



# EMPLOYEE HANDBOOK

2020

## **INTRODUCTION**

Welcome to Open Door Community Health Centers!

This Employee Handbook contains information about the employment policies and practices of Open Door Community Health Centers (ODCHC) in effect at the time of publication. Except for employment at-will status, ODCHC reserves the right to change, in its sole discretion, all such policies and practices and the hours, wages, working conditions, job assignments, positions, titles, compensation rates and benefits for any employee. Other than the CEO of ODCHC no manager, supervisor or representative of ODCHC has any authority to enter into any agreement for employment for any specified period of time or to make any agreement for employment other than at-will. Only the CEO has the authority to make any such agreement, and then only in writing signed by the CEO and the employee expressly making this change.

The policies set forth in this Handbook replace any and all previous policy statements, whether written or oral, which differ from or are inconsistent with the policies expressed in this Handbook. Such prior policies shall have no force or effect after the effective date of this Handbook.

## **EMPLOYEE RESPONSIBILITY**

It is the responsibility of each employee to learn and abide by all of ODCHC's policies, including those contained in this Handbook. If you have any questions regarding this Handbook, present your question(s) to your supervisor or a representative of the Human Resources Department. Failure to follow any of ODCHC's policies will result in disciplinary action, up to and including termination.

## **EMPLOYEE HANDBOOK REVIEW**

*Policies, procedures, and practices shall be reviewed periodically by the Human Resources Department. Changes are to be approved by the personnel below.*

- *Chief Human Resources Officer*
- *Chief Compliance Officer*
- *Chief Operations Officer*
- Chief Executive Officer
- President of the Board of Directors

## **AT-WILL EMPLOYMENT**

Employment at ODCHC is employment at-will. While we hope our employment relationship will be a satisfying and mutually beneficial one, nothing in this Employee Handbook creates, or is intended to create, a promise or representation of continued employment for any employee. Employment at-will may be terminated at the will of either the employer or the employee. Employment and compensation may be terminated with or without cause and with or without notice at any time by you or ODCHC.

**MISSION STATEMENT** ODCHC's mission is to provide quality medical, dental and mental health care and health education to all regardless of financial, geographic, or social barriers.

## THE BASICS

1. Our Mission and values are the principal beliefs of ODCHC. They must be known, owned and energized by all.
2. As service professionals, we treat our patients, guests and each other with respect and dignity. Employees act as positive representatives of ODCHC in and outside of the work place.
3. All employees will successfully complete annual training as required for their position.
4. ODCHC's objectives are communicated to all employees and it is everyone's responsibility to support them.
5. To create ownership and pride in the workplace we encourage all employees to participate and be involved in the planning of the work that affects them.
6. Each employee will continuously identify and report areas for improvement throughout ODCHC.
7. It is the responsibility of each employee to create a work environment of teamwork so that the needs of our patients, guests and each other are met.
8. Patient experience is the responsibility of each employee. Whoever receives a complaint will resolve it to the patient's satisfaction or enlist help.
9. Greet people with a smile, maintain eye contact and use proper vocabulary.
10. When possible escort patients and guests rather than pointing out directions to another area of the center.
11. Use ODCHC telephone etiquette. Use the patient's name when possible. When necessary, ask the caller "May I place you on hold?" Eliminate call transfers whenever possible. Adhere to voice mail standards.
12. Take pride in and care of your personal appearance. Everyone is responsible for conveying a professional image by adhering to ODCHC clothing and grooming standards.
13. Think safety first. Each employee is responsible for creating a safe, secure and accident free environment for all patients, guests and each other. Be aware of all fire and safety emergency procedures and report security risks immediately.
14. High levels of cleanliness are the responsibility of every employee.
15. Protecting the assets of ODCHC is the responsibility of every employee. Conserve energy, properly maintain our health centers and protect the environment.

## POLICIES & PRACTICES

### EQUAL EMPLOYMENT OPPORTUNITIES

It is the policy of ODCHC to make all employment decisions without regard to an individual's race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, military and veteran status, registered domestic partner status or any other basis made unlawful by applicable law.

ODCHC is an equal opportunity employer and strictly prohibits unlawful discrimination by any employee, including managers, supervisors and co-workers. This policy pertains to all aspects of our employment terms and conditions including, but not limited to, recruitment, hiring, training, promotion, termination, compensation and benefits.

ODCHC will make reasonable accommodations for known physical or mental disabilities or medical conditions of qualified applicants or employees. A qualified applicant or employee who may require an accommodation to perform the essential functions of the job should notify the Chief Human Resources Officer. ODCHC will engage in a timely, good faith, interactive process with the applicant or employee to determine the need for a reasonable accommodation. If a reasonable accommodation exists and will not impose an undue hardship on ODCHC, an accommodation will be made.

If you believe you have been subjected to unlawful discrimination, please follow the complaint procedure outlined in this Handbook below.

### HARASSMENT

ODCHC maintains a strict policy prohibiting harassment for any reason. This policy applies to all persons involved in the operations of ODCHC, and prohibits such harassment by any employee of ODCHC, including managers, supervisors and co-workers.

The policy is also in place to protect employees from harassment by third parties. It also prohibits employees from engaging in harassment against third parties. Harassment may have occurred even if you have not lost a job or some other economic benefit. Harassment will not be tolerated, whether or not it rises to the level of unlawful conduct. Conduct that is prohibited under this policy includes, but is not limited to:

- Conduct that unreasonably interferes with work performance or creates an intimidating, hostile, or offensive work environment.
- Verbal conduct such as epithets, derogatory comments, threats, slurs or unwanted sexual advances, invitations or comments.
- Visual conduct such as derogatory posters, photography, cartoons, drawings, emails, internet sites or gestures.
- Physical conduct such as unwanted touching, blocking normal movement or interfering with work directed at you.
- Threats and demands to submit to sexual requests in order to keep your job or avoid some other loss and offers of job benefits in return for sexual favors.
- Retaliation for opposing, reporting or threatening to report harassment or for participating in an investigation, proceeding or hearing conducted by the Equal Employment Opportunity Commission or any state fair employment agency.

You have a right to have your concerns and complaints about harassment addressed. If you believe you are being harassed on the job because of your race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, military and veteran status, registered domestic partner status or any other

basis protected by applicable law, please follow the complaint procedure outlined in this Handbook below. Employees must report conduct prohibited by this policy whether or not they are personally involved.

#### **RETALIATION/WHISTLEBLOWER PROTECTION**

ODCHC prohibits retaliation against any employee because of (1) the employee's opposition to a practice or conduct the employee reasonably believes to be unlawful; (2) the employee's protected participation in an investigation or proceeding; (3) the employee's request for an accommodation for a disability (4) the employee's request for a religious accommodation; or (5) any other activity of the employee that is protected by law. ODCHC also prohibits retaliation against an employee because the employee is a family member of a person who has made a wage claim or engaged in other activities protected under the California Labor Code. Any retaliatory adverse action because of such opposition, participation, request, activity or familial relationship will not be tolerated.

If you believe you have been subjected to retaliation, please follow the complaint procedure outlined in this Handbook below.

#### **COMPLAINT PROCEDURE – DISCRIMINATION, HARASSMENT & RETALIATION**

ODCHC encourages you to report all incidents you believe violate ODCHC's policies against discrimination, harassment or retaliation. You should provide a complaint, preferably in writing, to your own or any other ODCHC supervisor or the Human Resources Department as soon as possible after the incident or incidents you believe violate ODCHC policy. Your complaint should include the details of the incident or incidents, the names of the individuals involved and the names of any witnesses. Your complaint will be kept as confidential as possible, but no complaint can be kept completely confidential.

Supervisors must promptly refer all complaints to the Human Resources Department. An appropriate person will be designated to undertake a prompt and impartial investigation of the complaint and document the findings. When the investigation is complete, a determination regarding the complaint will be made and communicated to you as soon as practical. Because of the seriousness of a complaint of discrimination, harassment or retaliation, no employee should knowingly make or knowingly participate in making a false complaint.

If ODCHC determines that a violation of policy has occurred, ODCHC will take remedial action commensurate with the severity of the offense. Action will also be taken to deter any future violations of ODCHC policy and ensure a work environment free from discrimination, harassment and retaliation. You will be kept apprised of such measures taken by ODCHC. ODCHC will not retaliate against you for making a complaint and will not knowingly permit retaliation by anyone.

Complaints of discrimination, harassment and/or retaliation can be filed with the California Department of Fair Employment and Housing (DFEH) and/or the federal Equal Employment Opportunity Commission (EEOC). These agencies may accept, investigate, prosecute and remedy complaints. The telephone numbers for the nearest agency office are listed in the telephone book and online directories. The agencies' websites are [www.dfeh.ca.gov](http://www.dfeh.ca.gov) and [www.eeoc.gov](http://www.eeoc.gov).

#### **OPEN DOOR POLICY**

At some time or another, you may have a suggestion, complaint or question about ODCHC, your job, working conditions or the treatment you or others are receiving. We welcome your suggestions, complaints or questions. For issues other than harassment, discrimination or retaliation, we ask that you take your concerns first to your supervisor, who will investigate and provide a solution or explanation. If the problem is still not resolved, you may present it to the Human Resources Department, preferably in writing, which will address your concerns.

ODCHC also has a Compliance Hotline if you would prefer to remain anonymous. (707) 630-5270.

ODCHC takes all employee concerns seriously and attempts to resolve them as soon as possible to everyone's satisfaction.

**EMPLOYMENT CLASSIFICATIONS**

The employment classifications listed below do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at any time is retained by both the employee and employer. Employees at ODCHC are classified by ODCHC as follows:

Regular Full-Time Employees: Full-time employees are employees who are normally scheduled to work 32 or more hours per week.

Regular Part-Time Employees: Part-time employees are employees who are normally scheduled to work fewer than 32 hours per week.

Temporary Employees: Temporary employees are employees who are employed by ODCHC for a specific project and/or short-term assignments. Short-term assignments will generally be periods of 3 months or less. Temporary employees are not eligible for benefits other than those mandated by law.

Per Diem: Employees who are called in to cover for peak workload fluctuations, to fill in for events or other occurrences. Employees should request to see the Per Diem Clinical Staff policy for more information.

Rehired: Employees who are rehired following a break in service other than for an approved leave of absence. If the break in service is in excess of 12 months, they will serve a new introductory period including attending New Hire Orientation. Such employees are considered new employees from the effective date of the re-employment. ODCHC complies with all state and federal laws as it pertains to rehired employees.

Inactive Status Employees: Employees placed on inactive status due to a leave of absence or work-related injury may not continue to accrue benefits or seniority unless otherwise mandated by law.

In addition to the above classifications, each employee will belong to one other employment category:

Exempt Employees: Exempt employees are employees whose job assignments meet the federal and/or state requirements for overtime exemption. Exempt employees are compensated on a salary basis and are not eligible for overtime pay.

Nonexempt Employees: Nonexempt employees are employees subject to federal and/or state overtime regulations and will be compensated for overtime hours worked in accordance with the law. Nonexempt employees must comply with ODCHC's policies regarding overtime and may never work off-the-clock. Individuals working through an employment agency (leased employees, etc.) and those working as independent contractors are not considered "regular" employees of ODCHC and are not entitled to any employment benefits provided by ODCHC. If you have any question about your classification, you should check with the Human Resources Department.

**PERFORMANCE EVALUATIONS**

Performance evaluations will be conducted periodically. Thereafter, evaluations are generally conducted on an annual basis. Evaluations may also be conducted in relation to job changes, transfers, etc. The purpose of evaluations is to let you know how well you are performing and whether you have any performance problems. Performance evaluations can be verbal or written, formal or informal. How you are rated on these evaluations in no way changes the at-will employment relationship.

You will have the opportunity to submit your own comments to any and all performance evaluations submitted by your supervisor. Your comments must be submitted in writing to your supervisor or to the Human Resources Department.

## **PERSONNEL RECORDS**

The information recorded in your personnel file is extremely important to you and to ODCHC. It is your responsibility to make sure that the personal data in the file is accurate and up to date. Report any change of address, phone number, emergency contact information, etc. to the Chief Human Resources Officer in writing immediately. You may add to the file your version of any disputed item in your personnel file.

You have a right to inspect and/or receive copies of certain personnel and payroll records, as provided by law. You also have a right to receive copies of documents that you have signed related to obtaining or holding your job.

In order to inspect and/or receive a copy of your records, you or a representative authorized in writing by you, may submit to the Human Resources Department a written request identifying the date the request is being made and designating the records that you want to review and/or receive copies of; an oral request is adequate when requesting payroll records only. Alternatively, you may request from the Human Resources Department an employer-provided form to fill out and return to the Human Resources Department.

The requested inspection and/or copies will be made available at a mutually convenient time no more than 21 days from the date that ODCHC receives the request from you or the authorized representative. The time you spend inspecting the records is considered non-work time. If copies are requested, you may be required to pay for the actual cost of reproduction.

## **WORKING HOURS**

Normal working hours at ODCHC vary. Your supervisor will assign you a work schedule. The work schedule for full-time nonexempt employees is normally 40 hours per week and your supervisor will assign your work schedule. Your work schedule may be changed for such reasons as to better serve the patient, fluctuations in demand or the reorganization of your team's responsibilities. Changes to your work schedule should not and will not interfere with the laws governing meal and rest periods.

## **OVERTIME**

ODCHC provides compensation for all overtime hours worked by nonexempt employees in accordance with state and federal law. For overtime pay calculation purposes for nonexempt employees, the work-week at ODCHC begins Sunday at 12:01 AM and ends the following Saturday at midnight. The workday begins at 12:01 AM and ends at midnight. Your supervisor will notify you when overtime work is required. Prior authorization from your supervisor must be obtained before working any overtime.

## **DAY OF REST**

Supervisors may not require any employee to work more than 6 days in each workweek without prior approval from the Human Resources Department. Nonexempt employees may request to work a 7th day in the workweek in order to pick up extra hours when available. Employees must submit their request in writing to their supervisor for approval. All such requests should be forwarded to the Human Resources Department.

## **CALL-IN, ON-CALL, AND REPORTING TO WORK PAY**

Call-In: An employee called in to work a shift on a day other than their normal work schedule when there are no specified number of hours the employee is scheduled to work, will be paid at least 2 hours pay at their regular rate of pay.

On-Call: On-call time is not paid time if the employee can use the time for their own benefit. If the employee is called upon, reasonable travel time and time spent working will be paid at the employee's regular rate of pay. Carrying a pager or cell phone does not constitute hours worked.

Reporting Time Pay: Nonexempt employees who report to work for a scheduled shift and the employer finds it necessary to send the employee home before the end of the shift will be paid as follows:

- If there is no work, the employee will be paid ½ of the scheduled hours. In no event is this to be less than 2 hours or more than 4 hours. For example, if the employee is scheduled to work 6 hours, reports to work, and there is no work, the employee will be paid for 3 hours. If the employee is scheduled to work 8 hours and is sent home 20 minutes after the shift begins, the employee will be paid for 4 hours.
- If the employee works ½ of the scheduled hours or more, the employee will be paid for the hours worked. For example, if the employee is scheduled to work 8 hours and is sent home after working 5 hours, the employee will be paid for 5 hours and no reporting pay is due.

Employees will not be eligible for reporting time pay in the following situations:

- The employee was provided advanced notice of a schedule change, but reported to work anyway
- The employee could not complete schedule due to illness/injury

#### **PUNCTUALITY AND ATTENDANCE**

Each employee plays a vital role in the success of our operations. Regular and predictable attendance and punctuality is an essential function of your position. Therefore, you are expected to be at work on time each day and to adhere to your work schedule.

If you are going to be late or absent from work for any reason, you must contact your supervisor as far in advance of your scheduled start time as possible so that arrangements can be made to handle your work during your absence. If you call in less than 1 hour before your scheduled time to begin work, you may be considered tardy for that day. If you cannot provide advanced notice, you are expected to notify your supervisor as soon as possible and explain the circumstances. You must contact your supervisor on each day you will be absent from work unless you are on an approved leave of absence.

If you must leave work early, you are required to personally contact your supervisor and obtain permission.

If requested, you must provide written verification of the reason for your absence unless the law exempts verification. Presenting verification of your absence does not mean the absence is excused and will not be counted against your overall attendance record. However, any absence or tardy that is specifically excused by law will not be counted against your attendance record.

While ODCHC understands you may need to be absent from work for a variety of legitimate reasons, absenteeism and tardiness, even for good reasons, burdens your fellow employees and hinders our operations. For that reason, excessive unexcused absenteeism and tardiness will not be tolerated.

If you fail to report for work without contacting your supervisor and the absence continues for a period of 3 business days, ODCHC will consider that you have abandoned your job and voluntarily resigned your employment.

#### **TIME RECORDS**

Time records must be accurately completed within ODCHC's timekeeping system by nonexempt employees. Each time record must show the exact time worked, the meal periods taken and your acknowledgment. All hours must be recorded. Working "off-the-clock" is strictly prohibited for nonexempt employees. Absences and overtime must be accurately identified on your time record. Acknowledging your time record certifies that you have accurately recorded all hours of work that you performed and that you received all your meal periods, rest periods and recovery periods consistent with our policy and applicable law, unless otherwise noted on your time record.

You cannot record time and/or submit a time record for another employee or allow another employee to record or submit your time record. You must submit your own time record.

Exempt employees must report full days of absence from work. Deductions from an exempt employee's salary will be made only in accordance with applicable law.



You should immediately contact the Payroll Department with any questions concerning your pay so that inadvertent errors can be corrected.

#### **MEAL PERIODS**

Nonexempt employees who work more than 5 hours in a day are provided with an uninterrupted 30-minute unpaid meal period in which the employee is to be relieved of all duties. You must start the meal period before the end of the fifth hour of work. For example, if you begin an 8-hour shift at 8 a.m., you must start the meal period by 12:59 p.m. Employees should take a minimum of 30-minutes for a meal period even if it is not possible to complete the meal period before the completion of their fifth hour of work.

Nonexempt employees who work more than 10 hours in a day are provided with a second uninterrupted 30-minute unpaid meal period in which the employee is to be relieved of all duties. Employees must start the second meal period before the start of the 10th hour of work. Employees should take a minimum of 30-minutes for a meal period even if it is not possible to complete the meal period before the completion of their 10th hour of work.

If an employee's work day will be completed within a total of 6 hours, the employee may waive the meal period with prior written approval from the immediate supervisor or the Human Resources Department. If an employee's work day is greater than 6 hours the first meal period cannot be waived.

#### **On-Duty Meal Breaks**

Employees can take on-duty meal breaks in certain limited circumstances. An on-duty meal break must meet all of the following conditions:

- Is permitted when the nature of the work prevents an employee from being relieved of all duties
- Must be agreed to in writing by the Human Resources Department and the employee must be paid
- Can be revoked at any time in writing by the employee, except under Wage Order 14

If an employee's work day exceeds 10 hours of work time, the employee may waive the second meal period only if the employee has taken the required first uninterrupted 30-minute unpaid meal period. To waive the second meal period, the employee must receive prior written approval from the immediate supervisor or the Human Resources Department.

ODCHC prohibits employees from performing any work on behalf of ODCHC during their meal period. Employees may leave the premises during their meal period. ODCHC prohibits management or other employees from interrupting an employee who is on a meal period.

Nonexempt employees must observe assigned working hours, the time allowed for meal periods and report any missed meal period each day. For each instance where an uninterrupted meal period is not provided employees are required to explain in the timekeeping system why they did not take a meal period.

#### **REST PERIODS**

Nonexempt employees are required to take the following paid rest periods:

- No rest period for shifts under 3.5 hours;
- 10-minutes for shifts from 3.5 to 6 hours in length;
- A second 10-minute rest period for shifts 6 to 10 hours in length; and
- A third 10-minute rest period for shifts 10 to 14 hours in length.

Your supervisor may schedule your rest periods and whenever practical rest periods should be taken in the middle of your work period. As a general rule in an 8-hour shift, an employee's first 10-minute rest period should be taken before the first meal period and an employee's second 10-minute rest period should be taken after the first meal

period. Shorter or longer shifts and other factors that make such scheduling impracticable or infeasible may alter this general rule.

Rest periods are paid work time; they cannot be waived by the employee in order to shorten the work day or used towards additional time off. Rest periods cannot be combined with an employee's meal period. Do not take more than 10 minutes for each rest period provided under this policy.

Lactation Breaks: Employees desiring to express breast milk will be provided a reasonable amount of time and a secluded area so that this may be done in private. This time shall coincide with the employee's regularly scheduled rest period to the extent possible. If a lactation break is taken outside of or extends beyond a paid rest period, a nonexempt employee must record the additional time on the timesheet as unpaid time.

Nonexempt employees must observe assigned working hours, the time allowed for rest periods and report any missed rest period each day. For each instance where an uninterrupted rest period is not provided employees are required to explain in the timekeeping system why they did not take their rest period.

#### **PAYDAYS**

Paydays at ODCHC are bi-weekly every other Friday and you will be paid for the previous 2 weeks. Employees are encouraged to sign up for automatic deposit.

If you have automatic deposit for your paycheck, your funds will be deposited in the account you have identified at the financial institution you requested by the end of business on the scheduled payday. If you do not sign up for direct deposit, your paycheck will be sent to your work site via courier.

Your paycheck will not be released to anyone other than you without your written or verbal consent.

If a garnishing wage order is received by ODCHC for one of our employees, we are obligated by law to comply with the demand.

#### **MANDATORY MEETINGS & TRAINING**

ODCHC will pay nonexempt employees for time spent attending meetings and training programs outside of regular working hours under the following conditions:

1. Attendance is mandated by ODCHC; or
2. The employee's attendance is approved by management in advance and the meeting or training program is directly related to the employee's job.

All mandatory meetings and training programs will be identified as such. ODCHC will pay for all training costs or tuition associated with mandatory training for all employees. Do not assume a meeting or training program is approved for reimbursement or pay by ODCHC unless identified as mandatory. Check with your supervisor if there is any question.

Nonexempt employees must record the actual hours of attendance on the days' time record. If attendance at a mandatory meeting or training program results in travel beyond that of your normal commute, you will be compensated for this additional time spent traveling. The rate of pay for attending and or traveling to meetings and training programs may vary from the employee's normal pay rate. If you have questions on how to record your time, you should ask your supervisor.

#### **CREDIT CARDS**

Some employees may be issued ODCHC credit cards. These credit cards are for ODCHC business only. Personal charges are prohibited.

### **MILEAGE REIMBURSEMENT**

ODCHC will reimburse employees for mileage under specific criteria in accordance to the California Auto Mileage Expense Reimbursement Guidelines. ODCHC follows the IRS Mileage Reimbursement Rates and updates on an annual basis. Refer to the Mileage Reimbursement Policy for guidelines and criteria.

### **EXPENSES**

ODCHC reimburses employees for authorized necessary business expenses. Employees who have incurred authorized business expenses must submit receipts fully documenting the expense in a timely manner. Do not incur expenses without prior authorization.

### **PROPERTY AND FACILITIES**

All ODCHC property and facilities, including but not limited to, desks, storage areas, work areas, lockers, file cabinets, computer systems, telephone systems, tools, equipment and vehicles are to be used only for ODCHC's business and must be properly used and maintained. ODCHC reserves the right, at any time, and without prior notice, to inspect any and all of ODCHC's property or facilities to ensure that ODCHC policy is being followed. Such inspections may be conducted during or after business hours and in your presence or absence. When ODCHC has a compelling legitimate business reason, it reserves the right to inspect personal property of the employee including handbags, lunch bags, or any vessel used that may contain a tangible item.

### **VIDEO MONITORING**

Facilities may be monitored by closed circuit video security cameras, including during working hours. Although the main purpose of video surveillance is to protect facilities and equipment from theft and destruction, all surveillance footage may be used for performance management issues if applicable. When you work in monitored areas realize that cameras and footage may be observed both in real-time and a later date. As an employee of ODCHC you have no right to privacy while on ODCHC controlled grounds and you may appear in video images; however, no surveillance devices are placed in any areas where an employee can reasonably expect privacy, such as changing rooms and restrooms.

### **KEYS, ALARM CODES AND ENTRY CARDS**

You may be assigned a building key, alarm code and/or entry card needed to conduct your daily job responsibilities. You are responsible for all keys, entry cards and the confidentiality of your alarm code. Duplication of any ODCHC key is not allowed. It is against ODCHC policy to loan or distribute your assigned keys, badges, entry cards to another employee or non-employee of ODCHC. It is against ODCHC policy to disclose your alarm code unless specifically authorized by Corporate Services. If your ODCHC keys/entry card are lost, misplaced, destroyed or stolen or your alarm code is compromised, you must report it immediately to your supervisor.

### **COMPUTERS AND ELECTRONIC EQUIPMENT**

ODCHC's computer and other electronic systems ("technology"), including but not limited to, telephone systems, voice mail systems, electronic mail systems, cell phones, ODCHC-issued computers and workstations, computer hardware, peripheral equipment such as printers and fax machines, software that grants access to external services, such as the Internet or cloud storage accounts, and instant messaging systems, are provided for business use only. Occasional and limited use of ODCHC's technology for personal purposes is understandable and permitted, so long as the privilege is not abused, the use does not interfere with the employee's work and the use does not violate any of ODCHC's policies. ODCHC has the right to review, copy or disclose any files or information found on their technology. All messages sent and received, including personal messages, and all data and information stored on or transported through ODCHC's Technology Resources are ODCHC property regardless of the content. These communications do not belong to the employee and should not be considered confidential or

private. Employee explicitly gives the employer the right to intercept, access, view, monitor, and use all such communication, whether relating to ODCHC business or employee's personal matters.

Although passwords may be utilized to restrict access to certain systems, the passwords are designed to protect ODCHC against unauthorized access — not to prohibit access by the authorized ODCHC representatives. ODCHC may require you to disclose username(s), password(s) or other method(s) of accessing any ODCHC-issued electronic device. ODCHC retains the right to enter into any technology system and to inspect and review any and all data recorded in the systems. No message or data placed on ODCHC's technology should be considered private or confidential. Deleting or erasing information, documents or messages maintained on ODCHC technology is, in most cases, ineffective. All employees should understand that any information kept on ODCHC's technology may be electronically recalled or recreated. There should be no expectation of privacy by an employee because they erased or deleted messages.

All employees obtaining access to copyrighted materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except where expressly allowed by the copyright law or with express written permission from the owner. Unless specifically authorized, employees may not download or install any software on ODCHC's technology.

ODCHC's technology may not be used for transmitting, retrieving or storing any communications of a discriminatory or a harassing nature. Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, military and veteran status, registered domestic partner status or any other basis made unlawful by applicable law, whether about a specific individual or about these protected categories in general, shall be transmitted, received or stored. ODCHC prohibits the use of abusive, profane or offensive language received or transmitted through ODCHC's technology systems. ODCHC's technology may not be used for any purpose that is illegal, against ODCHC policy, causes discredit to ODCHC or is contrary to the best interests of ODCHC. Use of ODCHC technology for personal gain or profit or for personal reasons that would impede ODCHC's ability to conduct business is prohibited.

Each employee is responsible for the content of all text, audio or images that the employee places on or sends over ODCHC's technology systems. All electronic communications you send should include ODCHC's electronic communications privacy notice. No electronic communication may be sent which hides the sender or represents the sender as someone else. Employees who receive text, audio or images over ODCHC's technology systems that violate any of ODCHC's policies should immediately report this receipt to their supervisor or the Human Resources Department.

#### **SOCIAL MEDIA**

This information is intended to govern the publishing, posting and/or release of information through all existing and developing social media platforms such as: Social Networking Sites such as Facebook, Instagram, Snapchat, Pinterest, etc.; Blogs; Micro-blogs, such as Twitter; Video and photo sharing websites, such as YouTube; Forum Discussion Boards, such as Google Groups; Online Encyclopedias such as Wikipedia; an employee's own website; interactive Websites of other companies or individuals where on-line comments are permitted; and other user-generated media.

Employees may not use social media to violate any of ODCHC's policies. Below are basic principles that govern the use of social media by ODCHC employees, but this list is not exhaustive. If you have a question about whether your use of social media is prohibited by this policy you should contact the Human Resources Department before engaging in the use.

- Unless specifically authorized, employees are prohibited from using ODCHC's equipment and technology to engage in social media. Whether you are working or not, ODCHC's equipment and technology are provided to you for the purpose of conducting ODCHC business.
- Unless specifically authorized, employees are prohibited from engaging in social media during their working time, regardless of whose equipment and technology are used. As used in this reference, working time excludes meal and rest periods.
- Employees are prohibited from disclosing ODCHC trade secrets, proprietary information and other confidential information described in various sections of this Handbook. These policies include but are not limited to the sections covering: Computers and Electronic Equipment; Confidential Information (including but not limited to Protected Health Information (PHI) or any information deemed to be of an identifiable nature and included in patient privacy regulations under state or federal law); Conflict of Interest; Personnel Records; and Solicitation.
- If you identify yourself in social media as being employed by ODCHC, you must state that your views are your own personal views and that you are not authorized to and do not speak on behalf of ODCHC. Remember that once you identify yourself as being employed by ODCHC, your statements, whether intended by you or not, can reflect unfavorably on ODCHC, its image and its products/services. Remember, the mere fact that a post is personal does not insulate the employee from potential repercussions.

ODCHC disclaims any legal responsibility for employees' use of social media. Employees are legally responsible for their own use of social media.

#### CELL PHONES

Personal cell phone use must be limited while you are working. Cell phones should be turned off and/or set to silent and stored with your other personal belongings while you are working.

If you are required to perform business on a cell phone for ODCHC while driving, you must utilize the hands-free option on the cell phone or a headset/earpiece device. Sending or reviewing text messages or emails or reviewing the contents of your cell phone while driving is also prohibited.

If you are assigned an ODCHC cell phone to conduct ODCHC business, please notify IT immediately if the phone is misplaced, stolen or damaged. ODCHC retains the right to enter into any cell phone system and to inspect and review any and all data recorded in the systems. Because ODCHC reserves this right, no message or data placed or received on ODCHC's cell telephones should be considered private or confidential.

#### SOLICITATIONS, DISTRIBUTIONS AND ACCESS

In order to maintain and promote efficient operations, discipline and security, ODCHC maintains rules applicable to all employees that govern solicitation, distribution of written material and entry onto the premises and work areas. All employees are expected to comply with these rules, which will be strictly enforced. Any employee who is in doubt concerning the application of these rules should consult with their supervisor. These rules are:

1. No employee shall sell merchandise or solicit or promote support for any cause or organization during their working time or during the working time of the employee(s) at whom such activity is directed. As used in these rules, working time excludes meal and rest periods.
2. No employee shall distribute or circulate any material in work areas at any time or during an employee's working time or during the working time of the employee(s) at whom such activity is directed, other than those approved by management for business purposes. Employee break rooms
3. No employee shall enter or remain in ODCHC work areas for any purpose except to report for, be present during and to conclude a work period. A nonexempt employee is forbidden from loitering onsite before the start of a

scheduled shift and must leave the work area after their work schedule for the day is completed. Work area does not include ODCHC parking lots, gates or other similar outside areas unless an employee is assigned to work in such areas.

4. Under no circumstances will non-employees be permitted to solicit or distribute written material for any purpose on ODCHC property.

5. Non-employees are forbidden from entering upon ODCHC property at any time except on official business with ODCHC.

#### **NOTICE AREAS**

ODCHC labor notice areas are reserved for the exclusive use of for posting work-related notices or notices which must be posted pursuant to local, state and federal law. From time to time, special notices and information for employees will be posted by ODCHC on the notice areas. Please check the boards regularly for such notices.

#### **RECREATIONAL AND SOCIAL ACTIVITIES**

Employees of ODCHC may participate in various recreational and social activities that are either sponsored by or supported by ODCHC. All recreational and social activities are completely voluntary. No employee is obligated to participate in any recreational or social activity, and no employee's work-related duties include participation in such activities. If you elect to participate in any recreational or social activity you agree to do so at your own risk. ODCHC disclaims any and all liability arising out of an employee's voluntary participation in any off-duty recreational or social activity. Unless required by law, the time spent organizing, preparing for, attending and/or participating in these activities is not paid work time.

#### **DISCIPLINE AND INVOLUNTARY TERMINATIONS**

Violation of ODCHC policies and rules, whether or not they are included in this Handbook, will result in disciplinary action. Discipline may be in any form deemed appropriate by ODCHC, including but not limited to, verbal warnings, written warnings, suspensions and termination of employment. ODCHC's disciplinary system does not require any formal steps or procedures. ODCHC will, in its sole discretion, utilize whatever form of discipline it deems appropriate under the circumstances, up to and including the immediate termination of employment without any prior discipline. Supervisors and Managers will coordinate and verify with the Human Resources Department to ensure consistency in the corrective action process. The use of discipline in no way changes the at-will employment relationship.

#### **RESIGNATIONS/VOLUNTARY TERMINATIONS**

If you decide to leave your employment with ODCHC, we ask that you give us at least 2 weeks written notice. This will give us the opportunity to make the necessary adjustments in our operation.

#### **REFERENCES**

All requests for employment verifications and employee references must be directed promptly to the Human Resources Department. Other employees should not provide any such information. References for employees who have left ODCHC are limited to disclosure of dates of employment and title of the last position held unless the employee has authorized additional disclosures in writing or if additional disclosures are required by law.

## **STANDARDS OF CONDUCT**

### **PERSONAL STANDARDS**

Each employee must be neatly groomed and wear clothing that is professional and appropriate for the employee's position. Your supervisor will inform you of any special clothing requirements. Employees will not be permitted to present an appearance nor wear clothing that may cause disruption, would otherwise be taken as offensive or reduce productivity or safety. It is ODCHC's policy that each employee's dress, grooming, and personal hygiene be appropriate to the work situation.

1. Employees are expected at all times to present a professional, businesslike image to the public, including fragrance-free requirements. Acceptable personal appearance is an ongoing requirement of employment of ODCHC.
2. Employees must comply with the following personal appearance standards:
  - a. Employees are expected to dress in a manner that is normally acceptable in similar business establishments. Employees should not wear suggestive attire, and similar items of casual attire that do not present a businesslike appearance.
  - b. Nails should be clean, neat, and professional.
  - d. Tattoos are permitted if they are not extremist, indecent, sexist or racist.
  - e. Employees who do not regularly meet the public should follow basic requirements of safety and comfort, but should still be as neat and businesslike as working conditions permit.

Any employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the center. Nonexempt employees will not be compensated for any work time missed because of failure to comply with this policy. Violations of this policy also may result in disciplinary action.

Exceptions to ODCHC's policy should be requested in writing, in advance from the Human Resources Department. ODCHC will make reasonable accommodations for religious dress and religious grooming practices.

### **NAME BADGES**

All employees shall wear name and title badges with a photo in a visible location that is readily visible and not altered.

### **LICENSE AND CERTIFICATION VERIFICATION AND RENEWAL**

All employees holding positions requiring a current license and/or certification must provide proof of license and/or certification upon hire and maintain current. It is the employee's responsibility to provide an updated copy of any required license and/or certification to the Human Resources Department prior to the expiration date.

### **JOB TRANSFER**

You may apply for a transfer by submitting an in-house application through the internal application process. To be eligible for a transfer, employee must be in current position for a minimum of 6 months and in good standing, not under disciplinary action or performance improvement probationary period. Exceptions require the approval of the Chief's Officer Council.

### **EMPLOYEE REFERRAL PROGRAM**

We believe that great people usually associate with other great people. Whether you know someone who is looking for a new, exciting opportunity, or know of a colleague looking for a change in the healthcare setting, employee referrals can be a valuable asset to ODCHC. A referral bonus is given if we hire your referral. This



program allows us to fill our vacancies and hire highly qualified candidates through our most valuable channel of communication, you!

Submit your referrals using the Employee Referral Form through ODCHC Intranet. Human Resources will track the referral and you will be awarded the referral bonus based on the below:

- \$200 for nonexempt
- \$500 for exempt, non-clinician
- \$1000 for clinician (Medical Doctor/Doctor of Osteopathic Medicine, Nurse Practitioner/Physician Assistant, Licensed Clinical Social Worker, Dentist, and Chiropractic)

The referred employee must be an employee of ODCHC for a minimum of 6 months.

#### **CUSTOMER & PUBLIC RELATIONS**

ODCHC's image in front of customers and the general public is critical to our success. All employees are expected to be prompt, polite, courteous and attentive to our customers and the public. We will absolutely not tolerate conduct toward customers or the general public that might be interpreted as unprofessional, unlawful discrimination or harassment. If you witness conduct in violation of this policy, you should immediately bring it to the attention of your supervisor or the Human Resources Department.

#### **PROFESSIONAL CONDUCT**

Employees are expected to contribute to a positive, professional, and productive work environment. This includes but is not limited to, being courteous, respectful and professional when interacting with fellow employees and members of management.

#### **PROHIBITED CONDUCT**

The following is a list of conduct that is prohibited and will not be tolerated by ODCHC. It is not an all-inclusive list, but rather a list designed to give examples of the types of conduct prohibited by ODCHC.

- Falsification of employment records, employment information or other ODCHC records.
- Recording the work time of another employee or allowing any other employee to record your work time or allowing falsification of any time record, either your own or another's.
- Theft, deliberate or careless damage of any ODCHC property or the property of any employee or customer.
- Spreading or repeating unsubstantiated comments about others (e.g. gossip or rumors).
- Provoking a fight or fighting during working hours or on ODCHC property.
- Participating in horseplay or practical jokes on ODCHC time or on ODCHC premises where such conduct might be a safety risk or might be interpreted as offensive.
- Carrying firearms or any other dangerous weapons during working hours or on ODCHC premises at any time.
- Consuming, possessing or being under the influence of alcohol and/or drugs during working hours or at any time on ODCHC property or job sites.
- Insubordination, including but not limited to, failure or refusal to obey the orders or instructions of a supervisor or member of management or the use of abusive or threatening language toward a supervisor or member of management.
- Unreported absence on scheduled workdays.
- Unauthorized use of ODCHC technology, equipment, time, materials, facilities or ODCHC name excluding protected speech.
- Failure to observe work time policies including policies related to attendance, rest periods, meal periods and recovery periods.



- Engaging in criminal conduct whether or not related to job performance.
- Soliciting other employees for membership, funds or other similar activity in connection with any outside organization during your working time or the working time of the employee(s) solicited.
- Distributing unauthorized literature or any written or printed material during working time or in work areas. ("Working time" does not include your meal and rest periods.)
- Failure to timely notify your supervisor when you are unable to report to work or failure to return from an approved leave of absence.
- Failure of a nonexempt employee to obtain permission to leave work for any reason during normal working hours, other than for meal and rest periods.
- Failure to remain on task during all work time. ("Working time" does not include your meal and rest periods.)
- Failure to provide a physician's certificate when requested or required to do so, unless otherwise prohibited by law.
- Wearing extreme, unprofessional or inappropriate styles of dress or hair while working.
- Making derogatory racial, ethnic, religious or sexual remarks or gestures; any violation of the Harassment, Equal Employment Opportunity or Retaliation policies; or using profane or abusive language at any time on ODCHC premises or during working hours.
- Working "off-the-clock," working overtime without authorization, or refusing to work assigned overtime.

#### **CONFIDENTIAL INFORMATION**

You may during the course of your duties be advised of certain confidential business matters and affairs of ODCHC regarding its business practices, customers, suppliers and employees. Your duties may also place you in a position of trust and confidence with respect to certain trade secrets and other proprietary information relating to the business of ODCHC and not generally known to the public or competitors. Such proprietary information includes customer and prospective customer information, pricing information, product and service information, competitive strategies, marketing plans, personnel information and financial information. You shall not, either during your employment with ODCHC or any time in the future, directly or indirectly:

- a. disclose or furnish, directly or indirectly, to any other person, firm, agency, corporation, ODCHC patient, company, client, business or enterprise, any confidential information acquired during your employment;
- b. individually or in conjunction with any other person, firm, agency, ODCHC patient, company, business or corporation, employ or cause to be employed any confidential information in any manner whatsoever, except in furtherance of the business of ODCHC;
- c. access, use, copy, publish, deliver or commit to being published or delivered, any copies, abstracts or summaries of any files, records, documents, drawings, specifications, lists, equipment and similar items relating to the business of ODCHC, except to the extent required in the ordinary course of your duties.
- d. access any documents, files, records, data, information, emails, lists, drawings, specifications, and equipment with the purpose of duplicating or copying the information for personal use or distribution. ODCHC monitors any duplication of the enumerated items above.

Some of the conduct prohibited by this policy also violates civil law and California Penal Code Section 502. Violations can result in severe penalties, fines, and/or imprisonment.

Each employee is responsible for safeguarding confidential information obtained in the course of employment. Refer to our Confidentiality Agreement and related privacy policies including the HIPAA Privacy – Compliance and Legal Policy. As an employee, you cannot handle your own medical chart, or the medical chart of members of your own family. Direct your questions to your supervisor.

Upon termination of employment, employees are required to immediately return to ODCHC all property of ODCHC in as good of a condition as when received (normal wear and tear excepted) including, but not limited to, all technology, files, records, documents, drawings, specifications, lists, equipment and supplies, promotional materials and similar items relating to the business of ODCHC.

#### **CONFLICTS OF INTEREST**

Situations that result in actual or even potential conflicts of interest must be avoided by all employees. Personal, social and economic relationships with competitors, suppliers, customers or employees that may impair an employee's ability to exercise good judgment on behalf of ODCHC or which give the appearance of such impairment create an actual or potential conflict of interest. For example, romantic or personal relationships between a supervisor and subordinate employee can lead to supervisory problems, claims of harassment and morale problems.

Any employee involved in such situations or relationships must immediately and fully disclose the nature of the situation or relationship to management so a determination can be made as to whether an actual or potential conflict exists, and if so, how to correct the situation.

What you do on your free time is your own business. However, outside activities (second jobs, side businesses, clubs, etc.) must not interfere with your ability to fully perform your job duties at ODCHC or create a conflict of interest with your statutory duty of loyalty to ODCHC. Under no circumstances may you utilize your access to and information about ODCHC patients to assist you in outside business endeavors or in any way that is, in fact, or suggests the gaining of some personal interest. ODCHC prohibits employees from working with another company or external organization that competes with ODCHC whether as a regular employee or as a consultant.

#### **DRUGS AND ALCOHOL**

It is the intent of ODCHC to promote a safe, healthy and productive work environment for all employees. ODCHC recognizes that the illegal and/or excessive use of drugs and/or alcohol is not conducive to safe working conditions, employees' health, efficient operations or ODCHC success. It is the objective of ODCHC to have a work force that is free from the influence of controlled substances and illegal drugs, or impaired by alcohol during work hours. Marijuana is a controlled substance and prohibited, even if recommended by a physician, because it is illegal under federal law. ODCHC will not tolerate employees who use or have possession on ODCHC premises or who are under the influence of controlled substances, illegal drugs, or alcohol during work hours.

If you are taking physician prescribed medications which will impair your job performance, you should not report to work and should contact ODCHC to discuss next steps. If you are taking physician prescribed medications which may impair your ability to perform the job safely, you should discuss it with the prescribing physician and provide confirmation to ODCHC that you can perform the job safely or discuss next steps. This policy does not require or request the prescribing physician or the employee to identify any prescription drug or the medical condition for which it is prescribed. No employee shall use or possess on ODCHC premises any prescription medication other than medications currently prescribed by a physician for that employee. Drug and Alcohol Policy.

#### **SMOKING & TOBACCO**

ODCHC prohibits and will not tolerate smoking or "vaping" or any type of tobacco product use in the workplace, including all indoor facilities, offices, lunchrooms, breakrooms, bathrooms, and company or customer vehicles with more than one person. Smoking is also prohibited within 20 feet of entrances and exits, within 50 feet of chemicals, or on outdoor property with the exception of designated areas. This policy applies to all employees, vendors, customers, clients, and visitors.

For purposes of this policy, smoking includes lighting, smoking or carrying a lighted cigarette, cigar or pipe and the use of any electronic smoking device. Any questions regarding this policy should be directed to the Human Resources Department.

#### SECURITY

All employees are responsible for helping to maintain a secure workplace. Be aware of persons loitering for no apparent reason. If you are leaving late at night or are in any other situation that presents security concerns or where you do not feel comfortable, please seek the assistance of your supervisor or other employees. Employees are required to report any suspicious persons or activities to your supervisor. ODCHC will make reasonable accommodations for employees who are victims of stalking in an effort to enhance the employee's security at work.

Secure your desk or work area at the end of the day or when called away from your work area for an extended length of time and do not leave valuable and/or personal articles that may be accessible in or around your work area. Please report any problems with our security systems to your supervisor.

#### WORKPLACE VIOLENCE

Safety and security of employees is of vital importance to ODCHC. Acts or threats of physical violence, including intimidation, harassment, stalking and/or coercion, which involve or affect ODCHC or which occur on ODCHC property, will not be tolerated. Employees are strictly prohibited from bringing weapons onto ODCHC property or during work time. Any act or threat of violence should be reported to your supervisor or the Human Resources Department immediately.

#### SAFETY

ODCHC is firmly committed to maintaining a safe and healthy working environment. All employees of ODCHC are expected to be safety conscious on the job at all times. All unsafe conditions or hazards should be corrected immediately. Report all unsafe conditions or hazards to your supervisor immediately, even if you believe you have corrected the problem. If you suspect a concealed danger is present on ODCHC premises, or in a product, facility, piece of equipment, process or business practice for which ODCHC is responsible, bring it to the attention of your supervisor immediately. Supervisors should arrange for the correction of any unsafe condition or concealed danger immediately and immediately contact the Human Resources Department regarding the problem.

All workplace injuries and illnesses must be immediately reported to your supervisor and the safety team member.

ODCHC has in place a written Injury and Illness Prevention Program (IIPP) as required by law. If you have not received your copy of the IIPP please contact the safety team member. It is your responsibility to read, understand and follow the Injury and Illness Prevention Program provisions applicable to your work assignment.

#### ERGONOMICS

ODCHC has invested in providing a work environment that is safe for all employees. To lessen the risk of ergonomic hazards, ODCHC will make necessary adjustments to an individual's work station, educate employees on ergonomic safety and modify processes when deemed necessary to ensure the wellbeing and safety of our employees. You should report any ergonomic concerns to the Human Resources Department.

#### CHEMICAL EXPOSURE WARNING

Employees should be aware that work areas may contain chemicals known to the State of California to cause cancer or to cause birth defects or other reproductive harm. If you have any questions or concerns about possible chemical exposure in your work area, contact the safety team member.

## **INSURANCE BENEFITS**

Health, dental and vision premiums are deducted from your pay on a “pre-tax” basis. This means your premiums are being deducted prior to your taxes being computed. By paying premiums before taxes, you actually pay less tax and this adds to your take-home pay. This is done automatically and cannot be individually waived by an employee. Employees may have to pay premiums with a personal check if there is insufficient payroll to take a deduction.

### **MEDICAL CARE BENEFIT FOR UNINSURED EMPLOYEES**

This benefit is provided by ODCHC to cover basic medical services rendered at ODCHC for employees who are in their introductory period of employment, and not covered by ODCHC employee health benefits. Uninsured full-time employees, not yet eligible for ODCHC health plan, are eligible to apply to receive services provided by ODCHC. Dependents are not eligible for this benefit.

### **FLEXIBLE SPENDING ACCOUNT (FSA)**

This includes a health care reimbursement plan where you can set aside up to a certain dollar amount each year as determined by the IRS on a pre-tax basis and dependent care assistance account where you can set aside a certain dollar amount each year on a pre-tax basis.

### **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

Free professional counseling, including financial, legal, family and personal conflicts, stress and emotional management, substance abuse, health concerns and loss and grief counseling is available for all staff and family members. Contact the Human Resources Department for more information.

### **LIFE INSURANCE**

Full-time employees are automatically enrolled in a Group Life and Accidental Death and Dismemberment Insurance plan in accordance with ODCHC’s Summary Plan Description (“SPD”). Group Life Insurance is paid to your named beneficiary in the case of your death. The beneficiary may be changed at any time. The full cost of the premium is paid by ODCHC.

### **LONG TERM DISABILITY INSURANCE**

Full-time employees will automatically be enrolled in ODCHC’s Long Term Disability Plan. The coverage includes up to 60% of employee’s monthly salary, with a maximum of \$6,000.00 (\$10,000 for clinicians and executives), after the first 90 days of a long term illness or injury. The full cost of the premium is paid by ODCHC.

### **INSURANCE BENEFITS QUALIFYING LIFE EVENT**

Normally employees may only make changes to their benefits selections at open enrollment each year. There are limited exceptions, however, for certain qualifying life events. If you wish to make changes to your benefits based on a qualifying life event, you have only a short 30-day window of eligibility to change your benefits elections. Therefore, if you wish to change your benefits elections due to a qualifying event, you must notify the Human Resources Department in writing as soon as possible, but at least within 20 days of any of the following:

- Having a baby or adopting a child
- Getting married or divorced
- To remove a dependent who is turning 26
- Open enrollment for a dependent
- Dependent’s change in employment status resulting in a change to their insurance coverage options (i.e. becoming newly eligible for insurance elsewhere, or losing coverage elsewhere)
- Death of a dependent

## STATUTORY BENEFITS

### STATE DISABILITY INSURANCE

ODCHC is required by California law to deduct a certain amount from your pay each pay period towards State Disability Insurance (SDI). All eligible employees are covered by SDI pursuant to the California Unemployment Insurance Code. Disability insurance is payable when you cannot work because of illness or injury not caused by employment at ODCHC or when you are entitled to temporary workers' compensation at a rate less than the daily disability benefit amount. Specific rules and regulations governing disability payments are available from the Human Resources Department or the Employment Development Department (EDD) of the State of California.

### FAMILY LEAVE INSURANCE

ODCHC is required by California law to withhold an additional percentage of your wages to fund the Paid Family Leave Program (PFL). Employees covered by SDI are also covered under PFL. The benefits under this program are payable when you are required to take time off of work due to the illness of a seriously ill child, spouse, parent, registered domestic partner, grandparent, grandchild, sibling, parent-in-law or to bond with a newborn or newly placed child. Specific rules and regulations governing insurance payments are available from the Human Resources Department or your local EDD office.

Insurance benefits provided under this State program will not extend the length of protected leave available to an employee under applicable state or federal laws.

### UNEMPLOYMENT COMPENSATION INSURANCE

ODCHC contributes to the Unemployment Insurance Fund on behalf of its employees. Specific rules and regulations governing unemployment are available from the Human Resources Department or your local EDD office.

### SOCIAL SECURITY

ODCHC is required by federal law to deduct a percentage of your pay and deposit it with the Social Security Administration. Social Security is an important part of every employee's retirement benefit. ODCHC pays a matching contribution to each employee's Social Security taxes.

### WORKERS' COMPENSATION INSURANCE

At no cost to you, you are protected by Workers' Compensation Insurance while an employee at ODCHC. The policy covers you in case of occupational injury or illness. Employees make no contribution for this coverage. ODCHC pays the entire cost.

It is important to report any illness, accident or injury immediately to your supervisor. It is a crime in the State of California to report a workers' compensation claim that is false or fraudulent. The violator of this law can be punished by a fine of up to \$50,000, imprisonment of up to 5 years, or both.

All time off granted for this type of leave will be counted against your total 12-week entitlement under FMLA and applicable state laws as described in the Leave of Absence section of these guidelines.

### ADMINISTRATION OF ODCHC BENEFITS

Unless otherwise dictated by law, all employer-controlled benefit programs at ODCHC are administered by ODCHC or its designated administrators. ODCHC reserves the exclusive authority and discretion to determine all issues of eligibility and questions of interpretation and administration of each employee benefit program.

## LEAVES OF ABSENCE

ODCHC may grant leaves of absence to employees in certain circumstances. ODCHC will grant these leaves to employees as required by state and federal law in effect at the time the leave is granted and will not retaliate against employees for requesting or using protected leave. It is important to request any leave in writing as far in advance as possible, to keep in regular contact with the Human Resources Department during your leave and to give prompt notice if there is any change in your return date. If your leave expires and you have not contacted the Human Resource Department, it will be assumed you have abandoned and terminated your employment. If you are unwilling or unable to return to work at the conclusion of any leave, your employment may be terminated.

This Handbook contains only a summary of the leaves that may be available. Some types of leave have detailed requirements regarding eligibility, duration, benefits, etc. Unless otherwise required by law, leaves are unpaid and benefits do not continue to accrue during the duration of your leave of absence. You may choose to use available accrued paid time off benefits during your leave of absence. ODCHC may also require you to use available accrued paid time off benefits for certain leaves as permitted by law. You should contact the Human Resources Department prior to taking any leave for information about leave requirements and ramifications.

It is understood that you will not obtain other employment (other than military duty pay) or apply for unemployment insurance while you are on a leave of absence. Acceptance of other employment while on leave will be treated as a voluntary resignation from employment with ODCHC.

### FAMILY/MEDICAL LEAVES

ODCHC recognizes that an employee may need to be absent from work for an extended period of time for family and/or medical reasons. ODCHC complies with federal and state law provisions for family, medical and pregnancy disability leaves. We intend to grant leave benefits only to the extent the law requires.

You must request any leave in writing as far in advance as possible. If you have not contacted your supervisor at the end of your scheduled leave, we will assume that you do not plan to return and you have terminated your employment. If you are unwilling or unable to return to work at the conclusion of the leave you are allowed, your employment may be terminated.

Employees Who May Take Leave. Before you may seek a leave of absence you must:

- have been employed by ODCHC for at least 12 months; and
- have worked at least 1,250 hours in the previous 12 months; and
- work within 75 miles of 50 or more of our other employees.

Reasons for Taking Leave. You may request an unpaid leave for any of the following reasons:

- birth of your own child, birth of a child of your registered domestic partner or the placement of a child in your home for adoption or foster care; or
- bond with a child (leave must be taken within 1 year of child's birth or placement); or
- to care for your spouse, registered domestic partner, child, registered domestic partner's child or parent who has a serious health condition; or
- for your own serious health condition which makes you unable to perform your job duties; or
- because of any qualifying exigency arising out of the fact that your spouse, son, daughter or parent is a military member on active duty or called to covered active duty status.

Length of Leave Allowed. The maximum time you will be allowed to take leave, if you are eligible, is 12 workweeks in a 12-month period excluding additional time available when disabled by pregnancy. ODCHC will use a "rolling" 12-month period measured backward from the date you begin a leave to determine how much leave time is available to you, unless another calculation is required by law. You may request a reduced workday or workweek,

or intermittent leave that equates to a maximum of 12 workweeks, due to your own medical condition or that of a family member.

**Extended Leave for Military Caregivers.** Leave entitlement for military caregivers is extended to a total of 26 workweeks in a single 12-month period. Military caregiver leave covers an employee who is the caregiver of a spouse, son, daughter, parent or next of kin who is a covered service member recovering from a serious illness or injury sustained in the line of duty while on active duty in the United States Armed Forces. The 12-month period is measured forward from the date the employee's first leave to care for the covered service member begins.

**Advance Notice and Medical Certification.** You may be required to provide to us advance leave notice and medical certification. Your leave request may be denied, or your leave delayed if these requirements are not met.

- You must provide us 30 days' notice of your need for leave if such need is foreseeable. If your need for leave is not foreseeable, you must notify us as soon as possible.
- We require medical certification if you request leave because of your own or a family member's serious health condition. We may also require a second or third medical opinion regarding your own serious health condition at our expense. You are required to cooperate with us in obtaining any additional medical opinions we may require.
- If you take a leave because of your own health condition, you must obtain a release from your health care provider before you return to work.

**Job Protection and Reinstatement.** Employees will normally be restored to their original or equivalent position with equivalent pay, benefits and other employment terms when they return from leave. Your use of leave will not result in the loss of certain benefits accrued prior to the start of your leave. However, you may be required or permitted to use your accrued paid leave benefits.

Key employees may be subject to reinstatement limitations in some circumstances. If you are a key employee, you will be notified of such limitations on reinstatement at the time you request a leave.

**Continuation of Health Benefits:** We will continue our contributions for your health care coverage for the duration of your FMLA/CFRA leave. You will be invoiced by ODCHC, or its designated administrators, and required to pay the employee portion of the health benefit premium, including all premiums covering your dependents. If you fail to pay the appropriate premiums in a timely manner, it could result in the termination of benefit coverage.

**Premium Cost Repayment:** If you do not return to work from a leave allowed by this policy, you will be required to repay the premium amounts we paid during your leave as set forth in the law.

**Compensation While on Leave:** Leave for this purpose is unpaid. You are required to use any earned but unused paid sick leave if the leave is for your own serious health condition.

#### **PREGNANCY DISABILITY LEAVE**

Pregnant employees are entitled to take leave if they are disabled by the pregnancy, childbirth or a related medical condition. Pregnancy disability leave begins when the employee's health care provider certifies that the employee is unable to work because of a pregnancy-related disability. You may request a reduced workday or workweek or intermittent leave. The leave ends when the health care provider certifies the employee is no longer disabled by pregnancy or after 17 1/3 weeks of total leave have been provided, whichever occurs first.

**Job Protection and Reinstatement:** Employees will normally be restored to their original or equivalent position with equivalent pay, benefits and other employment terms when they return from leave. Your use of leave will not result in the loss of certain benefits accrued prior to the start of your leave. However, you may be required or permitted to use your accrued paid leave benefits.



Continuation of Health Benefits: We will continue our contributions for your health care coverage for the duration of your PDL leave. You will be invoiced by the Company, or its designated administrators, and required to pay the employee portion of the health benefit premium, including all premiums covering your dependents. If you fail to pay the appropriate premiums in a timely manner, it could result in the termination of benefit coverage.

Premium Cost Repayment: If you do not return to work from a leave allowed by this policy, you will be required to repay the premium amounts we paid during your leave as set forth in the law.

Compensation While on Leave: Leave for this purpose is unpaid. You are required to use any earned but unused paid sick leave.

#### **MEDICAL LEAVE OF ABSENCE**

A medical leave of absence without pay may be granted to regular full-time and part-time employees who are not eligible for other leaves at the discretion of ODCHC. A medical leave of absence can affect your medical benefit plan coverage. Ask the Human Resources Department for information about medical leaves of absence. Leave for this purpose is unpaid. You may elect to use any earned but unused paid sick leave if the leave is for your own serious health condition.

#### **FUNERAL OR BEREAVEMENT LEAVE**

In the event of the death of your current spouse, registered domestic partner, child, parent, legal guardian, brother, sister, grandparent, grandchild or mother-, father-, sister-, brother-, son- or daughter-in-law, regular full-time and part-time employees may take up to 40 hours off with pay with the approval of the Human Resources Department. The Human Resources Department may also approve additional unpaid time off.

#### **ORGAN DONOR AND BONE MARROW DONOR LEAVE**

Employees who have been employed by ODCHC for at least 90 days will be granted a paid leave of absence not exceeding 30 business days in any 1-year period if that employee is an organ donor, for the purpose of donating an organ to another person. Employees will be granted a paid leave of absence not exceeding 5 business days in any 1-year period to an employee who is a bone marrow donor, for the purpose of donating bone marrow to another person. The 1-year period is measured from the date the employee's leave begins and shall consist of 12 consecutive months.

ODCHC may require written verification that the employee is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow.

At the employee's initial receipt of bone marrow or organ donation leave, ODCHC requires that an employee take up to 5 days of earned but unused paid sick leave or PTO/vacation time for bone marrow donation and up to 2 weeks of earned but unused paid sick leave or PTO/vacation time for organ donation.

#### **MILITARY LEAVE OF ABSENCE**

ODCHC provides military leaves of absence to employees who serve in the uniformed services as required by the Uniformed Services Employment and Reemployment Rights Act of 1994 and applicable state laws. Leave is available for active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty and for examinations to determine fitness for any such duty. Total military leave time taken may not exceed 5 years during employment, except in special circumstances.

Advance notice of leave is required. Please inform your supervisor of anticipated military leave time as far in advance as possible. Health plan coverage continuance can be arranged for up to 24 months during military leave if you pay the full premium amount (plus a 2% administration fee) each month. As with other leaves of absence, failure to return to work or to reapply within applicable time limits may result in termination of employment.



Leave for this purpose is unpaid. You may elect to use any earned but unused vacation time, but are not required to do so.

#### **MILITARY SPOUSE'S LEAVE OF ABSENCE**

Employees can take up to 10 unpaid days off when their spouse is on leave from military deployment. To qualify, you must work more than 20 hours per week and your spouse must be a member of the Armed Forces, National Guard or Reserves who was deployed during a period of military conflict. To request a Military Spouse Leave of Absence, you must notify your supervisor within 2 business days of receiving notice that your spouse will be on leave. You will be required to provide written documentation certifying that your spouse will be on leave from military deployment during the requested time period. Leave for this purpose is unpaid. You may elect to use any earned but unused vacation time, but are not required to do so.

#### **CIVIL AIR PATROL LEAVE**

Members of the Civil Air Patrol who have been employed at least 90 days are eligible for an unpaid leave of absence of a maximum of 10 days per calendar year for the purpose of responding to an emergency operational mission of the California Wing of the Civil Air Patrol. Under normal circumstances, the leave for a single emergency operation mission shall not exceed 3 days.

Employees shall give ODCHC as much notice as possible of the intended dates upon which the Civil Air Patrol leave will begin and end. ODCHC may require certification to verify the eligibility of the employee for the leave requested or taken.

Leave for this purpose is unpaid. You may elect to use any earned but unused vacation time, but are not required to do so.

#### **DRUG/ALCOHOL REHABILITATION ACCOMMODATION**

ODCHC will reasonably accommodate an employee who wishes to enter and participate in an alcohol or drug rehabilitation program, unless it would impose an undue hardship on ODCHC. Please contact the Human Resources Department directly. ODCHC will take reasonable steps to safeguard the privacy of employees who identify themselves as having enrolled in an alcohol or drug rehabilitation program.

While ODCHC generally encourages employees to take action to treat drug and alcohol problems, ODCHC will not reimburse employees for the costs incurred in attending a rehabilitation program.

A request for rehabilitation leave will not protect an employee from disciplinary action where the employee has violated ODCHC's drug and alcohol policies prior to the request. Further, an employee may be disciplined when, because of the employee's current use of alcohol or drugs, the employee is unable to perform the employee's job duties or cannot perform those job duties in a manner which would not endanger the employee's health or safety or the health and safety of others.

Leave granted for this purpose is unpaid, however, employees may elect to apply any earned but unused paid sick leave or vacation time.

#### **TIME OFF FOR ADULT LITERACY PROGRAMS**

ODCHC will make reasonable accommodations for any employee who reveals a literacy problem and requests that ODCHC assist the employee in enrolling in an adult literacy education program, unless undue hardship to ODCHC would result. ODCHC will also assist employees who wish to seek literacy education training by providing employees with the location of local literacy education programs.

ODCHC will take reasonable steps to safeguard the privacy of employees who identify themselves as an individual with a literacy problem. An employee who wishes to identify himself or herself as such an individual can contact

the Human Resources Department directly. Further, individuals who are performing satisfactorily will not be subject to termination of employment because they have disclosed literacy problems.

While ODCHC generally encourages employees to improve their literacy skills, ODCHC will not reimburse employees for the costs incurred in attending a literacy program.

Leave for this purpose is unpaid, however, employees may elect to apply any earned but unused vacation time.

#### **TIME OFF FOR REQUIRED ATTENDANCE AT SCHOOL OF SUSPENDED PUPIL**

If you are the parent or legal guardian of a child suspended from school and you receive written notice from the principal of the child's school requesting your attendance at the school, you are entitled to take an unpaid leave to attend, provided you give reasonable advance notice to ODCHC. Check with the Human Resources Department for eligibility and scheduling before taking any leave to attend. Leave for this purpose is unpaid, however, you may elect to apply any earned but unused vacation time.

#### **SCHOOL OR DAYCARE ACTIVITIES LEAVE**

If you are a stepparent, foster parent, or standing in loco parentis or a parent, guardian or grandparent having custody of a child in kindergarten or grades 1-12, inclusive of facility or a child care provider, and wish to take time off to visit the school or facility of your child for a school or facility activity, to address an emergency or to enroll or reenroll your child in school or child care you may take off up to 8 hours each calendar month (up to a maximum of 40 hours each school year), provided you give reasonable advance notice to ODCHC of your planned absence. ODCHC requires documentation from the school or facility noting the date and time of your visit.

If both parents of a child work for ODCHC, only one parent -- the first to provide notice -- may take the time off, unless ODCHC approves both parents taking time off simultaneously.

Leave for this purpose is unpaid. You will be required to use any earned but unused vacation time during such leave.

#### **TIME OFF FOR DUTY AS ELECTION OFFICIAL**

If you serve the official governmental duty of acting as an election officer in a local, special or statewide election, you are eligible for an unpaid leave on the day of the election. Please give your supervisor as much notice as possible if you plan to serve as an election official. Leave for this purpose is unpaid, however, you may elect to apply any earned but unused vacation time.

#### **TIME OFF FOR JURY AND WITNESS DUTIES**

ODCHC will provide time off to employees called for jury duty or when subpoenaed as a witness. As a condition of taking time off, employees are required to provide reasonable advance notice if feasible and documentation establishing the right to such time off. If you are released from jury duty or have completed your witness duty prior to the end of what would be your regular workday schedule, it is your responsibility to report back to work within a reasonable amount of time. Upon returning to work, you must present to your supervisor court documentation for every business day you missed.

Full-time, nonexempt employees will receive full pay while serving up to 10 days of jury duty. Exempt employees will receive their regular salaries unless they do not perform any services during a workweek because of the jury or witness service. In other instances, employees may elect to apply any earned but unused vacation time for this purpose.

**TIME OFF FOR VICTIM OF DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING – OBTAINING RELIEF FOR VICTIM AND CHILDREN**

Employees who are victims of domestic violence, sexual assault or stalking will be given time off as necessary to obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order or other injunctive relief to help ensure the safety, health and welfare of themselves or their children. As a condition of taking time off, employees may be required to provide reasonable advance notice if feasible and documentation establishing the right to such time off. ODCHC will make every effort to maintain the confidentiality of any employee requesting such leave.

ODCHC shall provide reasonable accommodations for a victim of domestic violence, sexual assault or stalking who requests an accommodation for the safety of the victim while at work, unless it would constitute an undue hardship on ODCHC's business operations. Upon receiving an employee's request for accommodation, ODCHC shall engage in a timely, good faith interactive process with the employee to determine effective reasonable accommodations.

Leave for this purpose is unpaid, however, employees may elect to apply any earned but unused paid sick leave or vacation time.

**TIME OFF FOR VICTIM OF DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING – ADDITIONAL TIME FOR VICTIM'S PARTICIPATION**

In addition to the time off permitted for victims of domestic violence, sexual assault or stalking to obtain relief to help ensure the safety, health and welfare of themselves or their children, time off will be given to the victim of domestic violence, sexual assault or stalking: 1) to seek medical attention for injuries caused by domestic violence, sexual assault or stalking, 2) to obtain services from a domestic violence shelter, program or rape crisis center as a result of domestic violence, sexual assault or stalking, 3) to obtain psychological counseling related to an experience of domestic violence, sexual assault or stalking or 4) to participate in safety planning and take other actions to increase safety.

As a condition of taking time off, employees may be required to provide reasonable advance notice if feasible and, under certain circumstances, may be required to provide documentation establishing the right to such time off. Acceptable documentation may include a police report, court order, a doctor's or counselor's note or similar document.

Employees may also request changes in the workplace as an accommodation to ensure safety at work. Examples of potentially reasonable accommodations within the workplace may include, but are not limited to, changing or installing locks, changing an employee's shift or work phone number, transfer or reassignment, or assistance in keeping a record of incidents related to this leave. ODCHC may also request proof or a signed statement from the employee certifying that the request for an accommodation is consistent with the purpose of this policy. ODCHC will make every effort to make reasonable accommodations and maintain the confidentiality of any employee requesting such leave.

ODCHC will not retaliate or discriminate against any employee because they are a victim of domestic violence, sexual assault or stalking or for exercising any right detailed under this policy. Complaints of unlawful discrimination or retaliation can be filed with the Labor Commissioner's Office.

Leave for this purpose is unpaid, however, employees may elect to apply any earned but unused paid sick leave or vacation time.

**TIME OFF FOR VICTIM OF CERTAIN FELONIES**

An employee who is the victim of certain crimes (violent felonies, felony thefts and serious felonies as defined by law) or is the immediate family member, registered domestic partner or child of the registered domestic partner of

such a victim will be given time off as necessary to attend judicial proceedings in relation to the crime. As a condition of taking time off, employees may be required to provide reasonable advanced notice if feasible and documentation establishing the right to such time off. ODCHC will make every effort to maintain the confidentiality of any employee requesting crime victim leave.

Leave for this purpose is unpaid. You may elect to use any earned but unused vacation time, but are not required to do so.

#### **TIME OFF TO ATTEND COURT PROCEEDINGS FOR CERTAIN CRIMES**

ODCHC will allow time off for employees to appear in court to be heard at any proceeding in which a right of the victim is at issue. The victim may be the employee, spouse, parent, child, sibling or guardian. The crimes to which this time off applies is extensive. You should ask the Human Resources Department about your particular circumstances.

As a condition of taking time off, employees may be required to provide reasonable advance notice if feasible and documentation establishing the right to such time off. ODCHC will make every effort to maintain the confidentiality of any employee requesting such leave. Leave for this purpose is unpaid, however, employees may elect to apply any earned but unused vacation time.

#### **VOLUNTEER CIVIL SERVICE LEAVE**

If you are a volunteer firefighter, a reserve peace officer or emergency rescue personnel and intend to perform emergency duty during work hours, please alert a representative of ODCHC so that we are aware of the fact that you may have to take time off to perform emergency duty. In the event you need to take time off for emergency duty, please alert your supervisor before leaving ODCHC premises. Leave for this purpose is unpaid, however, you may elect to apply any earned but unused vacation time.

#### **VOLUNTEER CIVIL SERVICE TRAINING LEAVE**

If you are a volunteer firefighter, a reserve peace officer or emergency rescue personnel, you will be permitted to take temporary leaves of absence for the purpose of engaging in fire, law enforcement or emergency rescue training. This amount of leave permitted will not exceed an aggregate of 14 days per calendar year. Leave for this purpose is unpaid, however, you may elect to apply any earned but unused vacation time.

#### **TIME OFF FOR VOTING**

If you do not have sufficient time outside of working hours to vote in a statewide election, then you will be allowed time off to go to the polls during working hours. You will be allowed off enough working time that, when added to the voting time available outside of working hours, will enable you to vote. This time off for voting shall be only at the beginning or end of your normal working shift, whichever allows the most free time for voting and the least time off from your regular working shift.

You must give reasonable notice of the need to have time off to vote. If on the third working day before the election you know or suspect that time off will be needed for you to vote, you must give ODCHC at least 2 working days' notice that time off under this policy is desired. You may be requested to bring a copy of your voting receipt upon your return.

The maximum number of hours that will be paid is 2 hours. Any additional time necessary for this purpose is unpaid, however, employees may elect to apply any earned but unused vacation time.

#### **WORKERS' COMPENSATION LEAVE**

If you are temporarily totally disabled due to a work-related illness or injury, you will be placed on workers' compensation leave. The duration of your leave will depend upon the rate of your recovery and the business needs of ODCHC. Workers' compensation leave will run concurrently with any other applicable medical leave of absence.

**IN CLOSING**

Many ODCHC policies and employee benefits have been outlined only briefly in this Handbook. If you have any questions or want more information, contact the Human Resources Department. It is your responsibility to learn ODCHC policies.

**ACKNOWLEDGMENT & AGREEMENT (EMPLOYEE COPY)**

I have received my copy of ODCHC Employee Handbook. I have read and understand each of the policies in the Handbook and agree to abide by ODCHC’s policies.

I understand and agree that my employment is at-will and may be terminated by me or ODCHC with or without advance notice and with or without "cause." This Acknowledgment and Agreement sets forth the entire agreement between ODCHC and me regarding the nature of my employment and is the final expression of our agreement. This Acknowledgement and Agreement supersedes any and all prior agreements or understandings, written or oral, regarding the nature of my employment.

I understand and agree that my at-will status can be changed only by a written employment agreement signed by the CEO of ODCHC and me that expressly provides for a relationship other than at-will employment.

I understand and agree that, except for the at-will relationship and the arbitration agreement, ODCHC may change any policy or practice and/or my hours, wages, working conditions, job assignments, position, title, compensation rates and benefits in its sole discretion.

\_\_\_\_\_ Employee Name

\_\_\_\_\_ Employee Signature

\_\_\_\_\_ Date

This copy remains with Handbook for employee’s reference.