



SCHNECK

better healthcare begins here

Team Member Handbook Revised To Date 01/2023



TABLE OF CONTENTS

I.	ABOUT THIS HANDBOOK	p. 4
II.	ABOUT SCHNECK MEDICAL CENTER	p. 4-5
III.	THE SCHNECK WAY	p. 6-8
IV.	EMPLOYMENT POLICY	
	• Equal Employment Opportunity Policy	p. 8
	• GINA Safe Harbor	p. 9
	• Professional Practice Environment	p. 9
	• New Team Member Qualifying Period	p. 9
	• Workplace Harassment	p. 9-10
	• Open Door Policy	p. 10-11
	• Medical Evaluation	p. 11
	• Team Member Health/Personnel Records	p. 11
	• Attendance	p. 11-12
	• Downstaffing	p. 12
	• On-call and Call back pay	p. 12-13
	• Confidentiality	p. 13
	• Objection to Aspect of Patient Care	p. 13
	• Workplace Privacy	p. 13-14
	• Substance Abuse Policy	p. 14-16
	• Workplace Violence	p. 16-17
	• Tobacco Free Campus Policy	p. 17-18
	• Workforce Classifications	p. 18-19
	• Wage and Hour Matters	p. 19
	• Overtime Exemption Problem Resolution	p. 19-20
	• Differential Pay	p. 20
	• Annual Performance Evaluation	p. 20-21
	• Conflict of Interest	p. 21
	• Disciplinary Process	p. 21-22
	• Mandatory Trainings, Screenings, and Other Requirements	p. 22
	• Team Member Expectations	p. 22
	• Personal Behavior Expectations	p. 22-24
	• Separation from Employment	p. 24-25
V.	POSITION DESCRIPTIONS/PAY PRACTICES	
	• Position Descriptions	p. 25
	• Pay Period	p. 25
	• Meal Break and Meal Period	p. 22-26

VI. LEAVES OF ABSENCE	
• Family and Medical Leave of Absence	p. 26-29
• Military Leave	p. 29
• Indiana Military Family Leave	p. 29-30
• Personal Leave of Absence	p. 30-31
• Jury Duty	p. 31
• Funeral Leave	p. 31
• Worker’s Compensation	p. 32
• Return to Work after Injury or Illness	p. 32-33
• Employment During a Leave of Absence	p. 33
VII. EMPLOYEE BENEFIT- NON-EXEMPT EMPLOYEES	
• Paid Time Off	p. 33-36
• Paid Time Off Payout	p. 36
• Holidays	p. 36
• Insurance and Retirement Benefits	p. 36-37
• Tuition Assistance	p. 37
• Team Memeber Referral Program	p. 37
• Employee Assistance Program(BHS)	p. 37-38
• Optional Benefits	p. 38
VIII. MISCELLANEOUS POLICIES	
• Internal Transfer Policy	p. 38-39
• Alternative Work Site Policy	p. 39
• Telephone and Cell Phone Policy	p. 39-40
• Personal Appearance	p. 40-42
• Gratuities	p. 42
• Solicitation	p. 42
• Garnishments	p. 42
• Cafeteria/Canteen	p. 42
• Gift Shop	p. 43
• Parking	p. 43
• Lost and Found	p. 43
• Volunteer Policy	p. 43
• Lactation Support in the Workplace	p. 43-44
• False Claims	p. 44-46
Attachment “A”	p. 47

I. ABOUT THIS HANDBOOK

This Team Member Handbook ("Handbook") contains a summary of Schneck Medical Center's ("Organization" or "SMC") current personnel policies and procedures and other information of importance to team members. It is designed to be a working guide for management and team members in the day-to-day administration of the Organization's policies and procedures. It is not intended to be all-inclusive; rather, it is intended to summarize the policies and procedures that will guide the Organization's operation on a day-to-day basis.

Supervisor is referred to throughout the handbook. Whenever used, it may include department director, department manager, lead worker, house supervisor, or supervisor, unless specifically stated otherwise.

During the onboarding process, all team members are required to read the Handbook and electronically sign an acknowledgement that they have read and understand the policies and procedures contained in the Handbook. The signed acknowledgement will then be made a part of the team member's personnel file.

It is understood that no written statement of policies can address every situation which might arise in the course of employment, and the policies and procedures contained in this Handbook will not be applied in all circumstances. The Organization reserves the right to make changes in policies and procedures and their applications as it deems appropriate. These changes may be made with or without notice. Team members are responsible for reading and complying with any revisions made to this Handbook, as well as all other Organization policies and procedures. If a team member has any questions about the Handbook or matters not addressed in the Handbook, the team member should consult Human Resources or his/her supervisor.

It should also be understood that employment with the Organization may be terminated at-will by either the employee or the Organization at any time, and that no representative of the Organization, other than the President/CEO, has the authority to change this policy or make any contractual employment agreement with the team member(s) on behalf of the Organization. This Handbook shall not be interpreted in any way as altering the employment-at-will relationship or deemed to be an employment contract between a team member and the Organization.

II. ABOUT SCHNECK MEDICAL CENTER

Schneck Medical Center is in constant pursuit of ways to provide excellent care. Since 1911, we have evolved from a 17-bed hospital to one of the most respected health institutions in the nation.

Today, Schneck was the first organization in Indiana to be honored with the Malcolm Baldrige National Quality Award, the nation's highest presidential honor for quality and performance excellence. We have also been named a Top 20 Rural & Community Hospital by The Chartis Center for Rural Health.

Schneck is among only 8.5 percent of hospitals nationwide that have achieved Magnet® status from the American Nurses Credentialing Center. Of those, Schneck is among less than 1 percent

to achieve Magnet recognition four consecutive times. And, the organization has been consistently named #1 Most Nurse Friendly by *TopRNtoBSN*.

Despite all of its growth and activities, however, SMC remains focused on its mission, its vision and its values.

Mission

To improve the health of our communities.

Vision

To be an organization of excellence, leading transformation and advancing health.

This vision serves to guide our decision making and inspire our actions.

Values

Integrity, Compassion, Accountability, Vision, and Excellence



Continuous Public Involvement

The Organization’s goal is to provide high quality, safe care and compassionate service. If you have any questions, concerns or suggestions concerning safe care and compassionate service, please contact your department director, manager or supervisor, human resources, or administration. If the concerns in question cannot be resolved at this level, we encourage you to contact The Joint Commission. The Joint Commission is an independent, not-for-profit, national body that oversees the safety and quality of healthcare and other services provided in accredited organizations.

Office of Quality Monitoring The Joint Commission

One Renaissance Boulevard
Oakbrook Terrace, IL 60181

Or

Fax to 630-792-5636

Or

E-mail to patientsafetyreport@jointcommission.org

III. The Schneck Way-Do What's Right

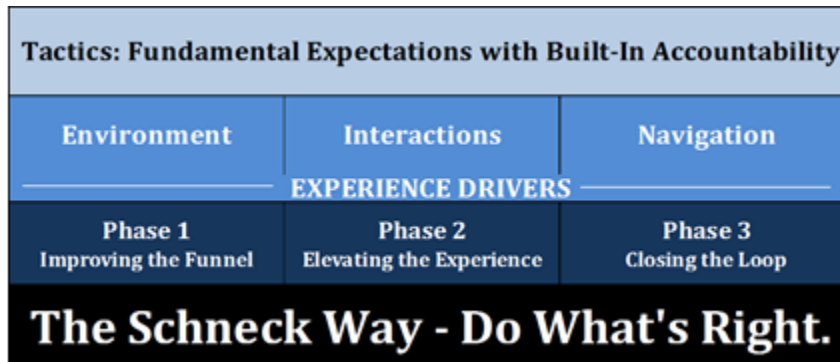
At SMC, it is a priority to establish and maintain an atmosphere that promotes the Schneck Way-Do What's Right. SMC team members are expected to exhibit positive attitudes and actions.

The following expectations are not intended to be all-inclusive of required conduct or obligations of team members. SMC retains the right to exercise its management responsibility when it is deemed appropriate and to establish additional or amend existing expectations. By stating these expectations, team members will better know what is expected of them to foster favorable relations between each other, patients, patient's families, visitors, customers, and the medical staff.

In all interactions (customer experience and/or personal behavior), SMC team member are expected to behave in ways that support our values:

- Integrity – Displaying a high standard of right and wrong
- Compassion – Showing concern for the welfare of others
- Accountability – Accepting responsibility
- Vision – Pursuing continuous process improvement
- Excellence – Achieving exceptionally high quality

CUSTOMER EXPERIENCE EXPECTATIONS



THE SCHNECK WAY is defined as **Do What's Right**. This is the foundation for everything we do at SMC. Within each phase of the Customer Experience, there are drivers that impact our success.

EXPERIENCE DRIVERS

Environment – The physical setting and surroundings in any given area

Interactions – Exchanges with customers

Navigation – The flow of customers through the Schneck system

To provide an excellent Customer Experience and maintain a Patient First culture, SMC team members will be held to the following expectations in *The Schneck Way*. Non-compliance may result in disciplinary action up to and including termination.

ENVIRONMENT

1) Own the Area: Just Do it - Fix It - Report It

- Take ownership of the SMC environment. Pick-up trash, clean spills, straighten furniture (Just Do It), and /or notify Environmental Services (Report It) and/or Plant Operations (Fix It) of issues that need attention or repair.

2) Comply with the Temporary Signage Policy and Professional Workspace Policy

- Standardize signage and use minimally
- Present an organized, clutter-free workspace.

INTERACTION

1) Make the Customer Your Priority-Build a Connection

- Support SMC's core competency of *Patient First* in all interactions
- Use AIDET in all interactions.
 - A - Acknowledge - Make eye contact, smile and greet customer
 - I - Introduce - Introduce yourself with name, skill set, experience
 - D - Duration - Manage customer's expectation of time, how long test will take
 - E - Explanation - Explain what customer should expect, answer questions
 - T - Thank You - Thank customer for choosing SMC
- Practice the 10/5 Rule when encountering customers.
 - 10 feet from customer - smile and make direct eye contact
 - 5 feet from customer - greet the customer with a friendly welcome or hello

2) Communicate Professionally

- Address customers by their preferred name. (Refrain from using names such as Honey, Sweetie, etc.)
- Answers phone when available and respond to voice mail, email, and general requests within department established timeframes.

NAVIGATION

1) Pursue Streamlining

2) Connect Customers to Next Step

3) Host our Customers

- Personally escort customers to desired location.
- Use messaging and open ended questions to ensure patients have a seamless experience and clear understanding of next steps.

Even when we follow *The Schneck Way - Do What's Right*, there are still times when something may go wrong or not meet the customer's expectation. In those instances, employees are expected to *Do What's Right to Make it Right*.

MAKE IT RIGHT

Make It Right is the practice of resolving issues, problems, errors, or mistakes to restore trust in the health care organization - Not simply giving out gift cards.

We are all owners of the Schneck Customer Experience and are empowered to *Make It Right*. Go the extra mile to exceed expectations and when things don't go right in the customer's eyes, *Make It Right*.

- **Watch and Listen:** Watch and listen to identify concerns or issues.
- **Make it Personal:** Make their concerns your concerns; apologize for what has happened and express understanding.
- **Do Something:** Immediately take ownership of the problem and fix it. Additionally, enter the event into Feedback Manager/ Risk Manager or contact someone who can.

IV. EMPLOYMENT POLICY

Equal Employment Opportunity (EEO) Policy

It is the intent and policy of the Organization to comply with the requirements and spirit of federal and state laws in the implementation of all facets of equal employment opportunity. The Organization will continue to recruit, employ, train and promote in all job classifications without regard to race, color, religion, sex, age, national origin, physical or mental disability, veteran status, or any other legally protected status.

The Organization expects each team member to report to his or her department director any EEO questions, concerns or problems. If the department director may be involved in the EEO problem, the team member may report the problem or concern to the Director of Human Resources. Conduct in violation of this policy will not be tolerated, and will subject the team member to disciplinary action, up to and including termination of employment.

AMERICANS WITH DISABILITIES ACT

It is the Organization's policy not to discriminate against qualified individuals with a disability with regard to any aspect of employment. The Organization is committed to complying with the American with Disabilities Act, as amended. The Organization recognizes some individuals with disabilities may require reasonable accommodations. If you are disabled or become disabled (meaning you have a mental or physical impairment substantially limiting one or more of the major life activities) and you require a reasonable accommodation, you must contact Human Resources to begin the interactive process, which will include discussing your disability, any limitations, and possible reasonable accommodations that may enable you to perform the functions or your position, make the workplace readily accessible to and usable by you, or otherwise allow you to enjoy equal benefits and privileges of employment.

GINA Safe Harbor

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by the law. To comply with this law, we are asking that team members NOT provide the Organization with any genetic information whether unsolicited or in response to a request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Professional Practice Environment

The Organization has in place policies and procedures that permit and encourage nurses and other clinical professionals to confidentially express their concerns about their professional practice without retribution. In addition, the Organization has developed a culture of safety that encourages error/event reporting. Policies and procedures reinforce a non-punitive culture that encourages reporting by focusing on "how" a problem occurred rather than "who" contributed. Team members are expected to notify their immediate supervisor of any safety concern. The Organization Safety Officer is available either by phone or pager at all times to assist with safety concerns.

New Team Member Qualifying Period

All new team members of the Organization will have a 90 day qualifying period. During the first month of the qualifying period, the team member will receive training on the Organization's history, mission, vision and values and organizational structure, employee expectations including the Schneck Way and the Organization's policies and procedures. During this period, the team member will also receive a departmental orientation, position specific orientation and will receive direction regarding the requirements of his or her job and any policies and procedures which apply specifically to the department. Team members will participate in a 45-day feedback session with their Director/Manager to give and receive feedback regarding their time as a team member. At the conclusion of the qualifying period, the team member's job performance and work habits will be evaluated by the team member's Director/Manager to determine whether employment with the Organization should be continued beyond the qualifying period. **Pay adjustments do not generally follow a qualifying evaluation.** Team members in the qualifying period may terminate their employment, and may be terminated at any time at the discretion of the organization. Completion of the qualifying period should not be construed as changing in any way the "at will" nature of the employment relationship between the Organization and the team member. The qualifying period may be extended in circumstances where the Organization determines that additional training and observation are required.

Workplace Harassment

All team members are entitled to enjoy a work environment free from all forms of unlawful discrimination and harassment, including sexual harassment. The Organization maintains zero

tolerance of conduct by any team member, medical staff member, patient, visitor or vendor which unreasonably interferes with a team member's work, regardless of whether the conduct occurs at or away from the Organization.

While all types of unlawful discrimination based on race, religion, sex, , age, disability, and national origin are serious, the problems inherent in sexual harassment demand special attention and awareness. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature are not appropriate and will not be tolerated or condoned.

Willful false statements or willful false allegations made by any individual are equally intolerable. They, too, will be addressed immediately and not condoned.

A team member who believes that he or she may have been the subject of discrimination or harassment should approach, without delay, their supervisor or department director. If this is not appropriate, the team member should seek the assistance of the Vice President of Workforce and Support Services or Director of Human Resources.

Open Door Policy

It is the policy of the Organization to provide team members with a method for dealing with problems, concerns, or complaints, thereby attempting to see that all problems affecting team members will be handled promptly and, hopefully, to the satisfaction of the team member.

Therefore, if for any reason a team member wishes to bring a problem, concern or complaint to the attention of management, the following steps should be followed:

1. The team member should approach his or her supervisor and discuss the problem or concern. The supervisor will investigate the matter and will attempt to give the team member a response within five (5) working days.
2. If, for any reason, the supervisor does not respond to the team member within the specified period of time or if the response is not to the team member's satisfaction, the team member may present the problem or concern to their department director.
3. If, for any reason, the team member does not believe that his or her department director is the appropriate person with whom to discuss a problem, concern or complaint, regardless of reason, the team member may present the issue directly to their area vice president or to Human Resources.

Also, in an effort to maintain open communications, the Organization has established the following:

- An official bulletin board for pre-approved notices and posting of activities. All requests for approval must be directed to Human Resources. Offsite locations may also have a bulletin board and all postings should be approved by the department director.

- The public address system which notifies team members in case of fire or disaster alarms at the main campus.
- “The Direct Line” suggestion box which is currently located by the main time clock on the first floor of the Organization’s main campus. The Direct Line is a direct communication link by which employees may contact Administration with complaints, recommendations and suggestions, or concerns regarding subjects related to their work.
- The “Corporate Compliance” drop box is currently located by the main time clock on the first floor of the Organization’s main campus. The Corporate Compliance drop box is a direct communication link between employees and the Corporate Compliance Officer for questions, comments, or inquiries under the Organization’s and Corporate Compliance program.

Medical Evaluation

Post-offer, pre-employment medical evaluations will be conducted on all prospective new team members. In addition, medical evaluations may be requested from existing team members when there is an indication or concern of a job performance issue and/or safety issue. The medical evaluation will be conducted by the Organization’s Employee Health Physician or his/her designee.

A pre-employment drug screen to detect the presence of alcohol or controlled substances will be completed prior to employment. Various medical tests and vaccinations may be offered at no cost to the team member and may be required for the team member, depending upon job assignment, occupational exposure and/or state and federal law. The Organization will treat as confidential the information contained in any report of the results of a medical evaluation.

Team Member Health/Personnel Records

All medical evaluations (laboratory, x-ray, physical exams, TB test results, and other health related information) and other personnel records are the property of the Organization. Team members may obtain copies of certain records by contacting the Human Resources Department.

Attendance

The efficiency of each department, and ultimately the success of the Organization, depends upon all team members reporting to work on a regular basis and working a full shift. If it is necessary for a team member to be absent for any reason, the team member is expected to notify his or her supervisor at the earliest possible time, but no later than the time specified by the department. PTO benefits will be paid if the absence is properly reported. Team members may be required to provide a physician’s statement substantiating the reason for absence. Being absent for work without notice is grounds for immediate termination.

As part of the assessment of a team member’s overall work performance, absenteeism or patterns of absenteeism which negatively impact the functions of the department may be subject to disciplinary action. Team members may not receive an unplanned absence if they locate another team member to replace them which does not necessitate overtime, if the absence is authorized and approved, or if the absence is otherwise permitted by law. At the department director’s discretion, taking into account the department workload, a team member will not be charged with

an unplanned absence if time missed is made up during the same pay period and does not necessitate additional overtime.

A written warning due to failure to correct poor attendance will result in loss of transfer options, participation in the PNPP and tuition assistance programs, and ability to serve as preceptor for twelve months from the date of warning if applicable. In addition, written warnings result in forfeiture of next available annual merit increase and team member bonus. Team members are also not eligible for the PTO payout program if they have received a written warning in the 12 months immediately preceding the payout date.

Downstaffing

From time to time, under circumstances such as a low census period or to meet the Organization's operational needs, team members may be downstaffed without pay. Team members who are sent home before one hour of work is complete will be paid for two hours. Downstaffing does not affect benefit time and does not count as an unplanned absence. Downstaffing is scheduled based on the needs of the Organization, and team members may not request such time for personal use or their own convenience.

Generally, team members will be given the opportunity to volunteer for downstaffing. In the event that team members do not volunteer, downstaffing will be assigned by the supervisor manager, or department director. Team members who are downstaffed may be eligible to receive on-call pay but will receive their regular pay if called in. Team members may elect to use Paid Time Off (PTO) during a period of downstaffing, unless during a declared emergency. Please reference the Staffing During Declared Emergencies Policy.

On-call and Call-back pay

On-call and call-back pay are special forms of compensation for hourly team members who are scheduled by the Organization to be available during off hours in case of emergency, or if additional staffing is required to meet operating needs. A team member may be assigned on-call duty for a partial shift, full shift or multiple shifts. Department directors are authorized to use the utilization of the on-call policy as approved by their area vice president.

During on-call duty, the team member must be able to be reached by pager or telephone throughout the entire period of on-call duty, with a maximum return to work response time not to exceed one (1) hour. Certain, designated urgent care areas maximum return-to-work response time will not exceed thirty (30) minutes. The urgent care areas that must respond in 30 minutes include but may not be limited to Bio-Med, Diagnostic Imaging, ICU, and Surgical Services. Employees in Home Services must respond to their page within thirty (30) minutes.

Team members who are contacted by phone to complete work will be paid at their regular rate of pay. Only team members who are on call and are required to return to their location of work will be entitled to call back pay. Team members will receive the current on-call hourly rate when on-call or the current call-back pay for time at work. A team member may be assigned on call duty for a partial shift, full shift or multiple shifts. Team members returning to their location of work will receive a minimum of two hours call-back pay for the first occurrence within a 24 hour

period regardless of actual time worked. Subsequent occurrences within the same 24 hour period will be paid based on actual time worked.

On occasion, team members may be contacted at home on off hours for information or to discuss the availability for work. These contacts do not trigger the on-call policy, and on-call pay is not provided for such contacts. Team members on call may access the Organization 800 number when responding to call back. Registry personnel may accept on-call as approved by their Director or House Supervision but will receive their registry pay only if called in to work. In addition, team members who have been downstaffed are eligible to receive on call pay but will be paid their base rate of pay if they are called into work.

Confidentiality

Each team member of the organization has an obligation to the Organization's patients, their families, the staff and our physicians to keep all information confidential. The patients are at the Organization because they trust the Organization to do the very best to aid in their recovery, and to keep private and confidential all aspects of Organization business and to be in accordance with all federal and state laws, including the Health Insurance Portability and Accountability Act, as amended (HIPAA), and Organization policies. UNDER NO CIRCUMSTANCES MAY ANY TEAM MEMBER DISCUSS OR REVEAL PATIENT, PHYSICIAN, TEAM MEMBER AND/OR ORGANIZATION INFORMATION TO INDIVIDUALS NOT SPECIFICALLY AUTHORIZED TO RECEIVE THE INFORMATION. Any violation of the spirit or letter of this policy may result in disciplinary action, up to and including termination.

Objection to Aspect of Patient Care

It is the duty of all team members to assure that individual patient care is not compromised for any reason, including but not limited to the team member's or the patient's race, color, religion, sex, national origin, ancestry, age, disability. A team member's failure in this regard could result in disciplinary action, up to and including termination.

In order to verify that individual patient care is not compromised when a team member has an objection to an aspect of patient care based on the team member's sincerely held cultural values, ethics, or religious beliefs, it shall be the duty and responsibility of the team member to immediately make such objection known to his or her department director or supervisor according to the Objection to Patient Care Policy in the Organization-Wide Policy Manual available on the Organization intranet.

Team members may not refuse to provide care or treatment unless and until the continuity of care is assured through this mechanism.

Workplace Privacy

Telephones, computer systems, Internet access, E-mail, and voice mail systems are owned and maintained by SMC. Consequently, SMC must always be able to quickly access any of these systems. Therefore, it is very important for team members to understand that anything said or written using these systems may not be completely private, even though team members have been given individual passwords or access capabilities.

Team members are also advised that SMC may access business-related files, cabinets, desks or lockers, even if team members have been given keys to these areas. Therefore, anything which a team member wishes to keep completely private should either not be brought into their worksite at all or should not be mentioned or discussed while engaging in organizational business.

Substance Abuse Policy

It is the policy of the Organization to provide a safe and healthy environment for its team members, volunteers, patients, visitors, vendors, medical staff by prohibiting the unlawful distribution, dispensation, manufacture, possession or use of a drug or controlled substance during work hours or on Organization property (which includes Organization vehicles); from engaging in the illegal use of drugs during work hours or on Organization property (which includes Organization vehicles); and from reporting to work under the influence of drugs. The term illegal use of drugs includes, but is not limited to, taking a prescription drug without a prescription or exceeding the dosage of prescription or over-the-counter medications. The substance abuse policy is also intended to prevent work or performance-related problems which might be caused by team members and off-duty substance abuse. All team members are expected to cooperate with the Organization's efforts to maintain a drug-free/alcohol-free workplace, including cooperating in any investigation of a suspected violation of the Substance Abuse Policy. Any violation of the Substance Abuse Policy will subject a team member/agency worker to immediate disciplinary action, up to and including termination.

Pre-Employment Drug Screening - All applicants for employment with the Organization are subject to being tested for the illegal use of drugs. An applicant for a position as a Covered Home Health Employee ("Home Health Applicant") must be provided a copy of the "Substance Abuse, Pre-Employment/Reasonable Suspicion/Random Drug Screening Policy" and procedure before being tested. The Home Health Applicant will sign an acknowledgement of receipt of a copy of the policy and procedure. An applicant who has been requested to submit to a pre-employment drug screening may not commence employment until he or she completes the necessary drug information and Pre-Employment Drug Screening Agreement, and passes the drug test. Applicants who refuse to complete the necessary paperwork, refuse to take the test, fail the test, and/or attempt to modify or substitute test samples will not commence employment. If an applicant tests positive for a controlled substance, the applicant will be given forty-eight (48) hours to produce a valid prescription for the substance for which applicant tested positive. If the applicant cannot produce a valid prescription, the applicant will not commence employment.

Reasonable Suspicion Testing - Whenever the Organization reasonably suspects that a team member's/agency's personnel work performance or on-the-job behavior may have been affected in any way by alcohol or drugs, or that a team member/agency personnel has otherwise violated the Substance Abuse Policy, the Organization may require a blood test, urinalysis or other drug/alcohol tests. "Reasonable Suspicion" may exist based on, among other things:

- Direct observation of drug or alcohol use or possession
- Observation of physical conditions which indicate symptoms of being under the influence of drugs or alcohol, including but not limited to:
 1. Odor;
 2. Gait;
 3. Speech;

4. Appearance;
 5. Statements;
 6. Evidence of use (for example, syringe or vile); or
 7. Response to questions.
- A pattern of abnormal conduct or erratic behavior (including but not limited to absenteeism, tardiness, or deterioration in work performance);
 - Arrest or conviction for a drug-related offense, or being identified as the focus of a criminal investigation into illegal drug possession, use or trafficking;
 - A news report of a drug related arrest;
 - Information provided either by reliable or credible sources or that is independently corroborated; or
 - Newly discovered evidence that the employee/agency personnel have tampered with a previous drug/alcohol test.

A team member/agency personnel must complete the necessary drug information and Reasonable Suspicion Drug Screening Agreement prior to testing. Refusal to complete the necessary paperwork or to take the test will result in discipline, up to and including termination. A Covered Home Health Employee who refuses to complete the necessary paperwork or to submit to the Reasonable Suspicion Test will either be suspended for six (6) months or be immediately terminated. If the Covered Home Health Employee fails the test, the Organization shall address the result and ensuing discipline as outline below. A Covered Home Health Employee who attempts to modify or substitute test samples will be terminated immediately. The Vice President of Workforce and Organizational Development or Director of Human Resources and/or the Administrator on Call must be contacted prior to reasonable suspicion testing. Each Reasonable Suspicion Screening performed on a Covered Home Health Employee shall reduce by one (1) the number of Random screenings the Organization must perform on Covered Home Health Employees.

Random Drug Screening – The Organization will randomly screen team member/agency personnel in safety sensitive positions for violations of the Substance Abuse Policy as it relates to illegal use of drugs. Random selection will result in an equal probability that any team member/agency personnel holding a safety sensitive position may be tested. The Organization reserves the right to conduct testing up to 12 times per year. A team member/agency personnel must complete the necessary drug information and Random Drug Screening Agreement prior to testing. Refusal to complete the necessary paperwork, refusal to take the test, failure of the test, and/or a team member’s/agency personnel’s attempt to modify or substitute test samples will result in discipline, up to and including termination.

Random Screening of Covered Home Health Employees – Beginning on July 1, 2017 and annually thereafter, the Organization will determine the number of Covered Home Health Employees on its employee roster. The Organization will then multiply this number by 50% to identify the number of Covered Home Health Employees the Organization must randomly test before June 30of the following year (the “Number of Required Tests”).

One the Number of Required Tests is determined the Organization will randomly select that number of individuals from the list of all Covered Home Health Employees employed on July 1st. These individuals will be identified on July 1, but need not be tested immediately. The

Organization must complete the Number of Required Tests on or before June 30th of the following year.

In the event a Covered Home Health Employee who is selected for testing is no longer employed at the time the test is to be performed, another Covered Home Health Employee will be selected at random from the list compiled on the immediately preceding July 1. If, due to employee turnover, there are not enough Covered Home Health Employees on the July 1 list to perform the Number of Required Tests, Covered Home Health Employees will be randomly selected from the population of Covered Home Health Employees at the time the test is to be performed until the Number of Required Tests has been performed, even if this requires the Organization to test newly hired employees who were tested during the application process.

When determining if the Number of Required Tests has been performed, the Organization shall include the number of tests of Covered Home Health Employees it has performed based upon Reasonable Suspicion during the year.

A Covered Home Health Employee must complete the necessary drug information and Random Drug Screening Agreement prior to testing. A Covered Home Health Employee who refuses to complete the necessary paperwork or take the test will result in either being suspended for six (6) months or be immediately terminated. If the Covered Home Health Employee fails the test, the Covered Home Health Employee will be disciplined as outlined below. A Covered Home Health Employee who attempts to modify or substitute test samples will result in discipline, up to and including termination.

Disciplinary Action – A team member/agency personnel who is suspected to have violated the “Substance Abuse, Pre-Employment/Reasonable Suspicion/Random Drug Screening” will be removed from the workplace, may be requested to undergo testing, and will be subject to discipline, up to and including termination even for a first offense.

Discipline of Covered Home Health Employees – If a Covered Home Health Employee fails a drug screening, either a Reasonable Suspicion Screening or a Random Screening, the Covered Home Health Employee will be provided forty-eight (48) hours to produce a valid prescription for the drug for which the employee tested positive. If the Covered Home Health Employee is unable to produce a valid prescription, the Organization shall have the results of the test verified by a confirmation test. The Covered Home Health Employee shall pay for the confirmatory test. If the confirmatory test validates the original positive test, the Covered Home Health Employee will be either suspended from direct patient contact for at least six (6) months, suspended from employment entirely, or terminated.

Voluntary Reporting – It is the Organization’s intent to assist its team members who have substance abuse problems. A team member who voluntarily reports a substance abuse problem to the Vice President of Workforce and Support Services or Director of Human Resources and/or the Administrator on call will be directed to EAP for coordinating a chemical dependency evaluation, rehabilitation, and follow-up. If a leave of absence is necessary, the team member will be considered for all eligible leaves of absence allowed pursuant to Organization policy. However, this voluntary reporting provision will not prevent the Organization from otherwise enforcing its Substance Abuse policy and/or disciplining the team member for violations of this or other Organization policies.

Workplace Violence

The Organization maintains a policy of absolute ZERO TOLERANCE for any behavior which could be construed as threatening, aggressively confrontational, or violent. Prohibited activity

includes conduct that is harassing, intimidating, presents a challenge to fight, constitutes veiled or direct threats, or assaults or attempts to assault and/or sabotage.

With the exception of authorized Organization public safety officers and as otherwise permitted by I.C. 34-28-7 et. seq., firearms and ammunition are strictly prohibited from the Organization's premises, whether or not those premises are owned or leased by the Organization. Team members, employed physicians, students or contract team members ("Holder") who bring a firearm or ammunition onto Organization's premises (owned or leased) must store the firearm or ammunition in accordance with I.C. 34-28-7 et. seq.

To "secure" the firearm or ammunition means that the Holder's firearm/ammunition is

- locked in the trunk of the Holder's vehicle; or
- kept in the glove compartment of the Holder's locked vehicle; or
- stored out of plain sight in the Holder's locked vehicle.

Additionally, any firearm that is properly secured in a Holder's vehicle must not contain any ammunition while on the premises of the Organization.

As described above, this policy contains certain restrictions on the possession of firearms or ammunition in locked vehicles by the Organization team members, employed physicians, students and contract team members. **Other individuals that are on the Organization's premises (e.g. customers, visitors, business invitees and patients) and weapons that are not otherwise described in the policy are discussed in the Firearms, Ammunition and Weapons Org Wide Policy.**

Any Holder that brings a firearm or ammunition on Organization's premises who fails to secure it in accordance with the policy, will be subject to disciplinary action up to and including termination.

Absolutely no weapons will be allowed in any Organization's premises. Team members, employed physicians, students, and contract team members **are required** to immediately report all incidents or threats of violence, harassment, intimidation, attempted assaults, assaults, challenges to fight, presence or suspected presence of weapons, firearms, and/or ammunition, fear of physical harm, and potential violent incidents or concerns, whether involving a co-worker, supervisor, director, customer, vendor, visitor, acquaintance, family member or outsider to their department director, house supervisor or the public safety officers (when there may be immediate danger) and document in the Organization's Risk Management system. Team members, employed physicians, students and contract team members who have obtained Emergency Protective Orders or equivalent restrictions directed at another person are requested to immediately notify their supervisor, their department director or the Vice President of Workforce and Support Services. This information is for the protection of all team members and will be disseminated only to those team members with a "need to know" such information. Team members, employed physicians, students, and contract team members found to be in violation of this policy or the team member's failure to comply with the letter or spirit of the Workplace Violence Prevention Program will be grounds for disciplinary action, up to and including immediate termination.

Tobacco Free Campus Policy

Use of any tobacco product, including but not limited to cigarettes, cigars, pipes, smokeless tobacco and electronic cigarettes, is not permitted on Organization premises or in any personal vehicle while parked on Organization property at any time. Use of tobacco is not permitted at any time Organization vehicles. Compliance with this policy is important and must be strictly

enforced to comply with health and safety requirements. Violations of the Employee Tobacco Free Campus Policy may result in disciplinary action, up to and including termination.

Workforce Classifications (for non-exempt team members)

Positions within the Organization are generally designed to be filled by full-time team members. In certain classifications, and during some seasons, work requirements may call for the services of other than full-time team members.

- Full-time – A team member hired in a position which is budgeted for full-time and works at a minimum 69 hours per pay. Typical work schedules include but are not limited to those listed below.
 - 5 day week: 75 hours per pay period
 - 5 day week: 80 hours per pay period
 - 4 day week: 76 hours per pay period
 - 3 day week: 69 hours per pay period
 - Weekend option: Team members classified as weekend option according to the organizational wide Weekend Option Plan I or Weekend Option Plan II policies.
- Part-time – A team member hired in a position which is budgeted as part-time and works less than a full-time schedule.
- Temporary – A team member hired to fill a full or part-time position for an undetermined period of time typically not to exceed 180 days.
- Student team member – A team member who works on a periodic basis while attending college or university (considered a temporary team member).
- Registry or PRN – A team member who works on an "as-needed" basis, subject to organization wide policies.
- Clinical Rotation Student- A student who is placed at Schneck Medical Center for clinical experience and is not employed by the organization.
- Non-employed Clinical Staff- An individual who is employed by an outside agency and/or who provides services to Schneck Medical Center patients according to a specific contract and is not employed by Schneck Medical Center..
- Non-advanced Physician Employed- An individual who is a non-advanced patient care provider who is employed by a Schneck Medical Center credentialed physician and who comes into the organization to provide service to our patients per the physician's request.
- Critical Need Student Position- A student who has been accepted into an education program of study for which a critical need exists at Schneck Medical Center or in Schneck Medical Center's service area.

Part-time, temporary, student and registry team members are not generally eligible for Organization's benefits which may be offered to full-time team members. However, part-time team members regularly scheduled, budgeted and working 37.5 hours per pay period are eligible for participation in the Organization's PTO plan and the health, dental, vision, and supplemental life insurance plans. See benefit documents, i.e. Summary Plan Descriptions, for specific details. The official benefit plan(s), and not this Handbook, will govern eligibility and benefit terms and conditions.

Wage and Hour Matters

Provisions in the Federal Fair Labor Standards Act (FLSA) classify all team members into two categories: exempt and non-exempt, with respect to eligibility for overtime pay. These categories may be defined as:

Exempt Level I – Organization team members who are exempt from overtime as defined under Fair Labor Standards Act. Compensation paid to team members in these classifications is generally not affected by the number of hours worked within a pay period. Full-time and part-time team members are eligible for Exempt Level I status.

Exempt Level II- Organization team members who are exempt from overtime as defined under Fair Labor Standards Act. Compensation paid to team members in these classifications is generally not affected by the number of hours worked within a pay period; however, Exempt Level II team members may earn additional incentive pay due to critical staffing needs at the sole discretion of the ET. Full-time and part-time exempt team members are eligible for Exempt Level II status. Only due to unusual circumstances and as approved by CEO will Executive Team, Directors and Managers be eligible for Exempt Level II status.

Non-Exempt - Team members whose activities are not classified as exempt under the Fair Labor Standards Act. Team members in this classification are subject to the minimum wage and overtime provisions of the FLSA and receive overtime pay (one and one-half times regular rate) for hours worked in excess of forty in a work week.

Overtime must be authorized by the team member's supervisor or department director. Any Non-exempt team member who performs unauthorized overtime work will be subject to disciplinary action.

Overtime Exemption Problem Resolution

Certain team members who are classified as Executive, Administrative, or Professional team members and who are paid on a salary basis can be exempt from overtime under the Fair Labor Standards Act. The overtime exemption can be affected if an improper deduction from an exempt team member's salary is made. In some cases, deductions from an exempt team member's salary are authorized by law.

Proper deductions from an exempt team member's salary include: full day deductions for absences taken for the team member's personal reasons; full day deductions for absences taken due to sickness or disability under a sick leave plan; full day deductions for disciplinary suspensions; offsetting deductions for jury duty pay, witness fees, and military pay received;

proportional deductions for unpaid FMLA leave; and proportional deductions in the team member's initial and terminal weeks of employment if the team member does not work a full week. Deductions from an exempt team member's salary that are not authorized by law are prohibited.

If an exempt team member believes there has been an improper deduction from salary, the team member must notify the team member's immediate supervisor in accordance with the established Open Door Policy.

Differential Pay (for Non-exempt team members)

Shift Differential - Non-exempt team members who work on the second or third shifts will receive a shift differential in the amount of 12% of the team member's base hourly rate. Shift differential will be paid for actual hours worked from 3:00pm to 7:00am if the team member has worked at least six (6) hours after 3:30pm.

Weekend Differential - Non-exempt team members will receive a 10% differential based on their hourly rate for actual hours worked from 6:00pm Friday to 6:00am Monday.

Holiday Differential - A 50% holiday differential is paid to non-exempt team members for actual hours worked on the actual day of the following six (6) holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Holiday differential is not paid on the Schneck day of holiday observance should it be different than the actual holiday. For example, if Christmas fell on Sunday but was observed at Schneck on the following Monday, differential would be paid on Sunday only. The differential is paid between the hours of 11:00pm the eve of the holiday to 11:00pm on the holiday. Team members must work a minimum of one (1) hour during the holiday period to receive holiday differential pay.

Annual Performance Evaluation

Performance Evaluations are completed annually for all team members. The Performance Evaluation is conducted by the team member's director, manager or supervisor, and is forwarded to Human Resources for approval and review by the appropriate Vice President. The Performance Evaluation is used to evaluate and provide feedback to team members regarding job performance, strengths and weaknesses, suitability in the assigned job classification and salary adjustments. Although a salary adjustment never automatically follows a Performance Evaluation, any adjustment which is made will be effective the pay period designated by the Executive Team. New team members hired during the previous calendar year who have successfully completed their qualifying period will receive an annual evaluation and are eligible for a prorated merit increase. Team members may receive a merit increase based upon the overall evaluation score. Team members who have reached the maximum for their salary ranges may be given a lump sum "performance incentive" based on merit. A merit increase exceeding the maximum of the pay range may be approved the Executive Team. Team members who transfer to a new position during the review period (January 1 through December 31) will be eligible for a full merit increase during their annual evaluation. Team members who have

satisfied their qualifying period by 12/31 will be evaluated on the position which they hold on this date. Team members who transfer to a new position from 10/1 to the effective date of the merit increase payout will be evaluated on their previously held position. If applicable, the merit increase would be calculated on the previous rate of pay and the sum then applied to the “new” rate of the currently held position. New team members hired from 10/1 to 12/31 will be granted a flat increase equitable to that of an increase for receiving an overall evaluation score of 2.00. The increase will be effective at the designated pay period for merit increases to be effective as long as the team member has satisfactorily completed their qualifying period. If the qualifying period is extended, the flat increase will be effective the pay period after the extended qualifying period has been successfully completed. Performance Summary Statement forms will be utilized to evaluate and assess ongoing competence of employed physicians, PRN and student staff members on an annual basis. These team members are not eligible for an annual merit increase. After the evaluation/performance summary statement is signed by and discussed with the team members it is returned to Human Resources for filing in the team member’s personnel file. Under certain circumstances and at the organization’s discretion, Performance Summary Statements may be utilized for *all* team members’ annual evaluation. Flat merit increases may be awarded to those team members who exhibit “Satisfactory Performance.”

Conflict of Interest

Management team members, trustees, and members of a committee selected with Board delegated powers are required to disclose actual or potential conflicts of interest. Actual or potential conflicts of interest will be evaluated and voted on by the Board of Trustees in accordance with the Organization’s Conflict of Interest policy.

Disciplinary Process

In those circumstances where team members are not performing in accordance with the expectations of the Organization, or where there are incidents of misconduct or violation of policies and/or procedures, the Organization will generally follow a progressive disciplinary process. Any disciplinary action which is taken in lieu of other discipline (up to and including termination of employment) is completely at the discretion of Organization management. Without regard to this policy, the Organization reserves the right to bypass any of the steps contained in the following progressive discipline process procedures, and/or to take whatever actions it considers to be warranted by any particular incident, in light of all attendant circumstances and the work history of the team member(s) involved. Even if progressive discipline is implemented, it may be terminated or alternative discipline imposed, at any time at the discretion of Organization Management. Moreover, nothing contained in the Discipline policy nor any of the steps described below should be construed or interpreted by the team member as alternating in any way the “at will” employment relationship between the Organization and its team members.

The steps of progressive discipline generally are as follows:

1. Verbal Counseling
2. Mandatory Expectation Written Reprimand*
3. Written Warning*

4. Suspension*
5. Termination of Employment

***Mandatory Expectation Written Reprimands** result in forfeiture of next available annual merit increase and team member bonus. **Written warnings** and/or **suspension** result in loss of transfer options, participation in the Professional Nurse Practice Program (PNPP) program, tuition assistance program and ability to serve as preceptor for 12 months from the date of warning. In addition, written warnings and/or suspension result in forfeiture of next available annual merit increase and team member bonus. Team members are also not eligible for the PTO payout program if they have received a written warning and/or suspension in the 12 months immediately preceding the payout date.

Mandatory Trainings, Screenings, and Other Requirements

Team members are expected to comply with Organization requirements, such as the annual Education Fair, the annual TB screenings, the annual Customer Experience Training, training /education requirements, and license/certification renewals. Failure to comply with these mandates and the deadlines associated with them may result in disciplinary action. Please refer to the Organization's Mandatory Expectations Policy for further detail.

Team Member Expectations

At SMC, it is a priority to establish and maintain an atmosphere that promotes the Schneck Way-Do What's Right. The Schneck Way-Do What's Right is covered on pages 6-8 of the Handbook. SMC team members are expected to exhibit positive attitudes and actions. The following expectations are not intended to be all-inclusive of required conduct or obligations of team members. SMC retains the right to exercise its management responsibility when it is deemed appropriate and to establish additional or amend existing expectations. By stating these expectations, team members will better know what is expected of them to foster favorable relations between each other, patients, patient's families, visitors, customers, and the medical staff.

PERSONAL BEHAVIOR EXPECTATIONS

In addition to Customer Experience Expectations previously covered on pages 6-8, personal behavior expectations outline general behavior requirements that when followed make Schneck Medical Center a great place to work.

A violation of any of the following expectations calls for some degree of discipline depending upon the nature of the conduct and the number of previous violations. Discipline may range from *verbal counseling, written warning, suspension, to termination.*

- Violation of the Telephone/Cell Phone/Mobile Digital Device Usage policy.
- Behaving in a boisterous, careless or otherwise improper manner while on organization premises.
- Leaving assigned work area without the supervisor's permission.
- Violation of safety rules including universal precautions and infectious waste rules or other unsafe conduct.
- Violation of the Solicitation policy.

- Violation of the Work Attendance policy including excessive absenteeism or tardiness.
- Conduct detrimental to the mission, vision and/or values of the organization.
- A breach of duty in connection with the team member's work which is reasonably owed to the organization.
- Violation of Conflict of Interest policy.
- Unauthorized solicitation or distribution of literature.
- Violation of the Personal Appearance policy.
- Violation of the Parking policy.
- Violation of Mandatory Expectations policy.
- Violation of any policy or procedure of the organization.

A violation of any of the following expectations is considered major and will likely result in *immediate termination*.

- Violation of the Workplace Harassment or Workplace Violence policy. (ZERO TOLERANCE)
- Willful destruction or abuse of organization property, which includes the buildings, grounds, vehicles, equipment, supplies and information.
- Exclusion from any Federal or State health care programs.
- Theft, fraudulent or dishonest acts.
- Commission of any criminal activity.
- Incarceration in jail following conviction for a crime.
- Violation of the Substance Abuse Policy.
- Immoral or indecent conduct on hospital premises.
- Falsifying any record (including time records and employment application) or intentionally giving false information to anyone whose duty it is to make such record.
- Being absent from work without notice.
- Sleeping on organization property while on duty or in public or patient areas during meal and break periods.
- Gambling on organization property.
- Any violation of the Tobacco Free Campus policy.
- Any unauthorized use of any organization computer system.
- Breach of confidentiality, including patient confidentiality.
- Gross negligence in performance of job duties which may affect the health and safety of others.
- Insubordination-willful refusal of a reasonable and legitimate request of instruction given by a supervisor.
- Failure to maintain required licensure or certification.
- Unauthorized possession of firearms, explosives or dangerous weapons on organization property or while on organization business.
- Accepting or soliciting un-approved gratuities from patients or visitors.
- Physical or verbal abuse of a patient, visitor or fellow employee.
- Harassment of any kind directed toward another employee, patient or visitor.

- Violation of Health Insurance Portability and Accountability Act (HIPAA) regulations/policies.

Separation from Employment

Employment with the Organization may be terminated through one of the following actions:

1. Resignation – A team member who desires to terminate employment, regardless of classification or reason, is expected to give as much notice as possible under the circumstances. Non-exempt team members are required to give two-weeks written working notice to be eligible for consideration for rehire. Exempt team members must give four-week written working notice to be eligible for consideration for rehire. Benefit time may not be used in lieu of working notice for any team member. Notice should be in writing and given to the team member’s department director. Team members who may be eligible for retirement benefits are requested to give a sixty-day notice, so that processing of the benefit may begin. In those circumstances where the Organization, at its sole discretion, decides to waive the notice period, and not continue employment beyond the notice of resignation, the team member may receive, in lieu of notice, a maximum of two weeks of pay at the team member’s straight-time rate of salary.
2. Termination - Employment with the Organization is “at-will” which means that employment may be terminated at any time, with or without cause at the sole and absolute discretion of the Organization. A terminated team member will receive pay for any unused, earned PTO.
3. Reduction in force - It is the goal of the Organization to maintain a stable work environment. However, should a reduction-in-force be necessary, or positions be eliminated, the Organization will, at its sole discretion, identify the team members to be affected. Team members who are laid off will be on a recall list for one year. Team members will be recalled according to their ability to do the job, need and classification.
4. Last Day of Employment – On the team member’s last day of employment, regardless of the reason(s) for separation, all keys, ID cards, uniforms supplied by the Organization, and other Organization property must be returned by the team member. Generally, Human Resources will contact the team member to schedule an exit interview. The team member’s final paycheck will be available on the next regular pay day. The final pay check will include all earned, pay, and all earned but unused Paid Time Off (PTO). Frozen Sick Pay (FSP) will not be paid upon separation of employment. All benefits end as of midnight on the last day worked by a team member.
5. Full-time or part-time team members who change status to PRN will be required to satisfy a 13-week break in service. They will be deemed to have separated their employment as of the last day worked as a full-time or part-time team member. The first shift worked as a PRN team member, after the 13-week break in service, will be

considered the team member's rehire date. All benefits and accrual of tenure cease as of midnight on the last day worked as full-time or part-time team member. Exceptions to the thirteen (13) week break in service provision may be made at the discretion of the Organization to meet departmental and organizational staffing needs. Requests for any such exceptions must be requested by the area Vice President to the Vice President of Workforce and Support Services.

V. POSITION DESCRIPTIONS/PAY PRACTICES

Position descriptions

Position descriptions are currently maintained by Human Resources for all Organization positions. Each position description contains the following:

1. Position Identification
2. Core Job Duties
3. Job Requirements
4. Acknowledgment of Receipt
5. Working Conditions/Physical Demands Attachment

Position descriptions are used by the Organization to assist in team member selection, position requirements, performance evaluations, organizational structure, and to gauge the relative value of positions for compensation purposes. Position descriptions are not intended to limit the additional assignments which may be made.

Pay Period

Team members are paid every two weeks on Thursday following the end of a pay period. Whenever a pay day falls on a federal banking holiday, Accounting will notify team members of the revised pay date. Pay is directly deposited into team member-directed accounts. The pay period begins on Sunday at 12:00 a.m. and continues through a fourteen-day period ending Saturday at 11:59 p.m.

Meal Period and Break Period

Meal period – Team members who work at least six (6) consecutive hours are generally allowed a thirty (30) minute unpaid meal period. Food is restricted from public workspaces. Food should be eaten only in designated break areas, nonpublic offices, the canteen, or the cafeteria. An exception is appropriate when direct patient care/patient monitoring is required. Team members are not to interrupt their meal period to perform work unless specifically requested to do so by their Supervisor, Manager, or Director. Although it should not be a regular occurrence, it is understood that meal period interruptions may occasionally occur. In order to ensure all team members are being properly paid, team members are asked to attest as to whether they received an uninterrupted 30-minute meal break. This process occurs when the team member clocks out at the end of their shift. Team members who leave the organization property during meal periods are required to clock in and out and not perform any work for a period of at least 30

minutes. Since uninterrupted meal periods of at least 30 minutes are not compensated time, this time is not used in calculation of hours worked for payroll or other purposes.

Break period – Team members working 7.5 hours or more in a day may be allowed up to two fifteen (15) minute break periods, one during each four (4) hour period worked. On occasion, the break period may not be provided due to patient needs or organization operations. Since break periods are compensated time, break periods will generally not affect pay and team members should not leave the organization premises.

VI. LEAVES OF ABSENCE

Family and Medical Leave of Absence

It is the policy of the Organization to provide leave of absences in accordance with the requirements of the Family and Medical Leave Act of 1993 to eligible team members who request to be excused from work for:

- Incapacity due to pregnancy, prenatal medical care or child birth;
- The care for the employee's child after birth, or placement for adoption or foster care;
- The care for the employee's spouse, parent, son, or daughter who has a serious health condition or;
- The employee's own serious health condition.

Also, employees may be excused for certain military family leave entitlements.

Military Family Leave Entitlements - Eligible employees with a spouse, son, daughter or parent who is: (1) a member of the Reserve, National Guard, or retired member of the U.S. Armed Forces and on active duty or called to or called in support of a contingency operation; or, (2) a member of the regular Armed Forces and being deployed to a foreign country, may use their 12-week leave entitlement to address certain qualifying exigencies arising out of the military duty. Qualifying exigencies may include attending certain military events, arranging for alternative child care, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a spouse, son, daughter, parent or next of kin who is (1) a current member of the Armed Forces on the temporary disability retired list, or a former member of the Armed Forces discharged during the 5 years preceding the need for leave; and (2) who has a serious injury or illness aggravated or incurred in the line of duty while on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy.

Eligible employees may receive up to a total of 12 weeks of unpaid leave in a 12-month period and will be entitled to return to either their same or an equivalent position at the conclusion of the leave. Health benefits will be maintained during the leave so long as the employee intends to return, pays their portion of premiums dues and does actually return to work.

1. Eligibility - An employee is eligible to request FMLA under this policy if the employee has been employed by the Organization for at least one year and has actually worked for at least 1,250 hours over the previous twelve (12) month period immediately preceding the commencement of the FMLA.

2. Duration of FMLA- An eligible employee may receive up to a total of twelve (12) weeks of unpaid leave in a rolling twelve (12) month period measured backward for the date of any FMLA leave usage. If an eligible employee is taking leave to care for a covered service member, the employee shall receive up to a combined total of 26 weeks of leave during a single 12-month period. In addition, FMLA leave will run concurrently with the receipt of compensation for employees who are on leave and receiving Worker's Compensation Benefits or disability benefits.

FMLA need not be taken all at one continuous time. It may be taken intermittently or on a reduced work schedule when medically necessary. If FMLA is requested for the birth, adoption or foster-placement of a child, the leave must be continuous. In the event that intermittent FMLA or a reduced work schedule is required, the employee may be temporarily transferred to another position with equivalent pay and benefits. The employee must make a reasonable effort to schedule the FMLA so as not to disrupt operations.

When intermittent FMLA or reduced work schedules are used by an employee, only the amount of leave actually taken will be counted, as a proportion of a week, toward the 12-work week maximum available FMLA. For example, one day of FMLA used by an employee who usually works a five-day week would use one-fifth a week of FMLA. The availability of FMLA for employees with a part-time or variable schedule will be determined on a pro rata basis. Employee schedules which vary from week to week will be averaged over the 12 weeks prior to the beginning of the FMLA to determine the "normal" work week.

3. Status of Benefits.

Paid and Unpaid FMLA. Generally, FMLA is unpaid. However, earned paid time off (PTO), as available, must be substituted for and be counted as FMLA for all hours and types of family medical leave. Employees with a frozen sick pay (FSP) balance may use this time during a FMLA for their own serious health condition once they have used 24 hours of PTO for work missed. If the employee is hospitalized overnight for their own serious health condition, FSP may be used immediately. The portion of FMLA considered to be paid leave will generally be so designated by Human Resources at the time FMLA is requested, and before FMLA begins, but may be designated by the completion of the FMLA. When an employee is on leave for the birth of a child, employee's frozen sick pay (FSP) may be used until the employee is released to return to work by their physician. If the employee remains off work for a period of time after being released from their physician they would be required to use PTO for that period of the leave.

Benefits. During FMLA, group health insurance, dental and vision coverage will be maintained as if the employee had been continuously employed. The employee's share, if any, for such insurance shall be collected through payroll deduction or other written payment arrangement designated and agreed upon in advance. If the employee's premium is more than 30 days late, the health insurance will be subject to lapse for the failure to pay premiums. At the conclusion of FMLA, if the employee does not return to work for a period of 30 or more calendar days, the organization may recover its share of health plan premiums for any portion of the leave that was unpaid, except when the employee's failure to return to work is due to the continuation, recurrence, or onset of a serious health condition of the employee or the employee's family member or due to circumstances beyond the employee's control.

Other Benefits. Supplemental life insurance and other non-health benefits shall be maintained during FMLA only if the employee provides to Human Resources timely payment of the applicable premium.

4.Return to Work. At the conclusion of FMLA, the employee will be returned to his or her original position at the beginning of FMLA, or an equivalent position with equivalent pay, benefits and other conditions of employment. Ordinarily, the employee will be returned to the same shift or to the same or equivalent work schedule. However, the employee has no greater right to return to the exact position held before the FMLA began, and shall have no greater right to reinstatement than if the employee had been continuously employed. For example, being on FMLA will not prevent a reassignment or layoff if the employee would have been otherwise reassigned or laid off had the employee been working. For purposes of the allowable recovery of the cost of certain employee benefits paid for during the FMLA, the employee will not be considered to have returned to work until the employee has returned for at least thirty (30) calendar days.

If employee does not return to work following FMLA for a reason other than;

- The continuum, recurrence or onset of a serious health condition which would entitle them to FMLA leave;
- The continuation, recurrence or onset of a covered service member's serious injury which may entitle the employee to FMLA leave or;
- Other circumstances beyond control,

the employee may be required to reimburse the organization for its share of health insurance premiums paid by the organization on behalf of the employee.

In some instances, a salaried "key employee" may not be able to be reinstated at the end of an FMLA. These "key employees" will be advised if they are a "key employee" and whether reinstatement might not be available to them at the end of their leave.

It is the employee's responsibility to timely respond to any inquiry concerning their intention to return to work and to advise their Director, as well as Lincoln Financial Group, as soon as they know that they will not be returning to work. As with the return from any other leave, the employee will be returned to work after FMLA if the employee is then currently able to perform the essential functions of the job, with or without reasonable accommodation.

Upon a return to work from FMLA, any employee benefits that lapsed during the leave will be reinstated, as of the date the employee returns from leave.

5.Notice and Documentation.

Employee Request for FMLA. The employee must provide at least 30 days advance notice of a foreseeable FMLA, unless that is not practical, in which case, the employee must provide notice as soon as practicable (within two business days) after the need for the FMLA is known. To request FMLA, the employee must contact Schneck's Leave of Absence Administrator, Lincoln Financial Group (LFG) either by phone (800-423-2765) or online (www.LincolnFinancial.com). If proper notice of a foreseeable leave is not given, FMLA can be delayed.

Notice to Employee. When an employee provides LFG with notice of the need for FMLA, LFG will send the employee an absence management packet outlining rights and responsibilities under the FMLA. Employee should return any forms within the requested time frame.

Designation of FMLA by Organization. LFG will notify the employee, the Director and Human Resources once a FMLA has been approved or denied. Any absence approved for a FMLA qualifying reason (i.e., the employee's or family member's serious health condition or other qualifying reasons) will

be designated as FMLA and counted against the employee's FMLA allotment. Supervisors and/or Directors should advise employees missing more than 3 days of work to contact LFG to apply for FMLA.

Medical Certification. An employee's request for FMLA to care for the serious health condition of a spouse, son, daughter, parent or for themselves, must be supported by a written medical certification by a health care provider. At the time FMLA is requested, LFG will provide the employee with a Certification of Health Care Provider form which must be completed and returned to LFG within 15 calendar days.

LFG may require a second opinion from a health care provider it designates, at no cost to the employee, if there is reason to doubt the validity of the original medical certification. If there is a difference between the two opinions, then LFG can require a third opinion from a mutually agreeable health care provider, at no cost to the employee, which shall be final and binding.

From time to time, re-certification of the employee's medical condition under the above procedure may be required. Re-certification can be required periodically, but not more often than every 30 days, unless: an extension of the FMLA is requested; where circumstances have changed significantly; where there is reason to doubt the validity of the prior certification; or where the employee is unable to return to work at the end of the FMLA.

Confidentiality. All medical certifications and related health histories of the employee or family member must be handled and treated as a confidential medical record.

6. Denial of FMLA. An employee's rights to FMLA may be delayed or denied if: (1) timely advance notice of a foreseeable leave is not given; (2) timely submission of required medical certification is not made by the employee; (3) the employee fails to provide required fitness-for-duty certification; (4) the employee expresses his or her intention not to return to work; (5) the employee fraudulently requests or obtains FMLA; or (6) the employee violates other established leave policies prohibiting outside or supplemental employment while on leave.

For your additional reference, attached to the end of this handbook is a copy of the federal Department of Labor's Notice of Rights and Responsibilities under FMLA.

Military Leave

Team members who are members of the Uniformed Services of the United States of America will be granted military leave and reinstatement in accordance with all State and Federal laws. A team member who is called to military service must bring a copy of his or her orders, if such orders are available, to the Human Resources Department to arrange for a military leave of absence. The Human Resources Department will provide the team member with information regarding military leave and reinstatement rights.

Indiana Military Family Leave

Team members may also be eligible for Indiana Military Family Leave. To be eligible, a team member must have worked for at least 12 months, have actually worked at least 1,500 hours in the 12 months immediately preceding the first day of the leave, and be the spouse, child, parent, grandparent or sibling of a person who is ordered to full time active duty orders in the armed forces of the United States or the National Guard for 90 days or more. If a team member is eligible, he or she may be entitled to take up to 10 working days of unpaid leave each year during one or more of the following periods: (1) during the 30 days before the active duty orders are in

effect; (2) during the period of active duty while the family member is on leave from active duty; and (3) during the 30 days after the active duty orders are terminated. There are some additional requirements with respect to how much notice team members must give to receive the leave, as well as when team members may take the leave. If a team member qualifies for such leave, he or she will be required to use any accrued PTO, and the leave will run concurrently with other applicable leaves of absence (such as FMLA). Contact Human Resources for additional details.

Personal Leave of Absence

Full-time and part-time team members who have successfully completed their qualifying period are eligible to request a non-FMLA unpaid personal leave of absence ("Personal Leave"). A Personal Leave is generally requested and approved in 30 day increments. However, a Personal Leave for less than 30 days can be requested and approved. The duration of any Personal Leave shall be no longer than ninety (90) days within a 12 month period unless an extension is approved by the area Vice President and Vice President of Workforce and Support Services. In unique situations and if required by law, a personal leave may be granted to team members regardless of their full-time equivalent status and who otherwise have not completed their qualifying period. To request a Personal Leave, the team member must contact Schneck's Leave of Absence Administrator, Leaves should be requested in advance, when possible. If the request for Personal Leave is to provide additional time off following the exhaustion of Family Medical Leave (FMLA) the request for Personal Leave must be communicated to Schneck's Leave of Absence Administrator no later than 5 business days after the FMLA has exhausted. If the request is not received within the required five business days, the team member will have been deemed to have voluntarily resigned their position.

In addition, full-time and part-time team members are eligible to apply for intermittent/reduced schedule Personal Leaves. For full-time and part-time benefit eligible team members, such leaves may be approved as long as the team member will remain in benefit eligible status during the leave. (Working at least 37.5 hours per pay.) The maximum amount of leave that can be taken to remain in benefit eligibility status is the team members budgeted per pay period schedule less the 37.5 hour per pay requirement. For example, employee team member budgeted for 69 hours per pay must work 37.5 hours in the pay period and would therefore be eligible for a maximum of 31.5 hours of personal leave. When intermittent/reduced schedule personal leaves are used by a team member, only the amount of leave actually taken will be counted, as a proportion of a day, toward the 90 day maximum in the 12 month period. Intermittent/reduced schedule personal leaves must be requested through Human Resources and approved in 30 day increments although the 30 days will not be continuous.

Earned but unused PTO must be used during the Personal Leave. Team members may not use FSP during a personal leave. Medical, dental, vision and supplemental insurance coverages will continue through the first 90 days of approved leave so long as the team member continues to pay their portion of premiums due. Medical, dental, vision and supplemental insurance coverages will end as of midnight on the 90th day of leave.

A personal leave requires the recommendation of the Department Director and approval of the area Vice President and the Vice President of Workforce and Support Services

Generally, personal leaves will only be considered when they do not interfere with department operations.

At the Department Director's discretion and with the approval of the area Vice President and the Vice President of Workforce and Support Services, the team member's position may be posted and filled while they are on approved personal leave.

Approval of a personal leave generally does not guarantee reinstatement to a position upon the team member's return from such a leave.

Depending upon the circumstances, personal leaves may count as an unplanned absence under the organization's attendance policy.

Jury Duty

The Organization will grant team members time off for mandatory jury duty. When a team member receives notice to serve as a juror, the team member must notify his or her supervisor or department director immediately. The team member is required to submit a copy of the summons to verify the need for a jury duty leave. The Organization will pay full-time team members the difference between their regular pay and the pay received from the court for jury duty. Team members should provide payroll with proof of payment from the court.

Jury duty leave and pay are restricted to absences on scheduled work days. Therefore, a team member is expected to report to work on scheduled days when the court is not in session. If a team member is notified by the court that his or her presence is not needed on a particular day, it is the team member's responsibility to notify his or her supervisor or department director to determine if he or she is expected to report to work that day.

Funeral Leave

Full-time team members are eligible for paid funeral leave for a maximum of three (3) days of regularly scheduled hours of work missed for the death of a member of their immediate family. The period for paid funeral leave begins on the date of the death and extends to the day following the funeral. For purposes of this policy, immediate family includes a team member's husband, wife, father, mother, brother, sister, son, daughter, or grandchildren, including aforementioned step family members.

Full-time team members are eligible for paid funeral leave for one (1) day of regularly scheduled hours of work missed in the event of death of extended family members. For the purposes of this policy, extended family members include the team member's grandfather, grandmother, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, including aforementioned step family members. Any exception to the above definition must be approved by the appropriate vice president and the Vice President of Workforce and Support Services.

Team members who are not eligible for paid funeral leave or team members who require a longer period for funeral leave may request additional days off. Additional days off may be granted at the department director or supervisor's discretion.



Worker's Compensation

Worker's Compensation coverage is provided for all Organization team members, in accordance with the Worker's Compensation Act and Occupational Disease Act, providing protection from loss of income and/or costs of medical care attributable to illnesses or injuries arising out of and in the course of employment. Injuries or illnesses which are sustained in the course of employment must be reported to a team member's supervisor or department director IMMEDIATELY. An Employee Incident Report detailing the circumstances of the illness or injury must also be completed IMMEDIATELY.

In addition, work-related illnesses and injuries should be reported to Human Resources, Monday-Friday, 7:30am to 4:30pm and an Employee Incident Report must be completed. During other hours, team members should see the house supervisor to complete the Employee Incident Report and will be referred to WellLife Clinic Monday and Wednesday 8am-6pm, Tuesday and Thursday 7am-6pm and Friday 8am-4pm. Team members requiring treatment for a work related illness or injury outside of these specific times will be referred to the Emergency Department for treatment, **only if immediate care is required for the injury/illness**. For a needle stick or exposure to blood or other potentially infectious materials, after completing the Employee Incident Report with Human Resources or the house supervisor, team members will be sent to the Emergency Department for immediate evaluation. The Infection Preventionist will follow-up with the team member. Initial appointments made with the Organization doctor that occur during the team member's work time will be paid time. All subsequent appointments should be made outside of the team member's normal working time and will not be paid time. The Organization has the right to direct all care that is related to a Worker's Compensation illness or injury. Team members who seek medical treatment without the prior consent of the Organization may become responsible for any charges they incur for treatment of their illness and/or injury. Generally, and at Organization discretion, any service that is required and available at SMC must be received at the Organization to be paid by Worker's Compensation.

Team member wages for the first seven days off due to a work related illness or injury is unpaid by Worker's Compensation. Worker's Compensation will commence paying wages on day 8, paying 66.67% of the team member's normal wage, up to stated Worker's Compensation maximum. Worker's Compensation will retroactively pay the first 7 lost work days not initially covered, if the total time off exceeds 21 days. Team members are permitted to use their earned but unused PTO time, in accordance with the Organization Wide Paid Time Off Policy, to receive pay for absences due to work-related illnesses or injuries which are not paid by Worker's Compensation. PTO may be used to pay 100% of base wages for the first 7 days of lost work and the remainder of base wage as a supplement to Worker's Compensation pay beginning day 8. Any absence previously paid under the Organization's Paid Time Off Policy that is later paid by Worker's Compensation must be repaid to the Organization by payroll deduction and the PTO time previously recorded will be credited to the team member's PTO benefit balance. Frozen Sick Pay may not be used for Worker's Compensation related absences.

Return to Work after Illness or Injury

As a joint protection to the team member and the Organization, team members who have been absent from work because of a serious illness or injury may be required to obtain a doctor's release specifically stating the team member may return to work and is capable of performing the

essential functions of their job. The team member will be informed as to whether a doctor's release will be required upon the team member's return to work. The team member will be informed to advise the treating physician as to his/her job title and duties. Team members with work restrictions may return to work based on the availability of work for which they are qualified to perform, in their department. This will be determined solely by their Department Director in conjunction with Human Resources.

Employment During a Leave of Absence

Team members who are on any type of leave of absence may not engage in any other employment or activity for compensation of like occupation without specific authorization of the Vice President of Workforce and Support Services and the team member's area vice president. A team member who accepts other employment while on leave of absence in violation of this policy will be considered to have terminated employment as of the date the leave began.

VII. EMPLOYMENT BENEFIT-NON-EXEMPT EMPLOYEES

Benefits are based on whether a team member is full-time or part-time and the team member's length of service. Length of service begins on the day that a team member is placed on the payroll and starts continuous, uninterrupted service in a position as a full-time or part-time team member. The date is used to compute the employee's eligibility for PTO, pension, and tenure of employment.

Paid Time Off Plan (PTO Plan)

The PTO plan was established to provide a replacement program for the previous vacation, sick time, personal day and holiday benefit plans. The PTO plan allows flexibility in the scheduling of PTO, rewards for excellent attendance, recognition of long service and simplification of tracking and recording PTO.

PTO Accrual Rates: The schedule below shows how many hours of PTO are earned for each eligible hour used.

Length of Service	PTO earned for each hour paid
0-2 years	.0885
2+-10 years	.1077
10+ years	.1270

PTO must be used, if available, to keep team member in pay status. To be in pay status and maintain benefit eligibility, a team member's total paid hours must, at a minimum, be 69 hours per pay for full time team members and 37.5 hours per pay for benefit-eligible part time team members. If a full time team member is receiving Short Term Disability benefits and supplementing the benefit with PTO, they must supplement the amount that will make them whole at their budgeted hours.

PTO may be used when team member does not work a regularly scheduled shift, regardless of total hours worked during the pay period. However, at the discretion of the department Director, a team member's schedule may be adjusted so total hours paid for the pay period do not exceed team member's budgeted and scheduled hours.

PTO may not be used to receive pay for hours team member is not regularly scheduled to work.

For example, team member is budgeted and scheduled to work 69 hours per pay. The team member is scheduled for Monday, Tuesday, and Wednesday each week.

<u>Week 1</u>	<u>Week 2</u>
---------------	---------------

Mon	11.5 hours worked	12.0 hours worked
Tues	12.5 hours worked	13.0 hours worked
Wed	11.5 PTO	11.5 hours worked
Total	60.5 hours worked	

In this scenario, the team member:

- ◆ Must use at least 8.5 hours PTO to remain in pay status, unless the absence is for military service.
- ◆ May use entire 11.5 hours PTO for regularly scheduled hours. The department Director has discretion to adjust the team member's schedule so total hours paid for the pay period do not exceed a team member's budgeted and scheduled hours.
- ◆ May not exceed 11.5 hours PTO since using PTO for hours the team member is not scheduled to work is not permitted.

Assume the same team member above also works an extra shift of 11.5 hours on Thursday of week 2, for total worked hours of 72.0 for the pay period. Since the team member is budgeted and scheduled for 69 hours per pay, the team member is already in pay status without the PTO hours added. In this scenario, the team member:

- ◆ May opt to use no PTO hours
- ◆ May opt to use 11.5 hrs PTO for regularly scheduled hours.
- ◆ May not exceed 11.5 hrs PTO. Using PTO for hours the team member is not scheduled to work is not permitted.

All benefit eligible team members accrue PTO time on all hours worked and/or paid up to 80 hours per pay period.

PTO is a benefit and is not considered hours worked; therefore, for pay purposes, is not used in the computation of overtime.

Team members shall not accrue PTO for unpaid absences with the exception of Downstaffing time.

Funeral Leave and Jury Duty benefits are separate benefit programs; therefore, these hours are not charged against a team member's PTO bank. Funeral Leave and Jury Duty are considered in the accrual of PTO time.

Dependent on the reason for the absence, one or more of the following must be applied to all absences from a team member's regular work schedule:

- a) Paid Time Off, if available
- b) Frozen Sick Pay (FSP), if available
- c) Downstaffing, at the organization's request
- d) Worker's compensation
- e) Jury Duty
- f) Funeral Leave
- g) Unpaid FMLA (if on approved FMLA leave and no benefit hours are available in the team member's PTO or FSP)
- h) Military Leave
- i) Unpaid Personal Leave (PTO must be used if available, if not available Unpaid Personal Leave)

PTO may be used once team member has available hours in their PTO bank.

Team members may only use hours available in their PTO bank. PTO bank balances are updated each pay period with the processing of payroll and reported on the pay voucher. Team members are not

permitted to use PTO they anticipate earning during the subsequent pay period as those hours are not yet earned, nor are they available in the PTO bank balance.

PTO must be taken to cover the six national holidays if you are normally scheduled to work that day but are off for the holiday, unless you are already whole at a minimum of 69 hours per pay for full time team members and 37.5 hours per pay for benefit-eligible part time team members. Team members who are normally scheduled to work 10 hour days or 12 hour days will have the option to be paid 7.5 hours for holidays if desired.

If a team member works on an organization recognized holiday, the team member may not use PTO for the same day with the following exception:

Holiday Worked PTO (HWPTO)- Holiday worked PTO will be approved only under the following conditions:

- a) The team member actually works on one of the six (6) national designated Holidays which include New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Day **and**
- b) The supervisor is unable to give the team member an extra day off in the pay period that the legal holiday actually occurs **and**
- c) The team member is not absent on any other scheduled day in the pay period that the legal holiday actually occurs **and**
- d) The team member requests payment for Holiday Worked PTO **and**
- e) This exception must be approved by the team member's supervisor and a report must be sent with timesheets to payroll and a copy to the area Vice President explaining the circumstances of the approval. Team member's will be paid only to a maximum of their regularly scheduled hours if this report is not completed and returned with timesheets and to the area Vice President.

Team members with a FSP balance may use this balance after they have used 24 hours of PTO (if available) for each separate episode of their own illness or injury. If a team member has met the 24 hour PTO usage requirement and access their FSP and attempt to return to work but are unable to complete their scheduled shift, they will not have to meet another 24 hour usage period for the same illness to use FSP. Team members who are hospitalized overnight would be able to use their FSP immediately upon hospitalization.

FSP balance may be used to cover the remaining period of illness (referred to in item #12) or to effective date of short-term disability, if applicable for full-time team members. FSP or PTO may be used to supplement short-term disability at the team member's request.

FSP balance is not paid to team members upon termination of employment nor can FSP be used during worker's compensation absences.

FSP will be forfeited by the team member if they change to any status other than full time.

PTO may be banked to maximums as outlined below:

Length of Service	Maximum PTO bank
0-2 years	368 hours
2+-10 years	448 hours
10+ years	528 hours

Earned but unused PTO is paid to team members upon termination of employment.

Team members are expected to call into their department when utilizing Unscheduled PTO and/or Ill PTO no later than the time specified in their department as acceptable. Unscheduled PTO and/or Ill PTO benefits will be paid if the team member properly reports the absence.

Paid Time Off (PTO) Payout

Benefit eligible team members who have been employed at least one year may request the payout of their accrued PTO balance twice per calendar year. SMC administration will determine such actual dates. Generally, the request dates will be in approximately March and September of each year. The amount requested by the team member for a PTO payout cannot reduce their PTO balance below 120 hours. Per IRS guidelines, the cash payout of PTO will be subject to a 15% penalty and paid out at 85% of the amount requested. Team members are responsible for completing the PTO payout request form and submitting the request to HR/Payroll by the established deadline. Team members are not eligible for the PTO payout if they have received a written warning in the 12 months immediately preceding the payout date.

Earned but unused PTO is paid to team members upon termination of employment if the team member has been employed for at least three (3) months as a benefit eligible team member.

Holidays

The Organization observes the following holidays:

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

The designated holiday will be between the hours of 11:00pm the eve of the designated holiday to 11:00pm the day of the designated holiday. When a holiday falls on a Saturday, it will be observed the preceding Friday. When a holiday falls on a Sunday, it will be observed the following Monday.

Insurance and Retirement Benefits

Team members may be entitled to participate in the Organization-sponsored insurance and retirement programs, depending on the number of hours worked and the length of service.

These programs may change from time to time and may be provided by different carriers under different conditions. Government regulations require the Organization to provide team members with notice of their benefits and rights at various times. When such notice is provided, it is the team member's obligation to read and understand it.

Team members may be eligible for the following benefits: medical insurance, dental insurance, vision insurance, term life insurance, supplemental life insurance (term and/or whole life), short term and long-term disability insurance, deferred compensation plans, and a cafeteria plan which includes flexible spending accounts and/or a health savings account.

Each program is described in a separate summary plan description (SPD) which may be obtained from the Human Resources Department. A SPD is merely a summary of the details of each plan

which are contained in the plan document themselves. The plan documents, however, are controlling in all cases. Questions regarding benefits should be directed to Human Resources who will be glad to respond to inquiries.

Tuition Assistance

The Tuition Assistance Program encourages team members to pursue additional education to acquire greater knowledge and skills for the benefit of the team member and the Organization. Information regarding the Tuition Assistance Program is available from Human Resources or in the Tuition Assistance Organization Wide Policy found on Schneck Connect.

Team Member Referral Program

Full time, part time, and PRN team members who have satisfactorily completed their qualifying period along with employed students who have completed their qualifying period and have accepted an offer for full-time employment with the Organization, [with the exception of those involved in the hiring process of the eligible position (e.g. interview team members, Supervisor, Manager, Director of eligible position), Director level staff and above as well as Human Resources staff] are eligible to receive a team member referral fee. Eligible positions will be approved by the area Vice President and Vice President of Workforce and Support Services. Eligible positions will be communicated to staff using various methods, including but not limited to, newsletter and posting at numerous locations in the Organization. To participate in the program, the team member must either sign the team member referral log located in Human Resources or send an email to Human Resources for each applicant referral. The log must be signed or email received before the referred applicant applies for an open position. The applicant must meet the basic qualifications of the eligible position, follow the application process and indicate on the application by whom they were referred. Applicants may not be referred if they have been presented or assigned to the Organization by a staffing agency within the last year. The referred applicant must accept an offer and remain employed for a certain time period in order for the referral fees to be paid. Referrals will expire three (3) months after the date of referral. In the event that the same candidate is referred by more than one person, only the first referral received will be eligible. The Executive Team may change or revise the Team Member Referral Program, including the eligibility criteria and fee amount, or terminate the program at any time. Please refer to the Team Member Referral Program policy for additional details.

Employee Assistance Program (EAP)

The BHS Employee Assistance Program (EAP) is a voluntary, personal, confidential, and professional consultation service for full-time and part-time team members which provides assistance to help team members and their family with problems that affect them in the workplace, at home, in school or generally in their everyday lives.

Concerns may involve such areas as:

Stress	Child/adolescent challenges	Drug/alcohol abuse
Depression	Financial referrals	Issues interfering with work
Anxiety	Marriage problems	School-related concerns
Family Conflicts	Relationship problems	Legal referrals
Sentinel events	Fatigue Management	Post traumatic event counseling

The EAP is a voluntary, confidential and professional service to help team members and their family deal with these issues, and there is no charge for the evaluation and brief consultation up to five (6) visits.

Optional Benefits

In addition to the benefits listed, team members may be eligible to participate in the following optional benefits: Christmas club, flexible spending account healthcare and dependent care, 457b and 403b defined contribution plans, critical illness insurance, personal and family accident insurance, term life insurance, hospital indemnity insurance and lifetime term life insurance. Information regarding optional benefits may be obtained from the Human Resources Department and is discussed during the employment offer, new team member orientation and the team member's benefit enrollment session. Failure by the team member to complete online benefit forms within the established timeframe will result in their enrollment being postponed until the next open enrollment period.

VIII. MISCELLANEOUS POLICIES

Internal Transfer Policy

The Organization believes that the most qualified candidates to fill job openings may well be some of the Organization's present team members. Open positions not filled within the department may be posted internally. If posted internally, the position will be posted for a minimum of five days which typically includes a weekend. After this period of time, directors may discontinue accepting applications if adequate response has been received in response to the internal posting.

Team members are encouraged to review the requirements for each position and complete an Internal Application

online via Position Manager for those positions in which they are interested and for which they are qualified. A team member is not eligible to apply internally for a transfer to another department if he or she has been employed in their position for less than twelve (12) months. Exceptions to these work commitments may be made at the discretion of SMC management to meet the departmental and organizational staffing needs. Transfer of internal applicants should not exceed four weeks. Only in an extreme circumstance should an internal transfer exceed the



four-week maximum. Additional details regarding internal transfers can be found in the Organization Wide Policy titled “Internal Transfer Policy.”

Alternative Work Site Policy

Department Directors may request approval from their area Vice President for an alternative site position. An alternative work site is any remote, non-Schneck Medical Center location or facility in which a team member is performing job duties on an ongoing, regular basis while connected to the organization via electronic and telecommunications systems. In most instances, this will constitute working from home. All supervisory positions, including all supervisor, manager and director positions are not eligible to work from an alternative work site.

Additionally, unless a work-from-home accommodation is required by law or regulation, the request must be based on a particular position. In order to be considered, the position must not require direct supervision/oversight and must be conducive to telecommuting. A number of factors must be considered in the approval process, including but not limited to: existence of position productivity standards, specific performance expectations in the job role that are easily measured and tracked, limited requirements to attend meetings on a daily basis, lack of detrimental impact to co-workers’ hours/workload, lack of involvement in direct patient care.

The area Vice President will evaluate the request and recommend approval or denial, in writing via the Alternative Work Site Request Form, to the Vice President of Workforce and Support Services. Generally, approval of an alternative work site request must not require special accommodations of other department members or other departments. The approval may allow for a portion of a team member’s work week to be done at an alternative site. Approval or denial rationale will be shared with the requesting Director by their area Vice President. If at any time the Executive Team determines that a telecommuting position does not meet the operational needs of the department or organization, this alternative work arrangement will be discontinued and adequate notice of two weeks will be provided to affected employees. If appropriate, the department Director will develop a transition plan to bring the employee into the traditional organization setting.

Under extreme circumstances including but not limited to declared emergencies or global, national, regional, state or local pandemics, and at the discretion of the Schneck Medical Center Executive Team, various provisions of the Alternative Work Site Policy may be waived. The aforementioned waivers and/or accommodations will be position/department specific and requested by the department Director. Area Vice President approval is required. Approval or denial rationale will be shared with the requesting Director by their area Vice President.

In addition, a telecommuting assignment may be temporary and for a limited time period based upon circumstances such as quarantine requirements.

Telephone and Cell Phone Usage

Telephone lines must be clear for emergencies or Organization business. Friends and family members should be instructed not to call team members at work except in the case of an emergency. Personal business contacts not associated with the Organization should refrain from calling team members at work. Team members may carry their cell phone and/or mobile digital device, but should refrain from using it in a manner that is disruptive to the work environment, patients, visitors, and/or co-workers. Team members should refrain at all times from using their cell phone and/or mobile digital device in public areas including public hallways, elevators, lobbies, gift shop and the cafeteria during work time and during paid breaks. During unpaid

meal breaks, team members may use their cell phone and/or mobile digital device in the cafeteria/canteen but are expected to discontinue use to assist patient/visitors if needed. Team members walking to and from their worksite i.e. Schneck Medical Center or organization owned clinics/facilities, should discontinue use of their cell phone and/or mobile digital device should they encounter a patient/visitor in need of assistance. Team members who use ASCOM phones may do so in public areas when the conversation is directly related to patient care. All team members using ASCOM phones in public areas should use caution to ensure patient confidentiality and HIPAA compliance. Team members may not use their cell phones and/or mobile digital devices to take pictures while in the hospital or hospital owned clinic/facilities. Violations of this policy and/or actions that don't reflect Schneck Medical Center's Patient First culture (i.e. not acknowledging patients/visitors, coworkers due to mobile digital device usage) will result in disciplinary action.

Personal Appearance

All team members will be provided an opportunity to purchase Schneck Medical Center logo wear that is acceptable to wear while working. Team members may purchase logo wear through the organization's exclusive outside vendor partner. Team members are not permitted to add the SMC logo to any apparel without the consent of the organization.

Team members who do not have direct patient care responsibilities will be provided an opportunity to purchase SMC logo shirts/tops and direct patient care team members can purchase logo scrub tops and/or bottoms. Logo shirts can be worn with pants that otherwise meet the personal appearance definitions outlined. Logo polo style shirts cannot be worn with leggings. Schneck logo T-shirts, provided by the organization, are acceptable but must not be faded, worn out or torn. When wearing SMC logo wear ensure the logo remains visible at all time. Team members are permitted to wear layers underneath the logo wear if desired or may wear logo outerwear if desired. Scrubs will only be worn by team members working in direct patient care areas or who provide direct patient care.

All clothing must fit properly and be kept neat and clean. Inappropriate clothing includes, but is not limited to, non-Schneck logo T-shirts, shorts, skirts or dresses that do not reach mid-thigh, spandex/lycra material, leather or leather like skirts or pants, tank tops, crop tops, halter tops, blue jeans, and sweatpants. Full-length leggings can be worn only if the accompanying shirt/skirt reaches to the team members' mid-thigh. Hats and other headwear are not permitted unless appropriate for the job role. Examples that may allow hats include grounds, nutrition services, and surgical services.

Costumes, including masks, are not permitted. Due to the patient population, themed dress is acceptable at Schneck Pediatrics.

Shoes must be clean, polished, and professional in appearance. Casual shoes, including flip flops, athletic slides, or other "beach type" shoes are not permitted. Tennis shoes may be worn as approved by the Department Director. Where safety or regulatory guidelines prohibit, including direct patient care providers, open toe shoes or sandals may not be worn. Croc style shoes are permitted but should also not have holes in them or they must be worn with shoe covers for the safety of the team member.

SMC logo wear is appropriate for Schneck Medical Center's Leadership team. Should a Leadership team member be involved in formal meetings, hosting outside visitors and/or involved in a formal presentation, business attire is expected. Business attire is generally defined for women as business suits or skirt /slacks-and-blouse/sweater combinations. Business attire is generally defined for men as business suits or slacks with a shirt and tie. Internal meetings with other SMC staff would not be considered formal unless otherwise communicated by a Leadership team member's supervisor.

Hair must be neat, clean, and well groomed. Hair color may vary but should be appropriate for the job role/department. Expectations regarding hair color/style may vary by department and are at the sole discretion of the department leadership. Team members handling or serving food must wear hair nets or caps as approved by the Director. Sideburns, mustaches, and beards must be neat, clean, and well-trimmed. Team members must be able to successfully fit test for N95 respirator masks and hair styles must not interfere with patient care.

Team members must maintain good personal hygiene. Perfumes, shaving lotions, and all scented toiletries are not permitted while working in patient contact areas. If a team member is a smoker, smoke odor on clothing may present a problem to patients, and the team member may be required to gown over their clothing while providing patient care.

The wearing of jewelry should be kept to a minimum. "Bull ring" style hoops/rings in the septum of the nose are prohibited. Gauges are not acceptable, regardless of diameter, and must be filled with a retainer while working. Other guidelines for jewelry may vary by department/job role and will be at the sole discretion of the department leadership.

Tattoos deemed offensive, in the sole discretion of department leadership, must be covered. Examples of offensive content include, but are not limited to, profanity, discriminatory language or symbols, and sexually suggestive language or images. Facial tattoos must be covered while working.

Fingernails of team members working as direct patient care providers must be kept short enough to allow the individual to thoroughly clean underneath them and not cause glove tears. The hands, including the fingernails and surrounding tissue, should be inflammation free.

Artificial nails, such as acrylic nails, are not permitted to be worn by any direct patient care team member, as they tend to harbor organisms and prevent effective hand washing. Fingernail polish should be freshly applied, and not chipped.

ID badges are to be worn during working hours (unless prohibited by regulation). ID badges must be worn in a position that allows them to be read easily by others.

Team members attending staff/committee meetings or educational training sessions on their scheduled days off are expected to wear attire that is clean and appropriate. Team members should use their professional judgment when choosing attire.

Enforcement of these rules and regulations is the responsibility of department Directors, Managers and Supervisors. A team member who does not adhere to the guidelines of this policy may be sent home without pay, in addition to receiving disciplinary action. The principles of progressive discipline will be followed in enforcing these regulations.

Team members working in extreme environmental conditions may require alternative dress code as approved by the ET.

Gratuities

The primary responsibility of Organization team members is the care and comfort of the patient. Whenever personal gifts or gratuities are offered in appreciation for a team member's service, they should be politely declined. Gifts of flowers, candy or fruit to the department are acceptable. The acceptance of tips or personal gifts is considered unprofessional conduct, and is grounds for disciplinary action.

Solicitation

Soliciting by team members or others on Organization premises is not permitted, unless approved by the Executive Team. Solicitation includes requesting or providing opportunities for persons to make purchases or contributions. United Way, Relay for Life, March of Dimes, and Healthy Jackson County are the only external organizations for which solicitation is allowed. Internal groups for which solicitation is approved include EPiC, Employee Activity Group, SMC Guild and SMC Foundation.

Garnishments

Team members of the Organization are expected to be financially responsible, and to refrain from acting in a manner which involves the Organization in disputes involving personal finances of team members. The Organization is required by law to honor court ordered garnishments by means of payroll deduction unless a court release is presented to Payroll prior to the payroll ending date in which the garnishment is served.

Cafeteria/Canteen

The Hospital cafeteria provides team members meals at a discount during a team member's work time. Team members may use the badge swipe system option to pay for their food purchases in the cafeteria if they have signed to do so in Payroll. Team members may also use cash or debit/credit card to pay for purchases. To make purchases during hours when the cash register station is not open, team members must use the payroll deduction option by documenting their name and badge bar code number on the log sheet located in the cafeteria. Cafeteria log sheets and video surveillance are periodically audited. Theft of cafeteria merchandise will result in disciplinary action up to and including termination. Vending machines and microwave ovens are located in the first floor canteen. Tables and chairs in the canteen should be kept available for visitors.

Gift Shop

The Hospital Guild operates a gift shop and flower service. Team members are encouraged to visit and support the gift shop during non-working time. Team members may purchase items from the gift shop and may use the badge swipe system to pay for their purchase if they have signed to do so in Payroll.



Parking

The Organization provides parking areas for team member convenience. Only vehicles bearing an Organization tag will be permitted to park in the team member lots. Parking tags may be obtained from the Human Resources Department. The Organization will not assume responsibility for damages or losses that occur on Organization property.

Lost and Found

The Organization does not assume responsibility for the loss or theft of team members' property. Team members are encouraged to lock up any valuables or to refrain from bringing valuables to the Organization premises. The Organization encourages team members to report property losses immediately to the Security Department. A lost and found service is maintained in the Security Department.

Volunteer Policy

The Organization recognizes that volunteering in civic and charitable activities is of great value to the community. As such, we encourage all team members to volunteer as they deem appropriate. However, all volunteer work done outside of normal scheduled work time, not requested by the Organization, will not be considered hours worked and will consequently not be compensated. While opportunities for participation and volunteer activities will undoubtedly arise in the course of your employment, non-participation will not negatively impact your employment and likewise, participation will not positively impact your employment. Civic or charitable work specifically requested by the Organization and required may be compensated accordingly. Furthermore, work requested for the benefit of the Organization during non-scheduled work time may be compensated.

EPIC and EAG meetings that occur during team members' normal work hours are considered to be time spent in work for a charitable and/or civic purpose at the organization's request and will therefore be compensated time.

Should you have any questions regarding whether civic or charitable volunteer work will be compensated, please contact Human Resources or Payroll prior to volunteering.

Lactation Support in the Work Place

SMC will provide a private location, other than a toilet stall, where a team member can express the team member's breast milk in privacy during any period away from the team member's assigned duties. Team members should express breast milk at times that do not unduly disrupt the operations of the Organization and at times that are concurrent with established break periods whenever possible. In addition, to the extent reasonably possible, SMC will provide a refrigerator or other cold storage space for keeping the milk that has been expressed; or allow the

team member to provide the team member's own portable cold storage device for keeping milk that has been expressed until the end of the team member's work day.

False Claims

Team Member False Claims Reporting Education - It is the policy of SMC to provide health care services in a manner that complies with applicable federal and state laws and conduct business in an ethical and forthright manner. To further this policy and ensure compliance with federal and state laws, SMC provides the following information to team members, contractors, and agents of the SMC. The following is an explanation of 1) the role certain federal and state laws play in preventing and detecting fraud, waste, and abuse in federal health care programs, and 2) SMC policies and procedures for detecting and preventing such fraud.

Federal False Claims Act - The Federal False Claims Act prohibits an individual or entity from knowingly submitting a false or fraudulent claim for payment by a federally funded program, including Medicare and Medicaid. An entity or person who violates the Act will be subject to significant penalties and fines. Penalties range from \$5,500 to \$11,000 per false claim as well as up to three times the government's damages.

A unique aspect of the False Claims Act is the *qui tam* provision, also referred to as the "whistleblower" provision. The *qui tam* provision allows any private citizen to file suit in the name of the United States government if he or she believes that a violation of the Act has occurred.

A *qui tam* action is initiated by filing the complaint and all available material evidence with a federal court. The complaint remains confidential for at least 60 days and will not be served on the defendant. During this time, the government investigates the complaint. After expiration of the review and investigation period, the government may elect to pursue the case. If the government decides not to pursue the case, the person who filed the action has the right to continue with the case on his or her own. If a lawsuit is successful, the individual who brought the suit may be entitled to receive a portion of recoveries received by the government. For additional information refer to 31 U.S.C. §§3729-3733.

Whistleblower Protection - In order to encourage individuals to report suspected fraud, the False Claims Act protects a team member from being fired, demoted, threatened, harassed or discriminated against by his or her employer for filing a lawsuit under the False Claims Act or providing information in good faith relative to a False Claims Act investigation or lawsuit.

Program Fraud Civil Remedies Act - A similar federal law is the Program Fraud Civil Remedies Act (PFCRA), which provides administrative remedies for knowingly submitting false claims and statements. A false claim or statement includes submitting a claim or making a written statement that is for services that were not provided, or that asserts a material fact that is false, or that leaves out a material fact. A violation of the PFCRA results in a maximum civil penalty of \$5,000 per claim plus a fine of up to twice the amount of each false or fraudulent claim. Penalties

imposed under PFCRA are separate and in addition to penalties imposed under the False Claims Act. For additional information refer to *31 U.S.C. §§3801-3812*.

Indiana False Claims and Whistleblower Protection Act - Indiana also has its own False Claims and Whistleblower Protection Act ("IFCWPA"). Similar to the federal False Claims Act, the IFCWPA prohibits filing a false claim for payment by Medicaid. A violation of the IFCWPA may result in the person or entity being assessed a civil penalty of at least \$5,000 as well as up to three times the amount of damages sustained by the state.

Like the *qui tam* action under the federal False Claims Act, anyone may bring a civil action for a violation of the IFCWPA in the name of the state. The case is initiated by filing the complaint and all available material evidence with a state court. The complaint must also be provided to the attorney general and the inspector general. The complaint will remain confidential until the court orders that the complaint be provided to the defendant. The attorney general or the inspector general may choose to proceed with the case on behalf of the state, however, if the state decides not to pursue the case, the individual may proceed with the case on his or her own. If the lawsuit is successful, the individual may be entitled to receive a portion of the recoveries received by the state.

The IFCWPA also protects team members from being fired, demoted, suspended, threatened, harassed, or otherwise discriminated against in terms of conditions of employment by his or her employer for initiating, testifying, assisting, or participating in an investigation, action or hearing under the IFCWPA. For additional information refer to *Ind. Code §5-11-5.5-1 et. seq.*

Hospital Policies and Procedures - SMC takes issues regarding false claims and fraud and abuse very seriously. The Hospital encourages all team members, management, and contractors or agents of the Hospital who suspect or become aware of fraud, waste or abuse, to report this to their immediate supervisor when appropriate. If the supervisor is not deemed to be the appropriate contact or if the supervisor fails to respond quickly and appropriately to the concern, then the individual with the concern should contact SMC's Compliance Officer at 812-522-0172.

SMC strives to detect and prevent fraud, waste and abuse. To that end, it has enacted policies and procedures regarding team member training, monitoring, auditing, and conducting risk assessments. It is through these and other compliance activities that SMC works to prevent and detect fraud and abuse. Please refer to the Corporate Compliance Program.

Through training, education and the on-going receipt of compliance related information, team members are notified and instructed of their role in detecting and preventing fraud and abuse. SMC has in place a reporting system that allows individuals to report suspected misconduct, and the Compliance officer is accessible to all individuals for making such reports as well.

Last, SMC has policies and procedures in place for responding to, investigating, addressing and resolving any allegations of or suspected fraud, waste, abuse and/or misconduct. Please refer to the Corporate Compliance Program for additional information.

Team members, including management, and any contractors or agents of the Hospital should be aware of SMC's policies and procedures regarding detection and prevention of health care fraud and abuse. A more detailed description of these policies and procedures can be accessed in the Employee Education on False Claims Recovery policy located on the Hospital intranet.

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

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

1. for incapacity due to pregnancy, prenatal medical care or child birth;
2. to care for the employee's child after birth, or placement for adoption or foster care;
3. to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
4. for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

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

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service-member during a single 12-month period. A covered servicemember is:

(1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

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

Benefits and Protections

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

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

Eligibility Requirements

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

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

Definition of Serious Health Condition

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

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and

a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

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

Substitution of Paid Leave for Unpaid Leave

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

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

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

Employer Responsibilities

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

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

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

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

Enforcement

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

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

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor Wage and Hour Division

WHD Publication 1420 · Revised February 2013

