. The Foundation may require supporting documentation if the employee uses accrued paid sick/personal for more than three (3) consecutive days or has a pattern of absence. Failure to provide requested documentation for paid sick/personal taken under this policy

within seven days of returning to work may result in disciplinary action, up to and including termination.

Paid sick/personal will be paid at the same rate as the employee earns from his or her employment at the time the employee uses such time, but no less than the applicable minimum wage. Use of paid sick/personal is not considered hours worked for purposes of calculating overtime.

Notwithstanding the above, certain employees are considered “essential operations personnel,” meaning such employees are essential to the safe, daily and night-time operation of the shelter facilities, with specific prescribed shifts to assure 24/7/365 coverage of the shelter. This includes all employees working in program participant supervision, guest services and operations management, engineering, repair and maintenance, and the culinary program, all of which are core operations programs. Essential operations personnel have the following additional requirements:

- **Employees must provide their supervisor at least four (4) hours prior notice of their inability to attend work or late arrival for their assigned work shift, time being of the essence. Failure to do so will be deemed a “no-call, no show” resulting in a verbal warning the first time in a year, a written warning the second time in a year, and possible termination for cause the third time in a year.**
- **Operations managers may make-up three sick days per year by working a “make-up” day within the following two-week period with the prior approval of the Operations Director.**
- **Essential operations personnel are required to work their full shift, time being of the essence, with authorized breaks, and may not leave prior to the end of their shift without their supervisor’s prior approval.**

All employees are required to clock in when they arrive on the premises for their shift and clock out when they leave the premises at the end of their shift, for recording in the Foundation’s employee attendance tracking system. If an employee is required to begin or end performance of their duties, respectively, making it impossible to clock-in or out, they must notify the Director of their team or group by email that day or the very next day to allow the Director of their team or group to manually clock them in or out in the Foundation’s employee attendance tracking system.

Employees with questions concerning this policy should contact the ██████████ Director and/or Executive Director.

2.11 FAMILY AND MEDICAL LEAVE ACT (FMLA) LEAVE

The Foundation’s Family and Medical Leave Act (FMLA) Policy is attached as Appendix A and incorporated by reference.

2.12 PAID PARENTAL LEAVE

The Foundation’s Paid Parental Leave policy is attached as Appendix B and incorporated by reference.

2.13 DOMESTIC VIOLENCE LEAVE

An employee may take up to 3 working days of leave from work in any 12-month period if the employee, a family member, or household member is the victim of domestic violence or sexual violence. When possible, advance notice must be provided.

2.14 JURY DUTY LEAVE

Regular, full-time employees called to jury duty will be paid the difference between their regular earnings and their jury pay for the time they serve for a maximum period of up to five (5) business days. If an employee is excused from jury duty early in the day, they must notify your supervisor and complete your regular work schedule upon request. This policy also applies when an employee is subpoenaed as a witness in a case in which the employee has no personal or financial interest. In order to receive payment by the Foundation under this policy, an employee must provide in advance, copies of the papers requiring jury duty or testimony, the dates of such testimony or service and proof of payments received from the Court. Paid leave shall not be granted for an employee's appearance in court as a plaintiff or defendant.

2.15 BEREAVEMENT LEAVE

In the unfortunate event of a death in an employee's immediate family, regular, full-time employees are eligible for a maximum three (3) days bereavement leave, with pay, to make the necessary arrangements. In the unfortunate event of a death in an employee's extended family, regular, full-time employees are eligible for one (1) day of bereavement leave. Bereavement pay is allowed only for scheduled work days. For the purposes of this policy "immediate family" is defined as the employee's spouse, child, parent, brother, sister, and grandparents. "Extended family" is defined as aunts, uncles, and first cousins. Absences in excess of three (3) days may be charged against vacation leave, if available.

2.16 Uniformed Services Employment and Reemployment Rights Act (USERRA)

Employees called to active military duty, military reserve or National Guard service may be eligible to receive time off under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). To receive time off pursuant to USERRA for military service, the employee must provide a copy of their military report order to their immediate supervisor and the Human Resources Director in advance of the reporting date. Military leave is granted unpaid. Upon return with an honorable discharge, an employee may be entitled to reinstatement and any applicable job benefits they would have received if present, to the extent provided by law.

2.17 UNPAID LEAVES OF ABSENCE

Under certain circumstances, employees who are not eligible for any other leave of absence and/or have exhausted all other leave entitlements may be granted a personal leave of absence without pay. A written request for a personal leave should be presented to management at least two (2) weeks before the requested start of the leave, except in cases of emergency. Such leave must be approved by the Foundation's President, Executive Director or Director and may be granted or withheld at their discretion. Any time spent on such unpaid leave will not count towards accrual of annual leave, seniority or any other benefits. However, we will continue health insurance coverage during a personal leave if employees submit their share of the monthly premium payments to the Foundation in a timely manner, to the extent permitted and in accordance with the applicable plans.

Employees must use accrued paid vacation and sick/personal off while on unpaid personal leave. The substitution of paid time for unpaid leave time does not extend the length of leave and the paid time will run concurrently with any personal leave granted. Receipt of disability benefits or Workers' Compensation benefits does not extend the length of any personal leave granted.

Upon completion of a personal leave of absence, the Foundation will attempt to return employees to either their original job, or to a similar position, subject to prevailing business considerations. We note,

however, that reinstatement is not guaranteed unless required by law.

Failure to advise management of availability to return to work, failure to return to work after notifying the Foundation of expected return to work, or remaining absent from work beyond the time approved by the Foundation is considered a voluntary resignation of employment unless otherwise prohibited by applicable law.

2.18 BENEFITS

Workers' Compensation

The Foundation, as required by law, provides worker's compensation insurance at no expense to you. This insurance provides benefits to you for the payment of medical expenses and weekly compensation payments during the period of job-related injuries and illness. We all have an interest in a safe place to work free of accidents. If you are injured or become ill on the job, report it immediately to your supervisor. Your supervisor will complete an Employer First Report of Injury which must be submitted immediately following the accident or illness. Medical care will be provided as required under applicable worker's compensation law. If you fail to report an accident or injury on the job, you may have difficulty in recovering worker's compensation benefits. Worker's compensation does not cover injuries or accidents occurring in your off-duty recreational, social or athletic activities.

Health Insurance Benefits

At this time, the Foundation offers health insurance benefits for each full-time employee through a plan and health insurance provider selected by the Company, subject to a waiting period which ends on the first of the month following an initial 60 days of employment. The Foundation reserves the right to terminate or change the plan and/or health insurance provider from time to time. Employee participation in the health insurance plan selected from time to time by the Foundation is not mandatory. While the Foundation will pay the premiums for each full-time employee under the plan selected by the Foundation during such employee's period of employment with the Foundation, employees have the option of obtaining coverage for domestic partners, spouses and dependents through the plan by paying the additional premiums for such extended coverage. Following termination, employees may contact the health insurance provider for extended coverage directly and will be required to pay amounts required for such extended coverage directly to the provider, as the Foundation is not required to pay such premiums. The Foundation does not offer any life or disability insurance coverage or benefits at this time, however, employees may take advantage of the Foundation's insurance company's offering of short term disability which is available at a cost to the employee.

Meals

All staff are welcome to eat the meals served [redacted] during their shift at no cost to the employee. To make enforcement of [redacted] rules prohibiting program participants from bringing in outside food easier and promote a professional environment at desk stations and offices, staff are requested to eat meals brought from outside [redacted] in the staff break room, the patio adjacent to the breakroom or the table area reserved for staff at the North ground floor corridor adjacent to the Farm.

III. STANDARDS OF CONDUCT, PROBLEM SOLVING AND DISCIPLINE

3.1 STANDARDS OF BUSINESS CONDUCT

Ethical behavior is the guiding force behind the Foundation's operation. The Foundation's success will be based upon mutual trust amongst partners, employees, customers and program participants. Such

mutual trust can only be established when we as a Foundation, and as individuals, behave with unquestionable integrity.

Every organization must have rules by which it operates. **The following is a list of offenses that will lead to disciplinary action, up to and including termination.** This list is by no means all inclusive. This list is intended to be a guide only, and in no way limits the authority of the Foundation to discipline employees for misconduct, nor does this list alter the status of the Foundation's employees as "at-will" employees.

- 1. Being under the influence of alcohol, drugs (illegal or unprescribed) or possessing drugs (illegal or unprescribed) while on Foundation property;
- 2. Theft or "borrowing" (even with intent to return unless specifically approved by the Foundation's upper management, e.g., the President, Executive Director or Director) of Foundation property;
- 3. Misrepresentation or falsification of forms, records or attendance reports;
- 4. Deliberate damage to either Foundation or private property or injury to co-workers, customers, program participants or the public;
- 5. Unauthorized use of Foundation property unless specifically approved by the Foundation's upper management (e.g., the President, Executive Director or Director);
- 6. Excessive tardiness or absenteeism;
- 7. Abusive or threatening language to a supervisor, co-worker, customers, program participants or the public;
- 8. Violation of the Foundation's harassment policy, Zero Tolerance Policy for Abuse, Inclusivity Policy, and/or other policies and procedures;
- 9. Making false and/or malicious accusations against other employees;
- 10. Any other conduct detrimental to other employees or the Foundation's interests or its efficient operations;
- 11. Conflict of interest. A conflict of interest can arise when an employee is involved in an activity which relates to or conflicts with the Foundation's business. If an employee performs work outside of his or her normal Foundation job, he or she has a special responsibility to avoid any conflict with the Foundation's interest. Failure to disclose the foregoing is a violation of the Foundation's policy, and the employee may be subject to termination; and/or
- 12. Violent acts and threats and other potentially violent behavior including, but not limited to, the conduct described in Section 3.8 below;
- 13. Engage in any relationship with a program participant of the ████████████████████ Shelter, other than in a professional capacity, or act in any manner which is or may give the appearance of impropriety, breach of confidentiality, favoritism, undue influence or abuse of authority; and
- 14. Engage in any act of dishonesty, misrepresentation or material omission.

Any employee who believes the Foundation's standards of business conduct have been violated should promptly report the incident directly to the Executive Director and/or Director. If the alleged violation of standards of business conduct involves upper management, the employee should bring the matter to the

President, or if the matter involves the President, to the Executive Director or Director, who will address the matter with the Board of the Foundation. All complaints of violation of the Foundation's standards of business conduct will be investigated promptly, impartially and thoroughly, as the Foundation deems appropriate. Foundation policy also prohibits retaliation against employees who in good faith have filed complaints of potential violations of these standards of business conduct, even if insufficient evidence is found to support the complaint.

3.2 RULES OF CONDUCT

Discipline and Rules of Conduct Policy

Employees are expected to observe the *highest* standards of job performance, *integrity, honesty* and good conduct. When performance or conduct does not meet Foundation standards, the Foundation will endeavor when it deems appropriate to provide the employee a reasonable opportunity to correct the deficiency. If, however, the employee fails to make the correction, he or she will be subject to discipline, including termination.

The rules set forth below are intended to provide employees with fair notice of what is expected of them. Necessarily, however, such rules cannot identify every type of unacceptable conduct and performance. Therefore, employees should be aware that conduct not specifically listed below but which adversely affects or is otherwise detrimental to the interests of the Foundation, other employees, or customers may also result in disciplinary action.

Proper Conduct

Employees are expected to:

- Report to work on time and be ready to work at their assigned work stations at the beginning of their work day.
- Notify the Supervisor in advance of the need to be absent or late.
- Treat program participants, vendors, visitors and fellow employees in a kind and courteous manner.
- Refrain from behavior or conduct deemed offensive or undesirable, or which is subject to disciplinary action.
- Perform assigned tasks efficiently and in accordance with established quality standards.
- Report to management any suspicious, unethical, or illegal conduct by fellow employees, customers/program participants, visitors, or vendors.

The Foundation reserves the right to add any further items to the representative list of proper conduct.

Job Performance

Employees may be disciplined for poor job performance, including but not limited to the following:

- Below-average work quality or quantity;
- Poor attitude (for example, rudeness or lack of cooperation);
- Absenteeism, tardiness, or abuse of break and lunch privileges; or
- Failure to follow instructions or Foundation procedures.

Absenteeism and tardiness represent a serious loss to you and to the Foundation. If you are absent it puts unnecessary strain on others who are required to pick up the slack you created by your absence. If you are going to be absent, late, or are required to leave early, you must report to your supervisor before it happens. Unexcused absences or tardiness will subject you to discipline up to and including discharge to the maximum extent permitted by applicable law.

3.3 DISCIPLINE PROCEDURE

In accordance with our Progressive Discipline Policy, discharge for poor performance ordinarily will be preceded by an oral warning and a written warning. A copy of said written warning may be placed in the employee's permanent personnel file.

A final written warning may be utilized by the Director or Executive Director. You may be asked to sign the final written warning, acknowledging that you have received it. Documentation will be filed in your personnel file.

The Foundation reserves the right to proceed directly to a written warning or to terminate for misconduct or performance deficiency, without resort to prior disciplinary steps, when the Foundation deems such action appropriate.

3.4 TERMINATION, DISCIPLINE AND RULES OF CONDUCT

Voluntary Termination

The Foundation will consider an employee to have voluntarily terminated his or her employment if an employee does any of the following:

- Elects to resign from the Foundation;
- Fails to return from an approved leave of absence on the date specified by the Foundation; or
- No Call, No Show for two (2) consecutive days.

Employees are employed on an at-will basis. Accordingly, employees are free to resign their employment with the Foundation at any time, and the Foundation retains the similar right to terminate employees at any time. Should you decide to leave your employment with us, we ask that you provide the Foundation with advance notice for the required notice period stated in your employment agreement with the Foundation, which notice must be in writing to the Executive Director or Director indicating the last day that you will be working. A minimum two-week notice is customary, with a notice period greater than two weeks expected if so provided in your employment agreement with the Foundation. Your thoughtfulness will be appreciated and will be noted favorably should you ever wish to reapply for employment with the Foundation. Upon an employee's resignation or termination, it shall be the employee's responsibility to return all property belonging to the Foundation prior to departure. Final paychecks for employees who resign without the notice required by their employment agreement with the Foundation are mailed to the most recent address on file in the personnel office no later than the next regularly scheduled payday.

Involuntary Termination

An employee may be terminated involuntarily for reasons that may include poor performance, misconduct, or other violations of the Foundation's rules of conduct or the rules of its facilities. Notwithstanding this list of rules, the Foundation reserves the right to discharge with or without cause and with or without prior notice.

Termination Due to Reorganizations, Economics, or Lack of Work

From time to time, the Foundation may need to terminate an employee as a consequence of reorganizations, job elimination, reduction in funding, or lack of work. Should the Foundation consider such terminations necessary, the Foundation will attempt to provide all affected employees with advance notice when practical or when required by law. Layoff benefits associated with such termination, if

applicable, if any, will be as specified in the notice.

3.5 STAFF FEEDBACK

There are multiple ways an employee may share feedback, ask questions, or share any concerns (collectively “feedback”) with the Foundation. Supervisors have an “open door” policy for the staff members they supervise. Employees may meet with their supervisor in person, at a mutually agreeable time, to share their feedback. Employees may also email or call their supervisor as additional means of sharing feedback. Employees may also share their feedback, if appropriate, during weekly team meetings with their department and supervisor, and at other periodic gatherings of staff, recognizing that some feedback is not appropriate or constructive to be shared with an entire group. If an employee’s feedback is a concern or complaint regarding their supervisor, they may schedule a meeting with the Director directly to share their feedback. If after sharing their feedback with their supervisor, an employee wishes to share their feedback beyond the Director (e.g. because they are not satisfied with the Director’s response to their feedback), they may schedule a meeting with the Executive Director of the Foundation to discuss their feedback.

3.6 DRESS CODE

Unless the necessities of your position require business attire (your supervisor will advise you), all Foundation Staff must follow the following dress code:

- Jeans or slacks (no spandex tights or shorts), without visible holes, rips or tears
- A [REDACTED] T-shirt ([REDACTED] will provide 3 long sleeve and 3 short sleeve shirts)
- Non-skid sneakers or running shoes
- Fingernails (natural or artificial) must be no longer than 1/4 inch past the tip of the finger, as nails longer than 1/4 inch create sanitation hazards and safety hazards for employees and our guests.
- A lanyard and an employee identification card will be provided to you by the Foundation. You are required to wear the lanyard with your id visible at all times while you are on [REDACTED] Premises

3.7 OUTSIDE EMPLOYMENT

Our Foundation hopes that you will not find it necessary to seek additional outside employment. However, if you are planning to accept an outside position, you must notify the Director or Executive Director in writing. Before you can accept employment with any other employer while you are employed full time by the Foundation, you must have written approval from the Foundation, which may be withheld at its discretion.

Outside employment must not conflict in any way with your responsibilities within our Foundation. Employees may not use Foundation equipment for any work that is performed for people other than the Foundation without prior written approval by the Foundation.

All inquiries related to outside employment should be directed to your supervisor who will address the request with upper management.

3.8 REMOVAL OF FOUNDATION PROPERTY

Unauthorized removal of the Foundation equipment or property is prohibited and is considered theft. Foundation property includes donations. Employees should not be taking or distributing any donated items without prior approval from the Deputy Directors, Director or Executive Director. Written approval must be obtained from management before removing or borrowing Foundation property. Upper

management reserves the right to inspect employees' personal items from time to time to ensure that they are not removing Foundation property.

3.9 MISUSE OF FOUNDATION PROPERTY

The Foundation property provided to employees for her/his use (e.g. desk, chair, file cabinets, telephone, computer, software and licenses, e-mail, voice mail, etc., along with furnishings for residential positions) is to assist employees in carrying out their responsibilities on behalf of the Foundation. Accordingly, this means that no employee should have any expectation of privacy with respect to her/his telephone and computer, including e-mail, voice mail messages, calendar, documents, Internet usage or space provided for resident positions. The Foundation reserves the right, at any time, to review computer usage, to listen to voice mail messages and to review e-mail messages of employees, in order to ensure that these systems are being used properly and legally, and to enter spaces provided for resident positions. Any employee who improperly or illegally uses any of the above-referenced Foundation property will be subject to discipline up to and including termination.

3.10 PERSONAL TELEPHONE CALLS

It is important to keep our telephone lines free for business calls of the Foundation. Although the occasional use of the Foundation's telephones for a personal **emergency** may be necessary, personal calls should be kept to a minimum. Friends or relatives should be discouraged from calling you during business hours. No long distance calls are permitted except as authorized by your supervisor for work related issues.

3.11 STAFF BELONGINGS

Staff should ask their supervisor where they may keep their personal belongings during their work day. Staff work spaces and desks should be maintained in a clean, uncluttered and professional manner free of excessive personal belongings and signage. Staff lockers are available for staff who do not have desks, and for staff who do have desks, each desk has a locking drawer with key access for each staff member. Questions concerning access to these locking areas may be directed to the Operations Director.

IV. OTHER POLICIES AND PROCEDURES

4.1 PROTECTING FOUNDATION INFORMATION AND CONFIDENTIALITY

Due to the nature of an employee's association with the Foundation, an employee may have access to and have acquired confidential and proprietary information relating to the business and operations of the Foundation, including information with respect to the Foundation's strategic plan, information with respect to the Foundation's operations, information with respect to the Foundation's employees, and information with respect to the Foundation's past, present and prospective activities, leases, agreements, members, program participants, customers, business relationships and business opportunities. As well, all documents, reports, correspondence, memoranda, manuals, customer/vendor lists, past, present and future marketing plans as well as visual aids, and other physical material of a business nature remain solely the property of the Foundation. An employee is not permitted to remove or copy any such material at any time without the specific authorization of the Director, Executive Director or President for the specified business purpose.

Protecting our Foundation's information is the responsibility of every employee and we all share a common interest in making sure it is not improperly or accidentally disclosed. Do not discuss the Foundation's confidential business with anyone who does not work for us. Each employee shares the responsibility of preserving the confidentiality of information and documentation made available to you by virtue of your employment with the Foundation.

We also expect you to exercise caution when using materials containing confidential, proprietary, or sensitive information and when discussing Foundation business matters, both within the workplace and especially when in public spaces. Accordingly, in consideration of an employee's continued employment with the Foundation, an employee may not disclose any of the above-referenced information without the express consent of the President, Executive Director or Director.

Any observed or perceived infractions of this policy should be reported to upper management (i.e., President, Executive Director or Director). Any violation or breach of such confidentiality may result in a verbal or written reprimand, up to and including termination.

This Confidentiality provision does not alter an employee's at-will employment status with the Foundation.

4.2 ELECTRONIC COMMUNICATIONS

Our Foundation has established a policy with regard to access and disclosure of electronic mail messages created, sent or received by Foundation employees using the Foundation's electronic mail system or any other computer related e-mail system to which you have access to through the Foundation's computer systems. All electronic and telephonic communications using the Local Area Network, Wide Area Network, voicemail, intranet, internet services, or any other systems owned, licensed or operated by the Foundation are considered Foundation business records, and therefore, Foundation property. Although incidental and occasional personal use of the Foundation systems is permitted, users automatically waive any claims to privacy. (If a non-business-related communication is intended to be "personal and confidential," alternative means of transmission should be considered.) The Foundation reserves the right to access and disclose the contents of a user's electronic and telephonic communications at any time in the ordinary course of business, but intends to do so only when it has a business reason. Determining when such a business reason exists shall be within the Foundation's sole and absolute discretion. Business reasons to access and disclose these communications may include, but are not limited to, the need to solve technical problems, the investigation of a theft or other crime, the prevention of unauthorized disclosure of confidential or proprietary information, suspicion of personal abuse of the Foundation's systems, and the review of communications upon the departure or death of a user. The Foundation may use information regarding the number, sender, recipient and address of communications for any business reason. The Foundation reserves and intends to exercise the right to review, audit, intercept, access and disclose all messages created, received or sent over the electronic mail system for any purpose. Any employee who violates this policy or uses the electronic mail system for improper purposes shall be subject to discipline, up to and including discharge.

4.3 INTERNET POLICY

In addition to e-mail and the terms set forth in the Foundation's policy, access to the Internet has been provided for the benefit of its employees to gain immediate access to work-related information. It allows employees to connect to information resources around the world. Employees using the Internet have a responsibility to maintain and enhance the Foundation's public image, and to use the Internet in a productive manner for business purposes only. Employees accessing the Internet are representing the Foundation. Users of the Foundation's computer systems should make their electronic and telephone communications courteous, professional and business-like. Such communications may be subject to discovery in both criminal and civil proceedings. Also, it is important to keep in mind that "deleting" a message may not mean that it is deleted entirely from the computer or voicemail memory since the sender's network or the receiver's network may have backup/memory systems in place. All communications should be for professional reasons. Employees are responsible for seeing that the Internet is used in an effective, ethical and lawful manner. Internet Relay Chat channels may be used to conduct official Foundation business, or to gain technical or analytical advice. Databases may be

accessed for information as needed.

Unacceptable Use of the Internet - The Internet should not be used for personal gain, entertainment or advancement of individual views. Solicitation of non-Foundation business, or any use of the Internet for personal gain or entertainment is strictly prohibited. Use of the Internet must not disrupt the operation of the Foundation network or the networks of other users. It must not interfere with your productivity. Each employee is responsible for the content of all text, audio or images that they place or send over the Internet. Information published on the Internet should not violate or infringe upon the rights of others. Employees who wish to express personal opinions on the Internet should obtain their own usernames on other Internet systems.

Prohibited uses of the internet through the Foundation include, but are not limited to:

- Any use that violates the Solicitation and Distribution Policy;
- Soliciting or advocating for issues, causes or organizations of any kind when such solicitation or advocacy is deemed personal in nature and not recognized as furthering the reputation and interest of the Foundation;
- Unauthorized fundraising of any kind;
- Excessive personal use of the Foundation's system that preempts any business activity or interferes with productivity; and
- Using the Foundation's systems for personal communications without clarifying for recipients that the views expressed are the user's and not the Foundation's.

All messages created, sent or retrieved over the Internet are the property of the Foundation, and should be considered public information. The Foundation reserves the right to access and monitor all messages and files on the computer system as deemed necessary and appropriate. Internet messages are public communication and are not private. All communications including text and images can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver. Violations of any guidelines listed above may result in disciplinary action up to and including termination. If necessary, the Foundation will advise appropriate legal officials of any illegal violations.

Nothing in this policy is designed to interfere with, restrain, or prevent permissible employee communications regarding wages, hours, or other terms and conditions of employment.

4.4. SOCIAL MEDIA POLICY

The Foundation respects the right of any employee to maintain a blog or website or to participate in social networking on or through websites or services such as Twitter, Facebook, or similar sites/services (collectively "social media"). However, to protect the Foundation's interests and ensure employees focus on their job duties, employees must adhere to the following rules:

- Employees may not use social media during working time, unless specifically authorized to do so as part of their job duties.
- All rules regarding confidential and proprietary business information apply in full to social media. Any information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed through social media.
- When using social media, if an employee mentions the Foundation and also expresses either a political opinion or an opinion regarding the Foundation's actions, the poster must specifically state that the opinion expressed is his/her personal opinion and not the Foundation's position. This is necessary to preserve the Foundation's goodwill in the marketplace.

- Be respectful of potential readers and colleagues. Please do not use discriminatory comments, or make maliciously false statements when commenting about the Foundation, superiors, co-workers, or our competitors.
- Employees may not use the Foundation’s logos or trademarks for commercial purposes or to endorse any product or service.
- Any conduct which is impermissible under the law if expressed in any other form or forum is impermissible if expressed through social media. For example, posted material that is discriminatory, obscene, defamatory, libelous, or threatening is forbidden.
- No staff member is authorized to post on the Foundation’s social media platforms without express consent of the Executive Director or Director.
- **No staff member is authorized to post any ██████████ program participants on their personal social media accounts, or to follow or become “friends” with ██████████ program participants on any social media platform. All employees are reminded of their confidentiality obligations and to adhere strictly to the Foundation’s HIPAA Manual.**

All other Foundation policies apply equally to social media. Employees should review this Employee Manual for further guidance. The Foundation encourages all employees to keep in mind the speed and manner in which information posted through social media can be relayed (and often misunderstood) by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with the President, Executive Director and/or Director of the Foundation. When in doubt, do not post! Failure to follow these guidelines may result in discipline, up to and including termination. In enforcing this policy, the Foundation reserves the right to monitor social media activities of employees, whether or not such activities are conducted with Foundation resources, to the extent permitted by and in accordance with applicable law. In the interests of maintaining the highest level of professionalism, and avoiding real or perceived conflicts of interest, employees must not become “friends,” “followers,” “fans,” or otherwise communicate through any social media channels with any ██████████ program participant, and must not post any photographs, information, posts or information containing personal program participant information in any way that violates HIPAA or the Foundation’s HIPAA policy.

Nothing in this policy is designed to interfere with, restrain, or prevent permissible employee communications regarding wages, hours, or other terms and conditions of employment.

4.5 SOLICITATION AND DISTRIBUTION

To avoid distractions, solicitation by an employee of another employee is prohibited while either the person doing the soliciting or the person being solicited is on working time. Distribution of advertising material, handbills, printed or written literature of any kind during working time or in working areas of the Company is prohibited. Working time includes the time during which any of the employees involved are actually scheduled to work, but does not include scheduled rest periods, meal breaks and other specified times when employees are not expected to be working. Employees also are prohibited from engaging in solicitation of and distribution to program participants at all times, and to working employees at any time in program participant care or service areas.

4.6 WITNESSING OF LEGAL DOCUMENTS

An employee shall not act as a witness to documents such as Power of Attorney, guardianship, advance directives, custody arrangements, agency contracts or any other documents, except those designated below, without the express approval of the Director or Executive Director. Staff are authorized to countersign intake forms and agreements; applications; authorizations (e.g. release of information form);

treatment plans; etc. *as directly related to their job duties*. Employees who are certified as Notary Publics may witness documents such as contracts, agreements, releases, powers of attorney, and other documents, *only with the express permission or at the request of the Associate General Counsel, Director or Executive Director*.

4.7 LEGAL PROCESS

Should an employee receive or be contacted regarding a subpoena, search warrant, investigation or other legal action concerning any person, incident or subject related to their work as an employee of the Foundation, or concerning any person served by the Foundation or other activity or function of the Foundation, the employee shall immediately notify the Associate General Counsel **or** Director. If the Associate General Counsel or Director cannot be reached at that time, staff shall then immediately contact the Executive Director. No staff member shall respond, appear, refuse to appear, consent or not consent to such documents or legal process without the permission of or discussion with the Associate General Counsel, Director, General Counsel or Executive Director.

4.8 CONFLICTS OF INTEREST

Pursuant to high professional standards and the Foundation's Zero Tolerance Policy for Abuse, romantic relationships, sexual relations and business transactions or relationships between employees and the program participants [REDACTED] are expressly prohibited at all times. Such relationships, relations and transactions are further prohibited by the Foundation's Zero Tolerance for Abuse Policy.

Relationships and/or relations of a romantic or sexual nature between employees, whether or not in a director, management, supervisory, teaching, evaluation, advising, coaching or counseling position, with another employee constitute a conflict of interest and further create the potential for perceived impropriety. Examples of relationships or relations of a romantic or sexual nature are people living together (other than solely as friends), domestic partnerships, marriage, dating, and/or having any other sexual or romantic relations, or intending to do any of the foregoing. The person in the position of higher institutional authority has, and/or both persons of equal institutional authority have, the responsibility to immediately disclose any such relationship or relations, or prospective relationships or relations, to the Director or Executive Director and further to eliminate the conflict of interest, unless the Director or Executive Director determines that the potential for conflict is remote, de minimis and/or other controls, as determined by the Director or Executive Director, are implemented to address any potential for actual or potential conflict or perception of impropriety.

Additionally, business transactions and relationships between employees, whether or not in a supervisory, teaching, evaluation, advising, coaching or counseling position, with another employee may constitute a conflict of interest and further create the potential for perceived impropriety. The person in the position of higher institutional authority has, and/or both persons of equal institutional authority have, the responsibility to immediately disclose any transactions and relationship, or prospective transactions and relationship prior to entering into same, to the Director or Executive Director and further to eliminate the conflict of interest, unless the Director or Executive Director determines that the potential for conflict is remote, de minimis and/or other controls, as determined by the Director or Executive Director, are implemented to address any potential for actual or potential conflict or perception of impropriety.

It is the policy of the Foundation not to hire or contract with any person who is Related (defined below) to an existing employee if such employee is or will be in a position to exercise decision making authority or direct or indirect supervision or influence, or there is potential for perceived impropriety, over the potential hire, or entry into, approval or performance of the person or contract, unless the Director or Executive Director determines that the potential for conflict is remote, de minimis and/or other controls, as determined by the Director or Executive Director, are implemented to address any potential for actual or potential conflict or perception of impropriety. "Related" shall be defined to mean a relationship by

blood, marriage, adoption, domestic partnership, or of a romantic or sexual nature with an existing employee of the Foundation.

It is incumbent upon each employee of the Foundation to immediately notify the Director or Executive Director: 1) if they are Related or circumstances arise that may cause them to be Related to an existing employee or contractor of the Foundation, 2) of any existing or prospective relationships or relations of a romantic and/or sexual nature, business or other personal relationships or relations, or circumstances that may create perceived impropriety, or conflicts or potential conflicts described above, in regard to themselves or if they have knowledge or concerns in regard to other employees, to immediately notify the Director or Executive Director, so that they may make a determination of the nature and extent of any existing or potential conflict of interest or perceived impropriety, in their sole discretion. Any allowance or waiver of these provisions by the Director or Executive Director is in their sole and absolute discretion.

4.9 USE OF VEHICLES:

It is the Foundation's policy to require all employees utilizing the Foundation's vehicle(s), or their own vehicle while on Foundation business, to use seat belts AT ALL TIMES, and discourages the use of cellphones while in transit (texting while driving at any time is prohibited). Employee use of their own vehicles while on Foundation business is prohibited unless the Executive Director, Director or Associate General Counsel approves their insurance coverages and gives approval for the employee to drive their personal car for Foundation business, unless an emergency is taking place. Even if an employee receives the approvals to drive their personal car for Foundation business per the procedure described in the preceding sentence, an employee shall not transport a program participant or otherwise a person the Foundation serves in their car without additional express consent of the Associate General Counsel, Director or Executive Director.

If an emergency arises in the course of operation of a Foundation vehicle, or an employee's own vehicle while on Foundation business, pull over as quickly as it is safe to do so. If there is a medical or mental health emergency, immediately call 911 followed by a call to your supervisor, the Associate General Counsel, Director or Executive Director. If there is an emergency with the vehicle function, a warning light or vehicle maintenance, call the Director of Operations, or if she is not available, any Director, who will provide further instructions. Please note that there are reflective triangles, first aid kits and fire extinguishers in the vehicles for use in the event of an emergency in the vehicles.

Fitness for Driving Duty - Drivers are not permitted to operate a vehicle when his or her ability is impaired, or likely to be impaired by fatigue, illness, or other causes. Drivers are required to report any concerns of fatigue or illness to their supervisors and to refrain from driving in these instances. Additionally, drivers are monitored by the Transportation Manager at the time of key retrieval and evaluated for any concerns.

Drivers are not permitted to drive more than 12 hours in a 24-hour period and are not permitted to be on duty more than 72 hours in any period of 7 consecutive days. Should these time limits be approached, an alternate driver or service will be used.

CAR ACCIDENTS

If a car accident occurs while a staff member is driving a Foundation vehicle or driving their own vehicle for Foundation business, the staff member must call 911 immediately and then immediately contact the Associate General Counsel or Director, or in their absence, the Executive Director. *All accidents (including "fender benders," "minor impact," "side swiping" or other accidents) must be reported to your supervisor, the Operations Deputy Director, Associate General Counsel, and the Director [REDACTED] using the Vehicle Accident/Incident Report found on each employee's Employee Navigator page or can be obtained from Human Resources.* The driver shall otherwise follow the Vehicle Emergency Procedures located in

the glove compartment of each vehicle. The Transportation Manager or other available driver will report to the scene of the accident if assistance is required.

If it is determined that a staff member driving the Foundation vehicle was at fault for an accident, said staff member will:

1. Not be allowed to drive any Foundation vehicles for one (1) month after the date of the accident;
2. Must complete the [REDACTED] Driving Safety Training after the date of the accident; and
3. May be required to compensate the Foundation for the cost of the repair of the damage to the vehicle.

If it is determined that a staff member is at fault for a second accident while driving a Foundation vehicle, said staff member's driving privileges may be permanently terminated. Any staff member who fails to report an accident in a Foundation Vehicle could be subject to discipline up to termination.

Written Vehicle Incident Report - In addition to the immediate phone notification all staff members must make after a car accident, as detailed above, all staff members must make a written report within twelve (12) hours of the incident. The report can be made online in the google form found at the address below or in writing using the printed version of the google form found in Appendix G.



Foundation Accident Investigation Procedures - The Director and General Counsel for the Foundation will record the details of the accident in an Accident Investigation Report and investigate the accident, as needed. Accident Investigation Reports are completed with the following information:

- Events as investigated and documented in a final report
- Description of investigation activities
- Identified causal factors
- Corrective actions
- Schedule of implementation of corrective actions

See Appendix G for a sample Accident Investigation Report.

Functional Personal Wireless Communication Device Required - All staff who drive any vehicle for Foundation business must have a functioning cell phone at the time of driving, which phone is able to make calls, however said cell phone may not be used while the car's engine is on. If a staff member does not have a functioning cell phone, they are not permitted to drive on behalf of the Foundation (whether their own vehicle or a Foundation vehicle) and must alert their supervisor immediately as to not having a functioning cell phone.

Transportation of Children - No staff are permitted to transport a program participant's child(ren) without also transporting the mother at the same time unless the staff member has express permission from the Associate General Counsel, Director, or Executive Director. No staff are permitted to transport a program participant's child(ren) who are required to be in a car seat unless that child(ren) is in a car seat. If the mother has a car seat, the mother should use their car seat and install it into the [REDACTED] vehicle and secure their child in the car seat. If the mother does not have a car seat, the [REDACTED] staff member should obtain one of the Foundation's car seats and provide it to the mother to install into the [REDACTED] vehicle and secure their child in the car seat.

Florida Disabled Parking Permit - All [REDACTED] vehicles have a Florida Disabled Parking Permit (blue hanging placard). Please be sure to follow all Florida laws regarding the use of a Disabled Parking Permit. Below is a brief summary of some of the rules applicable to the use of Florida Disabled Parking Permit:

1. Always carry your [REDACTED] Employee Identification card and your Florida Driver's License

with you while using a Disabled Parking Permit. This proves your affiliation with [REDACTED] the owner of the vehicle and the Disabled Parking Permit.

2. The Disabled Parking Permits should only be used in the [REDACTED] parking lot (as needed) or when a disabled person is in the vehicle with you. Florida Statute section 320.0848 (2019) lists the following disabilities as qualifying for a Florida Disabled Parking Permit:
 - a. Legally blind
 - b. Having any of the following disabilities that render him or her unable to walk for 200 feet without stopping to rest
 - i. Inability to walk without the use of or assistance from a brace, cane, crutch, prosthetic device, or other assistive device, or without the assistance of another person.
 - ii. The need to permanently use a wheelchair.
 - iii. Restriction by lung disease to the extent that the person's forced (respiratory) expiratory volume for 1 second, when measured by spirometry, is less than 1 liter, or the person's arterial oxygen is less than 60 mm/hg on room air at rest.
 - iv. Use of portable oxygen.
 - v. Restriction by cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association.
 - vi. Severe limitation in the person's ability to walk due to an arthritic, neurological, or orthopedic condition.
3. Only hang the Florida Disabled Parking Permit from the rearview mirror of the vehicle when the vehicle is parked. The Florida Disabled Parking Permit should be taken down from the rearview mirror when the car is in motion.
4. Only park in the designated disabled parking spaces. Do not park in the access aisles (the area with white diagonal lines beside the parking spots), this space is needed for disabled persons who are in wheelchairs and need the assistance of automatic chair lifts to enter and exit vehicles.
5. Do not remove a Florida Disabled Parking Permit from a [REDACTED] vehicle. If the [REDACTED] vehicle you are using does not have a Florida Disabled Parking Permit please notify the Director of Operations, Associate General Counsel, or the Director immediately.
6. If you receive a parking ticket or any [REDACTED] citation as a result of the inappropriate use of a Florida Disabled Parking Permit [REDACTED] you must immediately notify your supervisor, Associate General Counsel, Human Resources, and the [REDACTED] Director by email and include a copy of the ticket or citation.

4.10 TRAVEL AND EXPENSE REIMBURSEMENT

The Foundation will reimburse an employee for reasonable travel expenses incurred in accordance with the Foundation's operating policies and procedures while on Foundation business outside the local [REDACTED] metropolitan area approved by the employee's supervisor subject to the following conditions and limitations:

- All requests for reimbursement must be submitted within thirty (30) days of the date the expenses were incurred, by using the Foundation's required reimbursement request form (accompanied by original receipts) and approved by such employee's supervisor or the President, Executive Director or Director.
- Airline travel should be arranged as far in advance as possible, preferably thirty (30) days in

advance, but in any event no less than seven (7) days in advance without prior approval of an employee's supervisor. The Foundation will not pay for "first-class" or "business class" airfare, and all flights should be at regular or discounted coach fares;

- Arrangements for overnight hotel accommodations should be limited to circumstances where business meetings on both the days of arrival and departure necessitate such overnight stays; otherwise travel to and from a destination should be completed on the same day. An employee will not be reimbursed for overnight hotel stays unless prior approval has been received from the President, Executive Director or Director of the Foundation;
- If it is appropriate to share a meal or other activities with one or more of the Foundation's professionals, consultants or vendors (including, without limitation, attorneys, accountants, development consultants, property managers, brokers, and the like), separate checks should be requested so that each party pays her/his share; the Foundation will not reimburse for meal or other entertainment expenses for such professionals, consultants or vendors, without the prior approval of the employee's supervisor;
- The Foundation will reimburse for gas or mileage (\$.15 per mile), with the prior approval of an employee's supervisor. Reimbursement for rental cars shall be limited to compact or mid-size vehicles, without the prior approval of an employee's supervisor;
- The aggregate per diem meal allowance shall not exceed \$35.00, excluding business entertainment not otherwise limited herein, without the prior approval of the employee's supervisor. "Business entertainment" expenses must receive prior approval of the employee's supervisor, and include non-Foundation persons, with the business purpose and identity of such persons noted on the expense reimbursement report. No meals will be reimbursed in an employee's home city unless for purposes of business entertainment;
- The Foundation will not reimburse for gas or mileage for use of an employee's own vehicle unless prior approval of management is obtained or in the case of an emergency.
- No reimbursements will be made for local travel or meals within the ██████████ Metropolitan area without the prior approval of such employee's supervisor or the President.
- Any use of the Foundation's credit or debit cards must be pre-approved by such employee's supervisor or the Executive Director, or Director. The Foundation's credit and debit cards must not be used under any circumstances for personal expenses (regardless of an employee's intent to reimburse the Foundation) or for any expense which would otherwise be disallowed under this policy.
- An employee will not be reimbursed for personal items, newspapers, flight insurance, movies or any other personal expenses; and
- Upon submitting business expenses to be reimbursed, an employee must fully and properly complete the Foundation's expense reimbursement form, identifying all persons with whom they met, all persons with whom they dined, the business purpose of any such expense, attach the original invoices/receipts (including receipts for e-tickets) and/or verification that their expenses have been charged to their credit card, and evidence of having taken the flights for which reimbursement is sought, and otherwise comply with the reporting requirements of the Foundation relating to reimbursement of expenses. Each employee's expense reimbursement form must be approved and signed off on by their supervisor and/or the President, Executive Director or Director.

Travel reimbursement policies are not a target, but an upper limit set with the costliest destinations in

Appendix B

FAMILY & MEDICAL LEAVE ACT (FMLA)

Eligibility/Duration

Regular full-time and regular part-time employees who have completed one (1) year of continuous employment and at least 1250 hours of service in the prior year are eligible to request a leave of absence under the Family & Medical Leave Act (FMLA).

Eligible employees may take up to 12 weeks of unpaid leave in a “rolling” 12-month period. The rolling 12-month period is measured backwards from the date upon which family and medical leave is taken.

Family and medical leave is available for any of the following reasons:

1. For incapacity due to pregnancy, prenatal medical care or child birth;
2. To care for the employee’s child after birth, or placement with the employee for adoption or foster care; or for the adoption or placement of a child for foster care;
3. To care for the employee’s spouse, child, parent, or grandparent with a serious health condition (in the case of a grandparent, the employee must have assumed financial responsibility for the grandparent); or
4. Because of the employee’s own serious health condition.
5. Family leave due to a call of active duty – this benefit provides 12 weeks of FMLA leave due to a spouse, son, daughter or parent being on active duty or having been notified of an impending call or order to active duty in the Armed Forces. Leave may be used for any "qualifying exigency" arising out of the service member's current tour of active duty or because the service member is notified of an impending call to duty in support of a contingency operation.
6. Caregiver leave for an injured service member – this benefit provides 26 weeks of FMLA during a single 12-month period for a spouse, son, daughter, parent, or nearest blood relative caring for a recovering service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is receiving medical treatment, recuperation, or therapy, **or** is in outpatient status, **or** is on the temporary disability retired list for a serious injury or illness. A serious injury or illness is one that is incurred by a service member in the line of duty on active duty that may cause the service member to be medically unfit to perform the duties of his or her office, grade, rank, or rating. A serious injury or illness also includes injuries or illnesses that existed before the service member’s active duty and that were aggravated by service in the line of duty on active duty. Leave to care for an injured or ill service member when combined with other FMLA-qualifying leave may not exceed 26 weeks in a single 12-month period. Military caregiver leave runs concurrent with other leave entitlements provided under federal and state law.

Leave for birth and care or placement of a son or daughter for adoption or foster care must conclude within 12 months of the birth or placement.

Definition of “Serious Health Condition”

Serious health condition" is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, nursing home or residential medical care facility; or continuing treatment, including outpatient treatment by a healthcare provider for a condition that either prevents the employee from performing the functions of the job, or prevents the qualified family member from participating in school or other daily activities.

The continuing treatment requirement may be met by a period of incapacity of more than three (3)

consecutive calendar days combined with at least two (2) visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or a chronic condition, or other conditions as defined by applicable law.

Intermittent/Reduced Schedule Leave

Under some circumstances, employees may take leave intermittently or on a reduced schedule basis when medically necessary, in connection with a qualifying exigency, or for pre-placement activities associated with the placement of a child with an employee for adoption or foster care. Intermittent leave is leave taken in separate blocks of time due to a single qualifying reason. A reduced schedule leave is a leave that reduces an employee's usual number of working hours per workday or workweek.

An employee must make a reasonable effort to schedule intermittent or reduced schedule leave to minimize disruption to work, consistent with the health care provider's treatment plan. When an employee utilizes intermittent or reduced schedule leave for planned medical treatment, the Foundation may temporarily transfer the employee to an alternative position with equivalent pay and benefits, if doing so will be less disruptive to the Foundation during the period of intermittent or reduced schedule leave.

Only the amount of leave actually taken will count against the employee's leave entitlement.

Employee Notice/Certification Requirements

Employees requesting family and medical leave must provide an explanation of the need for leave in writing. A family and medical leave request form must be completed and given to the Director. At least 30 days advance notice of your intent to take family and medical leave is required where the need for leave is foreseeable (e.g., pregnancy, planned surgery, etc.). When the need for leave is unforeseeable, you must provide notice as soon as the need for leave becomes foreseeable. At minimum, you generally must comply with the Foundation's normal call-in procedures.

Sufficient information to put the Foundation on notice of the employee's need for a FMLA leave should be provided by the employee and may include that the employee is unable to perform job functions due to medical circumstances, the employee must be absent to care for a family member unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or facts supporting the need for military caregiver leave. Employees must also inform the Foundation if the requested leave is for the same reason for which leave was previously taken or certified.

Employees requiring leave for treatment of their own serious health condition, or to care for a spouse, child, parent, or grandparent with a serious health condition, may be required to obtain medical certification of the condition. Employees on family and medical leave due to a serious health condition may be required to submit to a physical examination by a physician to verify the existence of a serious health condition. Failure to provide the requested certification of the existence of a serious health condition in a timely manner may result in the delay of the start of the employee's family and medical leave. An employee's absence may not count or be protected as FMLA leave unless timely and sufficient certification is provided by the employee. Additionally, employees returning from leave due to a serious health condition may be required to produce a fitness for duty report before returning to work.

While on leave, employees are requested to report periodically to the Director and/or their immediate supervisor regarding the status of the medical condition and their intent to return to work.

The Foundation will inform an employee requesting leave (i) whether he or she is eligible under the FMLA; (ii) whether any additional information is required from the employee; and (iii) of the employee's rights and responsibilities related to the leave. If the employee is found not to be eligible for leave, the Foundation will inform the employee of the reason for ineligibility.

Integration of Leave with Paid Time Off Benefits

FMLA leave is unpaid. If employees have any accrued paid leave (sick leave and vacation) available, they must use it concurrently with their family and medical leave. Similarly, if an employee is receiving workers' compensation benefits, leave taken in connection with the illness or injury for which benefits are received may be designated as FMLA-protected leave if the employee is eligible and the illness or injury qualifies as a serious health condition.

Maintenance of Benefits During Leave

The Foundation will maintain health care coverage for an employee and/or covered dependents on a family and medical leave of absence on the same terms and conditions as if the employee continued to work, provided the employee continues to pay his/her share of monthly premium contributions to the Foundation—if applicable—by the first day of each month. If a required premium is not received within 30 days of the due date, the coverage may be dropped for the remainder of the leave. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Return to Work

An employee who timely returns from family and medical leave will be restored to his/her former position or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment to the extent the employee would have otherwise been entitled to return to such position and retain such terms and conditions of employment had he or she not taken leave.

An employee on an approved extended medical leave (i.e., beyond the 12-work week period) is not guaranteed reinstatement. If an eligible employee advises the Foundation that he or she will not return from leave as scheduled, benefits will cease unless the inability to return to work is caused by a continuing disability.

Prohibited Practices

Under the FMLA, the Foundation cannot interfere with, restrain, or deny the exercise of any right provided by the FMLA or discharge or discriminate against any individual for opposing any practice or because of involvement in any proceeding relating to the FMLA. In addition, the Foundation cannot use the taking of a FMLA leave as a negative factor in employment actions, such as hiring, promotions, or disciplinary actions.

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. However, the Foundation encourages all employees to first bring any concerns they may have regarding this policy to the attention of Human Resources. The Foundation prohibits retaliation against any employee for bringing any complaint forward in good faith under this policy.

The FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law, which provides greater family or medical leave rights.

Appendix C

Paid Parental Leave

To assure employees to continue their employment with the Foundation following the birth, adoption or foster care placement of a child, the Foundation will provide eligible employees with paid parental leave following the birth, adoption or foster care placement of a child on the terms and conditions that follow. To be eligible for the full paid parental leave benefit, you must have been employed by the Foundation full time for a minimum of 12 months when the parental leave period begins. The amount of paid parental leave available for eligible employees will be determined as follows:

- Primary caregiver: if a full-time employee is the full-time primary care parent during the period of the leave, the employee will be eligible for up to 12 weeks of paid leave at regular pay.
- Secondary caregiver: if a full-time employee is the non-primary care parent, the employee will be eligible for up to 3 weeks of leave at regular pay.
- Length of time employed by the Foundation.

Notwithstanding the foregoing, if an employee has been employed with the Foundation longer than ninety (90) days but less than twelve (12) months, then the employee shall be eligible for a prorated portion of the full paid parental leave benefit, calculated as follows: the full paid parental leave of 12 weeks shall be prorated, as a fraction, with: (i) the numerator being the number of days of employment by the Foundation when the parental leave period begins, and (ii) the denominator being 365. By way of example, an employee who is the primary caregiver and has been employed with the Foundation for 6 months at the time the paid parental leave begins will be eligible for 6 weeks paid parental leave in accordance with the terms of this Appendix. Any staff member who has not worked for the Foundation for at least ninety (90) days will not be eligible for paid parental leave. Parental leave must be taken within the first 12 weeks after the birth or adoption of a child. Part-time employees are not eligible for paid parental leave.

While on paid parental leave, you will continue to receive health care coverage previously provided on the same terms as an active employee. If you remain on approved leave beyond the paid parental leave period, your eligibility for benefits during your unpaid leave will be determined in accordance with the Foundation's policy for other types of unpaid leave, except that you will remain eligible to participate in the company's health plans, subject to your timely payment of 100% of the full cost of such coverage for the duration of your leave.

When you are ready to return from parental leave, the Foundation will attempt to reinstate you to your former position or one with equivalent pay, benefits, and other employment terms. You are entitled to reinstatement, however, only if you would have continued to be employed had parental leave not been taken. For example, you are not entitled to reinstatement if, because of a layoff, reduction in force or other reason, you would not be employed at the time you seek to return to work.

If you fail to return to work at the end of the approved leave period, you will be considered to have voluntarily resigned, effective as of the day following the last day of the authorized leave period. If you fail to return to work at the end of the approved leave period, or if you depart from your employment with the Foundation within the first six months after returning, you will be responsible for repaying the Foundation the full amount of parental leave paid to you and the health insurance premiums paid by the Foundation on your behalf during your parental leave.

Parental leave runs concurrently with, and will be applied to, any qualifying Family and Medical Leave to the extent consistent with applicable law.

Prior to entering Parental leave or receiving compensation during parental leave each employee must

complete a Paid Parental Leave Agreement form (located in Appendix C of [REDACTED] Employee Manual) in order to receive compensation and health insurance coverage during paid parental leave. Pregnant employees should complete the form no later than the twentieth (20) week of gestation to ensure that the leave form is completed prior to birth.

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