

# Employee Resource Guide



# Employee

# Resource Guide



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## **ABOUT THIS RESOURCE GUIDE**

LIVING BRANCHES (referred to as “Living Branches” or “the organization” throughout the document) is committed to providing you with the necessary resources for a successful employment relationship. We believe in providing an atmosphere of open communication, therefore, Resource Guide for Employees will be an effective communication tool that you can keep handy, serving as an ongoing resource that will answer many of your questions.

This Resource Guide supersedes any prior handbook, policies, memos, and notices of Living Branches and should only be considered as general guidelines and information. In order to most effectively meet the needs of our clients and respond to the ever-changing environment in which we work, Living Branches may at any time amend, supplement, modify, or eliminate one or more of the benefits or policies described in this Resource Guide, or any other employment benefits, procedures, or policies, with or without prior notice, at the sole discretion of the organization. We will make every effort to communicate any changes to you in a timely manner. Actual plan documents are the final authority on all matters relating to benefits. Eligibility for coverage or benefits shall be determined in accordance with the plan provisions.

**THIS RESOURCE GUIDE DOES NOT CONSTITUTE A CONTRACT OF EMPLOYMENT AND DOES NOT GUARANTEE ANY FIXED TERMS AND CONDITIONS OF EMPLOYMENT. THERE IS NO PROMISE OF ANY KIND BY THE ORGANIZATION CONTAINED IN THIS RESOURCE GUIDE; YOUR EMPLOYMENT IS BASED ON A VOLUNTARY EMPLOYMENT-AT-WILL RELATIONSHIP. ACCORDINGLY, THIS RESOURCE GUIDE DOES NOT CONSTITUTE A GUARANTEE THAT YOUR EMPLOYMENT WILL CONTINUE FOR ANY SPECIFIED PERIOD OF TIME OR END ONLY UNDER CERTAIN CONDITIONS, AND NOTHING IN THIS BOOKLET CONSTITUTES AN EXPRESSED OR IMPLIED CONTRACT OF EMPLOYMENT OR WARRANTY OF ANY BENEFITS. THIS MEANS THAT YOU RETAIN THE RIGHT TO TERMINATE YOUR EMPLOYMENT WITH THE ORGANIZATION FOR ANY REASON AND AT ANY TIME. LIKEWISE, LIVING BRANCHES RESERVES THE RIGHT TO END YOUR EMPLOYMENT AT ANY TIME, WITH OR WITHOUT CAUSE AND WITH OR WITHOUT NOTICE.**

No one has the authority to bind Living Branches to any agreement contrary to the foregoing except the President/CEO. Any such agreement must be in writing and signed by the President/CEO and the employee(s) to whom the agreement applies.

Nothing in this Resource Guide will be interpreted in a manner inconsistent with applicable laws including, but not limited to, the Age Discrimination in Employment Act (“ADEA”), the Americans with Disabilities Act, the Rehabilitation Act, Title VII of the Civil Rights Act of 1964, the Employee Retirement Income Security Act, the Family and Medical Leave Act, the Genetic Information Non-Discrimination Act, the Pennsylvania Human Relations Act, the Civil Rights Act of 1991, 42 U.S.C. '1981, the Fair Labor Standards Act, Pennsylvania and any other state wage payment laws for which an employee of the organization provides services, and any employee rights provided under the National Labor Relations Act, or other applicable laws and regulations.

**1**

**Welcome  
and  
Organizational  
Overview**



Welcome to Living Branches, a community dedicated to empowering residents to lead lives of purpose and joy. We are grateful for the ways in which you will partner with us in this mission.

This resource guide is designed to help you find your place as an effective member of our caring community. As a starting point, please take time to read through our mission and core values, which are found on the following page. These core philosophies are foundational to developing positive relationships with those around you.

Living Branches has a long history of providing excellent service to our residents, their families and guests, and our fellow coworkers. You will be part of providing The Living Branches Experience, which emphasizes our commitment to the highest levels of service exemplified by our TOGETHER standards of customer service.

Each person plays an essential role in the functioning of Living Branches. I hope that you will take pride in your department and the daily tasks you are asked to fulfill. Be they common-place or exceptional, these tasks become windows through which we learn to recognize gifts, value differences, and help maintain the dignity of those we serve. Our work here is important as it demonstrates our attitude towards our fellow human beings; it is truly sacred work.

We value healthy communication in Living Branches and believe it is vital to success in the workplace. Good communication with your supervisor will help you become acclimated to our organization and feel at home. It will also give your supervisor the opportunity to discover your potential and find ways to match that potential with the needs in our organization.

I look forward to your contributions to Living Branches. Like a network of living branches, it is my hope that our lives and work will intertwine in ways that lend support and stability to one another, nurture personal growth, and reveal our collective mission, guided by the Mennonite tradition of care and service to others.

With warm regards,

A handwritten signature in black ink that reads "Edward D. Brubaker".

Edward Brubaker, NHA  
PRESIDENT/CEO





## OUR MISSION

Together we empower older adults and families to lead lives of purpose and joy, guided by the Mennonite tradition of care and service to others.

## OUR CORE VALUES

### **Respect**

We treat others as they would like to be treated, valuing their gifts and perspectives, and responding with grace when we experience their weaknesses.

### **Integrity**

We pledge ourselves to honesty in the things we say and do, so we may be relied upon as trustworthy, consistent, and committed to follow through on our agreements.

### **Compassion**

We enhance lives by serving others with kindness, patience, humility, and forgiveness.

### **Community**

We create warm and lively spaces where each person is valued, working together to achieve our standard mission.

### **Excellence**

We challenge ourselves to do ordinary things well, encourage new ideas, and reach beyond expectations.



*"I am the vine; you are the branches. If you remain in me and I in you, you will bear much fruit." JOHN 15:5A*

*The Living Branches Experience*  
**TOGETHER**

**T**ake Time and Be Present

**O**wn the Entire Experience

**G**et to Yes!

**E**xtend Hospitality

**T**reat Them to Memorable Moments

**H**onor Response Times

**E**mpower with Choices

**R**ecover with Compassion



# HISTORY OF LIVING BRANCHES

Living Branches is a not-for-profit system of retirement living communities dedicated to providing quality, life-enriching services on three campuses in southeastern Pennsylvania. The organization employs more than 650 team members and offers a wide range of housing, support services, and life-enriching activities for more than 1,350 residents.

The name Living Branches is derived from John 15:5, where Jesus teaches his disciples that he is the vine and, as branches, they will draw their strength and sense of mission from him. Living Branches communities are vibrant places where older adults lead lives of purpose and joy. Residents benefit from fitness and wellness opportunities, pursue lifelong learning and service, and offer support to friends old and new.

Formed in 2008, Living Branches was created through an affiliation between Souderton Mennonite Homes and Dock Woods Community. Established in 1917, Souderton Mennonite Homes was originally called Eastern Mennonite Home of the Franconia District. Hatfield Mennonite Home, later renamed Dock Meadows and now known as The Willows of Living Branches, was founded by the Franconia Mennonite Conference in 1942. Dock Woods began in 1981 as an outgrowth of the Hatfield Mennonite Home.

Today, Souderton Mennonite Homes and Dock Woods offer Residential Living, Personal Care, and Health Care, as well as services for residents living with dementia. The Willows of Living Branches provides Personal Care, and residents have access to Health Care within the Living Branches system. Through Dock Manor and Dock Village on the campus of Dock Woods, Living Branches also offers affordable housing for older adults and families who qualify for rental assistance.

The communities of Living Branches welcome people of all backgrounds and walks of life. Affiliated with the Franconia Mennonite Conference of Mennonite Church USA, the communities are guided by a tradition of care and service to others.

**2**

# **Employment Practices**

## **Equal Employment Opportunity Statement and Americans with Disabilities Act**

**2.01**

It is the policy of Living Branches to provide equal employment opportunity in an environment free from unlawful discrimination. It is our objective to recruit, select, train, and promote into all job levels, qualified individuals without discrimination with respect to the individual's race, color, religion, sex, national origin, disability, age, genetic information, or any other characteristic protected by federal, state or local law.

The Americans with Disabilities Act of 1990, as amended, protects qualified applicants and employees from discrimination on the basis of disability in all aspects of employment, including hiring, promotion, training, benefits, and termination. Living Branches is committed to providing equal employment opportunities to qualified individuals with disabilities, which includes providing reasonable accommodations whenever necessary and if it does not cause undue hardship.

In general, it is your responsibility to notify Living Branches of the need for an accommodation. Upon doing so, Living Branches may ask you for your input regarding the type of reasonable accommodation you believe may be necessary or the functional limitations caused by your disability. When appropriate, the organization may also need your permission to obtain additional information from your physician or other medical or rehabilitation professionals. Living Branches is committed to providing reasonable accommodations where necessary, feasible, and required by applicable law.

## **Harassment**

**2.02**

Living Branches is committed to providing a work environment that is free from discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's gender, race, ethnicity, age, religion, or any other legally protected classification will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.

If you witness an incident of sexual or other unlawful harassment, or you become aware of possible sexual or other unlawful harassment, you should promptly report the matter to the Human Resources Department. If a member of the Human Resources Department is not available or the employee believes it would be inappropriate to contact the Human Resources Department, the employee should immediately contact the President/CEO. Employees can raise concerns and make reports without fear of retaliation. All complaints under this policy will be held in confidence, to the extent possible, in order to take appropriate action.

Retaliation against any employee who makes a claim under this policy will not be tolerated.

Any employee who becomes aware of possible sexual or other unlawful harassment should promptly advise the Human Resources Department or the President/CEO. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action up to and including termination of employment.

If you experience any job-related harassment or believe you have been treated in an unlawful or discriminatory manner, including being retaliated against, you should promptly report the matter to either the Human Resources Department or President/CEO immediately. (Refer to Section 5.01 Sexual Harassment and Other Forms of Harassment for a more detailed description of our Non-Discrimination/Harassment Policy.)

## **Agency and Contract Staff**

## **2.03**

Under certain circumstances, it may be necessary to hire personnel on a contract basis for a specified period of time or for a specified project. Agency and contract staff are not employees of Living Branches; they are paid for time worked and are not entitled to any other benefits of employment.

Contract workers must enter into independent contractor agreements with Living Branches prior to performing any services for the organization.

All agency and contract staff are expected to successfully complete the same background checks as regular staff/employees of Living Branches. Agency and contract staff are expected to follow all of the policies and procedures of our organization including the contents within this Resource Guide.

## **Employee Referrals and Referral Bonus**

## **2.04**

Living Branches encourages employees to identify qualified friends or acquaintances who are interested in employment opportunities with Living Branches and refer them for open positions. An employee should obtain permission from the individual before making a referral and should not make any commitments or promises, verbal or written, regarding employment with Living Branches. Employees may submit the referral's resume and/or completed application form to the Human Resources Department for review and consideration.

Referred candidates may not:

- Be a current employee of any Living Branches campus or department
- Have applied to Living Branches within the past year

- Have previously worked at any Living Branches campus or department; or
- Be an immediate relative of the referring employee (as defined in our Bereavement Leave Policy 4.04)

Eligible employees will receive a referral bonus if the individual they recommend for employment is hired for a regular full-time or regular part-time position and is successfully employed by Living Branches in accordance with the Employee Referral Bonus Program. Members of the Living Branches Leadership Group, Human Resources Department employees, and the vacant position's hiring manager are not eligible for a referral bonus.

Eligible employees will receive 100% of the referral bonus for the filled position, once the referred individual is hired and successfully completes his/her initial six months of continuous employment with Living Branches. You must be employed by Living Branches at the time the referred individual completes his/her initial period of employment to receive the applicable bonus amount. Please contact the Human Resources Department for specific information and the required forms.

## **Employment of Relatives**

## **2.05**

On occasion more than one family member and/or employees with close personal relationships may work for Living Branches. While we do not discourage this, there are guidelines that have been developed to ensure that appropriate working relationships are upheld. This is to avoid any conflict of interest—or the appearance of any conflict of interest—in supervisory responsibilities.

The following guidelines are to be followed:

- No employee will be permitted to hire a relative or someone with whom they have a close, personal relationship.
- A relative and/or employee with a close personal relationship with another employee may not be in the supervision down line or management chain of command of another employee with whom they have a close personal relationship.
- Related and/or close personal employees will not be involved in evaluating each other's job performance or in making recommendations for salary adjustments.
- Employment of relatives of Executive Leadership Team (ELT) is not permitted.
- Employment of spouses of current Living Branches Leadership Group (LBLG) employees is not permitted. Employment of other LBLG relatives will only be permitted on a different campus than where the LBLG member's office is located.

A relative is defined as including, but is not limited to; parent, parent-in-law, child, grandparent, grandchild, sister, brother, or spouse. Someone with whom an employee might have a close, personal relationship might include, but is not limited to, a close friend, neighbor, or someone with whom the employee interacts with on a regular basis.

When relatives are hired within Living Branches, it is expected that the related employees will each be responsible for their own position and relatives will not interfere in ways such as inquiring with human resources as to the status of a relative's application, checking on the relative's schedule in their department, or speaking to the supervisor of the relative about the other person's work. If employees would interfere with a relative's work, counseling will occur and disciplinary action may be taken.

Please contact the Human Resources Department for more information. The Human Resources Department will review any questions about relatives or close personal relationships as they relate to this policy. See also section 5.11.

## **Job Requisitions and Postings**

**2.06**

To begin the recruiting process for a new or open position, a Personnel Request Form must be completed and approved by the hiring supervisor, the hiring supervisor's immediate manager, and the Executive Director or President/CEO. Once the Personnel Request Form is complete and has the necessary approvals, it should be submitted to the Human Resources Department. Most job openings will be internally posted and externally advertised. Internal employees will be given first preference when filling a position when applicable, however, Living Branches reserves the right to fill certain positions without prior posting.

Job openings will be posted at varied locations on all Living Branches campuses. Job postings will provide information regarding the open position, including its department, location, job summary, essential duties, and qualifications. If you would like to apply for a posted position, please contact the Human Resources Department (and refer to Section 2.09 Transfers and Promotions).

Once a candidate has been selected to fill a position, the supervisor will complete a Payroll Action Form to initiate the hiring process.

## **Employment Procedures**

**2.07**

The Human Resources Department, in coordination with the hiring manager, will administer the selection and placement of all candidates in a consistent and non-discriminatory manner.



All external candidates must complete a Living Branches employment application and sign any accompanying background check authorization forms. The Human Resources Department and the hiring manager will screen applications and/or resumes prior to scheduling interviews and work together to hire the most qualified candidate for Living Branches.

All employment offers are contingent upon successful completion of any required background checks including, but not limited to, reference, criminal, credit, driving records, and/or professional credentials verification. Living Branches will ensure that all background checks are held in compliance with all federal and state statutes including, but not limited to, the Fair Credit Reporting Act, the Americans with Disability Act, and Title VII of the Civil Rights Act of 1964. Negative information disclosed as a result of a background check will not necessarily exclude an individual from employment, continued employment, or promotion.

Prospective employees will be asked to submit to a drug test once a conditional offer of employment has been extended and accepted. An offer of employment by Living Branches is conditioned on the prospective employee testing negative for illegal substances.

Living Branches policy is intended to comply with all state laws governing drug testing and is designed to safeguard employee privacy rights to the fullest extent of the law. Before being asked to submit to a drug test, the employee will receive written notice of the request and requirements. The employee must also sign a testing authorization and acknowledgement form confirming that he or she is aware of the policy and the rights of employees.

All background investigation results will be treated as confidential information. The Human Resources Department will confirm the initial offer of employment in writing upon receipt of these results.

## **Introductory Period**

**2.08**

All newly hired regular full-time employees have a ninety (90) day introductory period. Newly hired regular part-time, flexible part-time, temporary employees, students, and employees working in the float pool have an introductory period that consists of 150 work hours. This period is intended to give you the opportunity to demonstrate the ability to achieve a satisfactory level of performance and to determine whether the new position meets your expectations. Living Branches also uses this period to evaluate your capabilities and overall performance.

Employees should receive informal feedback on a day-to-day basis, and a formal appraisal at the conclusion of their introductory period. During this initial formal appraisal, your supervisor will review and evaluate your ability to meet the job responsibilities and performance requirements of the position.

## **Transfers and Promotions**

**2.09**

Living Branches encourages career development and advancement of our employees by providing opportunities for transfers and promotions. Employees must have a satisfactory performance record and meet the required education and experience requirements of the position before being considered for a vacant position.

In addition, employees seeking a transfer or promotion may be required to have a medical examination if the examination is job-related and consistent with business necessity. Transferred or promoted employees will receive a formal performance appraisal after ninety days in their new position unless the new position has the same duties and responsibilities as the employee's current position.

While Living Branches does prefer to fill its open positions from within, it does maintain its right to advertise positions externally, to solicit outside candidates during or after the posting period, and to hire external candidates after its consideration of both internal and external applicants. Internal candidates will be considered based on their qualifications and performance and current departmental staffing and operational needs. Living Branches endeavors to hire the most qualified individual for available positions.

Please contact the Human Resources Department to obtain any required job transfer application form and for specific information regarding the transfer application process.

## **Immigration Law Compliance**

**2.10**

All offers of employment by Living Branches are contingent on verification of your right to work in the United States. You will be asked to provide original documents verifying your right to work and, as required by federal law, to complete Form I-9 - Employment Eligibility Verification. You must present the appropriate documents within three (3) business days of the date that your employment begins. If at any time you cannot verify your right to work in the United States, Living Branches is obligated to terminate your employment.

## **Certification and Licensure**

**2.11**

If state, government, or industry regulations require you to possess current licensure or certification credentials, you are required to provide valid and current proof of such documents to your supervisor. If your credentials and/or license is not current and valid, you may not be permitted to continue to work in the position for which the credentials and/or license is required and therefore, may be suspended from duty without pay, terminated, or reassigned as appropriate.

It is your responsibility to renew your required licenses and certifications and provide a copy to your supervisor and the Human Resources Department. You must also notify Living Branches if there is ever a loss or suspension of your required licenses or certifications.

## **Medical Exams and Flu Vaccines**

**2.12**

If a candidate or employee must have a medical exam sponsored by Living Branches, the medical provider will be notified of the details of the job, and a determination will be made regarding the employee's health and his or her ability to safely and effectively perform the job. If any accommodations are needed to aid performance of essential functions, they will be reviewed and a determination made in accordance with applicable law.

Flu vaccination is a requirement of working for at Living Branches except for employees with religious or medical exemptions. See Human Resources for more details.

## **New Hire Orientation**

**2.13**

As a new employee, your first day of employment will be a general orientation facilitated by Human Resources. Following your general orientation, you will receive departmental orientation for a period of time during which you will meet with your supervisor to familiarize yourself with the responsibilities of your position and the expectations of Living Branches. We encourage you to ask questions to ensure you understand our organization and have the requisite information and skills to be successful.

## **Performance Reviews**

**2.14**

Living Branches is committed to a participatory performance review process with an exchange of performance related information between you and your supervisor. Employees should receive informal feedback on a day-to-day basis

and a formal review at the conclusion of their introductory period. During this initial formal review, your supervisor will review and evaluate your ability to meet the job responsibilities and performance requirements of the position.

Subsequently, employees will have regular one-on-one meetings with their supervisors and quarterly will cover one section of the annual performance review. Performance reviews may also be conducted at the time of job promotion or transfer. The purpose of these formal performance reviews is to identify and discuss the following:

- Individual and team accomplishments and goals
- Organizational responsibilities
- Career growth and Development
- Core job duties and responsibilities

## **Education and Training**

**2.15**

Living Branches believes in offering ongoing training and educational opportunities for our employees so that you have the latest information regarding new research and practices in our industry.

In line with this commitment, your supervisor may coordinate training opportunities for you so that you may upgrade your knowledge and skills. In addition, all Living Branches employees are required to complete designated annual educational requirements and attend periodic training programs. The content of each program will determine which employees are required to attend. Supervisors will post information regarding the training programs being offered including training dates, program content, and the employees who are required to attend.

You will be removed from your department work schedule after the end of the educational year if you have not completed your required education.

Living Branches may also offer educational programs for your personal education and enrichment. Time spent in these programs will not be paid. You are also encouraged to further your training and development through formal programs of study that will help develop your capabilities and may enhance your potential for career advancement. Please refer to Section 2.16 Educational Assistance Plan for more information.

## **Educational Assistance Plan**

**2.16**

Living Branches provides an educational assistance plan so that employees may improve their knowledge and skills and develop their careers. Regular full-time

employees who have successfully completed their first ninety days of employment are eligible for educational assistance up to Living Branches' current calendar year maximum for full-time employees. Regular part-time employees who have successfully completed their first ninety days of employment are eligible for educational assistance up to Living Branches' current calendar year maximum for part-time employees. Employees must receive prior written approval from their supervisor and the Human Resources Department and schedule courses so that they do not interfere with their regular work schedule.

Employees are eligible to receive 25% of the total educational assistance allowed per semester in advance of the course. If an employee does not complete the course, he or she is responsible for reimbursing Living Branches for the advance payment. Employees will receive an additional 50% of the total educational assistance allowed per semester upon successful completion of a course or courses, for a total of up to 75% of the cost of the course or class.

Educational assistance applies to tuition paid for courses, including "on-line" courses taken at any college, university, business, trade/technical school known to be in good standing and approved by the State Board of Higher Education or other certified accreditation body. Courses must either be job-related or required for a degree related to the job in order to be eligible for reimbursement

Courses that are part of non-business related programs in which the employee is enrolled for personal interest or in pursuit of career goals outside of Living Branches are generally not eligible for educational assistance. The cost of exams, books, and other expenses and fees are not eligible for reimbursement and will be the employee's responsibility.

Any reimbursement under this program will be subject to IRS regulations and may be taxable. As a condition of educational assistance, employees must sign an agreement to refund the full amount of the educational assistance should the employee voluntarily resign or transfer to a position that is not eligible for educational assistance within six (6) months of completing a course and receiving reimbursement

Educational assistance will be provided according to the following guidelines:

<b>Course Grade Required</b>	<b>Educational Assistance Benefit</b>
A, B, C	75% of course tuition paid up to current calendar year maximum for regular full-time employees 75% of course tuition paid up to current calendar year maximum for regular part-time employees
Any grade below C	No educational assistance
Pass (in a pass/fail	75% of course tuition paid up to current calendar

course)	year maximum for regular full-time employees 75% of course tuition paid up to current calendar year maximum for regular part-time employees
Fail (in a pass/fail course)	No educational assistance

Please contact the Human Resources Department to obtain an educational assistance form and for additional information regarding the program.

## **Outside Employment**

**2.17**

In accepting a position with Living Branches, Living Branches expects that you maintain a certain loyalty – loyalty to Living Branches and to your fellow employees.

If you must take outside employment in a business unrelated to our work, such work must not interfere with the demands and performance of your current position at Living Branches. Please discuss any outside employment opportunities with the Human Resources Department to ensure that the opportunity does not present a conflict of interest.

**3**

# **Compensation and Pay Practices**

## Employment Classifications

3.01

All employees are classified using the two methods described below.

For one classification, employees are designated as exempt or non-exempt in order to comply with federal and state wage and hour laws and their recordkeeping and overtime pay requirements. This classification is based on the job duties of the position and will be noted on each job description.

- **Exempt** - not eligible for overtime pay under the specific provisions of the Fair Labor Standards Act (FLSA) and applicable state laws.
- **Non-exempt** - eligible for overtime pay under the specific provisions of the Fair Labor Standards Act (FLSA) and applicable state laws.

Employees are also classified based on their regularly scheduled hours and status with Living Branches. This classification is used for benefits eligibility and staff management purposes.

### Regular Full-Time

- Regularly scheduled to work at least 30 hours per week. Note that for health and dental insurance purposes, employees are considered full-time when they are averaging 30 hours per week as calculated through regularly-scheduled employer testing of hours worked.
- Nursing Department Employees (7/7 split) – regularly scheduled to work eight (8) hours per day and 56 hours bi-weekly or 7.5 hours per day and 52.5 hours bi-weekly. Please note that employees must work at least seven (7) full days each two-week pay period.

Generally, regular full time employees are eligible for benefits subject to the terms, conditions, and limitations of each benefit program.

### Regular Part-Time

Regularly scheduled to work from 18.75 to 29 hours per week. Regular part-time employees may be eligible for some employee benefits, subject to the terms, conditions, and limitations of each benefit program.

### Flexible Part-Time

Scheduled to work less than 18.75 hours per week. Flexible part-time employees are not eligible for any employee benefits except those required by federal, state, or local law.

### Temporary

Students, seasonal employees, the float pool, and employees who cover shifts on Living Branches holidays and scheduled vacations. Scheduled hours vary depending on Living Branches' business needs. Temporary employees are not



eligible for any employee benefits except those required by federal, state, or local law.

- Students - Scheduled hours are based on availability due to educational requirements.
- Float Pool – Scheduled hours vary, but employees are required to work two weekend shifts per month and one winter and one summer holiday

### **Contract or Temporary Agency Staff**

Those who are working on our premises but are employed by another organization that has a business relationship with Living Branches. Contract and temporary agency staff are not employees of Living Branches and are not entitled to any benefits.

## **Payroll Process**

**3.02**

You will be paid on a bi-weekly schedule. The official pay period begins at 12:00am on a designated Monday, continues to 11:59pm on the second Sunday of the pay period, and consists of 14 (fourteen) consecutive, 24 hour days.

Your pay voucher will be available online by the Wednesday following the end of the pay period. Funds will be deposited to your account by the Friday following the end of the pay period. The pay information will include earnings for the work performed through the end of the prior payroll period. For example, if you are paid on Friday, on the 27<sup>th</sup> day of the month, your pay voucher will have your earnings for the work performed from the 7<sup>th</sup> through 21<sup>st</sup> of the month. If the normally scheduled payday falls on a Living Branches holiday, your pay voucher will be available on the workday preceding the holiday. If a regularly scheduled payday occurs while you are on paid personal leave (PPL), you will receive your pay voucher upon your return to work.

Paycheck errors or problems should be immediately reported to your supervisor who will handle the necessary corrections and/or adjustments, most of which will result in an adjustment to your succeeding paycheck.

## **Paycheck Deductions and Garnishments**

**3.03**

In accordance with applicable federal, state, and local laws, Living Branches will make certain automatic deductions from your paycheck. When you are hired, and periodically as needed, you will complete a W-4 withholding exemption certificate to determine the amount of wages withheld for state and federal income taxes. Deductions may also be made for social security (FICA), state unemployment insurance (SUI), Medicare, elected insurance premiums, or other miscellaneous payroll deduction plans.

Living Branches is required to honor legal garnishments of an employee's wages by law. Upon notification of a wage garnishment from the court, you will be notified and the required funds will be deducted from your paycheck.

## **Direct Deposit**

**3.04**

We are pleased to provide you with the convenience of direct deposit to either your checking or savings account at the financial institution of your choice. Itemized statements are available through the Living Branches payroll provider's online access.

Employees must enroll in direct deposit upon employment with Living Branches. Employees must provide written authorization for direct deposit to become effective. Once you are enrolled, please contact the Payroll Department to make changes to your account information.

## **Employee Loans**

**3.05**

Living Branches will provide personal loans to employees in emergency situations. Employees must complete a loan application form and show proof of the emergency expenditure. The loan must be paid back through payroll deductions. If an employee ceases employment with Living Branches before an outstanding loan is repaid, the outstanding loan balance is payable immediately. Please see the Human Resources Department for details.

## **Work Schedules**

**3.06**

Regular operating hours for each department vary depending upon business needs; therefore work schedules for employees vary throughout the organization. Your supervisor will advise you of your individual work schedule and department's hours. Staffing levels and business needs may require variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. When business needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. Whenever possible, advance notification of these assignments will be provided.

## **Time Records**

**3.07**

It is the policy of Living Branches to comply with the requirements of the Fair Labor Standards Act (FLSA) and any relevant state statute and/or regulation in compensating exempt and non-exempt employees for regular hours and overtime hours worked. Therefore, on a daily basis, all non-exempt employees

must complete an accurate record of all time worked to ensure proper payment for all hours worked. Non-exempt employees should indicate when they begin work, the start and end times of personal breaks, and the time they end work for the day utilizing the electronic timekeeping system at their respective campus. Exempt employees must record any paid personal leave, holidays, or leave days on the Paid Personal Leave (PPL) Request form and submit the information on a bi-weekly basis to their supervisor.

## **Overtime**

## **3.08**

Although it is Living Branches' general practice that all work conducted by non-exempt employees be completed during the regular work day, conditions may arise that may require you to work additional hours. These additional hours may result in overtime pay.

Overtime is paid at a rate of one and one-half (1½) times your average hourly rate for the week. Overtime pay is based upon actual hours worked; all forms of paid time off including paid personal leave, legal holidays, etc. will not be considered time worked for the purposes of calculating overtime.

Non-exempt employees working in the dining services, housekeeping, laundry, and nursing departments of Health Care and Personal Care are eligible for overtime pay if they work the 8/80 rule. Overtime is paid when an employee works over eight (8) hours in one day or over eighty (80) hours in a fourteen-day pay period. Other non-exempt employees are eligible for overtime pay for all hours worked over forty (40) in a work week.

All overtime must be approved in advance by your supervisor unless there is an extreme emergency or in an exceptional, warranted circumstance. Unauthorized overtime may subject you to disciplinary action. Living Branches reserves the right to mandate overtime as defined under state law.

## **Meal Periods and Breaks**

## **3.09**

You will receive a thirty (30) minute unpaid meal break during each work day that you work more than five (5) hours. Meal periods will be scheduled according to operational requirements. Employees who need to leave Living Branches' premises during their meal break must notify their supervisor, clock out prior to leaving, and clock back in upon return. Employees who do not leave Living Branches' premises during their meal break do not need to clock out and back in. These meal breaks will automatically be included in your time record.

Regular full-time non-exempt employees will receive one (1) rest period break of fifteen (15) minutes in length, during each shift that is five (5) or more hours.

Since this time is paid as time worked, you must not be away from your workstation beyond the allotted rest period.

Living Branches will provide breaks for nursing mothers in accordance with federal and state law. If you require a nursing break, please contact the Human Resources Department for more information.

### **Shift Differential Pay**

**3.10**

Non-exempt employees working in Living Branches nursing departments are eligible for shift differential pay if they work the 2<sup>nd</sup> or 3<sup>rd</sup> shift. Your supervisor will advise you of Living Branches' current shift differential pay rates based on current local market conditions.

### **Holiday Premium Pay**

**3.11**

In the event a non-exempt employee must work on one of our holidays as a result of business needs or workload, that employee will be paid at a rate of one and one-half (1½ ) times their regular hourly rate of pay for all hours worked on the holiday. All holiday work must be approved in advance by your supervisor.

**4**

# **Benefit Programs**

## Benefits Overview

## 4.01

There is a lot more to working at Living Branches than your specific responsibilities, salary, and the pride involved in being a part of a successful organization. Included in your “total compensation” is the value of the benefit dollars Living Branches contributes to help you provide security for you and your family. Living Branches makes contributions to major benefit plans that create a substantial level of financial security on an immediate and longer term basis. Some benefits, such as Social Security, Workers’ Compensation, and Unemployment Compensation, cover you in the manner prescribed by law. Other benefits, such as health insurance and paid personal leave are provided as part of our philosophy to attract, retain, and motivate a capable team of employees.

The following benefit description is not all-inclusive. Living Branches reserves the right to change, modify, or terminate benefits, plans, and carriers in its sole discretion, in accordance with applicable laws and regulations. Summary plan descriptions (SPDs) and other information that explain the coverage of certain benefit plans in greater detail will be available for your review. Actual plan documents are the final authority on all matters relating to benefits provided through the plan. Eligibility for coverage or benefits under any such plan or plans shall be determined in accordance with the plan provisions.

Employees are responsible for ensuring that their records are current at all times by notifying their supervisor and the Human Resources Department of any relevant changes in their personal situation. This includes changes to your name, address, telephone number, marital status, and number of dependents. It is especially important to keep these records current for benefit program and beneficiary designation purposes.

Benefit elections may only be changed during our annual open enrollment period unless you have a qualifying life event such as:

- Marriage or divorce
- Birth or adoption of a child
- Death of a spouse or dependent child
- Gain or loss of other medical coverage (due to your spouse’s employment status)

You must provide documentation of your qualifying life event to the Human Resources Department within thirty (30) days of the event in order for the benefit change to be eligible to take effect.

The following benefit programs are available to eligible employees (please refer to each program’s specific guidelines regarding eligibility):

### **Time Away From Work**

- Paid Personal Leave (PPL)
- Jury and Witness Duty
- Bereavement Leave
- Family and Medical Leave of Absence
- Military Leave of Absence

### **Health Benefits**

- Medical, Prescription Drug, and Dental Insurance
- Benefits Continuation (COBRA)
- Health Insurance Portability and Accountability Act (HIPAA)

### **Other Forms of Insurance and Disability Income Protection**

- Short-term Disability Insurance
- Long-term Disability Insurance
- Life Insurance and Accidental, Death and Dismemberment Insurance

### **Welfare Benefits**

- Social Security
- Unemployment Insurance
- Workers' Compensation Insurance and Transitional Duty Program

### **Retirement and Investment Benefits**

- 401(k) Retirement Savings Plan

### **Other Benefit Programs**

- Section 125 Plan
- Flexible Spending Accounts
- Employee Referral Bonus (refer to Section 2.04 for more information)
- Employee Assistance Program (EAP)
- Employee Meal/Beverage Discount Program
- Educational Assistance Plan (refer to Section 2.16 for more information)
- Fitness Center
- Vaccines

## **EMPLOYEE BENEFIT PROGRAMS - TIME AWAY FROM WORK**

### **Paid Personal Leave (PPL)**

**4.02**

Paid Personal Leave (PPL) is a benefit that provides you with the opportunity to create a work-life balance through a flexible approach to time off. PPL is used to cover holidays, medical appointments, illness, vacation, emergencies, or other personal needs that require time away from work. You are accountable and responsible for managing your own PPL bank of time. Your service length determines your PPL accrual rate. Jury duty, witness duty, or bereavement leave are not included in PPL.

#### ***PPL Eligibility and Accruals***

All regular full-time employees are eligible for PPL. Regular part-time employees working at least 37.5 hours per pay period are eligible for pro-rated PPL based on their regular schedule. If you are a flexible part-time employee, temporary employee, part of the float pool or seasonal staff, you are not eligible for PPL. Accruals are based upon hours worked up to 2,080 hours per year (80 hours per pay period) excluding overtime.

During paid personal leave or paid leaves of absence, you will continue to accrue PPL. However, during unpaid time off or unpaid leaves of absence, you will not accrue any PPL.

The annual Paid Personal Leave (PPL) accrual schedule is described below:

<b>Years of Service</b>	<b>Accrual Rates for Non-Leadership Group</b>		<b>Accrual Rates for Living Branches Leadership Group</b>	
	Rate per paid hour	Estimated days per year*	Rate per paid hour	Estimated days per year*
0-2	.0923	24	.1039	27
3-4	.1039	27	.1154	30
5-9	.1154	30	.1270	33
10+	.1270	33	.1270	33

*\*Estimated number of days per year is based on being paid for regularly scheduled work hours for 26 pay periods. The number of days is pro-rated for regular part-time employees.*

#### ***Newly Eligible Employees***

- Newly eligible employees will begin to accrue PPL time effective on the date of hire into a PPL eligible position.
- Newly eligible employees are eligible to use and be paid for PPL after successfully completing ninety (90) days of employment in a PPL eligible position.



- Newly eligible employees who have not completed their initial ninety (90) days of employment will be paid for Living Branches holidays for which they are not scheduled to work. For holiday pay purposes, employees will use their PPL bank and incur a negative balance if necessary.

***Use and Scheduling of PPL***

- PPL must be scheduled and approved at least three (3) weeks in advance unless an emergency situation exists.
- PPL is subject to management approval, staffing needs and established organizational procedures.
- Employees must use available PPL to cover their budgeted hours each pay period. Employees are not allowed to take time off without pay if they have PPL available.

This requires that:

- If an employee does not work on a scheduled day, they will use PPL for that day. This is even if it takes them over their scheduled hours or over 80 hours in a pay period when PPL is added to other hours that they worked.
- If an employee calls out for a scheduled shift, they will use PPL for that call out. This is even if they pick up other shifts within the same pay period.
- If an employee is scheduled for PPL and they work more than their regularly scheduled hours, they will still use PPL for their scheduled time off. (PPL is not paid on overtime, so even if someone works overtime, if they were not paid PPL on their time out, they would not accrue their full PPL for that pay period. PPL does accrue on PPL, so using PPL allows them to accrue their full PPL for that pay period.)
- If an employee picks up an extra shift and is given another shift off as a thank-you, PPL must be used for that day off. (Likewise, they will not accrue their full PPL for that pay period if PPL is not used.)
- If an employee switches or adjusts their shift (with their supervisor's approval) and it does not affect their total hours worked, PPL does not need to be used as long as their hours remain the same.
- PPL hours are never paid for hours not regularly scheduled as work hours as a way for an employee to be paid out for their PPL time. For example, an employee who works 72 hours per pay period cannot request 8 hours of PPL to take them to 80 hours of pay.
- If an employee is off on a company-recognized or designated (Monday through Friday employees) holiday, PPL must be used for that time off.

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- Employees will typically not be granted time off without sufficient PPL except in cases of emergency. Exceptions must be approved by the employee's department director and the Human Resources Department.
- Non-exempt employees must take PPL in a minimum of fifteen (15) minute increments.
- Exempt employees must take PPL in a minimum of one-half day (4 hour) increments.
- PPL is paid at your regular base pay rate and any applicable shift differential at the time of PPL.
- PPL is not included for purposes of overtime calculation.
- PPL is accrued on a per pay period basis and is available for use in the pay period following the pay period in which it is accrued.
- Employees become eligible for increases to their accrual rate based upon their years of employment with Living Branches; new accrual rates will become effective the pay period following the completion of the required number of years of employment.
- Employees are required to use available PPL first when taking time away from work for leaves of absence that would otherwise be unpaid time.
- PPL may not be taken in advance of accrual without permission of the Chief Human Resources Officer.
- Employees may not receive payment for unused PPL except as described in the "Payment for PPL" section of this policy.
- Accrued PPL may not be used in lieu of proper notice of termination.

### ***Holidays***

Living Branches recognizes the following holidays:

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

For Monday-Friday employees, a designated holiday will be observed when a holiday falls on a Saturday or Sunday with the designated holiday on a Friday when the holiday falls on a Saturday and the designated holiday on a Monday when the holiday falls on a Sunday; except for Easter which is observed on Good Friday. For employees who work a seven day a week schedule, if a holiday falls on a weekend, it will be observed on the holiday itself.

Please note that individual time off for Living Branches holidays may be dependent on the needs of our residents and the size of our workload. In the event an employee must work on one of our holidays because of business needs or workload, that employee will be paid in accordance with the Holiday Premium Pay policy (refer to Section 3.11 Holiday Premium Pay for more information.)

### ***Pay for Holidays***

- Employees must use PPL to take time off for any Living Branches recognized holiday. If an employee's department is closed for a recognized holiday, the employee must use any available PPL to take time off for that holiday.
- Eligible employees who have not yet completed their initial ninety (90) days of employment will be allowed to borrow from their PPL accrual bank in order to cover a Living Branches recognized holiday.
- Paid time off for holidays is paid at an employee's regular base pay rate at the time of the holiday, based on regularly scheduled hours, up to a maximum of eight (8) hours per day.
- Paid time off for holidays is not included for purposes of overtime calculation.
- If an employee is on an unpaid, approved leave of absence, he/she will not receive the respective paid holiday.
- If an employee has an unscheduled absence from work on the holiday, the scheduled work day prior to the holiday or the scheduled work day after the holiday, the employee will not be paid PPL for the holiday.

#### ***Maximum Accrual Amount***

- Employees can only accrue up to a maximum of 1.0 times their total annualized hours for their accrual level. Once an employee's balance reaches the maximum PPL balance, the employee will cease accruing PPL until some time is taken and the balance falls below the maximum accrual amount threshold. For example, a full-time eighty (80) hour per pay period employee eligible to earn twenty-five (25) days in a year has a maximum accrual limit of 200 hours.

#### ***Donation of PPL***

Living Branches recognizes that employees may have a family emergency or other personal crisis that may result in a need for additional time off in excess of their available PPL balance. To address this need, employees are allowed to donate PPL to their co-workers from their accrued and unused PPL bank through a donation process. Donation of PPL is strictly voluntary.

- Employees receiving donated PPL must have a situation that meets the following criteria:
  - Family health related emergency – Critical or catastrophic illness or injury of the employee or an immediate family member (spouse, child, parent or other relationship where the employee is the legal guardian or sole caretaker).
  - Other personal crisis – A personal crisis of a severe nature that directly impacts the employee. This may include a natural disaster impacting the employee's primary residence such as a fire or severe storm.
- Donor and recipient employees must complete the required authorization forms. If a recipient employee does not wish to have the PPL request

publicized, the employee will sign a statement of understanding that he or she will only receive PPL donations that occur by word-of-mouth.

- Donation Minimums and Maximums:
  - Employees may donate a minimum of one (1) hour of PPL.
  - Employees may donate a maximum of forty (40) hours of PPL or no more than 50% of their current PPL balance; whichever is less. Employees may not borrow against future PPL accruals in order to donate.
- The employee's supervisor and the Chief Human Resources Officer will approve all PPL donations situations.
- Recipient employees must use their own accrued and available PPL prior to receiving any donated PPL.
- Donated PPL is paid at the recipient's regular base rate of pay at the time that the donated PPL is used. It is not paid out at the donor employee's base rate of pay.
- Donated PPL may be used to cover the time before a recipient employee receives short-term disability or workers' compensation benefits, but cannot be used to supplement these benefits.
- Donated PPL may not be used when an employee is receiving long-term disability benefits.

### ***Payment of PPL***

After successfully completing ninety (90) days of employment, unused and accrued PPL will be paid out upon resignation or retirement with proper notice or change in employment status (i.e.: from full/part time to pool) in accordance with state law.

Please note that if proper notice is not given (see Separation from Employment, Section 7.01) or an employee is terminated for cause, accrued PPL will not be paid out upon separation from employment.

## **Jury Duty Leave**

**4.03**

Living Branches encourages employees to fulfill their civic responsibilities by serving on jury duty when required. If you are summoned for jury duty, please present the summons/notice to your supervisor immediately. It is anticipated that you will report to work during your regular scheduled working hours except when your presence is required for jury duty.

After completing your first ninety (90) days of employment, regular full-time employees are eligible to be compensated for jury duty, up to a maximum of twenty (20) days per calendar year. Pro-rated jury duty leave is available to regular part-time employees working at least 37.5 hours per pay period, based on their regular schedule. Upon completion of jury duty, employees must submit proof of attendance and receipt of payment to their supervisor in order for jury

duty leave to be processed. Jury duty is calculated using your base pay rate at the time of leave multiplied by the number of hours you are regularly scheduled to work during that time.

Employees who are not eligible for paid jury duty can still request and may be granted time off from work for required jury duty services. If jury duty leave is approved, employees must follow all the provisions outlined in this policy.

Living Branches will also provide time off for witness duty in accordance with federal and state law. If you require time off to attend court for witness duty or because you or a family member were a victim of a crime, please contact Human Resources Department for more information.

## **Bereavement Leave**

## **4.04**

Bereavement leave is available to regular full-time employees. Pro-rated bereavement leave is also available to regular part-time employees working at least 37.5 hours per pay period, based on their regular schedule. Employees who wish to take time off due to the death of an immediate family member should notify their supervisor as soon as possible before the leave commences. An employee will be excused and may be paid up to a maximum of three (3) business days in the event of a death of an immediate family member. For the purpose of this policy, immediate family is defined as spouse, child, step-child, mother, father, sibling, mother-in-law, father-in-law, or step-parent.

Eligible employees will be excused and may be paid up to a maximum of one (1) business day in the event of a death of an extended family member. Extended family member is defined as grandparents, grandchildren, and siblings-in-law.

Bereavement pay is calculated using your base pay rate at the time of leave multiplied by the number of hours you are regularly scheduled to work during that time. Should you need additional time off related to the death of a family member covered by this policy, or time off to attend the funeral of a family member or other close relationship not covered in this policy, you may request paid personal leave (PPL) time or time off without pay if you are not PPL eligible. Requests must be approved by your supervisor.

## **Family and Medical Leave Act**

## **4.05**

Living Branches complies with the Family and Medical Leave Act of 1993 and provides eligible employees up to 12 weeks of unpaid family or medical leave within a 12-month period. Living Branches also complies with the National Defense Authorization Act expansion to the FMLA and provides eligible colleagues up to twenty-six (26) weeks of Military Caregiver Leave. Leave may

be paid, unpaid, or a combination of both, and in total, cannot exceed 26 weeks in the rolling 12 month period.

Employees granted such a leave will be returned to the same or to an equivalent position upon their return from leave, with equivalent pay, benefits, and other employment terms. In addition, Living Branches will maintain an employee's health coverage under our group plan while the employee is on an approved FMLA leave. However, employees must continue to pay their portion of the health coverage premiums. Living Branches will comply with any state law that provides greater leave rights than the rights provided under the federal Family and Medical Leave Act.

In order to be eligible, employees must have been employed by Living Branches for at least 12 months, must have worked at least 1,250 hours during the 12-month period preceding leave and must work at a site where there are at least 50 employees within 75 miles. The 12-month period is measured backward from the date the employee begins using FMLA leave.

### **Reasons for Taking Leave**

An eligible employee may be granted a leave of absence for the following reasons:

- The birth, adoption, or foster care placement of an employee's child. The leave must conclude within one year of birth or placement. For purposes of this policy, this condition shall be referred to as a "family reason."
- To provide care for the employee's child, spouse, or parent who has a serious health condition. Parent-in-law is not included.
- The serious health condition of the employee that prevents the performance of the essential functions of his or her position. This includes time covered by short-term or long-term disability, or worker's compensation benefits.
- Any qualifying exigency (as the U.S. Secretary of Labor shall, by regulation, determine) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces, National Guard or Reserves in support of a contingency operation.
- For a spouse, son, daughter, parent, or nearest blood relative to provide care for either:
  - A member of the armed forces 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
  - A veteran who is undergoing medical treatment, recuperation or therapy for serious injury or illness that occurred any time during the five years preceding the date of treatment.
  - For purposes of this policy, this condition shall be referred to as "service member family leave."

A qualifying exigency as referenced above refers to the following circumstances:

- Short-notice deployment: to address issues arising when the notification of a call or order to active duty is seven (7) days or less;
- Military events and related activities: to attend official military events or family assistance programs or briefings;
- Childcare and school activities: for qualifying childcare and school related reasons for a child, legal ward, or stepchild of a covered military member;
- Financial and legal arrangements: to make or update financial or legal affairs to address the absence of a covered military member;
- Counseling: to attend counseling provided by someone other than a health care provider for oneself, for the covered military member, or child, legal ward, or stepchild of the covered military member;
- Rest and recuperation: to spend up to five (5) days for each period in which a covered military member is on a short-term rest leave during a period of deployment;
- Post-deployment activities: to attend official ceremonies or programs sponsored by the military for up to 90 days after a covered military member's active duty terminates or to address issues arising from the death of a covered military member while on active duty;
- Additional activities: for other events where the organization and the employee agree on the time and duration of the leave.

A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that requires:

- Inpatient care in a hospital, hospice, or residential medical care facility
- Continuing treatment by a licensed healthcare provider which may include a period of incapacity such as an inability to work or perform other regular daily activities due to a serious health condition (treatment for the serious health condition or recovery from the serious health condition) for more than three calendar days

A serious health condition also means any period of incapacity:

- due to pregnancy or for prenatal care,
- due to a chronic serious health condition; or
- that is permanent or long-term due to a condition for which treatment may not be effective.

For Military Caregiver Leave, a serious injury or illness is defined as an injury or illness incurred on or aggravated by active duty that may render the service member medically unfit to perform the duties of the member's office, grade, rank or rating.

A chronic serious health condition requires periodic visits for treatment by a healthcare provider and continues over an extended period of time.

Employees are required to provide a doctor's certification of the serious health condition.

### **Request for Family and Medical Leave**

- If an employee expects to be off of work for more than three (3) days for other than vacation time, he or she should obtain an Employee Request for Family and Medical Leave form from the Human Resources Department. The employee must provide at least thirty (30) days advance notice before FMLA leave is to begin, unless emergency circumstances warrant a shorter notice.
- Human Resources will review the request and respond to the employee within five (5) business days.
  - The written response will include the Notice of Eligibility and Rights and Responsibilities Form.
  - If needed, one of the following certifications will be attached to the response:
    - Certification of Health Care Provider for Employee's Serious Health Condition Family and Medical Leave Act.
    - Certification of Health Care Provider for Family Member's Serious Health Condition Family and Medical Leave Act
    - Certification of Qualifying Exigency for Military Family Leave Family Medical Leave Act
    - Certification for Serious Injury or Illness of Covered Service member – for Military Family and Medical Leave Act
- Employees will have at least fifteen (15) calendar days to provide the complete certification forms along with any necessary supporting documentation, such as covered military member's active duty orders, to Human Resources.
- Incomplete forms will be returned to the employee for further information. If the appropriate Certification form is not submitted or does not establish the employee's entitlement to FMLA leave, the leave will not be designated as FMLA leave and may be treated as paid or unpaid leave under our established leave policies.
- Following review and receipt of all required forms and documents, Human Resources will provide the employee with Designation Notice Family and Medical Leave Act.
- We are entitled to obtain second and/or third medical opinions at our expense. The employee may be requested to provide subsequent re-certifications for chronic or permanent long-term conditions under continuing care of a healthcare provider.

### **Guidelines for Taking Leave**

- Employees who are married and both employed by Living Branches may be limited to a combined total of 12 weeks of leave during any 12-month period if leave is taken for a "family reason" or to care for a parent with a serious health condition.



- A single "12-month period" will be determined for each employee. Both paid and unpaid leave is both counted against an employee's total FMLA entitlement.
- An employee may take his or her leave in one continuous block of time. Alternatively, the employee may request to be placed on an intermittent or reduced leave schedule, where the employee would work less than the regular work week according to a pre-arranged schedule, or work a reduced workday. However, intermittent or reduced schedule leaves for family reasons must be agreed upon by the employee, the employee's supervisor and the Human Resources Department. A request for an intermittent or reduced schedule leave due to family reasons will be refused if the organization or the department cannot accommodate the leave schedule. If an employee needs intermittent or reduced schedule leave, the employee may be transferred to an available position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position. Equivalent pay and benefit status for the employee will be maintained in such a transfer to an alternative position.
- At least once during every thirty (30) days that the employee is on leave, he or she must contact his or her supervisor to update his or her status and intention to return to work.
- If the employee is unable to perform the essential functions of the position because of a physical or mental condition or the continuation of a serious health condition, the employee will not have restoration rights to another position unless a reasonable accommodation must be considered under the Americans with Disabilities Act (ADA).
- An employee who fails to return to work upon the expiration of FMLA leave will be subject to immediate termination.

**Pay During FMLA Leave**

The leave may be paid, unpaid, or a combination of both. Employees must exhaust all accrued Paid Personal Leave (PPL) time prior to starting any unpaid leave under FMLA.

FMLA Leave will be designated as paid leave under the following circumstances:

- Where an employee has accrued PPL, that time must be substituted for all or part of any unpaid FMLA leave relating to birth, placement of a child for adoption or foster care, or care for a spouse, child, or parent who has a serious health condition, thereby making that portion of FMLA leave paid leave.
- Where an employee has accrued PPL, that time must be substituted for any otherwise unpaid FMLA leave needed for his or her own serious health condition, thereby making that portion of FMLA leave paid leave.
- When an employee has incurred an injury covered by workers' compensation and that injury meets the criteria of a serious health condition, the employee's FMLA leave will run concurrently with the

workers' compensation leave. Since the workers' compensation leave is paid leave, substitution of an employee's accrued PPL is not applicable. However if the employee loses workers' compensation coverage and the injury still meets the criteria of a serious health condition under the FMLA, and if the employee is still entitled to FMLA leave, then any accrued PPL will be substituted.

- When an employee has incurred an illness covered by Living Branches' short-term or long-term disability benefits, and the illness meets the criteria of a serious health condition, the employee's FMLA leave and disability benefit period will run concurrently up to the limit of the FMLA leave period.

### **Benefits During FMLA Leave**

- Employees and their dependents remain covered under the health insurance benefits (medical, dental and prescription drug) for the duration of the approved FMLA qualifying leave of absence.
- Employees will remain covered by basic life insurance, short-term, and long-term disability insurance for the duration of the approved FMLA qualifying leave of absence.
- If an employee is taking paid leave, benefit premium contributions, if applicable, will be deducted directly from the employee's paycheck for all plans in which the employee and/or dependents were actively enrolled in immediately prior to the start date of the approved leave. Employees are required to continue their contributions towards all of their eligible benefits. However, if the employee has exhausted his or her accrued PPL and is on an unpaid leave, or if the employee's Living Branches paychecks are not sufficient to have benefit deductions taken, the Human Resources Department will notify the employee and collect those premium payments.
- Living Branches will terminate an employee's benefits coverage if premiums are not received within the required 30-day grace period. Employees who elect not to return to work at the end of their leave period will be required to reimburse Living Branches the benefit premiums the organization paid on the employee's behalf unless they cannot return to work because of a serious health condition or other circumstances beyond their control. Employees on leave during open enrollment will be allowed to make new benefit elections for the coming plan year.
- Any authorized leave time will count towards the employee's seniority and pension vesting if applicable.
- Employees will accrue PPL during any paid portion of their FMLA leave. PPL will cease accruing when an employee is on unpaid FMLA leave.

### **Reinstatement Following FMLA Leave**

- An employee who takes FMLA leave and returns to work within the approved period of time will be reinstated to his or her former position or to a position with equivalent pay, benefits, and other terms and conditions of

employment. However, Living Branches cannot guarantee that an employee will be returned to his or her original job.

- Benefits will be resumed at the same levels as when FMLA leave began subject to any changes affecting all employees.
- Three days prior to returning to work, employees are required to submit medical certification that they can resume work and perform the essential functions of the job, if they were on leave for their own serious health condition.

### **Exceptions to Reinstatement Following FMLA Leave**

- If an employee is laid off during FMLA leave and his or her employment is terminated due to business reasons, Living Branches no longer has the responsibility to continue FMLA leave or to maintain the employee's group health plan benefits. This obligation ends as of the date of termination, provided that there are no other agreements. The employee's right to reinstatement no longer exists.
- An employee will not be reinstated to a shift that has been eliminated and will not be entitled to original overtime hours if overtime hours have been decreased.
- If the employee is on workers' compensation leave during which FMLA leave was taken concurrently, and after exhausting FMLA leave is unable to return to work, the employee is no longer under the protection of FMLA and may not be reinstated unless accommodation is considered under workers' compensation or ADA statutes.
- Living Branches may deny job restoration rights to "key employees". A "key employee" is a FMLA eligible salaried employee who is among the highest paid 10% of all Living Branches employees employed within 75 miles of a worksite. An employee designated as a "key employee" will be given written notice of his or her status and the possible effects regarding restoration.

### **Failure to Return to Work Following FMLA Leave**

- Employees will return to work on the scheduled workday following the end of their approved FMLA leave of absence.
- An employee who fails to return to work upon the conclusion of an approved FMLA leave of absence will be subject to immediate termination.

Please contact the Human Resources Department as soon as you must consider a FMLA leave for more information and forms.

## **Military Leave of Absence**

**4.06**

Living Branches complies with the Uniformed Services Employment and Re-employment Rights Act (USERRA). USERRA provides certain rights to employees for military service in the uniformed, commissioned or other covered

services. Military service includes voluntary/involuntary active duty, and duty for training. Full-time National Guard duty and absence from work for an examination to determine a person's fitness for service is also included. In compliance with USERRA, uniformed service includes service in the Army, Navy, Marines, Air Force, Coast Guard, Army National Guard, Air National Guard, and commissioned service in the United States Public Health Service. USERRA also applies to certain types of service under the National Disaster Medical Service.

Living Branches will comply with any state law that provides greater military leave rights than the rights provided under the federal Uniformed Services Employment and Re-employment Rights Act. For specific information regarding your rights under USERRA and to obtain the required forms, contact the Human Resources Department as soon as you know that you may need to request a military leave of absence.

### ***Guidelines for taking a Military Leave of Absence***

- You should provide advance oral or written notice unless military necessity prevents such notice. Whenever possible, written notification should be provided to your supervisor.
- Military leave will be granted for any period of time up to a total accumulation of five (5) years absence plus service beyond a five (5) year period to complete an initial period of obligated service, National Guard and Reserve training duty, and involuntary active duty extensions and recalls, especially during a time of national emergency.
- If you are eligible to be re-employed, you will be restored to the job and benefits you would have attained if you had not been absent due to military service, or in some cases, a comparable job. You must apply for re-employment within the specified time limits detailed in USERRA after returning from active duty or training.
- You may have up to two (2) years from the date of completion of service to return to work or apply for re-employment, if you are hospitalized or convalescing due to injuries received during service or training.
- If re-employed after absence due to military service for the periods of time specified in USERRA, you cannot be discharged without cause, and retention rights will be in accordance with USERRA.
- Health insurance benefits continue if the military leave is thirty (30) days or less or during any period that you are on paid status subject to the terms, conditions and limitations of the applicable plans for which you are otherwise eligible. For absences of 31 days or more, coverage ends unless you elect to pay for coverage (for up to 24 months.) Even if you do not elect to continue coverage during your military service, you have the right to be reinstated in our health plan when you are re-employed, generally without any waiting periods or exclusions (e.g. pre-existing exclusions) except for service-connected illnesses or injuries.
- A military leave of absence is an unpaid leave of absence. You are permitted, but not required, to use accrued PPL toward military leave.

## **EMPLOYEE BENEFIT PROGRAMS – HEALTH BENEFITS**

### **Health Benefits Overview**

**4.07**

Maintaining good health is important to you, your family, and Living Branches. No one likes to be sick, but in spite of your best efforts, you may at times be faced with an illness or injury that requires treatment. If you are a regular full-time employee, you and your family will enjoy all of the benefits described as soon as you meet the respective eligibility requirements. If you are a regular part-time employee, you will be eligible only for those benefits required by law, provided that you meet the minimum requirements of the respective plan.

During unpaid leaves of absence you may need to assume the full cost of your health insurance (please refer to Consolidated Omnibus Budget Reconciliation Act (COBRA) later in this section for more information).

For more details regarding Living Branches' health and welfare programs, and the accompanying Summary Plan Descriptions, please contact the Human Resources Department.

### **Medical, Prescription Drug, and Dental Coverage**

**4.08**

Medical, prescription drug and dental insurance benefits are available to regular full-time employees effective on the first of the month following completion of your first sixty days of employment. Employee contributions vary based on the coverage level selected and whether or not you add coverage for your spouse or dependents.

### **Consolidated Omnibus Budget Reconciliation Act (COBRA)**

**4.09**

Under federal COBRA regulations, Living Branches will offer continued health insurance coverage of up to eighteen (18) months if you resign, are terminated, or if your work hours are reduced resulting in loss of health coverage for yourself or covered dependents. Eligible dependents may extend coverage up to thirty-six (36) months in the event of death, divorce, legal separation, enrollment for Medicare benefits, or when a child ceases to be eligible for coverage as a dependent.

Those wishing to continue coverage under COBRA will be charged the full insurance premium (including the portion regularly paid by Living Branches and your regular contribution.) An additional 2% fee for administrative costs may also

be added in accordance with state and local laws. Payment will be made directly to Living Branches or the third party administrator as notified. Election of continued coverage must be confirmed within sixty (60) days of receiving the notice of eligibility documentation and the initial payment is due within forty-five (45) days of the benefit election. Failure to pay premiums within the required 30-day grace period will result in termination of benefits.

The Human Resources Department will inform you of these options should you decide to leave Living Branches or should your work hours be reduced. However, in the event of a divorce, legal separation, or loss of dependent eligibility, you or your dependent is responsible for contacting the Human Resources Department to discuss your continuation or conversion rights.

## **Health Insurance Portability and Accountability Act (HIPAA) 4.10**

Living Branches is committed to safeguarding the privacy of employee and resident protected health information including all records created and/or maintained at our organization. This also includes any information that we receive from other organizations, providers, or facilities. Living Branches complies with the applicable provisions of HIPAA, the Health Insurance Portability and Accountability Act of 1996. HIPAA provides participants in the medical plan with certain rights related to Continuity of Coverage, Special Enrollment Rights, and Privacy Rights.

In compliance with HIPAA, we have taken the following steps:

- We have a Director of Risk Management and Compliance who has been designated as Living Branches' Compliance Liaison and Privacy Officer.
- The Human Resources Department is responsible for maintaining the privacy of employee medical records and information. Employee medical records will be maintained separately and securely apart from employee personnel records. If necessary, employees may also discuss their personal medical information with a member of the Human Resources Department.
- We have developed specific disciplinary steps which will be taken against an individual who violates the privacy provisions of HIPAA.

Employees will also receive information on HIPAA as it relates to Living Branches' residents. For more information regarding HIPAA and its provisions, please contact the Human Resources Department or the Risk Management and Compliance Department.

**EMPLOYEE BENEFIT PROGRAMS –**  
**OTHER FORMS OF INSURANCE AND DISABILITY INCOME**  
**PROTECTION**

**Short-Term Disability Income Protection** **4.11**

Regular full-time employees are eligible for short-term disability insurance. Coverage will begin on the first of the month following the completion of the first ninety days of employment. All regular full-time employees are eligible to apply and the benefits and waiting periods vary depending on prior earnings, whether or not the disability is due to sickness or accident and other considerations. Disability claim forms may be obtained from the Human Resources Department.

**Long-Term Disability Income Protection** **4.12**

Regular full-time employees are eligible for long-term disability insurance. Coverage will begin on the first of the month following the completion of the first ninety days of employment. This benefit is paid for by Living Branches. This program provides disability coverage after you have been disabled and unable to work for at least three months. Disability claim forms may be obtained from the Human Resources Department.

**Life Insurance and Accidental Death and Dismemberment (AD&D) Insurance** **4.13**

Regular full-time employees are eligible for basic life and AD&D insurance. Coverage will begin on the first of the month following the completion of the first ninety days of employment. This benefit is paid for by Living Branches.

It is imperative that the appropriate beneficiary forms be completed upon initial enrollment in the life and AD&D insurance. Any changes in beneficiary should be communicated immediately.

## **EMPLOYEE BENEFIT PROGRAMS – WELFARE BENEFITS**

### **Social Security**

**4.14**

As an employee of Living Branches you are covered under the provisions of the federal social security law (FICA). Living Branches matches your Social Security contributions. The contribution by you and Living Branches is credited toward your Social Security benefits, which may be available at the time you are eligible to retire. In addition, disability and survivor benefits are financed through Social Security deductions.

### **Unemployment Insurance**

**4.15**

To protect you against the loss of income due to involuntary unemployment, Living Branches participates in the Unemployment Compensation Program. This program provides unemployment benefits to eligible and qualified employees for a specific number of weeks. To receive benefits, you must file a claim with the appropriate state employment agency.

### **Workers' Compensation**

**4.16**

Workers' compensation insurance is provided to all employees by Living Branches and provides benefits such as a weekly income and medical expense reimbursement for covered work-related injuries. If you incur an injury while at work, you are required to immediately report it to your supervisor and complete an incident report. Failure to do so may disqualify you from benefits to which you may be entitled to under the Workers' Compensation Program.

#### **Special Provisions for Pennsylvania Employees**

In addition to the workers' compensation policy and procedure, as defined above, pursuant to Pennsylvania law, Pennsylvania employees must also adhere to the following:

##### ***Designated Health Care Providers***

In order to be eligible for workers' compensation benefits, Pennsylvania employees must be treated by one of Living Branches' designated health care providers for a period of ninety (90) days from the date of the first visit. Living Branches' workers' compensation insurance is not responsible for treatment from a non-designated health care provider during this period. After the expiration of this ninety (90) day period, an employee may elect to continue treatment with the designated provider or seek treatment from another provider, as long as the employee notifies the Human Resources Department in writing within five (5)



days of the first treatment by the non-designated provider and the provider thereafter files and provides to the employee and to the Human Resources Department a medical report form issued by the Bureau of Workers' Compensation within ten (10) days of the commencement of treatment and at least once a month thereafter as long as treatment continues. If proper notice of the election of a non-designated provider is not given, the Living Branches workers' compensation insurance is not responsible for any such treatment determined to have been unreasonable or unnecessary and no payment will be made for any treatment unless and until the required medical reports are received by the Human Resources Department.

Living Branches' designated health care providers are listed on the Workers' Compensation Poster in a designated area in each Pennsylvania Living Branches location.

To the full extent permitted by law, Living Branches reserves at all times the right to require a Pennsylvania employee claiming or receiving workers' compensation benefits to submit to an examination by a physician of Living Branches' choice.

You may choose to use Paid Personal Leave while you wait for approval of a workers' compensation claim. If the workers' compensation claim is approved, the Paid Personal Leave that you used during the waiting period may be restored to your balance.

### ***Transitional Duty Program***

Living Branches provides a transitional duty program to employees on worker's compensation, who are approved to return to work although they cannot return to their regular position due to temporary medical restrictions. The goal of this program is to have employees return to work as soon as medically permitted and to have the employee return to his/her full job duties after the transitional duty work assignment. A transitional duty work assignment will attempt to best match the employee's abilities and qualifications with departmental, resident, and Living Branches needs, while taking into consideration the medical restrictions indicated by the employee's physician.

Employees on workers' compensation may apply for the transitional duty program if they are authorized by their physician to return to work but with medical restrictions. As part of the approval process, your physician must clearly describe your medical restrictions and the length of time they must be observed. Your duties may be modified as your medical restrictions are modified, and will be assigned based on work availability. Your transitional duty assignment may have a different schedule from your regular position, including working weekends and holidays. Periodic re-evaluations from your physician will be required. Please contact the Human Resources Department for more information and forms.

## **EMPLOYEE BENEFIT PROGRAMS – RETIREMENT AND INVESTMENT PROGRAMS**

### **401(k) Retirement Plan**

**4.17**

Living Branches offers eligible employees the opportunity to contribute to a 401(k) retirement plan, which allows them to benefit from tax-deferred growth of investments and earnings. Employees who meet the age and length of employment requirements of the plan may participate. Employees may choose to have a percentage deducted from their earnings, up to the maximum allowed as governed by plan and IRS limits. Participants may elect to contribute to the plan on either a pre-tax basis or a Roth after-tax deferral basis. Employee salary deferrals are always immediately 100% vested.

Living Branches also contributes to an employee's 401(k) plan. The Living Branches contribution has three components:

- Living Branches may provide a Matching Contribution to the plan based on the amount a participant has deducted from salary. Currently, the Employer Match is dollar for dollar on the first 2% of an employee's contribution. This employer contribution is immediately 100% vested.
- Living Branches may also provide an elective Safe Harbor Contribution of 3%. If this contribution is given, it is immediately 100% vested.
- Living Branches may also provide an elective contribution to the plan. This contribution is dependent on a variety of factors, including the financial status of Living Branches. This contribution is currently 2% of a participant's salary. Contributions vest on a graduated scale based on your years of service with Living Branches.

You may also rollover retirement funds from prior employers into Living Branches' 401(k) plan.

The Human Resources Department has the forms needed to participate in and make changes to this program.

## **EMPLOYEE BENEFIT PROGRAMS – OTHER BENEFIT PROGRAMS**

### **Continuous Service**

**4.18**

The term continuous service is used for calculating Paid Personal Leave accrual rates. For other benefits, such as medical or dental insurance, or the 401(k) plan, eligibility is determined by the individual plan documents.

Continuous service refers to an employee's unbroken period of employment with Living Branches, beginning with your first day of employment. This period of continuous service continues until you resign from Living Branches, unless you are rehired by Living Branches within ninety (90) days. If you are rehired by Living Branches after ninety (90) days, you will have a new hire date.

### **Section 125 Plan**

**4.19**

Living Branches has a Section 125 plan in place. A Section 125 plan is a benefit plan that allows you to make contributions toward premiums for certain qualified benefits on a pre-tax basis rather than an after-tax basis. These qualified benefits may include health, dental, and group-term life insurance. Under this plan your qualified expenses are deducted from your gross pay before income taxes and social security taxes are calculated. Your gross pay will be reduced by an amount equal to your contributions for the respective qualified benefit premiums.

Once you have enrolled in a Section 125 plan, you may not make any changes to your pre-tax contributions until the next open enrollment date, unless the change which you elect is a result of a change in family status (such as a marriage, divorce, death of a spouse or child, birth or adoption of a child, or termination of employment of your spouse). A change in election due to a change in family status will be effective the next pay period. Please contact the Human Resources Department for more information and for the required forms.

### **Flexible Spending Accounts (FSA)**

**4.20**

Living Branches offers its employees an option to enroll in Flexible Spending Accounts (FSAs) for healthcare and dependent care expenses.

FSAs are funded through the Section 125 plan and allow employees to have money deducted from their paychecks on a pre-tax basis and placed into accounts that can be used to pay un-reimbursed medical and dependent care

expenses. Types of medical expenses generally covered include medical, vision or dental exams, co-payments and deductibles, as well as other out-of-pocket expenses. Types of dependent care expenses generally covered include care for dependent children under 13 (provided that you must use dependent care in order to work), or care for a disabled spouse or dependent. For more information and enrollment forms, contact the Human Resources Department.

## **Employee Assistance Program (EAP)**

**4.21**

All Living Branches employees are eligible to utilize the services of our Employee Assistance Program (EAP) immediately upon hire. The program offers you, covered family members, and members of your household confidential counseling and referral services for a wide range of issues including:

- Stress
- Depression
- Marital or family problems
- Emotional problems
- Alcohol and/or drug-related problems

In addition to counseling and referral services, our EAP also provides legal and financial planning services.

You may contact an Employee Assistance Program specialist at any time, 24 hours a day, 7 days a week. EAP specialists can provide problem assessment, short-term counseling, and referral to the appropriate public or private services. Any services provided by the EAP will be treated with strict confidentiality; information provided by you to the EAP may only be released with your written authorization, in accordance with applicable federal or state laws.

Up to six (6) consultations per year with an EAP specialist are provided at no cost to you. If additional services or treatment is necessary, the EAP specialist can provide referrals and can review coverage under your health insurance.

For specific information regarding the benefits provided by the EAP, please contact the Human Resources Department.

## **Employee Meal/Beverage Discount Program**

**4.22**

Living Branches is proud of the food and beverages that are provided by our dining services and wants to provide employees the opportunity to enjoy dining in our cafes and break areas. Therefore, all employees are eligible for meal and beverage discounts at the dining venues across Living Branches campuses. Employees must show their Living Branches or campus specific ID badge in

order to receive the discount each day. Please contact your supervisor for more information.

## **Fitness Center**

**4.23**

Living Branches has on-site fitness centers that can be used by all employees. Employees must sign the Release of Liability and Waiver of Claims forms and complete an orientation with the fitness center leader on the respective campus prior to using the fitness centers. Each Living Branches campus will designate hours when the fitness centers may be used.

Please observe all safety guidelines when using any equipment or exercising. Appropriate attire must be worn. Employees must observe all fitness center rules and procedures or they may be prohibited from using them. Contact your supervisor or the Human Resources Department for additional information.

## **Vaccines**

**4.24**

Living Branches offers employees free Hepatitis B vaccines and free annual flu vaccines. Please contact your supervisor or the Human Resources Department for more information.

**5**

# **Organizational Conduct**

## **Sexual Harassment and Other Forms of Harassment**

**5.01**

It is our commitment to create a workplace free of discrimination and harassment, sexual or otherwise, and to respect the rights and dignity of each person with whom we encounter and work. Inappropriate workplace behavior and unlawful harassment creates an environment that is inconsistent with this commitment. The purpose of this policy is not to regulate personal morality but rather to foster a work environment free from all forms of harassment due to race, color, gender, age, religion, national origin, disability, genetic information, or any other characteristic protected by law. Living Branches has zero tolerance for any form of workplace harassment, including sexual harassment, in any setting in or out of our organization relating to our business. This policy applies to harassment by all employees, co-workers, residents, families, visitors, job applicants, and third party relationships such as agency, contract and temporary staff.

### ***Definitions:***

#### **Sexual Harassment**

Unwelcome sexual advances, requests for sexual favors, or any other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment or continued employment;
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual; or
- Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

It is important that you know that care should also be taken in informal business situations including Living Branches parties and business trips. The standard is what a "reasonable person" would consider as out-of-bounds in a work environment and may include what the particular person found abusive and/or unwelcome. The following examples are not all-inclusive:

- Threatening to take employment action, such as discharge, demotion or reassignment, if sexual favors are not granted;
- Demands for sexual favors in exchange for favorable or preferential treatment;
- Unwelcome and repeated flirtations, propositions, or advances;
- Unwelcome physical contact, whistling, leering, improper gestures, or tricks;
- Use of stereotypes, gender, or sex-based pranks;
- Offensive, insulting, derogatory, or degrading remarks;
- Unwelcome comments about appearance;

- Sexual jokes or use of sexually explicit or offensive language; and
- Display of sexually suggestive objects or pictures in the workplace

### **Harassment**

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, color, gender, age, religion, national origin, disability, or any other characteristic protected by law, creates an intimidating, hostile or offensive work environment or unreasonably interferes with an individual's work performance.

The following examples are not all-inclusive:

- Using racial epithets or slurs;
- Mocking, ridiculing or mimicking another's culture, accent, appearance or customs;
- Threatening, intimidating, or offensive acts such as jokes or pranks; or
- Displaying on walls, bulletin boards or elsewhere on Living Branches' premises, or circulating in the workplace, written or graphic material that denigrates or shows hostility or aversion toward a person or group

### ***Reporting Harassment and Investigation***

Living Branches requires you to report any and all incidents of harassment. If you believe you are being harassed or have observed harassment, you should promptly inform the Human Resources Department or the President/CEO. If you report an incident in good faith or are involved in an investigation, you will not be subject to reprisal or retaliation. Retaliation is a very serious violation of this policy and should be reported to the Human Resources Department or the President/CEO immediately for prompt investigation and appropriate action.

Should a harassment report occur, we will promptly and thoroughly investigate the matter in a manner appropriate to the circumstances. The steps to be taken during the investigation cannot be determined in advance but will vary depending upon the nature of the allegation. Strict confidentiality will be maintained throughout the investigative process to the extent practicable and consistent with Living Branches' necessity to conduct a full investigation. Upon completion of the investigation, appropriate remedial action will be taken, including if necessary, counseling, and/or disciplinary action up to and including termination of employment.

## **Performance and Behavior Expectations**

**5.02**

As an employee of Living Branches, you are asked to accept certain responsibilities, follow acceptable principles in matters of personal conduct on the job, and exhibit a high degree of personal integrity when representing our organization. This not only involves sincere respect for the rights and feelings of others, but also requires that you refrain from any behavior that might be harmful



to yourself, your co-workers, our residents, their families and visitors, or any other persons encountered in the workplace or elsewhere while on duty or representing Living Branches.

## **Disciplinary Action**

**5.03**

Our approach to disciplinary action focuses on solving problems and encouraging changes in workplace behavior that are consistent with our culture, philosophy, and mission. We have specific work standards and job expectations. When your job performance and/or behavior are inconsistent with our guidelines, we have a discipline process in place to address the problems. This process has been designed to provide ample opportunity for mutual exchange of thoughts, questions and concerns.

Please note that disciplinary action may take any of the following forms, and in any order: verbal warning, written warning, suspension with or without pay and final warning, or termination of employment. We will review the specifics of the situation and your employment history to determine the appropriate action.

A verbal warning may be used to document a first offense and/or discuss performance or behavior issues, and to clarify Living Branches' work standards and job expectations. The discussion may be documented and kept in the employee's personnel file.

A written warning may occur to document a second offense or when the performance or behavior issues are more significant than would be handled with a verbal warning, or if the verbal warning has not had the desired effect on the employee's performance or behavior. The written warning should formalize the counseling discussion, identify specific problems or deficiencies, and outline a corrective action plan, outcomes, and time limits. Written warnings are kept in the employee's personnel file and a copy will be given to the employee.

A suspension with or without pay and final warning may occur when there is a third offense or when the performance or behavior issues are more significant than would be handled with a written warning or if the written warning has not had the desired effect on the employee's performance or behavior. Immediate improvement is required or further worsening of the behavior or performance may lead to termination of employment. Documentation regarding suspensions will be kept in the employee's personnel file and a copy will be given to the employee.

Termination of employment may occur for a fourth offense or for serious violations of Living Branches' policies or guidelines and applicable laws or regulations, or for continued poor performance or behavior. Documentation

regarding the termination will be kept in the employee's personnel file and a copy will be given to the employee.

We believe it is only fair that our employees be aware of what Living Branches considers the types of serious violations that could result in immediate termination. Therefore, we ask that each employee keep in mind the following examples:

- Resident abuse in any form
- Violation of residents' rights
- HIPAA violations or other unauthorized disclosure of confidential information
- Theft of company, employee, resident, or visitor property
- Threatening or fighting with residents, visitors, or co-workers
- Using or possessing alcohol or illegal drugs at work, as well as reporting to work while intoxicated or when ability is impaired by use of alcohol or drugs
- Possession of dangerous or unauthorized materials such as explosives, firearms, or other weapons in the workplace
- Falsifying any organizational records
- Violation of Living Branches rules and regulations
- Unlawful discrimination or harassment
- Sleeping on the job

**Nothing in this policy shall be read or interpreted to alter the at-will relationship of employees. Your employment may be terminated at anytime, with or without cause and with or without notice.**

## **Dispute Resolution Procedure**

## **5.04**

Questions or problems may arise concerning duties, working conditions, interpretations of policy, or personal problems that may occur that affect work performance. The Dispute Resolution Procedure has been established so that employees and management have a process in place to address concerns and resolve problems in a fair and efficient manner. Please note that discharge decisions are not typically subject to the Dispute Resolution Procedure. If at any step in the process the concern is centered on the person involved in the dispute, the employee may skip that step and proceed to the next step. The process consists of the following steps:

1. Step One (Immediate Supervisor)
  - An employee should discuss the nature and cause of the issue or problem with the employee's immediate supervisor. If the employee feels that a satisfactory resolution is reached, the issue will be considered resolved.

2. Step Two (Executive Leadership Team Member)
  - If a satisfactory resolution is not reached in Step One, the employee may meet with the Executive Leadership Team (ELT) member to whom their supervisor reports to discuss the issue or problem or may submit the issue or problem in writing to the ELT member.
  
2. Step Three (Chief Human Resources Officer)
  - If a satisfactory resolution is not reached in Step Two, the employee may submit the issue or problem in writing to the Chief Human Resources Officer. A written response will be given to the employee by the Chief Human Resources Officer or designee.
  
3. Step Four (President/CEO)
  - If a satisfactory resolution is not reached in Step Three, the employee may submit the issue or problem in writing to the President/CEO. The President/CEO or designee will review the situation and make a final decision.

Employees are expected to file within five (5) days of an occurrence. If an employee fails to present a problem or concern within indicated time limits of the Dispute Resolution Procedure, the problem or concern will be considered settled at the preceding step, or waived, unless there is some compelling reason for the delay. The time limit in each step may be extended by mutual agreement between the employee and management.

Retaliation against an employee who utilizes the Dispute Resolution Procedure, including, but not limited to, harassment, reduction in employment status, benefits or pay, or loss of advancement opportunity, is prohibited and may result in disciplinary action against the supervisor and/or employees involved.

Employees are encouraged to contact the Human Resources Department with any questions regarding the Dispute Resolution Procedure.

## **Communication and Interaction with Residents, Families, and Visitors**

**5.05**

Our pledge is to provide all of our residents, families, and visitors with professional service at every step. Regardless of your position, as an employee of Living Branches, you are our ambassador. The more goodwill you promote, the more our residents, families, and visitors will respect and appreciate you and our services. Each one of us is responsible for ensuring that our residents, families, visitors, and fellow employees feel comfortable and welcome at our organization.

Communicate pleasantly and respectfully with your co-workers at all times. When answering the telephone, identify the organization along with your name in a professional and courteous manner.

Thank you in advance for representing our organization in an upstanding manner!

## **Business Ethics**

**5.06**

It is important to act with the highest professional and ethical standards when representing our organization in any business matter or at any event. Living Branches' business should always be conducted in strict observance of both the letter and spirit of all applicable laws, and the integrity of each employee is of utmost importance. Living Branches expects all employees to comply with all applicable laws and codes of conduct; any illegal, dishonest, or unethical actions or conduct of employees will not be tolerated. Employees who conduct business with any person or organization connected with illegal or unethical activities will be subject to disciplinary action, up to and including termination of employment.

## **Confidentiality**

**5.07**

Our residents and their families entrust our organization with important information related to their personal lives. The nature of this relationship requires maintenance of confidentiality and safeguarding the information that we receive. All confidential information should be kept in locked file cabinets and should not be left on an employee's desk or in a common area. Please close active sessions on your computer when leaving your workstation. Please refer to Living Branches' HIPAA policy in Section 4.10 for more information.

In the performance of their duties, employees may have access to, receive, or be entrusted with confidential and/or proprietary information that is owned by Living Branches and that is not presently available to the public. This type of information should never be shared with anyone outside the organization without authorization from a member of the executive team.

Examples of proprietary information that should not be shared include:

- Resident and employee data and information
- Details about clinical program, procedures, and protocols
- Policies, procedures and forms
- Training materials
- Current or future charges or fees or other competitive terms and conditions
- Current or possible negotiations or bids with payers or other clients

- Compensation and benefits information for staff
- Stocks or any kind of financial information and/or
- Market information, marketing plans or strategic plans

This list is meant to provide some examples of protected, confidential, and proprietary information and does not include every type. If you have questions regarding what may or may not be considered confidential, please treat the information as confidential until you are able to speak to your supervisor, the Human Resources Department or the Director of Risk Management and Compliance for clarification.

## **Conflicts of Interest**

## **5.08**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Employees should avoid any situation which involves or may involve a conflict between their personal interest and the interest of Living Branches. Employees should always act in the best interest of Living Branches when dealing with our residents, their families, visitors, suppliers, contractors, competitors, or any person doing or seeking to do business with our organization. Employees must never use their positions with Living Branches, or their relationship with any of its residents, families, and visitors, for private gain, to advance personal interests or to obtain favors or benefits for themselves, members of their immediate family (spouse, child, step-child, mother, father, sibling, mother-in-law, father-in-law, grandparents or grandchildren) or any other individuals, corporations, or business entities. You should always conduct your personal affairs in such a fashion that your duties and responsibilities to the organization are not jeopardized and/or legal questions do not arise with respect to your association or work with Living Branches.

Examples of potential conflicts of interest:

- Any kind of ownership (other than nominal ownership in a publicly traded company) by an employee or by a member of their family in any outside organization which does or seeks to do business with Living Branches, including suppliers, clients or competitors
- Serving as an officer, partner, consultant, board member, or employee with an outside organization which does, or is seeking to do, business with Living Branches, including suppliers, clients, or competitors
- Any other arrangements or circumstances, including family or other personal relationships, which might dissuade the employee from acting in the best interest of the organization
- Providing outside services or acting as an outside contractor to a resident for payment
- Receipt of inappropriate gifts (refer to Section 5.09 Tipping and Gifts); and

- Using business, financial, or other information learned in the course of employment with Living Branches for personal gain.

If a conflict of interest may occur, report the situation to the Human Resources Department or the Director of Risk Management and Compliance immediately.

## **Tipping and Gifts**

**5.09**

Acceptance of gifts, entertainment, or other personal favors from a resident or a resident's family member is inappropriate and may present an undesirable appearance of impropriety.

- Employees are not allowed to accept cash or gifts of any kind from any Living Branches resident or resident's family member.
- Employees are not allowed to purchase or give an individual gift, item, or food to a resident. If a resident is in need of personal items, the employee should refer the request to a supervisor or the Social Services Department.
- Employees are allowed to participate in organized gift purchasing for residents at holiday times in the care facilities. If there is an organized resident activity, staff are allowed to bring in pre-made food from a bakery or store. In our Health Care Centers homemade food items are not permitted. In our Personal Care Centers homemade food items are permitted as long as the food is covered upon transport from outside the center into the center, allergies of residents are taken into consideration, and items with nuts or eggs in them are labeled.
- Employees working as wait staff in the Apple Orchard Café will be paid in accordance with the Department of Labor tip requirements, which include employees receiving tips for services rendered.

Acceptance of gifts, entertainment, or other personal favors from an individual or organization involved in business or legal matters with Living Branches may also present an undesirable appearance of impropriety or may be inappropriate under certain circumstances. All Living Branches employees will follow the procedure regarding the acceptance of gifts or gratuities from vendors to avoid conflict of interest or fraud and/or abuse related to anti-kickback laws and regulations. Under no circumstances will an employee solicit business courtesies.

- Individual employees may not accept gifts or services from referring physicians or vendors unless:
  - The gift is an item that can be shared among staff in the department, for example, food items, flowers that can be centrally displayed or a picture that can be centrally displayed.
  - The gift is an advertising novelty of nominal value, such as pens, pencils, or calendars.

- Upon approval by the employee’s supervisor:
  - Employees may accept invitations to social events in order to further develop business relationships; however, these events must not include expenses paid for any travel costs or overnight lodging. The cost associated with such an event must be reasonable and appropriate. This will mean that the cost will be nominal.
  - Employees may accept invitations to attend training, educational, or informational opportunities, but must pay the cost for any travel or overnight accommodations that are incident to their attendance at the event.
- Business courtesies that would influence, or appear to influence, an employee in the conduct of their duties or responsibilities must be declined.

If you do receive an inappropriate gift from an individual or organization outside of the guidelines listed above, return it immediately and report it to your supervisor.

## **Reporting Organizational Conduct Violations**

## **5.10**

It is the responsibility of every employee to comply with our expectations regarding appropriate organizational conduct, including reporting any potential violations. All employees are required to complete training on Living Branches’ Code of Conduct and Compliance Program as a condition of employment and business relationship and must follow the Code to remain employed. The Code sets forth mandatory standards and there is no justification for departing from the Code of Conduct no matter what the situation may be. Living Branches’ organizational conduct guidelines encompass all matters in Section 5 of this Resource Guide and all employees are responsible for ensuring they comply with the Code and all Living Branches’ policies and procedures. Any employee who violates any of these standards and/or policies and procedures is subject to disciplinary action up to and including termination of employment. In addition, if you observe or learn of a potential violation of these guidelines, you must report the matter to your supervisor, the Human Resources Department or the Compliance and Privacy hotline.

Living Branches employees can file internal, confidential and anonymous complaints concerning questionable practices or actions without fear of retaliation. This includes refusal to obey an order that would require an employee to violate a federal law. If you are in a position to report conduct that you reasonably believe involves a violation of federal laws governing Living Branches, you will be protected even if the allegations of fraud are incorrect or unsubstantiated, as long as you reasonably believe that the specific conduct constitutes a violation. Living Branches will also comply with any applicable state or local whistleblower protection laws.

Living Branches has a specific communication process in place for reporting compliance issues:

- You should first talk to your supervisor, since they are most familiar with the laws, regulations and policies that relate to your work.
- If you are unable to speak to your supervisor, you should contact another member of Living Branches' management team or a member of the Human Resources Department.
- If you still have a concern after utilizing the steps listed above, you should contact the Compliance Liaison or a member of the organization's Compliance Committee.

If none of the above steps resolve your questions or concerns, or if you prefer, you can call the toll free Compliance and Privacy Line at 800-211-2713 for assistance. All calls are confidential and employees may call anonymously if they choose.

For appropriate protection, you must be engaged in one of two types of reporting activities. 1) You must raise the allegation(s) to a federal agency, a member of Congress, any person with supervisory authority, or any other person working for the organization who has "the authority to investigate, discover, or terminate misconduct." Reporting allegations of fraud to a supervisor, the Human Resources Department and the Director of Risk Management and Compliance will fall within the protections of this policy as well. 2) You will be protected if you file, testify, participate, or assist in a proceeding relating to alleged violations of federal law.

If you engage in any of this protected activity, Living Branches cannot discharge, demote, suspend, threaten, harass, or otherwise discriminate in the terms or conditions of employment because of that protected activity. We will promptly investigate all claims of "whistleblower" discrimination and take appropriate remedial action necessary to end the alleged discrimination, including disciplinary action.

You will be protected if you are in a position to report conduct that you reasonably believe involves a violation of federal law governing Living Branches. All reports of illegal and dishonest activities should be promptly submitted to the Human Resources Department or the Director of Risk Management and Compliance, who will then become responsible for investigating and coordinating corrective action.

## **Personal and Family Relationships in the Workplace 5.11**

When an employee marries another employee, or a close relationship between employees is otherwise created during employment with Living Branches, the



relationship must be brought to the attention of the Human Resources Department.

For the purposes of this policy, a close relative is defined as a: spouse, sibling, parent, child, grandparent, grandchild, uncle, aunt, nephew, niece, or in-law. Other members of your household or other relatives may be included depending upon the circumstances of individual cases. A close relationship may be defined as a dating relationship, a romantic relationship, or a consensual sexual relationship. This policy applies to all employees regardless of the gender or sexual orientation of those involved.

A determination will be made regarding whether or not the relationship conflicts with the best interests of Living Branches. If it is determined that such a conflict or relationship exists and it cannot be satisfactorily resolved through reassignment, then one of the employees must resign within three months of the creation of the relationship. If neither employee voluntarily resigns, the organization will terminate the employment of one of the employees at the end of the three-month period. Unless there are unusual circumstances, the employee with the shortest period of continuous service will be selected for termination. Supervisors are prohibited from dating subordinates in any situation.

See also section 2.05.

## **Attendance and Punctuality**

## **5.12**

To maintain a productive work environment, Living Branches expects employees to be reliable and to be punctual in reporting for scheduled work. Based on your scheduled work hours, you are expected to begin your work assignments at the start of your scheduled time and remain actively involved with work responsibilities through the end of your scheduled time. You may not clock in before seven minutes prior to the start of your shift without supervisor permission. Scheduled time not worked may be charged to paid personal leave or non-exempt employees will not be compensated for time missed.

If you are unexpectedly unable to work as scheduled due to an occurrence or unscheduled absence, you must contact your supervisor by 8:00 p.m. the evening immediately preceding a scheduled daytime shift unless an emergency situation exists. A minimum of four (4) hours notice is required for all other shifts. It is anticipated that you will make this call yourself unless you are involved in an emergency situation or cannot physically make the call. You must speak directly to your supervisor. If you cannot reach them personally, you may leave a voicemail for them, but then you must also try to reach another supervisor or employee to speak to someone directly. If you are calling in after hours, you must leave a message for your supervisor. Please provide your reason for being late or absent, a phone number at which you can be contacted, and when you

expect to return so that appropriate coverage can be coordinated. Your primary contact with your supervisor may not be by text message, email, instant messaging, Facebook, etc. You must call in.

During any absence of more than one day, it is expected that you will keep in touch with your supervisor regarding your estimated return to work. If it is estimated that you will not be able to return to work for at least three (3) or more consecutive days, If applicable, Family Medical Leave Absence paperwork will be initiated.

After three (3) unscheduled, consecutive days absent, you will be required to return with a physician's certification as an indication of your illness and ability to return to work. However, you may be asked to provide this certification at any time. Upon your return, should any work restrictions be recommended by your physician, the certification should document the nature and time period of the limitations.

### ***Attendance Definitions***

The following terms describe occurrences which may result in disciplinary action up to and including termination:

- Lateness - Work time lost when you are not at your assigned workplace at the scheduled start of your workday. Two or more occurrences of lateness in a pay period is considered excessive.
- Unscheduled Absence/Occurrence - A period of one or more consecutive, unscheduled days absent. For example, an absence of five consecutive unscheduled days would be considered one occurrence (while the employee may have used five (5) paid personal leave days.) Bereavement leave, jury duty, scheduled holidays, approved paid personal leave, approved leaves of absence, and workers' compensation absences shall not be considered unscheduled absences or occurrences under this policy. Two or more unscheduled absences within a thirty-day period is considered excessive.
- Patterned absence - Examples of a patterned absence include unscheduled day(s) taken off before or after scheduled paid personal leave or holidays, or which exhibit a pattern of Monday/Friday absences or lateness.
- No Call/No Show - Your failure to call in and/or speak personally with your supervisor, and failure to show up to work during your scheduled hours. An employee must follow the process found earlier in this policy regarding calling in a lateness or absence to avoid having it considered a No Call/No Show occurrence. A No Call/No Show also counts as an occurrence/unscheduled absence within your attendance record. After two No Call/No Show occurrences, your employment will be terminated.
- Job Abandonment - An unscheduled absence of three (3) or more consecutive work days AND failure to contact your supervisor. You will be

considered to have abandoned your job, resigned from your position without notice, and your employment will be terminated immediately.

If there are any issues with an employee's attendance or tardiness, the employee's attendance and time records will be reviewed on a rolling twelve (12) month basis. This rolling twelve (12) month period begins from the start date of the most recent occurrence of lateness, absence or no call/no show and rolls backward twelve (12) months from that date.

## **Appearance**

## **5.13**

We believe that adherence to appropriate standards of dress, grooming, and hygiene contribute to employee morale and express an important professional image to our residents, their families and our visitors. If you have a specific religious belief that requires observance to a certain dress style, please let us know and every effort will be made to accommodate you. In addition, reasonable accommodations will be made for an individual with a disability in accordance with applicable laws.

During working hours or when representing Living Branches, we anticipate that you will promote a professional atmosphere by presenting a clean, neat, and tasteful appearance conducive to Living Branches' environment and the industry in which we operate. Your supervisor will advise you of the specific appearance requirements for your position or work site.

Living Branches will also have scheduled "dress down" days on the last Friday of each month in support of various Christian-based, not-for-profit organizations. Employees will be allowed to dress down for a donation of one dollar or more to the designated charity. If you choose to participate in a dress down day, you should dress in clothes that are appropriate for Living Branches' environment. Employees should also consider, based on business needs, whether dress down attire is appropriate for them. Guidelines for appropriate attire include:

- Neat appearance; clothing without tears or holes
- Clothing that does not contain offensive messages or images
- Jeans or denim clothing in good condition

Living Branches will also periodically hold special-event dress down days to mark occasions occurring within Living Branches or within the wider community. Employees will not be required to make a donation in order to dress down on special-event dress down days.

If you aren't properly dressed and groomed for your position, you may be asked to leave so that you can take care of the issue. In such circumstances, you will not be entitled to compensation for this time away from work. Please note that

nothing in this policy will be interpreted to violate your rights under applicable laws.

## **Information Systems**

**5.14**

*Computer, Email, Voice Mail, Internet*

Living Branches makes every effort to provide its employees with the best available technology. In this regard, Living Branches' telephones, voicemail and computer systems including electronic mail (email), Internet access and other software programs are intended for organizational business and are to be used primarily for business purposes. The term "computer systems" includes, but is not limited to, all Living Branches' desktop computers, laptop computers, servers, computer networks, email systems, software, handheld computers, printers, cellular phones with data, and wireless routers. All data and voicemail that is written, sent, or received through Living Branches' information systems becomes part of Living Branches' business records and property; it is not the property of the employee. This also includes deleted or erased messages.

We realize that in the normal course of business, employees may, at times, use our information systems for personal communications. Brief, occasional personal use is allowed as long as you keep it within reasonable limits. Excessive personal use of information systems may result in the elimination of that privilege and/or disciplinary action. Employees should have no expectation of privacy in any information stored on Living Branches' information systems including computer screen and internet history. Living Branches maintains the right and the ability to enter into any of these and review the data recorded on its information systems at any time in its sole discretion.

Living Branches' information systems may not be used in a way that may hinder or be disruptive of its business operations. You must not display, transmit, or store any illegal, unethical, or pornographic images or messages using our information systems. Any display, transmission, or storage of sexually explicit images, messages, or cartoons, ethnic or racial slurs or epithets, or any other material that might be construed as harassing or disparaging of others on the grounds of race, national origin, sex, age, religion, genetic information or disability status violates this policy and is strictly prohibited. The information systems must not be used to solicit for commercial ventures, religious or political causes, outside organizations, or other non-job-related causes.

Only the Health Information and Technology Department may install software onto Living Branches' computers. Game and screensaver programs are examples of software that are not permitted to be installed on Living Branches' computer systems. Software and manuals must not be copied or used in any way that violates any applicable laws.

All communications and information transmitted by, received via, or stored in these information systems are the property of Living Branches. Sending messages/files, accessing a file, or retrieving stored communication or files, must be done by using your authorized login and/or password identification(s). No person should attempt to gain access to another person's electronic mail, voicemail, or computer files unless expressly authorized to do so by the person whose file is being accessed, or by an authorized representative of Living Branches. In order to maintain the security of the information systems, you should not disclose your system passwords to any other person besides an authorized representative. All files should be checked using a current virus protection program and should be properly saved and backed-up.

Employees must have their supervisor's permission before loading any Living Branches or resident information on a personal computer or equipment that is not owned by Living Branches. If you have approval to load such information on a personal computer or other piece of equipment, you must delete the information once you are finished working with it.

Employees must immediately terminate use of Living Branches' telephone, voicemail, computer systems, and email upon separation of employment from the organization. All equipment and information should be returned to your supervisor on or before your last day of employment.

### ***Employee Privacy and Monitoring***

Authorized representatives of the organization may periodically monitor equipment utilization and investigate suspected or improper use of systems. They may also access/disclose current or archived private electronic employee messages or files, or internet sites visited, at any time at Living Branches' discretion. This may be done to protect system security, fulfill Living Branches' obligations, detect any transgressions and comply with the legal process while protecting Living Branches' rights and property. We will comply with applicable state and federal laws regarding the protection of privacy and employee rights.

## **Internet Usage**

**5.15**

You may be provided with Internet access to help you do your job. Internet usage is intended to be used for job-related activities only.

All Internet data that is written, sent, or received through Living Branches' computer systems becomes part of Living Branches' business records. That means that we can be legally required to provide that information to law enforcement or other parties. Therefore, you should always make sure that the business information contained in email messages and other transmissions is accurate, appropriate, ethical, and legal. Living Branches reserves the right to monitor any data that you write, send, or receive through our online connections

or that is stored in our computer systems.

You must not write, send, search for, or receive data through the Internet that contains content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or other comments or images that could reasonably offend someone on the basis of race, age, sex, religious beliefs, national origin, disability, or any other characteristic protected by law.

We do not allow the unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet by Living Branches or outside parties. As a general rule, if you did not create the material, do not own the rights to it, or have not received authorization for its use, you may not put the material on the Internet. Confidential or proprietary information should never be posted on the Internet. You are also responsible for making sure that anyone who sends you material over the Internet has the appropriate distribution rights. All files that are downloaded or copied from the Internet should be checked using a current virus protection program. Additionally, all information posted or sent over the Internet should be protected with the appropriate security and encryption software.

If you use the Internet in a way that violates the law or policy, you will be subject to disciplinary action up to and including termination of employment. You may also be held personally liable for violating this policy.

Although not all-inclusive, some examples of prohibited activities that violate this Internet policy are:

- Sending or posting discriminatory, harassing, or threatening messages or images
- Using Living Branches' time and resources for personal gain
- Stealing, using, or disclosing someone else's code or password without authorization
- Copying, pirating, or downloading software and electronic files without permission
- Sending or posting messages or material that could damage Living Branches' image or reputation
- Violating copyright law
- Failing to observe licensing agreements
- Engaging in unauthorized transactions that may result in costs to Living Branches
- Participating in the viewing or exchange of pornography or obscene materials
- Attempting to break into the computer system of another organization or person

- Sending or posting messages that defame or slander other individuals, or attempt to denigrate an organization
- Use of profane, obscene or offensive language in a message
- Refusing to cooperate with a security investigation
- Passing off personal views as representing those of Living Branches
- Use of voicemail, email, or the Internet for personal matters that are excessive or interfere with job performance; and
- Engaging in illegal activities

With regard to their activities outside of work, employees should remember that information placed on any electronic medium, and data sent via other electronic methods (e.g., email and text messages) may become public. Specifically, other employees, potential employees, customers, and residents of Living Branches and third parties may use electronic media to obtain information about Living Branches and its business activities. As such, all employees must consider the impression they create about themselves and Living Branches when they place information relating to or identifying Living Branches or its employees on any electronic medium. Living Branches expects that its employees will act responsibly and exercise good judgment and the highest degree of professionalism and confidentiality, as outlined below, when communicating any information that concerns or identifies Living Branches or any of its employees. If an employee fails to act responsibly in that regard, the information that he or she communicates may have a detrimental effect on Living Branches, its employees, or others.

Accordingly, if you choose to blog or participate in other electronic media when you are not working, on your own time and equipment, Living Branches asks that you observe the following guidelines:

- First, should you discuss Living Branches or your position at Living Branches online, you must take care to follow our Code of Conduct and our policies, including, but not limited to, its policies regarding confidentiality of information, and its policies against workplace harassment, discrimination and retaliation. You should not discuss Living Branches, its management, or your supervisors or co-workers in a manner that is false, defames any individual or their reputation, or disparages Living Branches' products or services.
- Second, you may not disseminate any information about Living Branches or its personnel that could be considered proprietary, confidential, or intellectual property, and you may not use our graphics, trademarks, trade names, corporate slogans, photographs or videos. Remember that blogs and other media may be public and accessible to third parties, including Living Branches' competitors, customers and residents. Thus, it is critical that you maintain the confidentiality of non-public company information and abide by the terms of any confidentiality agreement that you have signed as well as our confidentiality policy.

- Third, you should not discuss information you have obtained at work regarding our residents, suppliers or vendors.
- Fourth, you should respect all copyright laws. As a general rule, you should not distribute or incorporate material that you have retrieved or copied from another web site or publication, unless your usage of such material meets the legal definition of “fair use.”

Please remember that Living Branches may monitor blogs or other electronic media. If you fail to abide by the above guidelines or our Code of Conduct or other policies while online, you may be subject to legal or disciplinary action, up to and including, an unpaid suspension or termination.

Disclaimer: Nothing in this policy is intended to conflict with the National Labor Relations Act and employees are not prohibited from using social media to engage in concerted activity about their wages and/or terms and conditions of employment.

## **Cellular Telephones and Electronic Devices**

**5.16**

Employees must exercise the same discretion in using personal cellular telephones and electronic devices as they do with Living Branches telephones. Ring tones must be turned off and personal calls and texting must be done during lunch and break times. Cellular telephones and electronic devices must not be used in and around resident areas nor interfere with work commitments. Employees must also not use the video or camera feature of cellular telephones or electronic devices in resident areas or anywhere that would compromise resident or employee privacy.

Living Branches may provide cellular telephones to some departments for conducting organizational business if their position responsibilities require it. These phones are intended to be used for business-related calls only. Living Branches reserves the right to monitor telephone records for any cellular telephone provided by the organization.

For safety and liability reasons, you may not use a cellular telephone while driving a vehicle on the organization’s time. You must pull over to the side of the road and park before using a cellular telephone or you must utilize hands-free technology. Texting is not allowed while driving a vehicle on the organization’s time and avoiding other distracted driving pitfalls is recommended.

## **Searches and Inspections**

**5.17**

To ensure a safe work environment, Living Branches reserves the right to inspect your packages, parcels, handbags, briefcases, or any other possessions/articles



carried to and from Living Branches' property including by all other persons entering and leaving our premises and places of work. Searches are conducted when there is reasonable suspicion to believe that circumstances or workforce conditions justify them; therefore, we reserve the right to conduct unannounced inspections of your office, desk, work area, computer, files, sent or received mail, locker, vehicle, or any other area or article on the organization's premises. Inspections may be conducted at any time at Living Branches' sole discretion. The removal of the organization's property from the premises requires permission from the President/CEO.

Persons entering Living Branches' premises refusing to cooperate in an inspection related to this policy may be denied access to the premises. If you are on the premises, or entering or leaving the premises, and refuse to cooperate in an inspection, or if you are found to be in possession of stolen or unauthorized property, weapons, illegal drugs, alcohol, or any other dangerous or illegal item, you will be subject to the disciplinary action process up to and including termination.

## **Substance-Free Workplace**

**5.18**

Substances such as drugs and alcohol can create serious risks of physical harm and safety to ourselves, our employees, residents, their families, Living Branches' visitors, and at times the general public. In order to maintain a substance-free workplace, it is Living Branches' policy to employ a workforce free from the use of unlawful drugs and abuse of alcohol either on or off the job. Living Branches has a "zero tolerance" drug and alcohol policy. Any employee found violating this policy will be subject to disciplinary action, up to and including termination.

All employees are prohibited from using, consuming, possessing, distributing, purchasing, selling or otherwise transferring unlawful drugs, controlled substances or alcoholic beverages while on the job, on Living Branches' property, and while operating Living Branches' equipment or vehicles. "Unlawful drugs" means any drug that individuals are prohibited by law from using, possessing, distributing, purchasing or selling. All employees are also prohibited from reporting to work under the influence of drugs or alcohol, lawful or unlawful, that render a person unfit for duty. Off-the-job drug use that negatively affects an employee's performance or harms other individuals or Living Branches is also prohibited.

It is not a violation of this policy if a person uses lawfully obtained drugs, as directed by a physician, as long as the use does not impair the ability to work safely and efficiently. If you are using lawfully obtained drugs that might impair performance, you must notify your department director or the chief human resources officer.. Living Branches may allow employees in this situation to take

a leave of absence until their performance is no longer impaired by use of the lawfully obtained drug.

### ***Drug and Alcohol Testing***

All final employment candidates will be subject to a pre-employment drug test. Employment offers are contingent upon receipt of a negative drug test (or supporting documentation from a doctor for a positive result regarding lawful substances) and new employees may not begin work at Living Branches until such results have been received. Please refer to Section 2.07 for more information.

Employees may also be subject to drug or alcohol testing whenever there is reasonable cause or suspicion to believe that they might be using unlawful drugs, abusing alcohol, or determined to be unfit for duty. Reasonable cause or suspicion may exist if, based on your speech, statements, behavior, conduct or appearance, you reasonably appear to be under the influence to the extent that your work or those around you are affected. If it is determined that you appear to be unfit for duty, then you may be required to submit to a drug and/or alcohol test, and your employment will be suspended pending the test results. If the result is negative, you will be able to return to work with full back pay, unless the suspension was imposed for reasons unrelated to this policy. Employees involved in a work-related accident may also be subject to drug or alcohol testing. If it is determined that you are unfit for duty, if you refuse to participate in an investigation regarding drug or alcohol use, or if you refuse to take a required drug or alcohol test, you will be subject to disciplinary action up to and including termination. All drug and alcohol testing will be conducted in compliance with federal, state and applicable laws.

Drug/alcohol test results of job applicants and employees will be held strictly confidential and only communicated on a “need to know” basis. All information pertaining to employee test results will be maintained in a separate file and stored separately from the regular employee files.

### ***Cooperation***

We believe it is important for you to seek professional help for any drug/alcohol problems. It will benefit you and Living Branches if you proactively ask for help before the matter is addressed through the disciplinary action process. Living Branches will assist you in pursuing rehabilitation, including consideration of a leave of absence. The request, decision and type of leave (i.e., personal, paid or unpaid) will be promptly reviewed and communicated to you. If the leave is granted, you will be required to sign a return-to-work agreement stipulating that upon completion of the approved rehabilitation program and subsequent release by the respective counseling program professional, you may be subject to unannounced drug or alcohol testing for a period of six (6) months following the return to work date. However, employees will be subject to the disciplinary

process, up to and including termination, if they have not notified Living Branches of their drug or alcohol problem prior to any related investigation.

### ***Drug Related Conviction***

Should you be arrested or charged in connection with any drug-related activity, on or off the job, you must notify your supervisor or the Human Resources Department by the next regular workday. The matter will be reviewed, taking into consideration several areas such as the severity of the charges, present job assignments, your work record, and the impact of the arrest on Living Branches. Employees convicted of any drug-related charge must notify the Human Resources Department and may have their employment terminated immediately. Employees may only be considered for re-employment after a conviction if, at a minimum, they have successfully completed an approved rehabilitation program.

## **Weapons-Free Workplace**

**5.19**

In order to ensure the safety of our employees, residents, families, and visitors, employees are prohibited from having any type of weapon in the workplace. Therefore, all employees are prohibited from using, possessing or transporting any types of weapons (including guns and knives for hunting or target shooting) anywhere on Living Branches' premises, including your locker, desk, workspace, or parking lots.

If you ever observe a weapon on the premises, you must report it to the Human Resources Department or the Director of Risk Management and Compliance immediately. Any report regarding a weapon on the premises will be kept confidential to the extent possible.

Living Branches will not permit retaliation against any individual who reports a weapon on the premises. If you are found to be in possession of a weapon on Living Branches' premises or if you perform any retaliatory acts regarding a report of a weapon, you will be subject to the disciplinary action process up to and including termination of employment.

## **Workplace Violence Protection**

**5.20**

It is our intent to maintain a work environment free from intimidation, threats, or violent acts. Employees, residents, families, visitors, vendors, contractors, and others on Living Branches' premises or in the course of business are prohibited from initiating verbal or physical intimidating acts, threats, or actual violence.

This policy prohibits all acts/threats of violence, inappropriate aggression, acting in anger toward a co-worker, derision, harassment or intimidation in any form, including verbal, written or physical (e.g., throwing objects, shaking fist) or any

conduct that may be construed as a racial, sexual, ethnic, or religious slur within the workplace. Threats, threatening conduct, or any other acts of aggression or violence that create a potentially dangerous and unsafe workplace will not be tolerated.

### ***Reporting and Investigation***

Any pattern of behavior that seems to indicate violence toward another individual, including an employee, resident, family member, or visitor, must be reported to the Human Resources Department or the Director of Risk Management and Compliance. If you are ever threatened with violence, observe a threat, or otherwise become aware of a threat of violence, you must report this conduct immediately. If an emergency response is required, call 911 immediately. Any report of an act of violence will be kept confidential to the extent possible.

Likewise, our organization is committed to a prompt and thorough investigation of all allegations of workplace violence or threats. The investigation will include obtaining documentation of the objectionable behavior or misconduct and interviewing witnesses. External resources, as appropriate, will be utilized to insure comprehensive fact finding as well as an objective assessment and evaluation of all related information obtained. Management will take prompt disciplinary action with respect to any employee engaged in violence or threats of violence.

Living Branches will not permit retaliation against any individual who reports workplace violence. Workplace violence and retaliatory acts will be subject to the disciplinary action process up to and including termination of employment. Employees and non-employees who commit acts of violence in the workplace may be reported to the proper authorities and fully prosecuted.

## **Contact with the Media**

**5.21**

All media inquiries, whether verbal or written, are to be directed to the Chief Marketing and Public Relations Officer. Employees are not permitted to make comments on any matters affecting Living Branches' business without authorization.

**6**

# **General Information**

## **Employee Records**

### **6.01**

Living Branches maintains individual employee records which generally include your employment application, certifications, performance appraisals, and other documents related to your time at Living Branches. In the event that any medical information is received, it will be maintained in a confidential file, separate from your employee file in accordance with HIPAA and other applicable laws (refer to Section 4.10 Health Insurance Portability and Accountability Act).

You are responsible for ensuring that your employee records are current at all times by notifying your supervisor and the Human Resources Department of any relevant changes in your personal situation. This includes, but is not limited to, changes to your name, address, telephone number, marital status, number of dependents, and emergency contact information. It is especially important to keep these records current for benefit program and beneficiary designation purposes. Your scholastic achievements and certification and licensure status are also important records that should be updated periodically.

Living Branches is committed to protecting the privacy of its current and former employees. Only an authorized representative of Living Branches will respond to requests for earnings information, work history and other confidential information, upon receipt of your written authorization. Requests for employment verification should be referred to the Human Resources Department.

If you would like to review your file, please schedule an appointment with the Human Resources Department.

## **Living Branches Property**

### **6.02**

You will be provided with the necessary equipment to effectively perform your responsibilities, and you are responsible for the handling and care of this equipment as though it were your own. This includes maintaining it and protecting it from possible theft or damage, and avoiding equipment misuse and abuse. Should your assigned equipment become damaged or lost, you must advise your supervisor immediately. Equipment loss or damage, negligent or deliberate, may result in your having to pay for replacement equipment and cause you to be subject to disciplinary action. If you leave the organization, the equipment must be promptly returned; otherwise you may be charged for the cost of the equipment.

Additionally, Living Branches' supplies, postage, letterhead, logos, and slogans are property of Living Branches and must only be used for authorized purposes.

## **Personal Property**

**6.03**

Living Branches assumes no responsibility for loss or damage to any personal property you may bring to, or leave at work. You should report any break-ins, theft, or other suspicious activity to your supervisor or the Human Resources Department as soon as possible.

## **Bulletin Board**

**6.04**

Living Branches will post official notices and information on the organization's intranet and campus bulletin boards. Other information regarding the organization's activities may also be posted after review and approval by your supervisor or the Human Resources Department. It is important to periodically review the intranet and bulletin boards for important notices and current events.

## **Employee Identification Badges, Access Cards and Keys**

**6.05**

On your first day of employment, you will be issued a Living Branches identification badge which must be worn at all times. You may also be given access cards, and/or keys that will provide you access to the organization's offices, cabinets, or lockers. These access cards and keys should only be used to gain access for authorized reasons.

You must immediately notify your supervisor or the Human Resources Department regarding any lost or stolen identification badge, access cards, or keys. You must return your identification badge, access cards, and keys by your last working day or when requested by your supervisor. If you fail to do so, you may be charged for the cost of replacing the access cards, keys and/or locks.

## **Solicitation and Distribution**

**6.06**

Employees may not directly solicit other employees, residents, families, or visitors for charitable contributions, membership in organizations, or other matters during work hours. Work hours do not include breaks or meal periods. While individual efforts and support in various worthwhile charities, sports teams, churches, and other similar organizations are recognized, we believe it is inappropriate to directly solicit during working hours or in any work or resident area and appreciate your cooperation. This prohibition includes solicitation for membership or contributions, posting notices, distribution of literature and selling of related items. In addition, individuals that are not employees of Living Branches are not allowed on Living Branches' premises at any time to solicit employees, distribute literature, etc.

## **Parking**

**6.07**

Employees must comply with the parking guidelines of our worksite. You are expected to follow posted speed limits while in your parking lot. Parking and speeding violations are the responsibility of the individual. Your supervisor will provide you with information regarding designated employee parking on your campus.

## **Meetings**

**6.08**

Depending on your position with Living Branches, you may be required to participate in periodic meetings as indicated by your supervisor.

Please observe proper meeting etiquette at all times:

- Follow guidelines for reserving meeting rooms and equipment
- Arrive on time and prepared
- Follow topics and timeline of agenda
- Participate respectfully; and
- Turn off all electronic devices (cell phones, hand-held computers, etc)

## **Corporate Communications**

**6.09**

Living Branches believes in the importance of keeping our employees well-informed about our organization. In line with that commitment, Living Branches has established an intranet and also distributes a monthly newsletter, *The Leaflet*, to help keep all employees up-to-date about organizational news and job opportunities, and educated regarding Living Branches' mission, goals, policies, and processes. Living Branches will also communicate any time-sensitive information through email and bulletin board postings.

## **Health, Safety and Security**

**6.10**

Living Branches is committed to providing a safe, secure, and sound work environment; however, this is a shared responsibility of all employees of Living Branches. Safe personal work habits and continuous awareness of potential hazards and safety rules/practices are major factors in reducing accidents and serious injury. If you become aware of any hazard, unsafe condition, or situation that may affect Living Branches' property/equipment or endanger the life or health of another, you should immediately notify your supervisor or the Human Resources Department. Employees are required to use certain safety equipment including steel-toed shoes, ear plugs and/or protective eyewear where indicated.



## **Injury Reporting**

**6.11**

For the safety of all, it is imperative that you observe and practice all safety practices so that injuries can be prevented. If you have any safety-related questions, please speak up and let us know so that we may assist. Any work-related accident or injury, no matter how minor, must be reported to your supervisor and Human Resources Department immediately, followed by the completion of an incident report. If you do not report the matter promptly, it may impact your ability to qualify for workers' compensation benefits.

## **Infectious/Communicable Disease**

**6.12**

Should you ever have symptoms of an infectious or communicable disease, it is vital that you report it to your supervisor so that you can be referred for examination and evaluation. Should it be determined that you have a communicable disease that could be given to our residents or other employees, you will be relieved from work and referred to your physician for treatment until cleared to return to work.

If your position requires medical examinations as required by state regulations, you must complete the required examinations in a timely manner. Failure to do so could result in corrective action up to and including termination of employment.

## **Smoke-Free Workplace**

**6.13**

Smoking is prohibited in all Living Branches' locations and vehicles. Smoking materials are defined as any smoking materials including, but not limited, to cigarettes, e-cigarettes, cigars, pipes, vaping and or chewing tobacco. Smoking is permitted only during scheduled lunches and breaks outside the building in designated areas only. Your supervisor will provide you with information about the designated smoking areas on your campus.

## **Visitors**

**6.14**

Only visitors who are properly authorized are permitted on Living Branches' premises. This helps to protect our employees, residents and their families, guard confidential information against theft, and reduce potential distractions and disturbances. Likewise, employee family and friends should be discouraged from visiting employees at work. Contact your supervisor if you believe an unauthorized person is in the building or on Living Branches' premises.

## **Use of Personal or Living Branches Vehicles for Business 6.15**

There may be times that you may use your own personal vehicle or a Living Branches-owned vehicle for organizational business. In these situations it is important that you adhere to the following general guidelines:

- You must have a current and valid driver's license. (If your license is suspended or revoked, or if you receive tickets for moving or non-moving violations in a Living Branches' vehicle, you must report it to your supervisor or the Human Resources Department immediately.)
- You must have the appropriate level of personal automobile insurance.
- You must observe all traffic laws and use appropriate safety precautions, including seat belts. Do not use a cell phone when driving except when you are able to use a hands-free device. If you do not have a hands-free device, you must pull over to the side of the road and park before using a cell phone for business purposes.
- You must immediately report any accident or personal injury from a vehicular accident to your supervisor, the Human Resources Department and your insurance company, and follow all applicable procedures and guidelines.
- You may not operate a vehicle for Living Branches' business if you are under the influence of drugs or alcohol, or are in any way unfit for duty.
- You may only allow individuals on Living Branches' business to ride in the vehicle.

Please contact the Human Resources Department for more information.

**7**

**Separating  
from  
Living Branches**

## **Separation from Employment**

**7.01**

It is our sincere wish that you will enjoy a successful career with us. Should you decide to terminate employment with Living Branches, we ask that you provide advance notice. This advance notice should indicate your last day of work and will allow us the ability to adjust working schedules and identify a replacement if necessary. Living Branches Leadership Group members, registered nurses, licensed practical nurses, and other supervisory or management employees should give a minimum of thirty (30) days written notice of resignation. All other employees should give at least two weeks written notice of resignation. Taking time off during the notice period does not count toward the notice requirement. Failure to provide sufficient notice as outlined above will prevent an employee from being rehired at Living Branches.

Please note that as described in Paid Personal Leave (PPL), Section 4.02, if an employee does not give proper notice as described above or is terminated for cause, the employee will not be paid out any accrued Paid Personal Leave (PPL).

Please remember your obligations regarding the safekeeping of Living Branches' and residents' confidential and proprietary information once you leave the organization. In addition, employees must immediately terminate use of Living Branches' telephone, voicemail, computer systems, and email upon separation of employment from the organization.

## **Exit Interviews**

**7.02**

Living Branches will generally conduct exit interviews for those employees who leave the organization; therefore, we strongly encourage participation in this process. This discussion provides you an opportunity to discuss your employment experience and provide insight and suggestions for the improvement of the organization for the benefit of those you are leaving behind.

## **Return of Property**

**7.03**

All Living Branches' property, including identification cards and keys, Living Branches' information, credit cards, pagers, phones, protective equipment, security passes, tools, vehicles and computer equipment, must be returned on or before your last day worked. Living Branches may need to initiate legal proceedings to be fairly reimbursed where employees have not returned Living Branches' equipment or have returned damaged items.

January 1, 2019