



# **Marshall County Group Homes Incorporated**

**Employee Handbook**

**September 28, 2021**

# TABLE of CONTENTS

<b>CORE POLICIES.....</b>	<b>4</b>
1.0 WELCOME.....	4
1.1 A Welcome Policy.....	4
1.2 At-Will Employment.....	4
2.0 INTRODUCTORY LANGUAGE AND POLICIES.....	5
2.1 Revisions to Handbook.....	5
2.2 About the Company.....	5
2.3 Ethics Code.....	5
2.4 Mission Statement.....	6
2.5 Our Organization.....	6
3.0 HIRING AND ORIENTATION POLICIES.....	6
3.1 Conflicts of Interest.....	6
3.2 Employment of Relatives and Friends.....	6
3.3 Job Descriptions.....	7
3.4 New Hires and Introductory Periods.....	7
3.5 Posting of Openings.....	7
3.6 Employment Authorization Verification.....	8
4.0 WAGE AND HOUR POLICIES.....	8
4.1 Staff Meetings.....	8
4.2 Salary Administration.....	8
4.3 On-Call.....	9
4.4 Off the Clock Time for E-Communication.....	9
4.5 Additional Pay Related Information.....	10
4.6 Attendance.....	10
4.7 Business Expenses.....	11
4.8 Direct Deposit.....	11
4.9 Introduction to Wage and Hour Policies.....	11
4.10 Job Abandonment.....	11
4.11 Paycheck Deductions.....	12
4.12 Recording Time.....	12
4.13 Travel Expenses.....	12
5.0 PERFORMANCE, DISCIPLINE, LAYOFF, AND TERMINATION.....	13
5.1 Resignation Policy.....	13
5.2 If You Must Leave Us.....	14
5.3 Employment Applications.....	16
5.4 Criminal Activity/Arrests.....	16
5.5 Exit Interview.....	16
5.6 Open Door/Conflict Resolution Process.....	16
5.7 Outside Employment.....	17
5.8 Performance Improvement.....	17
5.9 Post-Employment References.....	17
5.10 Standards of Conduct.....	17
6.0 GENERAL POLICIES.....	18
6.1 Workplace Monitoring.....	18
6.2 Workplace Etiquette.....	18
6.3 Work Assignments.....	19
6.4 Volunteer Policy.....	20
6.5 Internet Usage.....	20
6.6 Certification, Licensing and Other Requirements.....	21
6.7 Authorization for Use of Personal Vehicle.....	21
6.8 Bulletin Boards.....	22
6.9 Driving Record.....	22
6.10 Employer-Provided Cell Phones/Mobile Devices.....	22
6.11 GPS Monitoring of Employer Vehicles.....	22
6.12 Nonsolicitation/Nondistribution Policy.....	22
6.13 Off-Duty Use of Employer Property or Premises.....	23
6.14 Personal Appearance.....	23
6.15 Personal Cell Phone/Mobile Device Use.....	24
6.16 Personal Data Changes.....	24
6.17 Security.....	24
6.18 Social Media.....	25
6.19 Telephone Use.....	26
6.20 Third Party Disclosures.....	26
6.21 Use of Company Technology.....	26
6.22 Use of Employer Vehicles.....	27
6.23 Workplace Privacy and Right to Inspect.....	28
7.0 BENEFITS.....	28
7.1 Family and Medical Leave (FMLA).....	28
7.2 Nonexempt Personnel.....	32

7.3 Employee Assistance Program (EAP).....	32
7.4 Flexible Spending Account (FSA).....	32
7.5 Vacation.....	33
7.6 Employee Benefits.....	34
7.7 Section 125 Plans.....	35
7.8 Leave Donation.....	35
7.9 Disability Leave.....	35
7.10 Anniversary Benefits.....	36
7.11 Aflac Insurance.....	36
7.12 401(k) Plan.....	37
7.13 Bereavement Leave.....	37
7.14 Dental Insurance.....	37
7.15 Exempt Personnel.....	38
7.16 Health Insurance.....	38
7.17 Holidays.....	38
7.18 Personal Leave of Absence.....	40
7.19 Life Insurance.....	41
7.20 Pension and Profit Sharing Plan.....	41
7.21 Regular Full-Time Personnel.....	41
7.22 Regular Part-Time Personnel.....	41
7.23 Sick Pay.....	42
7.24 Unemployment Compensation Insurance.....	43
7.25 Workers' Compensation Insurance.....	43
7.26 COBRA.....	43
7.27 Military Leave (USERRA).....	43
<b>8.0 SAFETY AND LOSS PREVENTION.....</b>	<b>43</b>
8.1 Drug/Alcohol Testing.....	43
8.2 Drug and Alcohol Policy.....	44
8.3 General Safety.....	45
8.4 Workplace Violence.....	45
<b>9.0 TRADE SECRETS AND INVENTIONS.....</b>	<b>46</b>
9.1 Inventions.....	46
9.2 Confidentiality and Nondisclosure of Trade Secrets.....	46
<b>10.0 CUSTOMER RELATIONS.....</b>	<b>47</b>
10.1 Customer, Client, and Visitor Relations.....	47
10.2 Products and Services Knowledge.....	47
<b>MINNESOTA POLICIES.....</b>	<b>48</b>
<b>HIRING AND ORIENTATION POLICIES.....</b>	<b>48</b>
Disability Accommodation.....	48
EEO Statement and Nonharassment Policy.....	48
Religious Accommodation.....	50
<b>WAGE AND HOUR POLICIES.....</b>	<b>50</b>
Accommodations for Nursing Mothers.....	50
Meal and Rest Periods.....	51
Overtime.....	51
Pay Period.....	51
Wage Disclosure Protection.....	51
<b>PERFORMANCE, DISCIPLINE, LAYOFF, AND TERMINATION.....</b>	<b>52</b>
Disciplinary Process.....	52
<b>GENERAL POLICIES.....</b>	<b>52</b>
Access to Personnel and Medical Records Files.....	52
<b>BENEFITS.....</b>	<b>52</b>
Leave for Victims of Harassment or Domestic Violence.....	52
Bone Marrow Donation Leave.....	53
Jury Duty Leave.....	53
Pregnancy and Parenting Leave.....	54
School Conference and Activities Leave.....	55
Sick and Safety Leave.....	55
Victim and Witness Leave.....	56
Voting Leave.....	56
<b>SAFETY AND LOSS PREVENTION.....</b>	<b>57</b>
Workplace Smoking.....	57
<b>CUSTOM POLICIES.....</b>	<b>58</b>
<b>CUSTOM POLICIES.....</b>	<b>58</b>
Weapons and the Workplace.....	58
<b>CLOSING STATEMENT.....</b>	<b>59</b>
<b>ACKNOWLEDGMENT OF RECEIPT AND REVIEW.....</b>	<b>60</b>

# Core Policies

## 1.0 Welcome

### 1.1 A Welcome Policy

Welcome! You have just joined a dedicated organization. We hope that your employment with Marshall County Group Homes Incorporated will be rewarding and challenging. We take pride in our employees as well as in the services we provide.

The Corporation complies with all federal and state employment laws, and this handbook generally reflects those laws. The Corporation also complies with any applicable local laws, although there may not be an express written policy regarding those laws contained in the handbook.

The employment policies and/or benefits summaries in this handbook are written for all employees.

Please take the time now to read this handbook carefully. Sign the acknowledgment at the end to show that you have read, understood, and agree to the contents of this handbook, which sets out the basic rules and guidelines concerning your employment. This handbook supersedes any previously issued handbooks or policy statements dealing with the subjects discussed herein. The Corporation reserves the right to interpret, modify, or supplement the provisions of this handbook at any time. Neither this handbook nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. Please understand that no employee handbook can address every situation in the work place.

If you have questions about your employment or any provisions in this handbook, contact The Administrator.

We wish you success in your employment here at Marshall County Group Homes Incorporated!

All the best,

Kristal Walen, Administrator Marshall County Group Homes Incorporated

### 1.2 At-Will Employment

Your employment with Marshall County Group Homes Incorporated is on an "at-will" basis. This means your employment may be terminated at any time, with or without notice and with or without cause. Likewise, we respect your right to leave the Corporation at any time, with or without notice and with or without cause.

Nothing in this handbook or any other Corporation document should be understood as creating a contract, guaranteed or continued employment, a right to termination only "for cause," or any other guarantee of continued benefits or employment. Only the Administrator has the authority to make promises or negotiate with regard to guaranteed or continued employment, and any such promises are only effective if placed in writing and signed by the Administrator.

If a written contract between you and the Corporation is inconsistent with this handbook, the written contract is controlling.

Nothing in this handbook will be interpreted, applied, or enforced to interfere with, restrain, or coerce employees in the exercise of their rights under Section 7 of the National Labor Relations Act.

This policy may not be appropriate in its entirety for employees working in Montana.

## **2.0 Introductory Language and Policies**

### **2.1 Revisions to Handbook**

This handbook is our attempt to keep you informed of the terms and conditions of your employment, including Marshall County Group Homes Incorporated policies and procedures. The handbook is not a contract. The Corporation reserves the right to revise, add, or delete from this handbook as we determine to be in our best interest, except the policy concerning at-will employment. When changes are made to the policies and guidelines contained herein, we will endeavor to communicate them in a timely fashion, typically in a written supplement to the handbook or in a posting on company bulletin boards.

### **2.2 About the Company**

#### Customer Relations:

Individuals Served are among our organization's most valuable assets. Each of you represents MCGH to our individuals served, families, organizations and the public. The way we do our jobs presents an image of our entire organization. Consumers, families, other organizations and the public judge us by how they are treated each time they have contact with us.

If an individual served, family or organization wishes to make a specific comment or complaint, you should direct that person to the Administrative Office or your immediate supervisor for appropriate action. Remember that your contacts with the individuals served or the public, whether in person, over the telephone, and through all your communications reflect not only on you but on MCGH as a whole.

#### Statement of Purpose, Philosophy and Objectives:

1. The term "Home" comes first. To provide a home like atmosphere in the fullest sense of the word, or services into a home for individuals with developmental and/or physical disabilities or related conditions.
2. Where necessary, in the interest of the developmentally disabled individual or the family, to relieve relatives of responsibility of care which they are no longer reasonably able to provide.
3. To provide a place to live for such persons from Marshall County, or the surrounding area, as close as is practical to their familiar surroundings, relatives and friends.
4. To provide this care for adults first, but if the need should arise, the Program should have the capability, for children with developmental disabilities as well.
5. To provide this care for as great a level of difficulty of care as a small community home can reasonably deliver, keeping in mind the availability of resources such as Occupational Development Centers, Medical Care, Social Services, Speech and Hearing, Occupational Therapy, Physical Therapy, Psychological and Counseling resources to assist with behavior problem and medically involved individuals.
6. To continue to provide this care for difficult persons whether or not they are able to progress, as long as the Program is capable of doing it better than another alternative and as long as doing so does not become detrimental to the community relationship or other individuals.
7. To develop each individual to the maximum level of self-care, personal achievement, and where possible, self-support, as is suitable for that particular person, using and cooperating where appropriate with the agencies listed in #5 above or other services that may be helpful.
8. Keeping in mind the initial source of tax money into development of the Program, and the fact the main continuing source of income is payment by a public agency, to provide quality care at as reasonable a cost as sound management can deliver.

### **2.3 Ethics Code**

Marshall County Group Homes Incorporated will conduct business honestly and ethically wherever operations are maintained. We strive to improve the quality of our services, and operations and will maintain a reputation for honesty, fairness, respect, responsibility, integrity, trust, and sound business judgment. Our managers and employees are expected to adhere to high standards of business and personal integrity as a representation of our business practices, at all times consistent with their duty of

loyalty to the Corporation.

We expect that officers, directors, and employees will not knowingly misrepresent the Corporation and will not speak on behalf of the Corporation unless specifically authorized. The confidentiality of trade secrets, proprietary information, and similar confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.) about the Corporation or operations, or that of our customers or partners, is to be treated with discretion and only disseminated on a need-to-know basis (see policies relating to privacy).

Violation of the Code of Ethics can result in discipline, up to and including termination of employment. The degree of discipline imposed may be influenced by the existence of voluntary disclosure of any ethical violation and whether or not the violator cooperated in any subsequent investigation.

## **2.4 Mission Statement**

The MCGH is committed to providing choices and opportunities that benefit the lives of people with developmental disabilities. To accomplish this, programs are designed and developed to respect their dignity and allow them as much independence as possible while assuring their happiness.

## **2.5 Our Organization**

ADM (Administrator)

RPS (Resident Program Supervisor)

DCC (Direct care Coordinator)

DCA-(Direct Care Assistant)

DCS ( Direct Care Support)

OM (Office Manager)

ONP (Overnight Programmer)

## **3.0 Hiring and Orientation Policies**

### **3.1 Conflicts of Interest**

Marshall County Group Homes Incorporated is concerned with conflicts of interest that create actual or potential job-related concerns, especially in the areas of confidentiality, customer relations, safety, security, and morale. If there is any actual or potential conflict of interest between you and a competitor, supplier, distributor, or contractor to the Corporation, you must disclose it to the ADM. If an actual or potential conflict of interest is determined to exist, the Corporation will take such steps as it deems necessary to reduce or eliminate this conflict.

### **3.2 Employment of Relatives and Friends**

We will not employ friends or relatives in circumstances where actual or potential conflicts may arise that could compromise supervision, safety, confidentiality, security, and morale at Marshall County Group Homes Incorporated. It is your obligation to inform the Corporation of any such potential conflict so the Corporation can determine how best to respond to the particular situation.

### **3.3 Job Descriptions**

MCGH makes every effort to create and maintain accurate job descriptions for all positions within the organization. Each description includes sections for job information; a job summary (giving a general overview of the job's purpose); essential duties and responsibilities; supervisory responsibilities; qualifications (including education and/or experience, language skills, mathematical skills, reasoning ability, and any certification required); physical demands; and work environment.

We use the job descriptions to help new employees understand their job duties and to set standards for employee performance evaluations. Job descriptions are also used to identify the requirements of each position, establish hiring criteria, and establish a basis for making reasonable accommodations for individuals with disabilities.

The ADM will prepare job descriptions when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are up to date. Job descriptions may be rewritten periodically to reflect any changes in the position's duties and responsibilities. Please be sure that your job description accurately reflects the work you do.

We would like you to remember that job descriptions do not necessarily cover every task or duty that you might be assigned, and that additional responsibilities may be assigned as necessary. You can contact the ADM if you have any questions or concerns about your job description.

Employee job descriptions are signed upon hire and annually and do not constitute a contract between the employee and MCGH.

### **3.4 New Hires and Introductory Periods**

The first 90 days of your employment is considered an introductory period. During this period, you will become familiar with Marshall County Group Homes Incorporated and your job responsibilities, and we will have the opportunity to monitor the quality and value of your performance and make any necessary adjustments in your job description or responsibilities. Your introductory period with the Corporation can be shortened or lengthened as deemed appropriate by ADM. Completion of this introductory period does not imply guaranteed or continued employment. Nothing that occurs during or after this period should be construed to change the nature of the "at-will" employment relationship.

### **3.5 Posting of Openings**

Our job posting program provides you with the opportunity to indicate your interest in open positions and advance within the organization according to your skills and experience. In general, we post all regular, full and part-time job openings, although MCGH reserves its right to not post a particular opening.

Job openings will be posted on the employee bulletin boards at each program and normally remain open for 5 - 7 days. Each job posting notice will include the dates of the posting period, job title, and program location.

If you have a written warning on file, or are on probation or suspension, you may not be eligible to apply for posted jobs. You may only apply for posted jobs for which you possess the required skills, competencies, and qualifications.

To apply for an open position, submit a job application to the ADM listing your job-related skills and accomplishments. You should also describe how your current experience with MCGH and prior work experience and/or education qualifies you for the position.

Job posting is a way to inform employees of openings and to identify qualified and interested applicants. We may also use other recruiting sources to fill open positions when it is in the best interest of the organization.

MCGH also encourages you to identify friends or acquaintances who are interested in employment

opportunities and to refer qualified outside applicants for posted jobs. You should first obtain permission from the individual before making a referral. You should also share your knowledge of the organization with the person and not make commitments or promises of employment.

Person being referred should submit a completed application form to the ADM for the posted job. Person will be required is a complete and receive clearance for a Motor Vehicle Report, a Background Screening (NETSTUDY 2.0), and a Pre-employment drug screening.

### **3.6 Employment Authorization Verification**

New hires will be required to complete Section 1 of federal Form I-9 on the first day of paid employment and must present acceptable documents authorized by the U.S. Citizenship and Immigration Services proving identity and employment authorization no later than the third business day following the start of employment with Marshall County Group Homes Incorporated. If you are currently employed and have not complied with this requirement or if your status has changed, inform the ADM.

If you are authorized to work in this country for a limited period of time, you will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by the Corporation.

## **4.0 Wage and Hour Policies**

### **4.1 Staff Meetings**

Each employee, will be paid to attend staff meetings. Staff should make every effort to attend staff meetings whenever possible. If an employee is not able to attend the staff meeting (PRIOR to that staff meeting) it is employees responsibility to notify RPS they will be absent and provide hours they are available to work for the current staffing calendar. It is employees responsibility to read all meeting materials and internal documentation to keep abreast of program and individuals served information. All employees will sign off the meeting minutes within the MONTH of the meeting to prove review of the materials available.

### **4.2 Salary Administration**

The salary administration program at MCGH was created to achieve consistent pay practices, comply with federal and state laws, mirror our commitment to Equal Employment Opportunity, and offer competitive salaries within our labor market.

MCGH compensation policy shall be determined by the Personnel Committee and approved by full Board of Directors. The Personnel Committee, however, shall delegate the ADM the authority necessary to carry out daily salary administration activities. Compensation for every position is determined by several factors including the essential duties and responsibilities of the job, and salary survey data on pay practices of other employers. The ADM will periodically review our salary administration program, make recommendation to the Board Personnel Committee and restructure it as necessary.

Employees covered by the provisions of the Federal Fair Labor Standards Act shall be paid for all hours worked, as defined by the Act. Under the terms of the Act, each covered employee must be paid for time spent under these conditions:

- Training for a new job.
- Preparing to start or leave work.
- Filling out payroll slips.
- Performing tasks as defined in job description.
- Getting medical attention as required by MCGH employment.
- Traveling required by MCGH company vehicle is to be used for travel related to the job, if the vehicle is not available the approved mileage will be paid to the driving staff member at the current federal rate.



- Performing MCGH duties during mealtime.
- Attending Staff Meetings.

Some situations exist which are not covered by the Act, and are not paid for by MCGH These situations include, but are not limited to the following:

- Normal mealtime, usually 30 minutes or more if individuals served are not in the home.
- Periods during which an employee is allowed to leave the home.
- Regular Travel to and from your home to MCGH.

### **4.3 On-Call**

It may be necessary for individuals in certain positions to be available by telephone after hours during the week or on the weekend. Employees who are required to be on call will be compensated in accordance with applicable state and federal wage and hour laws.

Effective 1/1/2008. ON Call (non-working) - any time an employee signs up for a shift and then does not work because no individuals served are in the program, the employee will be paid half the amount of money they would have received if they had worked. This includes times of declared natural disasters. All employees receiving benefits are exempt from this benefit unless they are working shifts that relief staff employees are unable to work. On call (non-working) hours will not be counted as hours worked for the purposes of determining overtime.

### **4.4 Off the Clock Time for E-Communication**

E-communication includes texts, e-mails and phone calls.

It is the responsibility for each employee to document all time worked during a 40-hour work week. For example, an employee may not do any work before clocking in, and if he/she does, they must contact administration to override the start time so that he/she will be paid for all time worked. Further, an employee may not do any work after clocking out, and if he/she does, administration must be contacted to override the stop time so that he/she will be paid for all time worked. This does include all e-communication.

Under federal law, non-exempt employees are usually hourly employees who must be paid at time-and-one-half their regular rate of pay for all hours worked beyond 40 per week. All non-exempt employees shall report checking and responding to e-mail during what would normally be the employee's personal time. This applies to any form of e-communication, such as texting and instant messaging, email, and also phone calls. Any time over 40 hours must be approved by RPS or ADM. No one is permitted to work any extra hours or overtime without approval except in an emergency. If approval is not received disciplinary action will be taken up to and including termination.

Supervisors are obligated to report to administration any potential off-the-clock work by employees; this will allow administration to talk with the employee to determine if he/she is owed pay for hours worked. If a pattern of working extra hours without documenting them, or working extra hours without permission, will be documented as a violation of company policy.

For exempt employees that is, salaried employee's exempt from receiving overtime pay. After-hours and off-site e-communication usage is not affected by wage-and-hour, since exempt employees are paid to complete their job duties regardless of the number of hours it takes them. Exempt employees will not be granted time off for time spent responding to e-communication.

It is the policy of MCGH that e-communication not be used during off-the-clock time unless it is an emergency. Instead, staff will be asked to leave a voice mail or email at the office. Any employees using e-communication in non-emergency situation will be subject to disciplinary action up to and including termination.

We consider attempts to falsify timekeeping records a very serious matter. Therefore, any of the following actions may result in disciplinary action, up to and including termination: altering, falsifying, tampering with

time records, or recording another employee's time record.

Own the copyright to this software or its related documentation. Unless the software developer authorizes us, we do not have the right to reproduce the software for use on more than one computer. You may only use software on local area networks or on multiple machines according to the software license agreement. MCGH prohibits the illegal duplication of software and its related documentation.

You should notify your supervisor, the ADM or RPS if you learn about a violation of this policy. Employees who violate this policy are subject to disciplinary action, up to and including termination.

#### **4.5 Additional Pay Related Information**

Any employee who is required to work past their regularly scheduled shift due to a storm will receive \$25.00 for each additional 8 hours worked. This is paid only when no other staff are able to get to work.

Effective January 1, 2002. DCC's will be allowed 16 hours alone each month to complete paper work, when there are 4 individuals served in the facility.

Effective fall of 2002. Employees are encouraged to get a flu shot each fall. All employees who received a flu shot will be reimbursed by submitting a signed receipt attached to their monthly expense sheet up to \$45.

Effective January 1, 2022. RPS' will allow DCC's hours alone each month to complete paperwork when there are 4 individuals served in the facility. RPS will determine and approve hours for DCC's to use for paperwork each month.

#### **4.6 Attendance**

Attendance and punctuality are important factors for your success within MCGH. We work as a team and this requires that each person be in the right place at the right time.

The normal scheduled work hours vary with each job description. All employees are expected to report for work regularly and on time. While certain allowance will be made for occurrences beyond the control of an employee, chronic or excessive violations will be cause for disciplinary action up to and including discharge.

The MCGH Administrative office will be informed of ALL SCHEDULE CHANGES.

If you are going to be late for work or absent, notify your direct supervisor as far in advance as is feasible under the circumstances, but before the start of your workday.

In the rare instances when an employee is unable to work as scheduled, you are responsible to find your own replacement; unless it is an emergency. In that case the DCC or RPS will find the employees replacement. All employees are asked to respond a YES or NO to calls or text messages for replacement requests within 30 minutes or as soon as feasibly possible. If you are having difficulty and are not able to find a replacement, be sure to notify your supervisor as soon as possible so that appropriate arrangements can be made so no consumers are left unsupervised.

Personal issues requiring time away from your work, such as doctor's appointments or other matters, should be scheduled during your nonworking hours if possible. In all cases of absenteeism or lateness, the ADM will determine whether the facts call for a charge against sick leave, an excused absence, or a pay deduction. Each employee's attendance record should be reviewed periodically by the OM. In cases of continued unsatisfactory employee attendance or punctuality the ADM, RPS or Supervisor will issue a written warning to the employee with a copy placed in their personnel file. Because unplanned absences can be disruptive to work, a poor attendance record or excessive lateness may lead to disciplinary action, up to and including termination of employment.

An employee who is absent for three (3) or more consecutive days will be required to submit to the ADM a doctor's certificate before being permitted to return to work. If you are absent for three (3) days without notifying MCGH, it is assumed that you have voluntarily abandoned your position with MCGH, and you will be removed from the payroll and terminated.

#### **4.7 Business Expenses**

MCGH will reimburse employees for reasonable expenses incurred through pre-approved business travel or entertainment. All cash advances must be accounted for and expense receipts are required.

Mileage Expense: MCGH vehicle should be used for all travel related to the job, if a vehicle is not available the approved mileage will be paid to the driving staff member at the current federal rate. To be reported on an expense report.

The following business expenses will be reimbursed:

- Travel Expense
- Automobile/Mileage (approved by ADM)
- Lodging
- Tips – (must be initialed by server)
- Business Meals (in accordance with our per diem rates; room service excluded)

Meal Reimbursement: A maximum of \$10.00 for breakfast, \$15.00 for the noon meal and \$20.00 for the evening meal. To be reported on an expense report.

Employee expense sheets shall be held until they total a minimum of \$10.00 for a maximum time of one quarter. Signed Employee Expense Sheets will be paid at the beginning of each month, when a receipt for the activity/meal is supplied. The amount of a reasonable tip will also be approved for payment when the waitress/cashier signs they received the amount.

This list is not all-inclusive. See the ADM regarding additional reimbursable business expenses

#### **4.8 Direct Deposit**

Marshall County Group Homes Incorporated encourages all employees to enroll in direct deposit. If you would like to take advantage of direct deposit, ask your supervisor for an application form. Typically, the bank will begin the direct deposit of your payroll within 30 calendar days after you submit your completed application.

If you have selected the direct deposit payroll service, a written explanation of your deductions will be given to you on paydays described in the preceding sections in lieu of a check.

#### **4.9 Introduction to Wage and Hour Policies**

At Marshall County Group Homes Incorporated, pay depends on a wide range of factors, including pay scale surveys, individual effort, profits, and market forces. If you have any questions about your compensation, including matters such as paid time off, commissions, overtime, benefits, or paycheck deductions, speak with the ADM or AAS.

#### **4.10 Job Abandonment**

If you fail to show up for work or call in with an acceptable reason for the absence for a period of three consecutive days, you will be considered to have abandoned your job and voluntarily resigned from Marshall County Group Homes Incorporated.

## **4.11 Paycheck Deductions**

Marshall County Group Homes Incorporated is required by law to make certain deductions from your pay each pay period, including deductions for federal income tax, Social Security and Medicare (FICA) taxes, and any other deductions required under law or by court order for wage garnishments. The amount of your tax deductions will depend on your earnings and the information you list on your federal Form W-4 and applicable state withholding form. Permissible deductions for exempt employees may also include, but are not limited to, deductions for full-day absences for reasons other than sickness or disability and certain disciplinary suspensions. You may also authorize certain voluntary deductions from your paycheck where permissible under state law. Your deductions will be reflected in your wage statement. If you have any questions about deductions from your pay, contact your RPS.

The Corporation will not make deductions to your pay that are prohibited by federal, state, or local law. Review your paycheck for errors each pay period and immediately report any discrepancies to your RPS.

You will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by law. If an error is found, you will receive an immediate adjustment, which will be paid no later than your next regular payday.

The Corporation will not retaliate against employees who report erroneous deductions in accordance with this policy.

## **4.12 Recording Time**

Marshall County Group Homes Incorporated is required by applicable federal, state, and local laws to keep accurate records of hours worked by certain employees. To ensure that the Corporation has complete and accurate time records and that employees are paid for all hours worked, non-exempt employees must record their hours on the computer (with the exception of mobile workers). Exempt employees may also be required to track days or time worked. Speak with your ADM or AAS for specific instructions.

You must accurately record all of your time to ensure you are paid for all hours worked, and must follow established Corporation procedures for recording your hours worked. Time must be recorded as follows:

- Immediately before starting your shift.
- Immediately after finishing work.
- Immediately before and after any other time away from work.

If you are required to clock in, you should clock in no more than seven (7) minutes ahead of your start time and clock out no later than seven (7) minutes after your quitting time.

Notify your AAS or ADM of any pay discrepancies, unrecorded or misrecorded work hours, or any involuntarily missed meal or break periods by placing a message in the time and attendance system. Falsifying time entries is strictly prohibited. Falsifying time entries includes working "off the clock." If you falsify your own time records, or the time records of co-workers, or if you work off the clock, you will be subject to discipline up to and including termination. Immediately report to the ADM or OM any employee, supervisor, or manager who falsifies your time entries or encourages or requires you to falsify your time entries or work off the clock.

## **4.13 Travel Expenses**

The purpose of this policy is to define approved business travel expenses and the authority for incurring and approving such expenses at Marshall County Group Homes Incorporated.

Travel expenses are the reasonable and necessary expenses incurred by employees when traveling on approved Marshall County Group Homes Incorporated business trips. Travel is limited to business activities for which other means of communication is inadequate and for which prior approval from your RPS has been received.

### Travel Expenses

The Corporation pays the actual amounts incurred for appropriate expenses when you are on travel assignments. Examples of typical expenses include the following:

- Airline tickets.
- Meals and lodging.
- Car rental, bus, taxi, parking.
- Telephone and fax.
- Laundry and dry cleaning (trips exceeding one week only, unless emergency).
- Business supplies and services.
- Associated gratuities.
- Other expenses necessary to achieve the business purposes.

### Air Travel

Use economy or tourist class airfares when traveling on Corporation business. In addition, private, noncommercial aircraft or chartered aircraft is not to be used, and no more than two Corporation officers should travel together on the same flight.

Airfares are to be charged to personal credit cards and subsequently submitted for reimbursement on a monthly expense report.

### Hotels

Neither in-room movies nor refreshment bars are approved Corporation expenses.

### Insurance

The Corporation does not pay for personal travel insurance for employees.

### Rental Cars

You are to use rental firms having existing relationships with the Corporation and, where feasible, have negotiated discount rates. Available reasonable transportation is to be used.

### Personal Vehicles

When using your own vehicle for business purposes, you must maintain insurance coverage as required by law. Travel between your home and primary office is not considered to be business travel. You may not use your personal vehicle for business travel without authorization. Every attempt should be made to utilize the use of a company vehicle in order to avoid hazard of liability and the time away from work. You will be reimbursed for vehicle use at the standard IRS mileage rate. The ADM must authorize any deviation from this policy.

### Reporting

Report approved expenses and include a description of the expense, its business purpose, date, place, and the participants.

## **5.0 Performance, Discipline, Layoff, and Termination**

### **5.1 Resignation Policy**

Marshall County Group Homes Incorporated hopes that your employment with the Corporation will be a mutually rewarding experience; however, the Corporation acknowledges that varying circumstances can cause you to resign employment. The Corporation intends to handle any resignation in a professional manner with minimal disruption to the workplace.

### Notice

The Corporation requests that you provide a minimum of two weeks' notice of your resignation. If you are an exempt employees, you are requested to provide a minimum of 30 days' notice. Provide a written resignation letter to your RPS. If you provide less notice than requested, the Corporation may deem you to be ineligible for rehire, depending on the circumstances of the notice given.

The Corporation reserves the right to provide you with pay in lieu of notice in situations where job or business needs warrant.

### Final Pay

The Corporation will pay separated employees in accordance with applicable laws and other sections of this handbook.

Notify the Corporation if your address changes during the calendar year in which resignation occurs to ensure tax information is sent to the correct address.

### Return of Property

Return all Corporation property at the time of separation, including such as laptops and credit cards. Failure to return some items may result in deductions from your final paycheck where state law allows. In some circumstances, the Corporation may pursue criminal charges for failure to return Corporation property.

## **5.2 If You Must Leave Us**

Should you decide to leave your employment with us, we ask that hourly employees provide the ADM with at least ten working days' advance written notice, salary employees provide at least 30 days written notice, and if you are retiring we ask that you provide 90 days written notice. Your thoughtfulness is appreciated and will be noted favorably should you ever wish to reapply for employment with MCGH.

If a layoff is necessary to protect the company's financial status, it reserves the right to reduce its work force when substantial changes in status or technology necessitate such action.

Termination is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. These are some of the most common circumstances for employment terminations:

1. Resignation - voluntary employment termination is initiated by an employee. A voluntary termination occurs when an employee resigns or is separated from the company at his/her request. An employee who fails to report for work, or to report absences, for three (3) consecutive days will be considered a voluntary termination. MCGH will make every effort to retain employees who decide to leave voluntarily.

Resignation requirements:

- A) When a benefited MCGH employee resigns, he/she will give a ten (10) working-day written notice of intent (vacation, sick and holidays do not count as part of the notice) to the ADM.
- B) When an administrative employee resigns they are expected to give a thirty (30) calendar day written notice of intent to the ADM or Board if the person is the ADM.
- C) A ninety 90-day notice for planned retirement is required unless ADM approval is received.

2. Release - involuntary employment termination initiated by the organization. Due to Inability to perform the job assignment in an appropriate and satisfactory manner as defined by performance evaluation criteria. Termination in such cases will occur only after the ADM has taken all possible steps, including offering additional training to retain the employee.

3. Termination - involuntary employment termination initiated by the organization. Separation from the MCGH for cause such as willful misconduct or maltreatment as defined in the Discipline Section of this Handbook.

4. Immediate Dismissal - involuntary employment termination initiated by the organization. Separation from MCGH without notice. The employee is asked to leave the premises without delay. This will occur only upon proof of extraordinary misconduct or maltreatment. Example: If a Background study determination is

received that states the employee is disqualified from provide services the employee will be terminated immediately.

5. Layoff - involuntary employment termination initiated by the organization for non-disciplinary reasons. A reduction in the work force, either permanent or indefinite.

6. Medical Disability Termination - involuntary employment termination initiated by the organization. Substantial Medical evidence supported by the ADM and reports, demonstrating that an employee cannot perform his/her assigned job in a satisfactory manner and cannot accept a medically less demanding similar position within the organization.

7. Retirement - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

Your benefits are affected by termination in several ways. All accrued, vested benefits that are due and payable at termination will be paid out if proper notice (listed above) is provided in writing as required. Some benefits may be continued at your expense if you choose. You will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations for continuing them. When your employment ends, you will receive your final pay in accordance with applicable state law. Employees who resign voluntarily and provides the required notice listed above will receive their due pay at the end of the next regularly scheduled pay period.

Since employment with MCGH is based on mutual consent, either you or MCGH have the right to terminate the employment relationship at will, with or without cause or advance notice, at any time.

All MCGH employees, subcontractors and volunteers, when directly responsible for individuals served by this program, are prohibited from abusing prescription medication or being in any manner under the influence of a chemical that impairs their ability to provide services or care. See Drug Testing Policy. This policy will be reviewed with each employee at orientation and annually thereafter.

MCGH may rehire employees who leave voluntarily, retire, medical termination, released or who are laid off. The company will not rehire any former employee terminated by termination or immediate dismissal for misconduct. MCGH Employees who leave voluntarily and return within 1 year will be given credit for one half of their MCGH past experience when considering pay and longevity.

MCGH will attempt to give all terminated employees, except those under immediate dismissal or discharge, at least two weeks' notice in writing.

Employees terminated by immediate dismissal will receive written notice as soon as possible, either at the time the employee receives his/her last paycheck or by mail. If the terminated employee requests he/she will be paid within 24 hours of termination.

If an employee dies before or on his/her last official day on the job, the employee's beneficiary will receive only those benefits paid upon regular termination accrued at the time of death.

All terminated or separated employees will receive due benefits and compensation at the time of termination or separation. When the MCGH terminates an employee, their wages will be paid in full no later than the first regularly scheduled pay day following the last day of employment. If the terminated employee demands, the payment will be made within 24 hours. The payment will include all earned pay to date of termination, with no deduction for property damage, theft, etc. without the employee's written consent after the obligation has been incurred.

All MGH Employees who have voluntarily terminated their employment with this corporation will be asked to complete an Exit Input Form to be reviewed by the ADM to improve future employment opportunities. All MCGH property, including this Employee Handbook, must be returned at the end of employment. Otherwise, MCGH may act to recoup any replacement costs and/or seek the return of MCGH property through appropriate legal recourse.

Generally, we will confirm upon request our employees' dates of employment, salary history, and job title.

You should notify MCGH if your address changes during the calendar year in which termination occurs so that your tax information will be sent to the proper address

### **5.3 Employment Applications**

MCGH relies on the accuracy of the information provided on the employment application, as well as the accuracy of other data presented during the hiring process and employment. If there are any misrepresentations, falsifications, or material omissions in any of this information, we may exclude that applicant from further consideration. If the person was already hired, it could result in termination from employment.

### **5.4 Criminal Activity/Arrests**

Marshall County Group Homes Incorporated will report all criminal activity in accordance with applicable law. Involvement in criminal activity while employed by the Corporation, whether on or off Corporation property, may result in disciplinary action including suspension or termination of employment.

You are expected to be on the job, ready to work, when scheduled. Inability to report to work as scheduled may lead to disciplinary action, up to and including termination of employment, for violation of an attendance policy or job abandonment.

### **5.5 Exit Interview**

You may be asked to participate in an exit interview when you leave Marshall County Group Homes Incorporated. The purpose of the exit interview is to provide management with greater insight into your decision to leave employment; identify any trends requiring attention or opportunities for improvement; and to assist the Corporation in developing effective recruitment and retention strategies. Your cooperation in the exit interview process is appreciated.

### **5.6 Open Door/Conflict Resolution Process**

If you disagree with established rules of conduct, policies, or practices, you can express your concern through the problem resolution procedure. You will not be penalized, formally or informally, for voicing a complaint with MCGH in a reasonable, business-like manner, or for using the problem resolution procedure.

If a situation occurs when you believe that a condition of employment or a decision affecting you is unjust or inequitable, you are encouraged to make use of the following steps. You may discontinue the procedure at any step.

1.

You present the problem to your DCC within 5 calendar days after the incident occurs. (If your DCC is unavailable or you believe it would be inappropriate to contact that person, you may present the problem to the RPS).

2. The DCC responds to the problem during discussion or within 10 calendar days after consulting with appropriate administration, when necessary. The DCC documents the discussion.
3. You present the problem to the RPS within 10 calendar days if the problem is unresolved.
4. The RPS counsels and advises you, assists in putting the problem in writing, visits with your supervisor, if necessary, and directs you to the ADM for a review of the problem.
5. You present the problem to the ADM in writing.
6. The ADM reviews and considers the problem. The ADM informs you of the decision within 15 calendar days and forwards a copy of the written response to the RPS for your file. The ADM has full authority to make any adjustment deemed appropriate to resolve the problem.
7. If dissatisfied with the decision of the ADM the employee may bring the problem in writing to the Personnel Committee of the MCGH Board. They shall answer the employee's complaint at the next



regular scheduled Board meeting, unless extraordinary circumstances require a shorter time as determined by the ADM.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and administration develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment, and helps to ensure everyone's job security.

## **5.7 Outside Employment**

Outside employment that creates a conflict of interest or that affects the quality or value of your work performance or availability at Marshall County Group Homes Incorporated is prohibited. The Corporation recognizes that you may seek additional employment during off hours, but in all cases expects that any outside employment will not affect your attendance, job performance, productivity, work hours, or scheduling, or would otherwise adversely affect your ability to effectively perform your duties or in any way create a conflict of interest. Any outside employment that will conflict with your duties and obligations to the Corporation should be reported to your RPS. Failure to adhere to this policy may result in discipline up to and including termination.

## **5.8 Performance Improvement**

Your performance is important to MCGH. Once each year, during your anniversary month, your RPS will review your job progress within MCGH and help you set new job performance plans, discuss job responsibilities and goals, encourage and recognize strengths, and identify and correct any areas for development. If an employee works at more than one home the hire date at that location will be used for the performance review at that home.

New employees will generally be reviewed at the end of their 90 day introductory period.

Our performance review program provides the basis for better understanding between you and your supervisor, with respect to your job performance, potential and development within MCGH.

Employees shall have the right to review the written performance review and make written or oral comments concerning all aspect of the performance. The ADM will review and approve all performance reviews.

## **5.9 Post-Employment References**

Marshall County Group Homes Incorporated policy is to confirm dates of employment and job title only. With written authorization, the Corporation will confirm compensation. Forward any requests for employment verification to the ADM or the OM.

## **5.10 Standards of Conduct**

Each employee has an obligation to observe and follow MCGH's policies and to maintain proper standards of conduct at all times. Failure to adhere to MCGH's policies will result in corrective disciplinary measures.

Disciplinary action may include a verbal warning, written warning, suspension with or without pay, and/or termination. The appropriate disciplinary action imposed will be determined by ADM. MCGH does not guarantee that one form of action will necessarily precede another.

MCGH may use progressive discipline at its discretion. When an employee abuses MCGH rules or mistreats a fellow employee, (resident abuse covered in Vulnerable Adult Procedures), the ADM, RPS or DCC may reprimand the concerned employee.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage,

benefiting both employees and MCGH. Disciplinary action may call for any of four (4) steps, depending on the severity of the problem, and the number of occurrences. Steps include:

1. verbal warning done in a counseling manner
2. written warning with Corrective Action Plan
3. written warning with continued Corrective Action Plan, which may include suspension with or without pay
4. Termination

Among other things, the following may result in disciplinary action, up to and including termination: violation of MCGH's policies or safety rules; willful misconduct or maltreatment; failing to work in a cooperative manner with management, co-workers, individuals served and others who do business with MCGH; a crime of unauthorized or illegal possession; no valid driver's licenses or an uninsurable driving record; use or sale of alcohol or controlled substances on work premises or during working hours, while engaged in MCGH activities or in MCGH vehicles; unauthorized possession, use or sale of weapons, firearms or explosives on work premises; theft or dishonesty; inappropriate or violent physical contact; harassment; discrimination or retaliation in violation of MCGH's EEO and No Harassment policies; use of MCGH property, equipment or facilities in connection with outside work while on MCGH time; poor attendance or poor performance. These examples are not all inclusive. We emphasize that termination decisions will be based on an assessment of all relevant factors.

If more than 12 months have passed since the last disciplinary action, the process will normally start over.

Nothing in this policy is designed to limit an employee's rights under Section 7 of the National Labor Relations Act.

Nothing in this policy is designed to modify our employment-at-will policy.

## **6.0 General Policies**

### **6.1 Workplace Monitoring**

MCGH may conduct workplace monitoring to help ensure quality control, protect against theft, employee safety, security, and individual served satisfaction.

The computer equipment and systems and Internet access that employees may use are always the property of MCGH. Therefore, we reserve the right to monitor computer activities. We also reserve the right to retrieve and read any computer files or data that are composed, sent, or received through Internet connections or stored in our computer systems.

You may request access to information gathered through workplace monitoring that may impact employment decisions. We will grant access unless there is an ongoing investigation or a legitimate business reason to protect confidentiality.

Because we are sensitive to the legitimate privacy rights of our employees, we will make every effort to guarantee that workplace monitoring is always done in an ethical and respectful manner.

### **6.2 Workplace Etiquette**

MCGH strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues can arise when employees may be unaware that their behavior at work may be disruptive or annoying to others. Very often you can address these day-to-day issues by politely talking with your co-worker to bring the perceived problem to his or her attention.

In most cases, common sense will dictate an appropriate resolution. MCGH encourages all employees to keep an open mind and graciously accept constructive feedback or another employee's request for you to change your behavior because it may be affecting that person's ability to concentrate and be productive.

The following are some workplace etiquette guidelines and suggestions to help you be more conscientious and considerate of your co-workers and the work environment. These are not necessarily intended to be hard and fast work rules with disciplinary consequences. If you have comments, concerns, or suggestions about workplace etiquette, contact the Administrative Office.

- If there is a concern/issue in the home bring the concern/issue to your RPS along with a solution to the concern/issue.
- 
- Cooking and cleaning is the responsibility of all staff that work in the home.
- Avoid public accusations or criticisms of other employees. Address such issues privately with those involved or your RPS.
- Be conscious of how your voice travels and try to lower the volume of your voice when talking on the phone or to others in open areas.
- Keep socializing to a minimum and try to conduct conversations in areas where the noise will not be distracting to others.
- Refrain from using inappropriate language (swearing) that others may overhear.
- Avoid discussions of your personal life/issues in public conversations that can be easily overheard.
- Clean up after yourself when using desk or counter areas in the home.
- Staff leaving to go smoke should be one person at a time. Do not leave individuals served unattended.
- Staff that smoke are responsible to clean up their waste at the end of their shift by emptying receptacles or cans used for cigarette butts.
- Be sure to wet waste so that a fire is not started with the waste.
- Replace paper in the copy machine and printer paper trays when they are empty.

### **6.3 Work Assignments**

Work assignments will be distributed after monthly staff meetings. When possible, you will be advised of future assignments in advance, so you will have ample time to prepare for the assignment.

Once you have begun an assignment you will report directly to your direct supervisor for all matters relating to its completion.

The normal work schedule for all DCC employees is 35 - 40 hours each week, 5 days a week. The normal work schedule for all Overnight Programmer employees is 10 - 12 hours a day, 1-5 days a week. The normal work schedule for all DCA employees is 5-8 hours a day, 5 days a week.

The RPS will advise you of the times your schedule will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

In some cases, we may offer flexibility in the work schedule, to allow employees to vary their starting and ending times within established limits. We make flexibility possible if a mutually agreed upon work schedule can be negotiated with the ADM.

Effective January 1, 2022

Relief Staff employees will be required to work a minimum of 8 hours each month on a regular basis and have a willingness to pick up extra shifts that are available. The inability to meet this requirement will be reviewed and a determination will be made by the ADM as to whether or not the employee shall remain as an employee on the employee roster or be terminated. 245 D licensing requires an employee must work with individuals in the program within 120 days or re-training or termination is required.

## **6.4 Volunteer Policy**

Each MCGH volunteer will pass a Background Screening (Netstudy 2.0) so that none of the characteristics exist as stated in MN rule 9543.3070 Subps. 1, 2 and 3 before they begin working with individuals served. (See ADM for a list of disqualifying factors.) If the volunteer will be driving a MCGH vehicle or transporting an individual served in their vehicle they will also be required to pass a Motor Vehicle Report. This applies to volunteers who are not directly supervised (within sight or hearing of others who have received Netstudy 2.0) and who provide direct contact service that a staff person would otherwise have to provide and it is part of their treatment or care plan. An example of a volunteer requiring Netstudy 2.0 is an unsupervised hospice volunteer.

Each volunteer will be interviewed, have 3 positive references, clear all screenings, receive training and orientation from the ADM or Resident Program Supervisor (RPS) and the DCC is necessary to accomplish the tasks assigned by MCGH before providing direct services to persons. If a retiring employee wished to become a volunteer and has all the above completed at the home which they will be a volunteering the above requirements will be waived.

Orientation will consist of the ADM completing VA/MOM training in MN Statutes, Section 245A.65, the reporting requirement in MN Statutes, Section 626.557, the definitions in MN Statutes, section 626.5572 and all internal policies and procedures related to the prevention and reporting of maltreatment of the individuals receiving services from MCGH. This training will be reviewed with the unsupervised volunteers in November of each year.

Orientation will consist of the RPS identifying in writing the training and supervision necessary for a volunteer to accomplish assigned tasks. The RPS will then ensure that the volunteer receives the training and supervision needed to accomplish those tasks and document it. This documentation along with application, screenings, and reference checks will be kept in a file with the employee files at MCGH administrative office.

An addendum to the CSSP will be added by to RPS for each individual served who receives service from a MCGH volunteer who is not a caregiver.

## **6.5 Internet Usage**

MCGH may provide employees with Internet access to help them do their jobs; to report time and attendance or for online training. This policy explains our guidelines for using the Internet responsibly and productively. We limit Internet usage to job-related activities only and do not permit personal use.

All Internet data that is composed, transmitted, or received via our computer systems is considered to be part of our official records. This means that it is subject to disclosure to law enforcement or other third parties. Therefore, you should always make sure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology that you use to access the Internet are always the property of MCGH. Therefore, MCGH reserves the right to monitor Internet traffic. We also reserve the right to retrieve and read any data that is composed, sent, or received through our online connections or is stored in our computer systems.

We do not allow data that is composed, transmitted, accessed, or received via the Internet to contain 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 or political beliefs, national origin, disability, sexual orientation, or any

other characteristic protected by law.

MCGH does not allow the unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet. 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. You are also responsible for ensuring that a person sending material over the Internet has the appropriate distribution rights.

To protect against computer viruses, you may not download any file from the Internet without prior authorization from the ADM.

Employees whose Internet usage violates laws or MCGH policies are subject to disciplinary action, up to and including termination. Employees may also be held personally liable for any violations of this policy.

The following are examples of some actions and activities that are prohibited and which could result in disciplinary action:

- Sending or posting discriminatory, harassing, or threatening messages or images
- 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 confidential material, trade secrets, or proprietary information outside of the organization.
- Violating copyright law
- Sending or posting messages or material that could damage the organization's image or reputation
- Participating in the viewing or exchange of pornography or obscene materials
- Sending or posting messages that defame or slander other individuals
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- Using the Internet for political causes or activities, religious activities, or any sort of gambling
- Jeopardizing the security of the organization's electronic communications systems
- Passing off personal views as representing those of the organization
- Sending anonymous email messages
- Engaging in any other illegal activities

## **6.6 Certification, Licensing and Other Requirements**

You will be informed by your supervisor if there are any licensing, certification or testing requirements for your job. Failure to qualify or to maintain a certification or license may be sufficient cause for termination.

## **6.7 Authorization for Use of Personal Vehicle**

All employees required to operate a motor vehicle as part of their employment duties must maintain a valid driver's license, acceptable driving record, and appropriate insurance coverage. Marshall County Group Homes Incorporated may run a motor vehicle department check to determine your driving record. It is your responsibility to provide a copy of your current driver's license and insurance coverage for your personnel file. Any changes in your driving record, including, but not limited to, driving infractions or changes to your insurance policy, must be reported to the Corporation.

If you use your personal vehicle in the course and scope of employment, you may not operate such vehicle while:

1. Under the influence of drugs, alcohol, or any other substance that might impair your judgment or ability to drive; or
2. Texting, emailing, or otherwise using a cell phone or other handheld device without utilizing a hands-free device.
3. Company vehicles must be used when transporting an individual served for any reason.

## **6.8 Bulletin Boards**

Marshall County Group Homes Incorporated maintains an official bulletin board located at each facility location for providing employees with official Corporation notices, including wage and hour laws, changes in policies, and other employment-related notices. At times the Corporation may also post information of general interest to employees on the bulletin board. You are responsible for being informed about this material by periodically reviewing the bulletin board. Only authorized personnel may add and remove notices from the bulletin board.

## **6.9 Driving Record**

All employees required to operate a motor vehicle as part of their employment duties at Marshall County Group Homes Incorporated must maintain a valid driver's license and acceptable driving record. The Corporation may run a motor vehicle department check to determine your driving record. It is your responsibility to provide a copy of your current driver's license for your personnel file. Any changes in your driving record, including but not limited to driving infractions, must be reported to the Corporation.

State law requires all motorists to carry auto liability insurance. It is against the law to drive without insurance. If you use your own vehicle as a part of your employment duties, you must provide management with a current proof of insurance statement or card. New proof of insurance is required every time your policy expires and renews.

## **6.10 Employer-Provided Cell Phones/Mobile Devices**

Marshall County Group Homes Incorporated may issue certain employees a Corporation cell phone/mobile device for work-related communications and/or operations. If you drive a vehicle during your employment, you may not use any cell phone/mobile device or other communication device while driving unless the device is equipped or configured with a "hands-free" listening/speaking option, and you in fact utilize the hands-free device.

The Corporation owns and remains entitled to all cell phone/mobile devices issued to employees, including all passwords controlling access to them. You may not change those passwords except with permission. At the time of employment termination, all such equipment and passwords must be returned to the Corporation in operable condition.

Violation of this policy may result in discipline, up to and including termination of employment.

## **6.11 GPS Monitoring of Employer Vehicles**

Marshall County Group Homes Incorporated desires to strike the appropriate balance between today's technologies, your desire for privacy, and our interests in protecting Corporation vehicles, equipment, and drivers. Due to safety, efficiency, and other business purposes, the Corporation has the ability to use GPS technology to monitor the whereabouts of our vehicles at all times.

Questions concerning vehicle monitoring should be directed to the ADM. Questions concerning the proper use of any vehicles should be directed to your RPS and/or ADM/OM.

Any employees who abuses the privilege of driving company vehicles will be subject to corrective action, up to and including termination of employment. If necessary, the Corporation will also advise law enforcement officials of any illegal conduct.

## **6.12 Nonsolicitation/Nondistribution Policy**

To avoid disruption of business operations or disturbance of employees, visitors, and others, Marshall County Group Homes Incorporated has implemented a Nonsolicitation/Nondistribution Policy. For purposes of this policy, "solicitation" includes, but is not limited to, selling items or services, requesting contributions,

and soliciting or seeking to obtain membership in or support for any organization. Solicitation performed through verbal, written, or electronic means is covered by the Nonsolicitation/Nondistribution Policy.

You are prohibited from soliciting other employees during your assigned working time. For this purpose, working time means time during which either you or the employees who are the object of the solicitation are expected to be actively engaged with assigned work. You may conduct solicitations during your lunch period, coffee breaks, or other authorized nonworking time, so long as you do so when the other employees are also on nonworking time.

To avoid inappropriate litter, clutter, and safety risks, you may not distribute literature or other items that are not work related in working areas at any time. Working areas do not include break/rest areas, lunch rooms, or parking lots. Electronic distribution of materials is prohibited during work time. Literature that violates the company's equal employment opportunity (EEO) and nonharassment policies (including threats of violence), or is knowingly and recklessly false, is never permitted. Non-employees are not permitted to distribute materials on company premises at any time.

This policy is not intended to restrict the statutory rights of employees, including the right to discuss terms and conditions of employment.

Violations of this policy should be reported to RPS.

### **6.13 Off-Duty Use of Employer Property or Premises**

You may not use Marshall County Group Homes Incorporated property for personal use during working time. You are responsible for returning Corporation property in good condition and repairing or replacing any property damaged as the result of personal use or as the result of negligence. This includes use of copy machines, computers, Corporation products, or office supplies for personal use without prior authorization.

It is Corporation policy to control off duty and nonworking hour use of Corporation facilities either for business or personal reasons. You are prohibited from using Corporation facilities during off duty or nonworking hours without the written consent of your RPS. If you use Corporation facilities during your off-duty hours or Corporation off-hours, you may be required to sign a log-in and log-out sheet maintained by the Corporation or building manager.

### **6.14 Personal Appearance**

Your personal appearance reflects on the reputation, integrity, and public image of Marshall County Group Homes Incorporated. All employees are required to report to work neatly groomed and dressed. You are expected to maintain personal hygiene habits that are generally accepted in the community, including clean clothing, good grooming and personal hygiene, and appropriate attire for the workplace and the work being performed. This may include wearing uniforms or protective safety clothing and equipment, depending upon the job. Use common sense and good judgment in determining what to wear to work.

Fragrant products, including but not limited to perfumes, colognes, and scented body lotions or hair products, should be used in moderation out of concern for others with sensitivities or allergies.

The Corporation, in accordance with applicable law, will reasonably accommodate employees with disabilities or religious beliefs that make it difficult for them to comply fully with the personal appearance policy unless doing so would impose an undue hardship on the Corporation. Contact your RPS to request a reasonable accommodation.

Failure to comply with the personal appearance standards may result in being sent home to groom or change clothes. Frequent violations may result in disciplinary action, up to and including termination of employment.

## **6.15 Personal Cell Phone/Mobile Device Use**

Personal Cell Phone use:

Occasional, brief personal use of your cell phone is permitted within reasonable limits while at work. You should be aware that extended use of your personal phone during work time is not allowable and may be reported to your supervisor or RPS.

Headset/Hands-Free Use

The use of headsets or hands-free devices while driving is permissible IF:

- No individuals served are being transported in the vehicle
- Device is pre-approved by MCGH for use
- Use of the device does not cause distraction (for example, fiddling with the device or taking eyes off the road to get it to function properly)
- Any dialing or use of the handset is handled while stopped or pulled to the side of the road
- Conversations do not interfere with the driver's ability to drive safely
- Road conditions are generally good and do not threaten your safety

Emergency Calls

- The only exception to the cellphone use guideline is calls placed to 911. If placing or accepting an emergency call, it should be kept short, with a hands-free option if available. The vehicle should be pulled over if possible.

GPS Systems

MCGH understands that sometimes, especially when traveling in unfamiliar areas, drivers require assistance with directions. GPS systems are extremely helpful devices, but they can also be distracting if used improperly. Employees must adhere to the following:

- Mounted GPS systems may not block or obstruct the driver's view in any way.
- GPS systems must be voice-narrated and must not require that the driver look away from the road to follow instructions.
- Employees may not program the system while in motion.
- Programming or otherwise engaging with the GPS screen may only occur while stopped or while pulled off the road.

## **6.16 Personal Data Changes**

To aid you and/or your family in matters of personal emergency, we need to maintain up to date information.

Changes in name, address, telephone number, marital status, number of dependents or changes in next of kin and/or beneficiaries, change in bank account should be given to the OM promptly.

## **6.17 Security**

All employees are responsible for helping to make Marshall County Group Homes Incorporated a secure work environment. Upon leaving work, lock all desks, lockers, and doors protecting valuable or sensitive material in your work area and report any lost or stolen keys, passes, or similar devices to the management team immediately. Refrain from discussing specifics regarding Corporation security systems, alarms, passwords, etc. with those outside of the Corporation.

Immediately advise management of any known or potential security risks and/or suspicious conduct of employees, customers, or guests of the Corporation. Safety and security is the responsibility of all employees and we rely on you to help us keep our premises secure.



## 6.18 Social Media

At Marshall County Group Homes Incorporated, we recognize the Internet provides unique opportunities to participate in interactive discussions and share information using a wide variety of social media. However, use of social media also presents certain risks and carries with it certain responsibilities. To minimize risks to the Corporation, you are expected to follow our guidelines for appropriate use of social media.

This policy applies to all employees who work for the Corporation.

### Guidelines

For purposes of this policy, **social media** includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether associated or affiliated with the Corporation, as well as any other form of electronic communication.

Corporation principles, guidelines, and policies apply to online activities just as they apply to other areas of work. Ultimately, you are solely responsible for what you communicate in social media. You may be personally responsible for any litigation that may arise should you make unlawful defamatory, slanderous, or libelous statements against any customer, manager, owner, or employees of the Corporation.

### Know and Follow the Rules

Ensure your postings are consistent with these guidelines. Postings that include unlawful discriminatory remarks, harassment, and threats of violence or other unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

### Be Respectful

The Corporation cannot force or mandate respectful and courteous activity by employees on social media during nonworking time. If you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as unlawful, slanderous, threatening, or that might constitute unlawful harassment. Examples of such conduct might include defamatory or slanderous posts meant to harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, age, national origin, religion, veteran status, or any other status or class protected by law or Corporation policy. Your personal posts and social media activity should not reflect upon or refer to the Corporation.

### Maintain Accuracy and Confidentiality

When posting information:

- Maintain the confidentiality of individuals served data, trade secrets, intellectual property, and confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.) related to the Corporation.
- Do not create a link from your personal blog, website, or other social networking site to a Corporation website that identifies you as speaking on behalf of the Corporation.
- Never represent yourself as a spokesperson for the Corporation. If the Corporation is a subject of the content you are creating, do not represent yourself as speaking on behalf of the Corporation. Make it clear in your social media activity that you are speaking on your own behalf.
- Respect copyright, trademark, third-party rights, and similar laws and use such protected information in compliance with applicable legal standards.

### Using Social Media at Work

Do not use social media while on your work time, unless it is work related as authorized by your RPS or consistent with policies that cover equipment owned by the Corporation.

### Media Contacts

If you are not authorized to speak on behalf of the Corporation, do not speak to the media on behalf of the Corporation. Direct all media inquiries for official Corporation responses to Human Resources.

### Retaliation and Your Rights

Retaliation or any other negative action is prohibited against anyone who, based on a reasonable belief, reports a possible deviation from this policy or cooperates in an investigation. Those who retaliate against others for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Nothing in this policy is designed to interfere with, restrain, or prevent employees from communications regarding wages, hours, or other terms and conditions of employment, or to restrain employees in exercising any other right protected by law. All employees have the right to engage in or refrain from such activities.

## **6.19 Telephone Use**

Marshall County Group Homes Incorporated phones are principally for work-related communications. Unless there is an emergency, limit long distance telephone calls to business purposes only. Limit personal use of Corporation telephones to brief communications during rest periods where possible. Casual conversation with friends and relatives during working hours is strongly discouraged. Telephone use is subject to the Use of Company Technology Policy.

## **6.20 Third Party Disclosures**

From time to time, Marshall County Group Homes Incorporated may become involved in news stories or potential or actual legal proceedings of various kinds. When that happens, lawyers, former employees, newspapers, law enforcement agencies, and other outside persons may contact our employees to obtain information about the incident or the actual or potential lawsuit.

If you receive such a contact, you should not speak on behalf of the Corporation and should refer any call requesting the position of the Corporation to the ADM. If you have any questions about this policy or are not certain what to do when such a contact is made, contact the ADM.

## **6.21 Use of Company Technology**

This policy is intended to provide Marshall County Group Homes Incorporated employees with the guidelines associated with the use of the Corporation information technology (IT) resources and communications systems.

This policy governs the use of all IT resources and communications systems owned by or available at the Corporation, and all use of such resources and systems when accessed using your own devices, including but not limited to:

- Email systems and accounts.
- Internet access.
- Telephones and voicemail systems, including wired and mobile phones, and smartphones.
- Printers, photocopiers, and scanners.
- Fax machines, e-fax systems, and modems.
- All other associated computer, network, and communications systems, hardware, peripherals, and software, and other devices.
- Closed-circuit television (CCTV) and all other physical security systems and devices.

### General Provisions

Corporation IT resources and communications systems are to be used for business purposes only unless otherwise permitted under applicable law.

All content maintained in Corporation IT resources and communications systems are the property of the Corporation. Therefore, employees should have no expectation of privacy in any message, file, data, document, facsimile, telephone conversation, social media post, conversation, or any other kind or form of information or communication transmitted to, received, or printed from, or stored or recorded on Corporation electronic information and communications systems.

The Corporation reserves the right to monitor, intercept, and/or review all data transmitted, received, or downloaded over Corporation IT resources and communications systems in accordance with applicable law. Any individual who is given access to the system is hereby given notice that the Corporation will exercise this right periodically, without prior notice and without prior consent. The interests of the Corporation in monitoring and intercepting data include, but are not limited to: protection of Corporation trade secrets, proprietary information, and similar confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.); managing the use of the computer system; and/or assisting employees in the management of electronic data during periods of absence.

You should not interpret the use of password protection as creating a right or expectation of privacy, nor should you have a right or expectation of privacy regarding the receipt, transmission, or storage of data on Corporation IT resources and communications systems.

Do not use Corporation IT resources and communications systems for any matter that you would like to be kept private or confidential.

### Violations

If you violate this policy, you will be subject to corrective action, up to and including termination of employment. If necessary, the Corporation will also advise law enforcement officials of any illegal conduct.

## **6.22 Use of Employer Vehicles**

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

You should notify your supervisor if any vehicle appears to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or other people. Your supervisor can answer any questions about your responsibility for maintenance and care of vehicles you use on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action, up to and including termination.

Distracted Driving:

MCGH is committed to employee safety, and for this reason firmly prohibits all behavior that distracts employees while they are operating a company vehicle. General guidelines for behavior while driving are as follows.

- Use of cellphones while driving is strictly prohibited—this includes all functions of the cellphone including, but not limited to, phone calls, text messaging/SMS, email, MMS, Internet use and camera use.
- Use of electronic devices—including laptops, PDAs, cameras and pagers—while driving is strictly prohibited.
- Voicemail must handle all calls while driving, and calls may only be returned when stopped or pulled off the road.
- Passengers making or taking calls for the driver is permissible provided the interaction does not affect the driver's performance.
- Regular callers must be informed that you will not be available while driving and should be notified of the best times to call based on your driving schedule.

- Employees who receive calls from co-workers who are driving are obligated to ask that the co-worker call back at a more appropriate time.

## 6.23 Workplace Privacy and Right to Inspect

Marshall County Group Homes Incorporated property, including but not limited to lockers, phones, computers, tablets, desks, work place areas, vehicles, or machinery, remains under the control of the Corporation and is subject to inspection at any time, without notice to any employees, and without their presence.

You should have no expectation of privacy in any of these areas. We assume no responsibility for the loss of, or damage to, your property maintained on Corporation premises including that kept in lockers and desks.

## 7.0 Benefits

### 7.1 Family and Medical Leave (FMLA)

In accordance with the Family and Medical Leave Act of 1993 (FMLA), Marshall County Group Homes Incorporated provides up to 12 or 26 weeks of unpaid, job-protected leave in a 12-month period to covered employees in certain circumstances.

#### Eligibility

To qualify for FMLA leave, you must:

1. Have worked for the Corporation for at least 12 months, although it need not be consecutive;
2. Worked at least 1,250 hours in the last 12 months; and
3. Be employed at a worksite that has 50 or more employees within 75 miles.

#### Leave Entitlement

You may take up to 12 weeks of unpaid FMLA leave in a 12-month period for any of the following reasons:

- The birth of a child and in order to care for that child (leave must be completed within one year of the child's birth);
- The placement of a child with you for adoption or foster care and in order to care for the newly placed child (leave must be completed within one year of the child's placement);
- To care for a spouse, child, or parent with a serious health condition;
- To care for your own serious health condition, which makes you unable to perform any of the essential functions of your position; or
- A qualifying exigency of a spouse, child, or parent who is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty).

The 12-month period begins on the first day of FMLA and is 12 consecutive months.

You may take up to 26 weeks of unpaid FMLA leave in a single 12-month period, beginning on the first day that you take FMLA leave to care for a spouse, child, or next of kin who is a covered service member and who has a serious injury or illness related to active duty service.

As used in the policy:

- **Spouse** means a husband or wife as recognized under state law for the purposes of marriage in the state or other territory or country where the marriage took place.
- **Child** means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18 or age 18 or older and incapable of self-care because of a mental or physical disability at the time FMLA leave is to commence. A child for the purposes of military exigency or military care leave can be of any age.

- **Parent** means a biological, adoptive, step, or foster parent or any other individual who stood in loco parentis to you when you were a child.
- **Next of kin** for the purposes of military care leave is a blood relative other than a spouse, parent, or child in the following order: brothers and sisters, grandparents, aunts and uncles, and first cousins. If a military service member designates in writing another blood relative as his or her caregiver, that individual will be the only next of kin. In appropriate circumstances, you may be required to provide documentation of next of kin status.
- **Serious health condition** means an illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider. Ordinarily, unless complications arise, cosmetic treatments and minor conditions such as the cold, flu, ear aches, upset stomach, minor ulcers, headaches (other than migraines), and routine dental problems are examples of conditions that are not serious health conditions under this policy. If you have any questions about the types of conditions that may qualify, contact Human Resources.
- **Health care provider** means a medical doctor or doctor of osteopathy, physician assistant, podiatrist, dentist, clinical psychologist, optometrist, nurse practitioner, nurse-midwife, clinical social worker, or Christian Science practitioner licensed by the First Church of Christ. Under limited circumstances, a chiropractor or other provider recognized by our group health plan for the purposes of certifying a claim for benefits may also be considered a health care provider.
- **Qualifying exigencies** for military exigency leave include:
  - o Short-notice call-ups/deployments of seven days or less (**Note:** Leave for this exigency is available for up to seven days beginning the date of call-up notice);
  - o Attending official ceremonies, programs, or military events;
  - o Special child care needs created by a military call-up including making alternative child care arrangements, handling urgent and nonroutine child care situations, arranging for school transfers, or attending school or daycare meetings;
  - o Making financial and legal arrangements;
  - o Attending counseling sessions for yourself, the military service member, or the military service members' son or daughter who is under 18 years of age or is 18 or older but incapable of self-care because of a mental or physical disability;
  - o Rest and recuperation (**Note:** Fifteen days of leave is available for this exigency per event);
  - o Post-deployment activities such as arrival ceremonies, re-integration briefings, and other official ceremonies sponsored by the military (**Note:** Leave for these events are available for 90 days following the termination of active duty status). This type of leave may also be taken to address circumstances arising from the death of a covered military member while on active duty;
  - o Parental care when the military family member is needed to care for a parent who is incapable of self-care (such as arranging for alternative care or transfer to a care facility); and
  - o Other exigencies that arise that are agreed to by both the Corporation and you.
- A **serious injury/illness** incurred by a service member in the line of active duty or that is exacerbated by active duty is any injury or illness that renders the service member unfit to perform the duties of his or her office, grade, rank, or rating.

### Notice and Leave Request Process

If the need for leave is foreseeable because of an expected birth/adoption or planned medical treatment, you must give at least 30 days' notice. If 30 days' notice is not possible, give notice as soon as practicable (within one or two business days of learning of your need for leave). Failure to provide appropriate notice may result in the delay or denial of leave.

In addition, if you are seeking intermittent or reduced schedule leave that is foreseeable due to planned medical treatment or a series of treatments for yourself, a family member, or covered service member, you must consult with the Corporation first regarding the dates of this treatment to work out a schedule that best suits your needs or the needs of the covered military member, if applicable, and the Corporation.

If the need for leave is unforeseeable, provide notice as soon as possible. Normal call-in procedures apply to all absences from work, including those for which leave under this policy may be requested. Failure to provide appropriate notice may result in the delay or denial of leave.

Please contact the ADM to request leave forms.

### Certification of Need for Leave

If you are requesting leave because of your own or a covered relative's serious health condition, you and the relevant health care provider must supply appropriate medical certification. You may obtain Medical Certification forms from the ADM at the office. When you request leave, the Corporation will notify you of the requirement for medical certification and when it is due (at least 15 days after you request leave). If you provide at least 30 days' notice of medical leave, you should also provide the medical certification before leave begins. Failure to provide requested medical certification in a timely manner may result in denial of FMLA-covered leave until it is provided.

At our expense, the Corporation may require an examination by a second health care provider designated by us. If the second health care provider's opinion conflicts with the original medical certification, we, at our expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. Subsequent medical recertification may also be required. Failure to provide requested certification within 15 days, when practicable, may result in delay of further leave until it is provided.

The Corporation also reserves the right to require certification from a covered military member's health care provider if you are requesting military caregiver leave and certification in connection with military exigency leave.

### Call-In Procedures

In all instances of absence, the call-in procedures and standards established for giving notice of absence from work must be followed.

### Leave Increments

### Intermittent Leave

If medically necessary, FMLA leave for a serious health condition may be taken intermittently (in separate blocks of time due to a serious health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday). FMLA leave may also be taken intermittently or on a reduced leave schedule for a qualifying exigency relating to covered military service.

As FMLA leave is unpaid, the Corporation will reduce your salary based on the amount of time actually worked. In addition, while you are on an intermittent or reduced schedule leave that is foreseeable due to planned medical treatments, the Corporation may temporarily transfer you to an available alternative position that better accommodates your leave schedule and has equivalent pay and benefits.

### Parental Leave

Leave for the birth or placement of a child must be taken in a single block and cannot be taken on an intermittent or reduced schedule basis. Parental leave must be completed within 12 months of the birth or placement of the child; however, you may use parental leave before the placement of an adopted or foster child to consult with attorneys, appear in court, attend counseling sessions, etc.

### Family Care, Personal Medical, Military Exigency, and Military Care Leave

Leave taken for these reasons may be taken in a block or blocks of time. In addition, if a health care provider deems it necessary or if the nature of a qualifying exigency requires, leave for these reasons can be taken on an intermittent or reduced-schedule basis.

### Paid Leave Utilization During FMLA Leave

FMLA leave is unpaid. If you are taking parental, family care, military exigency, and/or military care leave, you must utilize available vacation/PTO, personal days, and/or family illness days during this leave. If you are taking personal medical leave, you must utilize available sick, personal, and vacation/PTO days during

this leave. If you are receiving short- or long-term disability or workers' compensation benefits during a personal medical leave, you will not be required to utilize these benefits. However, you may elect to utilize accrued benefits to supplement these benefits.

#### *Fitness for Duty Requirements*

If you take leave because of your own serious health condition (except if you are taking intermittent leave), you are required, as are all employees returning from other types of medical leave, to provide medical certification that you are fit to resume work. You will not be permitted to resume work until it is provided.

#### *Health Insurance*

Your health insurance coverage will be maintained by the Corporation during leave on the same basis as if you were still working. You must continue to make timely payments of your share of the premiums for such coverage. Failure to pay premiums within 30 days of when they are due may result in a lapse of coverage. If this occurs, you will be notified 15 days before the date coverage will lapse that coverage will terminate unless payments are promptly made.

Alternatively, at our option, the Corporation may pay your share of the premiums during the leave and recover the costs of this insurance upon your return to work. Coverage that lapses due to nonpayment of premiums will be reinstated immediately upon return to work without a waiting period. Under most circumstances, if you do not return to work at the end of leave, the Corporation may require reimbursement for the health insurance premiums paid during the leave.

#### *Reinstatement*

Upon returning to work at the end of leave, you will generally be placed in your original job or an equivalent job with equivalent pay and benefits. You will not lose any benefits that accrued before leave was taken.

#### *Spouse Aggregation*

If you and your spouse are both employed by the Corporation, the total number of weeks to which you are both entitled in the aggregate because of the birth or placement of a child or to care for a parent with a serious health condition will be limited to 12 weeks per leave year. Similarly, spouses employed by the Corporation will be limited to a combined total of 26 weeks of leave to care for a military service member. This 26-week leave period will be reduced, however, by the amount of leave taken for other qualifying FMLA events. This type of leave aggregation does not apply to leave needed for your own serious health condition, to care for a spouse or child with a serious health condition, or because of a qualifying exigency.

#### *Failure to Return*

If you fail to return to work or fail to make a request for an extension of leave prior to the expiration of the leave, you will be deemed to have voluntarily terminated your employment. The Corporation is not required to grant requests for open-ended leaves with no reasonable return date under these policies or as disability accommodations.

#### *Alternative Employment*

While on leave of absence, you may not work or be gainfully employed either for yourself or others unless express, written permission to perform such outside work has been granted by the Corporation. If you are on a leave of absence and are found to be working elsewhere without permission, you will be subject to disciplinary action up to and including termination.

#### *Interaction with State and Local Laws*

Where state or local family and medical leave laws offer more protections or benefits to employees, the protections or benefits that are more favorable to the employee, as provided by these laws, will apply.

#### *Abuse of Leave*

If you are found to have provided a false reason for a leave, you will be subject to disciplinary action up to and including termination.

### Designation of Leave

If the Corporation becomes aware of any qualifying reason for FMLA leave, the Corporation will designate it as such. An employee may not refuse FMLA designation under this policy.

### Retaliation

The Corporation will not retaliate against employees who request or take leave in accordance with this policy.

## **7.2 Nonexempt Personnel**

If you are classified as nonexempt at the time of your hiring, you will be eligible for minimum wage and overtime pay in accordance with federal, state, and local laws. If you have a question regarding whether you are exempt or nonexempt, contact your RPS for clarification.

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

Marshall County Group Homes Incorporated provides confidential assistance through its employee assistance program (EAP) to all eligible employees. The EAP provides confidential access to professional counseling services for help with personal concerns that may impact job performance. These concerns may include, but are not limited to, health, marital, family, financial, legal, emotional, alcohol abuse, and drug use. The EAP can help assess the problem, offer guidance, and provide a referral to quality care.

Voluntary participation in the EAP will not jeopardize your opportunities for promotion or employment. You can contact the EAP directly. Any information about your contact, participation, or any recommended treatment is confidential and will not be disclosed to the Corporation.

In certain circumstances, you may be referred to the EAP by your RPS due to job performance issues.

**FOR EMPLOYERS WHO PERFORM DRUG OR ALCOHOL TESTING:** If you test positive on an alcohol and/or drug test, you may be referred to the EAP for assessment and rehabilitation recommendations. Your decision to participate in the recommended treatment, successful completion of the program, and additional treatment recommendations will be communicated to the Corporation.

EAP services are available to eligible participants without charge; however, the cost of referrals to treatment or rehabilitation is your responsibility if it is not completely covered by insurance.

EAP services can be initiated by contacting the EAP service provider, NexGenEAP, at: 1-800-960-5371, [www.eniweb.com](http://www.eniweb.com).

## **7.4 Flexible Spending Account (FSA)**

Marshall County Group Homes Incorporated provides Flexible Spending Account (FSA) benefits for eligible employees. FSAs provide tax-free reimbursement to employees for health care and/or dependent care expenses that are not reimbursed by any other insurance or reimbursement program.

A Health Care FSA provides eligible employees the opportunity to pay for medical expenses, on a pretax basis, that are not reimbursed by an insurance plan. Both the amount you contribute and the amount you are reimbursed from your Health Care FSA are income tax free.

A Dependent Care FSA provides eligible employees the opportunity to pay for dependent care expenses for a child, disabled spouse, or dependent parent, on a pretax basis. Both the amount you contribute and the amount you are reimbursed from your Dependent Care FSA are income tax free.



All regular employees are eligible for the above FSA benefits.

If eligible, you may elect an annual amount to contribute, which will be divided and deducted from your pay each pay period, and may be used to pay for eligible expenses. Annual elections are limited by established plan maximums and are subject to applicable IRS forfeiture and rollover provisions.

Contact the Administrator for a copy of the plan summary and for questions about this benefit.

## **7.5 Vacation**

Marshall County Group Homes Incorporated provides employees with paid vacation.

### Eligibility

Regular (scheduled) full-time employees work 35 – 40 hours each week and are eligible to receive benefits as described in policy at the full rate.

### Deposits Into Your Leave Account

Vacation is calculated according to calendar year.

The amount of vacation received each year is based on your length of service and accrues according to an accrual schedule determined by the Corporation up to a maximum annual grant as shown below:

- Immediately upon hire, you will begin to earn 3.7 hours of vacation each pay period, up to a maximum of ninety-six (96) hours of vacation.
- After three (3) years of employment, you earn 4.62 hours of vacation each pay period, up to a maximum of one hundred twenty (120) hours of vacation.
- After nine (9) years of employment, you earn 5.54 hours of vacation each pay period, up to a maximum of one hundred forty-four (144) hours of vacation.
- After fifteen (15) years of employment, you earn 6.16 hours of vacation each pay period, up to a maximum of one hundred sixty (160) hours of vacation.
- After nineteen (19) years of employment, you earn 6.47 hours of vacation each pay period, up to a maximum of one hundred sixty-eight (168) hours of vacation.
- After twenty-four (24) years of employment, you earn 6.77 hours of vacation each pay period, up to a maximum of one hundred seventy-six (176) hours of vacation.
- After twenty-nine (29) years of employment, and each year thereafter, you earn 7.08 hours of vacation each pay period, up to a maximum of one hundred eighty-four (184) hours of vacation.

### Eligibility

Regular (scheduled) part-time employees receive paid vacation time in proportion to the number of hours they're regularly scheduled to work:

- Regular scheduled 75% employees are hired to work 30 – 34 hours each week and are eligible to receive benefits as described in policy at seventy five percent (75%).
- Regular scheduled 50% employees are hired to work 20 – 29 hours each week and are eligible to receive benefits as described in policy at fifty percent (50%).
- Relief Staff employees – are hired to work irregular hours each week. They are not entitled to receive benefits.

### Leave Usage and Requests for Leave

Corporation encourages you to use your vacation time. You are eligible to begin using vacation upon completion of your 90 day introductory period.

You must request vacation through Paychex Time and Attendance by the 15<sup>th</sup> of the month prior to the request. The Corporation will generally grant requests for vacation when possible, taking business needs into consideration. When multiple employees request the same time off, their length of employment/seniority may determine priority in scheduling vacation times.

You must take vacation in increments of at least 15 minutes.

#### During a Leave of Absence

Corporation may require you to use any unused vacation during disability or family medical leave, or any other leave of absence, where permissible under local, state, and federal law.

You will not accrue vacation during unpaid leaves of absence, or other periods of inactive service, unless vacation accrual is required by applicable federal, state, or local law.

#### Carryover

Unused vacation can be carried over to the following year. 80 hours for full-time employees and 40 hours for part-time employees of unused vacation can be carried over to the following year at the beginning of the new year.

#### Separation of Employment

Should a non-exempt employee decide to resign or retire, they will be paid out any unused vacation time if at least a 10-working day notice is given, and no time off is used during that time.

Exempt employees will be paid out any unused vacation time if at least a 30-day notice is given and no time off is used during that time.

## **7.6 Employee Benefits**

MCGH has developed a comprehensive set of employee benefit programs to supplement our employees' regular wages. Our benefits represent a hidden value of additional income to our employees. It is the responsibility of the ADM, in conjunction with the Personnel Committee of the Board, to annually review the benefits package offered by MCGH and make recommendations concerning any changes necessary.

MCGH reserves the right to modify and/or terminate its benefits at any time. We will keep you informed of any changes.

This Employee Handbook describes the current benefit plans maintained by MCGH. Refer to the actual plan documents and summary plan descriptions if you have specific questions regarding the benefit plan. Those documents are controlling. Your eligibility for each benefit program depends on a variety of factors, including your employee classification. To better understand exactly which benefit programs you are eligible for, talk to the ADM or OM.

MCGH realizes that, for legal and business reasons, it must establish certain standards of eligibility. Employees have the privilege of not participating in any part of the benefits program if they desire. Any such refusal or waiver will not alter the employee's right to reinstate those benefits at a later date, during the next open enrollment or to participate in other MCGH benefits.

The following benefit programs are available to eligible employees, subject to terms and conditions of each program:

- Holiday Benefits
- Vacation Benefits
- Sick Leave Benefits
- Anniversary Benefits
- Jury Duty
- Time off to vote
- Election judge leave
- Political Activity leave
- Military
- Workers Compensation
- Bereavement Leave

- Other retention pay
- Dental Insurance
- Life Insurance
- Retirement Plan

While some of the benefit programs we offer may require you to contribute to the cost, some programs are fully paid by MCGH.

When an employee changes positions within our corporation, all benefit balances, i.e. sick leave, vacation, holidays, etc., would be carried over into the new position, if that is position is a benefited position. If position is a non-benefited position benefits will end per policy.

## **7.7 Section 125 Plans**

MCGH offers a pretax contribution option for employees. This employee benefit is known as a Section 125 plan.

A Section 125 plan is a benefit plan that allows you to make contributions toward premiums for medical insurance, dental insurance, vision care insurance and out-of-pocket medical expenses or dependent care expenses on a "before tax", rather than an "after tax" basis. Your premium contributions and qualified expenses are deducted from your gross pay before income taxes and Social Security is calculated.

To participate in this plan, complete an election form and return it to the ADM or the OM.

You cannot make any changes to your pretax contributions until the next open enrollment period, unless your family status changes or you become eligible for a special enrollment period due to a loss of coverage. Family status changes include 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 is effective the next pay period.

## **7.8 Leave Donation**

Effective 8-1-2008. All employee sick days, vacation, holiday hours are required to be used before being eligible to receive donated hours from another employee.

Effective 4-25-2013. Staff may help employees who face economic hardship due to medical or family emergency that requires an employee's absence from the workplace. For every one-hour of vacation staff donate they can also contribute one hour of sick time. Time must be donated in full one-hour increments. Employees who choose to donate time to another employee must maintain a balance of 120 hours of accumulated time in their leave balance.

## **7.9 Disability Leave**

Full-time, and 75% and 50% part-time regularly scheduled and relief staff employees are eligible for an unpaid disability leave immediately upon hire. Disability leave due to non-occupational illness, injury or pregnancy related disability is not to exceed six (6) weeks.

Granting this leave prior to the completion of the eligibility period and/or beyond the maximum period stated above may be required as a reasonable accommodation in accordance with the Americans with Disabilities Act or due to state law or other requirements.

Employees requesting leave must provide written notice of the disability, including a doctor's certificate stating the nature of the disability and the expected date of return to work. MCGH will not seek genetic information in connection with requests for disability leave. All medical information received by MCGH in connection with a request for leave under this policy will be treated as confidential.

If you qualify for a leave under the federal Family and Medical Leave Act, we will continue to maintain health benefits under the same terms and conditions applicable to employees not on leave during the

FMLA period. Otherwise, to the extent allowed by the insurance contract and applicable laws, we will continue to provide medical insurance and dental insurance coverage for employees on authorized disability leave for the first six (6) weeks of disability. During this time you will be responsible for paying your portion of the monthly premium(s). When the above period expires, you may continue your medical insurance and dental insurance coverage by making arrangements with the ADM or the OM to pay the entire monthly premium in advance each month.

When you are able to return to work, give us at least one (1) week's advance written notice. Include a doctor's certificate stating that you are medically able to return to your normal duties. We reserve the right to require a physical examination by a physician of our own choosing prior to your resumption of duties, as allowed by state law.

If your leave is covered by the federal Family and Medical Leave Act, we will return you to the same or an equivalent position, consistent with our policy. Otherwise, we will return you to the same or similar position you held prior to the disability leave, subject to our staffing and business requirements. Your continued absence from work beyond your disability (as determined by your physician) will be deemed a voluntary termination of your employment.

This leave may run concurrently with the federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

### **7.10 Anniversary Benefits**

A.

All employees of MCGH: When each employee reaches their 5, 10, 15, 20, 25 and 30 etc. year anniversary they will receive \$150.00 anniversary pay on the last payroll of the month of their anniversary.

Additionally, each employee will receive the following anniversary pay at their current rate of pay to be paid on the last payroll of the month of their anniversary: –

8 hour = 5 years,	16 hours = 10 years
24 hours = 15 years	32 hours = 20 years and beyond

B.

MCGH Relief Staff ONLY-- will be eligible for one day of anniversary pay (with a value of 8 hours) paid at the current rate of pay for all years except the 5th year incremental Anniversary Benefit Years (mentioned above in item A). This will be paid on the last payroll of the month of the employee's anniversary month.

\* This special anniversary pay excludes all staff already receiving other vacation/holiday or sick benefits.

The 8-hour value is based on a full year of work in a relief staff position.

If an employee previously held a benefited position and then changes to a relief staff; the original hire date will be used to calculate the prorated amount of anniversary benefit for that year. (Calculation: 8 hours \* Current Rate of pay, divided by 12 months, times the number of months in the Relief staff position). Effective July 1, 2006. The cost of anniversary pay will be divided by the number of facilities that the employee works at the time of their anniversary.

### **7.11 Aflac Insurance**

All employees are eligible to purchase AFLAC insurance which will be paid for by the employee.

## 7.12 401(k) Plan

Eligible employees (as determined by the terms of the plan) may participate in the Marshall County Group Homes Incorporated 401(k) plan. The Corporation provides for employee pre-tax deferral contributions and also provides for employer matching funds of a discretionary match of up to 3% for each dollar you contribute per year. Refer to your Summary Plan Description (SPD) for specifics.

Contact the ADM or the OM to find out if you are eligible to participate in the Corporation 401(k) plan. The Corporation is required to let you know if you are eligible.

This benefit, as well as other benefits, may be canceled or changed at the discretion of the Corporation, unless otherwise required by law.

## 7.13 Bereavement Leave

Marshall County Group Homes Incorporated recognizes the importance of taking leave when there is a death in the family. Where bereavement leave is not required by law, the Corporation will provide bereavement leave as follows:

Full-time employees who have completed 1 year of service are eligible for 5 days of paid bereavement leave for the death of an immediate family member.

For purposes of this policy, **immediate family member** includes the following and applies both to the family of the employee: child (including foster child and stepchild), spouse, domestic partner, parents (including foster parents and stepparents).

Full-time employees who have completed 1 year of service are eligible for 3 days of paid bereavement leave to attend the funeral of parents, parent-in-laws, parents of domestic partners, brothers, sisters, grandchildren, and grandparents.

Part-time employees who have completed 1 year of service are eligible for 1 day of paid bereavement leave for the death of an immediate family member in proportion to the number of hours they are regularly scheduled to work. For example, a 50% part-time employee is eligible for 2 days of paid bereavement leave, a 75% part-time employee is eligible for 3 days of paid bereavement leave.

You may use accrued but unused vacation/sick leave/paid time off if additional time is needed. Additional unpaid time off may be granted at the discretion of the Corporation on a case-by-case basis.

You must provide notice of your need for bereavement leave as far in advance as possible. The Corporation may require documentation supporting your need for bereavement leave.

## 7.14 Dental Insurance

Eligible full-time, 75% and 50% part-time regularly scheduled employees may enroll in an employee only, an employee plus children, an employee plus spouse or a family contract on the first of the month following their date of hire.

Information and enrollment forms may be obtained from the ADM or the OM.

If you elect dependent coverage, you are responsible for paying the difference through payroll deduction.

A handout containing the details of the plan and the eligibility requirements may be obtained from the ADM or the OM.

Refer to the actual plan document and summary plan description if you have specific questions regarding this benefit plan. Those documents are controlling.

At the end of employment you may be entitled to continuation or conversion of the group dental insurance

plan in accordance with the terms of the policy and/or applicable state and federal law. For more information, contact the ADM or the OM.

## 7.15 Exempt Personnel

If you are classified as exempt at the time of your hiring, you are not eligible for overtime pay as otherwise required by federal, state, or local laws. If you have a question regarding whether you are exempt or nonexempt, contact the ADM or the AAS for clarification.

## 7.16 Health Insurance

Eligible full-time and 75% and 50% part-time regularly scheduled employees may enroll in an employee only, an employee plus children, an employee plus spouse, or a family contract on the first of the month following their date of hire. Eligibility may be defined by state law and/or by the insurance contract.

Information and enrollment forms may be obtained from the ADM or the OM.

To assist you with the cost of this insurance, MCGH annually decides what it will pay as a portion of an employee contract. You are responsible for paying the balance of an employee contract and any dependent coverage through payroll deduction.

Participating employees are also covered under our medical insurance plan's prescription drug program.

A booklet containing the details of the plan and eligibility requirements may be obtained from the ADM or the OM.

Refer to the actual plan document and summary plan description if you have specific questions regarding your eligibility for coverage or other aspects of this benefit plan. Those documents are controlling.

At the end of employment you may be entitled to continuation or conversion of the group medical insurance plan in accordance with the terms of the policy and/or applicable state and federal law. For more information, contact the ADM or the OM.

## 7.17 Holidays

Effective January 1, 2022

All benefitted Direct Care Support staff will **no long receive 8 hours of holiday benefit pay** when not working a holiday.

Employees will be paid at a rate of time and on half their regular rate of pay for all hours **worked** on the holiday. With the exception of Christmas, which will be paid at a rate of 2 times their regular rate of pay for all hours worked on Christmas Eve and/or Christmas Day.

MCGH will observe the following holidays for all Direct Care Support Staff:

- New Year's Eve
- New Year's Day
- Easter
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday Following Thanksgiving Day
- Christmas Eve
- Christmas Day

All Direct Care Support employees who work the holidays listed below will be paid time and a half their hourly rate for all hours worked as listed below:

- **6am New Year's Eve Day until 10pm New Year's Day.**

\*6am New Year's Eve-10pm New Year's Eve

*10pm-6am-New Year's Eve Overnight* 6am-10pm-New Year's Day

- **The day of Easter Sunday-6am-10pm**

\*6am-10pm-East Sunday

- **The day of Memorial Day-6am-10pm**

\*6am-10pm-Memorial Day

- **The day of Fourth of July-6am-10pm**

\*6am-10pm-Fourth of July

- **The day of Labor Day-6am-10pm**

\*6am-10pm-Labor Day

- **6am Thanksgiving Day until 10pm the Friday after Thanksgiving**

\*6a-10p-Thanksgiving Day

\*10pm-6am-Thanksgiving overnight

\*6am-10pm-Friday after Thanksgiving

All Direct Care Support employees will be paid at a rate of 2 times their regular rate of pay for all hours worked on Christmas Eve and/or Christmas Day.

#### **6am Christmas Eve Day until 10pm Christmas Day**

\*6a-10p-Christmas Eve

\*10pm-6am-Christmas Eve overnight

\*6am-10pm-Christmas Day

Employees who do not work direct care are exempt from the above benefit.

MCGH will observe the following benefited holidays **for Administration:**

- New Year's Eve
- New Year's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday After Thanksgiving
- Christmas Eve
- Christmas Day

MCGH Administration employees will receive 8 hours of holiday pay for each holiday listed above. MCGH Administration office will be closed on the above holidays.

Non-worked holiday hours will be granted to eligible administration employees at their regular rate of pay.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided to Administration employees instead of the paid time off benefit that would otherwise have applied.

Employees are granted one day off with pay to observe a major holiday in accordance with their faith. MCGH will not discriminate against an employee's choice of religious holiday.

## **7.18 Personal Leave of Absence**

Marshall County Group Homes Incorporated recognizes that you may need time off from work in special circumstances that other leave policies may not address. In such cases, you may request a personal leave of absence.

### Eligibility

Full-time employees employed for at least 1 year of employment are eligible to apply for an unpaid personal leave of absence.

Part-time 75% and 50% employees employed for at least 1 year of employment are eligible to apply for an unpaid personal leave of absence.

Direct Care Support employees employed for at least 1 year of employment are eligible to apply for an unpaid personal leave of absence.

### Requesting Leave

Requests for unpaid personal leave must be submitted to your RPS in writing at least 30 days in advance where practical. In emergency situations, written notice must be provided as soon as possible. The request should include the reason for the leave as well as the dates you expect to begin and end the leave.

Job performance, absenteeism, and departmental requirements will be taken into consideration before a request is approved. Requests for unpaid personal leave may be denied or granted for any reason and are within the sole discretion of the Corporation.

You will be required to use all available paid leave balances prior to taking an unpaid personal leave of absence.

Sick leave, PTO, vacation time, seniority, or other benefits will not accrue during an unpaid personal leave of absence. Holidays that occur during an unpaid personal leave of absence will not be paid.

If you are granted a personal leave of absence, reinstatement to your position or any position is not guaranteed.

Your Corporation-provided benefits will be continued at the same level and under the same conditions as prior to the leave, for up to 90 days as shown in the benefit plan document. You are responsible for payment of your portion of the insurance premium while on personal leave.

If you are on a personal leave of absence that exceeds 90 days, or you fail to pay your premium payment in a timely manner, the Corporation will provide you with information about your rights under COBRA and/or applicable state continuation coverage policies.

### Extension of Leave

You are required to return from unpaid personal leave on the originally scheduled return date. If you are unable to return, you must request an extension of the leave in writing at least 30 days in advance of the return date. Leave extensions will be considered on a case-by-case basis. If the Corporation denies the extension request, you must return to work on the originally scheduled return date or be considered to have voluntarily resigned from your employment.



### Return to Work

In advance of your scheduled return date, your RPS will arrange for you to resume your previous position, if available. However, the Corporation's need to fill a position may override the ability to hold a position open until your return. Therefore, we cannot assure our ability to reinstate you to any position after your leave. The Corporation retains the discretion to determine the similarity of any available positions and your qualifications. If we are unable to reinstate you or you refuse the offer of reinstatement to a different position, your leave status will be changed to a voluntary termination.

### Failure to Return from Leave

If you fail to return to work after an unpaid leave of absence, you will be considered to have resigned your employment.

### Alternative Employment

While on an unpaid leave of absence, you may not work or be gainfully employed either for yourself or others unless express, written permission to perform such outside work has been granted by the Corporation. If you are on a leave of absence and are found to be working elsewhere without permission, you will be subject to disciplinary action up to and including termination.

## **7.19 Life Insurance**

Eligible full-time and part-time regularly scheduled employees working 30 hours or more may enroll in this plan on the first of the month following their date of hire. You must complete an insurance form and designate your beneficiary.

The cost of this insurance is fully paid by MCGH. Participating employees may also be covered under the plan's Accidental Death and Dismemberment rider.

Complete details of this plan may be obtained from the ADM or the OM.

## **7.20 Pension and Profit Sharing Plan**

All regular full-time employees are eligible to participate in the pension plan the first of the month following the month of hire. After a specified period of employment, this plan provides you with a vested interest related to your length of employment. The Corporation contributes on your behalf to the plan with a discretionary match at the end of the year if you are employed on 12/31.

As with your insurance benefits, refer to the Summary Plan Description (SPD) provided by the benefits administrator for specifics or contact ADM or OM for more information.

## **7.21 Regular Full-Time Personnel**

Regular full-time employees are those who have completed their introductory period and are regularly scheduled to work more than 35 hours per week. Unless stated otherwise or specifically permitted by law, all the benefits provided to employees at Marshall County Group Homes Incorporated are for regular schedule full-time employees only. This includes vacation, holiday pay, health insurance, and other benefits coverage.

## **7.22 Regular Part-Time Personnel**

All employees who work fewer than 35 hours per week are considered part time. Either regularly scheduled 30-34 hours (75%) or 20-29 hours (50%) each week. ALL 75% and 50% regular scheduled Part-time employees are eligible for Marshall County Group Homes Incorporated benefits at a prorated amount unless specified otherwise in this handbook, in the benefit plan summaries, or specifically permitted by law.

Additionally, RELIEF STAFF EMPLOYEES are hired to work irregular hours each week and/or on an as-needed basis and are not eligible for MCGH benefit program.

## 7.23 Sick Pay

Sick day benefits are accumulated bi-weekly for each of the 26 pay periods.

Full-time employees regularly scheduled to work 35 – 40 hours each week are eligible for paid sick days each year. Eligible employees earn 3.7 hours for each of 26 pay periods worked during the year, up to a maximum of ninety-six hours.

75% and 50% Part-time regularly scheduled employees receive paid sick days in proportion to the number of hours they normally are scheduled to work as follows:

- Regular scheduled 75% employees working 30 – 34 hours each week are eligible to receive benefits as described in policy at seventy five percent (75%).
- Regular scheduled 50% employees working 20 – 29 hours each week are eligible to receive benefits as described in policy at fifty percent (50%).
- Relief Staff employees – are hired to work irregular hours each week. They are not entitled to receive benefits.

Exempt employees will receive days at the full-time rate and in compliance with state and federal wage and hour laws. See separate Sick Care/Safety Leave policy.

### ACCRUED UNUSED LEAVE:

At the end of employment, employees are not paid for earned but unused sick days.

You can request use of paid sick days once you enter an eligible employment level, you begin to earn paid sick days according to the schedule in this policy. However, before you may use sick days, you must complete an introductory period with a waiting period of 90 calendar days. After the introductory waiting period, you may request to use earned sick days including sick days that accrued during the introductory waiting period.

However, if you do not use your sick days during the year, you can carry them into the following year, up to a maximum of 50 sick days for full-time employees and at the prorated amount for regularly scheduled part-time 75% and 50% employees. If your benefits reach this maximum, further accrual of sick days will be suspended until you have reduced the balance below the limit.

Paid sick days can be used in minimum increments of one-quarter hour. You may use sick days for an absence due to your own illness or injury, or that of your child, spouse, sibling, parent, step parent, parent-in-law, grand child or grandparent limited to 160 hours in any 12-month period. This restriction does not apply to absences due to the illness or injury of a minor child.

All non-exempt employees will use their sick days for hours missed during the work day. If you are unable to report to work due to illness or injury, you should notify your supervisor before the scheduled start of your workday if possible. Your supervisor must also be contacted on each additional day of absence.

If you are absent for three (3) or more consecutive days due to illness or injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Before returning to work from an absence of three (3) calendar days or more, you must provide a physician's verification that you may safely return to work.

Sick days will be calculated based on your base pay rate at the time of the absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. Paid sick days will not be counted as hours worked for the purposes of determining overtime.

Sick days are intended solely to provide income protection in the event of illness or injury and may not be used for any other absence.

## **7.24 Unemployment Compensation Insurance**

Unemployment compensation insurance is paid for by Marshall County Group Homes Incorporated and provides temporary income for employees who have lost their job under certain circumstances. Your eligibility for unemployment compensation will, in part, be determined by the reasons for your separation from the Corporation.

## **7.25 Workers' Compensation Insurance**

Workers' compensation is a no-fault system designed to provide benefits to all employees for work-related injuries. Workers' compensation insurance coverage is paid for by employers and governed by state law. The workers' compensation system provides for coverage of medical treatment and expenses, occupational disability leave, and rehabilitation services, as well as payment for lost wages due to work related injuries. If you are injured on the job while working at Marshall County Group Homes Incorporated, no matter how slightly, you are to report the incident to the ADM or the OM as soon as reasonably possible or within 24 hours. Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize your claim for benefits.

To receive workers' compensation benefits, notify the ADM or the OM immediately of your claim. If your injury is the result of an on-the-job accident, you must fill out an accident report. You will be required to submit a medical release before you can return to work.

## **7.26 COBRA**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides the opportunity for eligible Marshall County Group Homes Incorporated employees and their beneficiaries to continue health insurance coverage under the Corporation health plan when a "qualifying event" could result in the loss of eligibility. Qualifying events include resignation, termination of employment, death of an employee, reduction in hours, a leave of absence, divorce or legal separation, entitlement to Medicare, or where a dependent child no longer meets eligibility requirements.

Contact the ADM or the OM to learn more about your COBRA rights.

## **7.27 Military Leave (USERRA)**

Marshall County Group Homes Incorporated complies with applicable federal and state law regarding military leave and re-employment rights. Unpaid military leave of absence will be granted to members of the uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA; with amendments) and all applicable state law. You must submit documentation of the need for leave to the ADM or the OM. When returning from military leave of absence, you will be reinstated to your previous position or a similar position, in accordance with state and federal law. You must notify the ADM or the OM of your intent to return to employment based on requirements of the law. For more information regarding status, compensation, benefits, and reinstatement upon return from military leave, contact the ADM or the OM.

# **8.0 Safety and Loss Prevention**

## **8.1 Drug/Alcohol Testing**

MCGH is concerned with the health and safety of all its employees, as well as the safety of our individuals served. As a result, ALL EMPLOYEES AND APPLICANTS WILL BE REQUIRED TO PASS A DRUG/ALCOHOL TEST.

Testing will take place under the following circumstances:

1. Pre-employment
2. Upon reasonable suspicion of use or impairment on the job.

### 3. After an accident.

This drug test will require prospective and existing employees, to provide a urine sample for testing at the North Valley Health Center which will be tested for the presence of controlled substances and alcohol. Refusal to submit to drug testing may result in disciplinary action, up to and including termination.

All employees and applicants will review a copy of MCGH Drug and Alcohol Testing Policy. A copy will be provided if requested.

A confirmed positive test result, or the refusal to submit to a test, may disqualify an applicant from further consideration or may result in disqualification, termination or other discipline for existing employees.

Copies of the drug testing policy will be provided to all employees. If you have questions about our drug testing policy or its administration, consult with the ADM.

**A COPY OF THE COMPLETE POLICY IS AVAILABLE FROM THE MARSHALL COUNTY GROUP HOMES, INC. OFFICE ON REQUEST.**

## 8.2 Drug and Alcohol Policy

Marshall County Group Homes Incorporated is committed to providing a safe, healthy, and productive work environment. Consistent with this commitment, it is the intent of the Corporation to maintain a drug and alcohol-free workplace. Being under the influence of alcohol, illegal drugs (as classified under federal, state, or local laws), or other impairing substances while on the job may pose a serious health and safety risk to others, and will not be tolerated.

### Prohibited Conduct

The Corporation expressly prohibits employees from engaging in the following activities when they are on duty or conducting Corporation business or on Corporation premises (whether or not they are working):

- The use, abuse, or being under the influence of alcohol, illegal drugs, or other impairing substances.
- The possession, sale, purchase, transfer, or transit of any illegal or unauthorized drug, including prescription medication that is not prescribed to the individual, or drug-related paraphernalia.
- The illegal use or abuse of prescription drugs.

While the use of marijuana has been legalized under some state laws for medicinal and/or recreational uses, it remains an illegal drug under federal law. The Corporation does not discriminate against employees solely on the basis of their lawful off-duty use of marijuana. You may not consume or be under the influence of marijuana while on duty or at work. If you have a valid prescription for medical marijuana, refer to the Corporation Disability Accommodation policy for additional information.

Nothing in this policy is meant to prohibit your appropriate use of over-the-counter medication or other medication that can legally be prescribed under both federal and state law, if it does not impair your job performance or safety or the safety of others. If you take over-the-counter medication or other medication that can legally be prescribed under both federal and state law to treat a disability, inform your RPS if you believe the medication may impair your job performance, safety, or the safety of others or if you believe you need a reasonable accommodation before reporting to work while under the influence of that medication.

### Employer-Sponsored Events

From time to time, the Corporation may sponsor social or business-related events where alcohol may be served. This policy does not prohibit the use or consumption of alcohol at these events. However, if you choose to consume alcohol at such events, you must do so responsibly and maintain your obligation to conduct yourself properly and professionally at all times.

### Treatment and/or Rehabilitation

The Corporation may assist you in seeking treatment or rehabilitation for drug or alcohol dependency. In such cases, the Corporation may consider your continued employment as long as concerns regarding

safety, health, production, communication, or other work-related matters are adequately addressed. The Corporation may also require you to obtain a medical clearance and agree to random testing and a "one-strike" rule as a condition of continued employment.

### Violations

Violation of this policy may result in disciplinary action, up to and including termination of employment.

## **8.3 General Safety**

MCGH and ADM/RPS shall work closely with all employees through appropriate channels to develop more effective and efficient programs. The MCGH shall use its Staff Meetings, Board Meetings and Management Team Program to exchange safety ideas as often as possible.

A safety meeting is held monthly in conjunction with each program's staff meeting to identify safety issues and resolve them to reduce injuries and accidents in all MCGH programs. These meetings meet the requirement for a Safety Committee Program.

MCGH will comply with applicable OSHA rules and regulations. When assisting individuals served of MCGH to ride bike and mow lawn employees will wear appropriate safety equipment to reduce accidents and injuries.

MCGH will cooperate in reasonable manner with OSHA reviews and inspections. MCGH shall comply with Minnesota Worker's Compensation Laws. MCGH recognizes its duties under various State and Federal Environmental Health Laws and shall try to prevent the development or continuation of harmful environmental conditions.

You are expected to obey all safety rules and use caution in your work activities. You must immediately report any unsafe condition to the appropriate supervisor. If you violate MCGH safety standards, cause a hazardous or dangerous situation, or fail to report or, where appropriate, remedy such situations, you may be subject to disciplinary action, up to and including termination.

## **8.4 Workplace Violence**

As the safety and security of our employees, vendors, contractors, and the general public is in the best interests of Marshall County Group Homes Incorporated, we are committed to working with our employees to provide a work environment free from violence, intimidation, and other disruptive behavior.

### Zero Tolerance Policy

The Corporation has a zero-tolerance policy regarding workplace violence and will not tolerate acts or threats of violence, harassment, intimidation, and other disruptive behavior, either physical or verbal, that occurs in the workplace or other areas. This applies to management, co-workers, employees, and non-employees such as contractors, customers, and visitors.

Workplace violence can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm, damage to property, or any intentional behavior that may cause a person to feel threatened.

### Prohibited Conduct

Prohibited conduct includes, but is not limited to:

- Physically injuring another person.
- Threatening to injure a person or damage property by any means, including verbal, written, direct, indirect, or electronic means.
- Taking any action to place a person in reasonable fear of imminent harm or offensive contact.
- Possessing, brandishing, or using a firearm on Corporation property or while performing Corporation business except as permitted by state law.

- Violating a restraining order, order of protection, injunction against harassment, or other court order.

### Reporting Incidents of Violence

Report to management in accordance with this policy, any behavior that compromises our ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know. You are expected to cooperate in any investigation of workplace violence.

### Violations

Violating this policy may subject you to criminal charges as well as discipline up to and including immediate termination of employment.

### Retaliation

Victims and witnesses of workplace violence will not be retaliated against in any manner. In addition, you will not be subject to discipline for, based on a reasonable belief, reporting a threat or for cooperating in an investigation.

If you initiate, participate, are involved in retaliation, or obstruct an investigation into conduct prohibited by this policy, you will be subject to discipline up to and including termination.

If you believe you have been wrongfully retaliated against, immediately report the matter to the ADM or the OM.

## **9.0 Trade Secrets and Inventions**

### **9.1 Inventions**

Any invention created, in whole or in part, during your work hours, or from the use of equipment or facilities belonging to Marshall County Group Homes Incorporated, is a "work for hire" and is the property of the Corporation.

If you intend to develop and maintain property rights to any invention that relates in any way to products or services of the Corporation, you are required to obtain a written waiver of this policy, signed by both you and ADM.

### **9.2 Confidentiality and Nondisclosure of Trade Secrets**

As a condition of employment, Marshall County Group Homes Incorporated employees are required to protect the confidentiality of Corporation trade secrets, proprietary information, and confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.) related to the Corporation. Access to this information should be limited to a "need to know" basis and should not be used for personal benefit, disclosed, or released without prior authorization from management.

If you have information that leads you to suspect that employees are sharing such information in violation of this policy and/or competitors are obtaining such information, you are required to inform your RPS or Human Resources or appropriate department.

Violation of this policy may result in disciplinary action up to and including termination, and may subject the violator to civil liability.

## **10.0 Customer Relations**

### **10.1 Customer, Client, and Visitor Relations**

Marshall County Group Homes Incorporated strives to provide the best services possible to our individuals served and/or their guardian. Our individuals we serve support this business and generate your wages. You are expected to treat every individual we serve and/or their guardian, or visitor with the utmost respect and courtesy during your working time. You should never argue or act in a disrespectful manner towards a visitor, guardian, or the individuals we serve, during your working time. If you are having problems with individuals we serve, or guardians, or visitors, notify the ADM or the RPS immediately. If individuals we serve, their guardians, or visitors voice a suggestion, complaint, or concern regarding our services, inform the ADM or the RPS. Lastly, make every effort to be prompt in following up on the individuals we serve, or guardians, or visitors orders or questions. Positive relations with individuals we serve, and/or guardians, and visitors will go a long way to establishing our Corporation as a leader in the field.

### **10.2 Products and Services Knowledge**

As a representative of Marshall County Group Homes Incorporated, you are expected to be familiar with the services we offer. Take every opportunity to learn the interrelationship between your homes and the others of the Corporation. We consider our employees to be the best reflection of our business brand and company success.

# Minnesota Policies

## Hiring and Orientation Policies

### Disability Accommodation

Marshall County Group Homes Incorporated complies with the Americans with Disabilities Act (ADA), the Pregnancy Discrimination Act, and all applicable state and local fair employment practices laws, and is committed to providing equal employment opportunities to qualified individuals with disabilities, including disabilities related to pregnancy, childbirth, and related conditions. Consistent with this commitment, the Corporation will provide reasonable accommodation to otherwise qualified individuals where appropriate to allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship on the business.

If you require an accommodation because of your disability, it is your responsibility to notify the ADM or OM.

You may be asked to include relevant information such as:

- A description of the proposed accommodation.
- The reason you need an accommodation.
- How the accommodation will help you perform the essential functions of your job.

After receiving your request, the Corporation will engage in an interactive dialogue with you to determine the precise limitations of your disability and explore potential reasonable accommodations that could overcome those limitations. Where appropriate, we may need your permission to obtain additional information from your medical provider. All medical information received by the Corporation in connection with a request for accommodation will be treated as confidential.

The Corporation encourages you to suggest specific reasonable accommodations that you believe would allow you to perform your job. However, the Corporation is not required to make the specific accommodation requested by you and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the Corporation.

If leave is provided as a reasonable accommodation, such leave may run concurrently with leave under the federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

The Corporation will not discriminate or retaliate against employees for requesting an accommodation.

### EEO Statement and Nonharassment Policy

#### Equal Opportunity Statement

Marshall County Group Homes Incorporated is committed to the principles of equal employment. We are committed to complying with all federal, state, and local laws providing equal employment opportunities, and all other employment laws and regulations. It is our intent to maintain a work environment that is free of harassment, discrimination, or retaliation because of race, color, creed, religion, national origin, ssex, sexual orientation (including transgender status, gender identity or expression), pregnancy (including childbirth, lactation, or related conditions), marital status, disability, public assistance, age, and familial status, genetic information, local commissions activity, veteran status, uniformed servicemember status, or any other status protected by federal, state, or local laws. The Corporation is dedicated to the fulfillment of this policy in regard to all aspects of employment, including but not limited to recruiting, hiring, placement, transfer, training, promotion, rates of pay, and other compensation, termination, and all other terms, conditions, and privileges of employment.



The Corporation will conduct a prompt and thorough investigation of all allegations of discrimination, harassment, or retaliation, or any violation of the Equal Employment Opportunity Policy in a confidential manner. The Corporation will take appropriate corrective action, if and where warranted. The Corporation prohibits retaliation against employees who provide information about, complain about, or assist in the investigation of any complaint of discrimination or violation of the Equal Employment Opportunity Policy.

We are all responsible for upholding this policy. You may discuss questions regarding equal employment opportunity with your RPS or any other designated member of management.

### Policy Against Workplace Harassment

Marshall County Group Homes Incorporated has a strict policy against all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon race, color, creed, religion, national origin, sex, sexual orientation (including transgender status, gender identity or expression), pregnancy (including childbirth, lactation, or related conditions), marital status, disability, public assistance, age, and familial status, genetic information, local commissions activity, veteran status, uniformed servicemember status, or any other status protected by federal, state, or local laws. All forms of harassment of, or by, employees, vendors, visitors, customers, and clients are strictly prohibited and will not be tolerated.

### Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment; (2) submission to, or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

While it is not possible to identify every act that constitutes or may constitute sexual harassment, the following are some examples of sexual harassment:

- Unwelcome requests for sexual favors;
- Lewd or derogatory comments or jokes;
- Comments regarding sexual behavior or the body of another;
- Sexual innuendo and other vocal activity such as catcalls or whistles;
- Obscene letters, notes, emails, invitations, photographs, cartoons, articles, or other written or pictorial materials of a sexual nature;
- Repeated requests for dates after being informed that interest is unwelcome;
- Retaliating against another for refusing a sexual advance or reporting an incident of possible sexual harassment to the Corporation or any government agency;
- Offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties or shifts, etc., in exchange for sexual favors; and
- Any unwanted physical touching or assaults, or blocking or impeding movements.

### Other Harassment

Other workplace harassment is verbal or physical conduct that insults or shows hostility or aversion towards an individual based upon race, color, creed, religion, national origin, sex, sexual orientation (including transgender status, gender identity or expression), pregnancy (including childbirth, lactation, or related conditions), marital status, disability, public assistance, age, and familial status, genetic information, local commissions activity, veteran status, uniformed servicemember status, or any other status protected by federal, state, or local laws.

Again, while it is not possible to list all the circumstances that may constitute other forms of workplace harassment, the following are some examples of conduct that may constitute workplace harassment:

- The use of disparaging or abusive words or phrases, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to the above protected categories;

- Written or graphic material that insults, stereotypes, or shows aversion or hostility towards an individual or group because of one of the above protected categories and that is placed on walls, bulletin boards, email, voicemail, or elsewhere on our premises, or circulated in the workplace; and
- A display of symbols, slogans, or items that are associated with hate or intolerance towards any select group.

### Reporting Discrimination and Harassment

If you feel that you have witnessed or have been subjected to any form of discrimination or harassment, immediately notify the ADM or any member of management.

The Corporation prohibits retaliation against employees who, based on a reasonable belief, provide information about, complain, or assist in the investigation of any complaint of harassment or discrimination.

We will promptly and thoroughly investigate any claim and take appropriate action where we find a claim has merit. To the extent possible, we will retain the confidentiality of those who report suspected or alleged violations of the harassment policy.

Discipline for violation of this policy may include, but is not limited to, reprimand, suspension, demotion, transfer, and discharge. If the Corporation determines that harassment or discrimination occurred, corrective action will be taken to effectively end the harassment. As necessary, the Corporation may monitor any incident of harassment or discrimination to assure the inappropriate behavior has stopped. In all cases, the Corporation will follow up as necessary to ensure that no individual is retaliated against for making a complaint or cooperating with an investigation.

### **Religious Accommodation**

Marshall County Group Homes Incorporated is dedicated to treating its employees equally and with respect and recognizes the diversity of their religious beliefs. All employees may request an accommodation when their religious beliefs cause a deviation from the Corporation dress code or the individual's schedule, basic job duties, or other aspects of employment. The Corporation will consider the request, but reserves the right to offer its own accommodation to the extent permitted by law. Some, but not all, of the factors that will be considered are cost, the effect that an accommodation will have on current established policies, and the burden on operations — including other employees — when determining a reasonable accommodation. At no time will the Corporation question the validity of a person's belief.

Religious accommodation request forms are available from the ADM or OM.

### **Wage and Hour Policies**

#### **Accommodations for Nursing Mothers**

Marshall County Group Homes Incorporated will provide nursing mothers reasonable unpaid break time to express milk for their infant child(ren) for up to one year following the child's birth.

If you are nursing, the Corporation will make reasonable efforts to provide you a private room, other than a restroom, to express milk. The room will be in close proximity to the work area, shielded from view and free from intrusion from co-workers and the public, clearly designated and either have a lock or a sign on the door to indicate when the room is in use, and will have access to an electrical outlet.

Expressed milk can be stored in company refrigerators or in a personal cooler. Sufficiently mark or label your milk to avoid confusion for other employees who may share the refrigerator.

The break time must, if possible, run concurrently with any break time already provided. You are encouraged to discuss the length and frequency of these breaks with your RPS.

This policy applies only to employees classified as nonexempt under the Fair Labor Standards Act.

## **Meal and Rest Periods**

Due to the nature of our work all employees are provided with meals during the workday at the home. Employees shall eat all meals with individuals served. Employees will be paid at their regular rate during all meal breaks as individuals served must be supervised at all times or per their IAPP.

Employees will receive one 15-minute paid break for every four hours worked. However, due to the nature of our work supervision of the individuals served must be provided per the CSSP for each individual served. Staff should provide their own snacks and beverages for break time.

## **Overtime**

There may be times when you will need to work overtime so that we may meet the needs of our individuals served. Although you will be given advance notice when feasible, this is not always possible. All overtime must be approved by the ADM/RPS. If an employee is continually in overtime without proper approval disciplinary action will be taken including suspension and up to termination.

Non-exempt employees will be paid at a rate of time and one half their regular rate of pay for hours worked in excess of 40 hours in a workweek, unless state law provides a greater benefit in which case, we will comply with the state law.

Only actual hours worked count toward computing weekly overtime.

Vacation, Sick, Holiday paid-time off and on-call (non-working) does not count towards overtime.

If an employee works a 24-hour shift within 1 or more facilities there is an 8-hour disregard for sleep time. The employee must sleep at least 5-hours to be eligible for this 8-hour disregard. If the 5-hour sleep period is interrupted by a call to duty the interruption must be counted as awake hours worked. Designated sleep time is 11p.m-7a.m. There is a designated sleep place in each facility.

If you have any questions concerning overtime pay, check with the ADM or OM.

## **Pay Period**

At Marshall County Group Homes Incorporated, the standard pay period is biweekly for all employees. Pay dates are on Fridays. If a pay period falls on a holiday, you will be paid on the preceding workday. Special provisions may be required from time to time if holidays fall on pay dates. Check with the OM if this type of date arises.

Review your paycheck for accuracy. If you find an issue, report it to the OM immediately. The OM will assist you in taking the steps necessary to correct the error.

Exceptions will be made for emergencies. All MCGH checks will be considered invalid after a period of 90 days.

There is a payday schedule posted at all locations.

## **Wage Disclosure Protection**

Notice to employees — Under the Minnesota Wage Disclosure Protection law, you have the right to tell any person the amount of your own wages. Your employer cannot retaliate against you for disclosing your own wages or discussing another employee's wages which have been disclosed voluntarily. Your remedies under the Wage Disclosure Protection law are to bring a civil action against your employer and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or (800) 342-5354.

# Performance, Discipline, Layoff, and Termination

## Disciplinary Process

Violation of Marshall County Group Homes Incorporated policies or procedures may result in disciplinary action including demotion, transfer, leave without pay, or termination of employment. The Corporation encourages a system of progressive discipline depending on the type of prohibited conduct. However, the Corporation is not required to engage in progressive discipline and may discipline or terminate employees who violate the rules of conduct, or where the quality or value of their work fails to meet expectations at any time. Again, any attempt at progressive discipline does not imply that your employment is anything other than on an "at-will" basis.

In appropriate circumstances, management will first provide you with a verbal warning, then with one or more written warnings, and if the conduct is not sufficiently altered, eventual demotion, transfer, forced leave, or termination of employment. Your direct supervisor, the RPS or the ADM will make every effort possible to allow you to respond to any disciplinary action taken. Understand that while the Corporation is concerned with consistent enforcement of our policies, we are not obligated to follow any disciplinary or grievance procedure and that depending on the circumstances, you may be disciplined or terminated without any prior warning or procedure.

## General Policies

### Access to Personnel and Medical Records Files

Marshall County Group Homes Incorporated maintains separate medical records files and personnel files for all employees. Files containing medical records are stored separate and apart from any business-related records in a safe, locked, inaccessible location. The medical file is the repository for sensitive and confidential information related to an individual's health, health benefits, health-related leave and/or accommodations, and benefits selections and coverage. Medical records are kept confidential in compliance with applicable laws and access is on a "need-to-know" basis only.

Supervisors and others in management may have access to your personnel file for possible employment-related decisions. If you wish to review your personnel or medical records file, you must give the Corporation reasonable notice. Inspection must occur in the presence of a Corporation representative.

All requests by an outside party for information contained in your personnel file will be directed to the ADM or OM, as they are the only individuals authorized to give out such information.

## Benefits

### Leave for Victims of Harassment or Domestic Violence

Marshall County Group Homes Incorporated will provide employees who are victims of harassment or domestic abuse, or whose family or household member is the victim of domestic abuse, with reasonable time off for certain qualifying reasons.

#### Eligibility

All employees are eligible for this leave.

#### Leave Usage

Leave may be taken for the following reasons:

- In the case of harassment, to obtain a restraining order against the harasser; or

- In the case of domestic abuse, to obtain an order of protection for yourself or your family or household member.

***Family or household member*** means your spouse or former spouse, your parents and children, a person related to you by blood, a person who currently resides with you or has resided with you in the past, a person with whom you have a child in common, regardless of whether you were married or lived together, or any person with whom you are involved in a significant romantic or sexual relationship. In addition, this term refers to a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.

#### Notice

Except in the case of imminent danger to your health and safety or that of your family or household member, you must provide at least 48 hours' advance notice of your need for leave. You may be required to provide documentation showing evidence of your need for leave.

#### Compensation

Leave under this policy is unpaid; however, you may substitute any applicable paid leave for all or a portion of your unpaid leave.

#### Confidentiality

Information about your request for leave will be kept confidential, except as required by federal or state law or as necessary to protect your safety in the workplace.

#### Retaliation

The Corporation will not retaliate against employees who request or take leave in accordance with this policy.

### **Bone Marrow Donation Leave**

Marshall County Group Homes Incorporated will provide eligible employees with up to 40 hours of paid leave to undergo medical procedures to donate bone marrow.

#### Eligibility

To be eligible for bone marrow donation leave, you must work at least 20 hours per week.

#### Notice and Documentation

To obtain leave under this policy you must provide reasonable notice of the need for leave and submit verification from a physician detailing the purpose and length of the leave requested. If there is a medical determination that you do not qualify as a donor, the paid leave of absence provided to you prior to that medical determination will not be forfeited.

#### Retaliation

The Corporation will not retaliate against employees who request or take leave in accordance with this policy.

### **Jury Duty Leave**

Employees summoned for jury duty are granted an unpaid leave in order to serve.

You may request unpaid jury duty leave for the length of absence. You may also use any available paid time off, such as vacation time, in order to be compensated for unpaid jury duty leave. No sick time may be used for jury duty leave.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

We reserve the right to request proof of jury service issued by the Court upon return.

Make arrangements with the ADM or the OM as soon as you receive your summons.

When permitted by state law, we expect you to return to your job if you are excused from jury duty during your regular working hours.

Subject to the terms, conditions, and limitations of the applicable plans, MCGH will continue to provide health insurance benefits for the full period of unpaid jury duty leave.

Vacation, sick leave, and holiday benefits will continue to accrue during unpaid jury duty leave.

## **Pregnancy and Parenting Leave**

Marshall County Group Homes Incorporated provides eligible employees with up to 12 weeks total of unpaid pregnancy or parenting leave in accordance with the Minnesota Pregnancy and Parenting Leave Act (MPPLA).

### Eligibility

To be eligible for pregnancy and parenting leave, you must:

- Have worked for the Corporation for at least 12 months before requesting leave; and
- Work an average number of hours per week equal to at least one-half the full-time equivalent position in the employee's job classification, as defined by Corporation personnel policies or practices during the 12-month period immediately preceding the leave.

### Use of Leave

MPPLA leave is available to biological or adoptive parents in conjunction with the birth or adoption of a child. A **child** is a person under the age of 18 or is under the age of 20 but still attending a secondary school. Leave must start within 12 months of the birth or adoption; however, if the child remains in the hospital longer than the mother, leave must begin within 12 months after the child leaves the hospital (parenting leave).

MPPLA leave is also available to eligible female employees for prenatal care or for incapacity due to pregnancy, childbirth, or related health conditions and will begin at the time you request (pregnancy leave).

### Interaction with FMLA

MPPLA leave and FMLA leave run concurrently, which means the leave provided by each individual law will count against your entitlement under both laws. However, if you take FMLA leave for unrelated reasons (such as a back injury not caused by pregnancy), you will still be entitled to 12 weeks of leave for pregnancy-related illness and parental leave.

### Return to Work

After leave, you will be returned to your former position or to a position of comparable duties, number of hours, and pay. However, if during such leave the Corporation experiences a layoff and you would have lost your job had you not been on leave, you will not be reinstated. In this situation, you will retain all rights under the Corporation layoff and recall system.

Upon agreement with the Corporation, you may return to work part time during the leave period without forfeiting the right to return to employment at the end of the leave period.

### Notice

You must provide reasonable advance notice of the dates leave will begin and the estimated amount of leave that will be taken. If the leave is for more than one month, you must notify your RPS at least two weeks prior to returning from such leave.

#### Substitution of Paid Leave

The amount of MPPLA leave will be reduced by any paid leave provided by the Corporation, including disability, personal, medical, or sick leave, or accrued vacation time, so the total leave (MPPLA leave plus paid leave) is not more than 12 weeks.

#### Benefits

The Corporation will continue to provide insurance coverage under any group insurance policy, group subscriber contract, or health care plan to you and your dependents as if you were not on leave. However, during the leave period, you will be required to pay the full cost of coverage, including any contributions formerly paid by the Corporation when you were not on leave. In some instances, the Corporation may recover premiums it paid to maintain health coverage or other benefits for you and your family.

#### Abuse of Leave

If you are found to have provided a false reason for a leave, you will be subject to disciplinary action up to and including termination.

#### Retaliation

The Corporation will not retaliate against employees who request or take leave in accordance with this policy.

### **School Conference and Activities Leave**

If eligible, Marshall County Group Homes Incorporated will provide you with up to 16 hours of unpaid leave in a 12-month period to attend school conferences or activities related to your child, if those conferences or activities cannot be scheduled outside your regular work hours. If your child receives child care services or attends a prekindergarten regular or special education program, you may use this leave time to attend a conference or activity related to your child, or to observe and monitor the services or program, provided the conference, activity, or observation cannot be scheduled outside your regular work hours.

To be eligible for leave you must have worked an average number of hours per week equal to one-half the full-time equivalent position in your job classification during the 12-month period immediately preceding the leave.

If leave cannot be scheduled outside your regular work hours and the need for the leave is foreseeable, you must provide reasonable prior notice and make a reasonable effort to schedule the leave so as not to unduly disrupt the operations of the Corporation.

The Corporation will not retaliate against employees who request or take leave in accordance with this policy.

### **Sick and Safety Leave**

In accordance with the Minnesota Sick and Safe Leave Act, you may use accrued, available sick leave benefits provided by Marshall County Group Homes Incorporated (but not short or long-term disability or other salary continuation benefits) for absences due to the illness or injury of a relative on the same terms that you are able to use sick leave for your own illness or injury. You may also use accrued, available sick leave benefits for the purpose of obtaining assistance because of sexual assault, domestic abuse, or stalking, or providing such assistance to a relative (Safety Leave).

#### Covered Relatives

Covered relatives include a minor child (age 18 and under or age 20 and under and still in secondary school); adult child; spouse, including a same-sex spouse; sibling; parent, stepparent, or parent-in-law; grandparent; and grandchild. For purposes of this policy, "child" or "grandchild" also includes a step, biological, adopted, or foster child or grandchild.

#### Limits of Time Off

The use of sick leave benefits for Safety Leave and for absences due to an illness or injury of an adult child, spouse, sibling, parent, stepparent, parent-in-law, grandchild, or grandparent is limited to 160 hours in any 12-month period. This restriction does not apply to absences due to the illness or injury of a minor child.

#### Reinstatement

Upon return from leave, you will be reinstated to the same position and pay (including any automatic adjustments that occurred during the leave period) or to a position of comparable duties, hours, and pay.

#### Retaliation

The Corporation will not retaliate against employees who request or take leave in accordance with this policy.

### **Victim and Witness Leave**

Marshall County Group Homes Incorporated realizes that, on occasion, you may have an obligation to participate in criminal legal proceedings either as a witness or because you or a close family member was victimized by a criminal act. The Corporation provides unpaid leave to attend those proceedings under circumstances described below.

If you are required to attend a criminal proceeding either as a witness or as a crime victim (or a close family member of a crime victim), you must provide at least 48 hours' advance notice to the ADM to make arrangements for a leave of absence. If it is impractical or an emergency prevents you from providing advance notice, provide notification as soon as possible.

The Corporation reserves the right to require employees to provide proof of the need for leave to the extent authorized by law.

Leave under this policy is unpaid. You may opt to use vacation in place of unpaid leave.

Any information related to your leave will be kept confidential by the Corporation.

This policy does not apply to employees seeking leave because they have committed or are alleged to have committed a criminal act.

The Corporation will not retaliate against employees who request or take leave in accordance with this policy.

### **Voting Leave**

Marshall County Group Homes Incorporated will allow you a reasonable, paid time off to vote. The time when you can go to vote will be at the discretion of the ADM or the OM consistent with applicable legal requirements.



## **Safety and Loss Prevention**

### **Workplace Smoking**

Marshall County Group Homes Incorporated is concerned about the effect that smoking and secondhand smoke inhalation can have on its employees and individuals served. Smoking in the office, areas of the homes, and restrooms is prohibited.

# Custom Policies

## Custom Policies

### Weapons and the Workplace

#### Concealed Weapons

According to Minn. Stat. Ann. § 624.714, employers may establish policies that restrict the carry or possession of firearms by their employees while acting in the course and scope of employment.

#### Violation of Policy

A person carrying a firearm on or about his or her person (or clothes) under a permit or who otherwise remains at a private establishment, knowing that the operator of the establishment or its agent has made a reasonable request that firearms are not brought into the establishment, may be ordered to leave the premises.

Under these provisions, a reasonable request that firearms are not brought into the establishment is a request made under either of the following circumstances:

- The requester has prominently posted a conspicuous sign at every entrance to the establishment containing the following language: "Marshall County Group Homes, Inc. BANS GUNS IN THESE PREMISES." In addition:
  - o Prominent posting must be readily visible and within 4 feet laterally of the entrance with the bottom of the sign at a height of 4 to 6 feet above the floor.
  - o Conspicuous signage must have lettering in black Arial typeface at least 1½ inches in height against a bright contrasting background that is at least 187 square inches in area.
- The requester or its agent personally informs the person of the posted request and demands compliance.

#### Guns in Vehicles — Parking Area

Employers may **not** prohibit the lawful carry or possession of firearms in a parking facility or parking area.

## **Closing Statement**

Thank you for reading our handbook. We hope it has provided you with an understanding of our mission, history, and structure as well as our current policies and guidelines. We look forward to working with you to create a successful Corporation and a safe, productive, and pleasant workplace.

Kristal Walen, Administrator

Marshall County Group Homes Incorporated

## Acknowledgment of Receipt and Review

By signing below, I acknowledge that I have received a copy of the Marshall County Group Homes Incorporated Employee Handbook (handbook) and that I have read it, understand it, and agree to comply with it. I understand that the Corporation has the maximum discretion permitted by law to interpret, administer, change, modify, or delete the rules, regulations, procedures, and benefits contained in the handbook at any time with or without notice. No statement or representation by a supervisor, manager, or any other employee, whether oral or written, can supplement or modify this handbook. Changes can only be made if approved in writing by the ADM of the Corporation. I also understand that any delay or failure by the Corporation to enforce any rule, regulation, or procedure contained in the handbook does not constitute a waiver on behalf of the Corporation or effect the right of the Corporation to enforce such rule, regulation, or procedure in the future.

I understand that neither this handbook nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. I further understand that, unless I have a written employment agreement signed by an authorized Corporation representative, I am employed "at-will" (to the extent permitted by law) and this handbook does not modify my "at-will" employment status.

If I am covered by a written employment agreement (signed by an authorized Corporation representative) or a collective-bargaining agreement that conflicts with the terms of this handbook, I understand that the terms of the employment agreement or collective-bargaining agreement will control.

This handbook is not intended to preclude or dissuade employees from engaging in legally protected activities under the National Labor Relations Act (NLRA).

This handbook supersedes any previous handbook or policy statements, whether written or oral, issued by Marshall County Group Homes Incorporated.

If I have any questions about the content or interpretation of this handbook, I will contact The Administrator.

---

Signature

---

Date

---

Print Name