

… And You

Handbook for Devereux Advanced Behavioral Health Employees

Updated March 1, 2017

Dear Colleague:

Welcome to Devereux Advanced Behavioral Health!

Devereux Advanced Behavioral Health is one of the largest and most advanced behavioral healthcare organizations in the country. We offer a comprehensive national network of clinical, therapeutic, educational, and employment programs and services that positively impact the lives of tens of thousands of children, adults and their families every year.

For more than a century, Devereux has been guided by a simple and enduring mission: To change lives by unlocking and nurturing human potential for people with emotional, behavioral or cognitive differences.

We were founded in 1912 by special education pioneer, Helena Devereux, a teacher in a South Philadelphia public school. Today, we are a national nonprofit partner for individuals, families, schools and communities, serving many of the most vulnerable members of our society in areas of autism, intellectual and developmental disabilities, specialty mental health, and child welfare.

Our legacy of professional, high-quality care is based on the principles of human service led by Miss Devereux, who set the education system on its ear by demanding children with special needs be treated with respect, and provided with a meaningful education and a place in the world.

As a Devereux employee, you will work alongside other dedicated professionals who share your passion for assisting individuals who need our help. We offer challenging and exciting work, and our supportive team environment creates an empowering and positive atmosphere that will help you be successful in your new role.

Our employees are the heart and soul of this organization, and are critical to delivering the very best care for, and making a positive difference in the lives of, the children and adults we serve every day.

Thank you for selecting Devereux Advanced Behavioral Health. I am honored to partner with you in service of our important mission. Congratulations and welcome to the Devereux family!

Yours truly,



Carl E. Clark II
President and CEO
Devereux Advanced Behavioral Health

GETTING STARTED

Starting a new job is exciting, but at times, it can be overwhelming. This employee handbook has been developed to help you get acquainted and answer many of your initial questions, as well as provide guidance to our current employees. **The employee handbook is intended to provide you with direction and guidance. This is not an employment contract.**

As an employee of Devereux Advanced Behavioral Health, the importance of your contribution cannot be overstated. Our goal is to provide the highest quality services to individuals and their families, agencies and other referral sources, and to do this efficiently and economically. By satisfying the individuals' needs, they will continue to come to us for services and will recommend us to others. You are an important part of this process as your work directly influences Devereux's reputation and the quality of care we provide.

This employee handbook explains our human resource policies and benefits, as well as the specific opportunities and responsibilities that exist for you within Devereux. In an effort to be responsive to the needs of a growing organization, changes or additions to this handbook will be made when necessary, and as such, the handbook may be changed with or without notice. We are glad you have joined us, and we hope you will find your work to be both challenging and rewarding.

OUR MISSION

Devereux Advanced Behavioral Health changes lives – by unlocking and nurturing human potential for people living with emotional, behavioral or cognitive differences.

OUR CORE VALUES

Our core values support our mission and guide our actions. We think of them as the best habits of our best employees on their best days. We've always embraced these virtues and now we've updated the way we talk about them.

- ***Compassion***: We have a deep and abiding understanding of, and respect for, our individuals and their families.
- ***Knowledge***: We rely on data and evidence to inform our care. Our work requires a marriage of science and art.
- ***Collaboration***: We require an integrated team approach based on respect, shared goals and altruism.
- ***Dedication***: We maintain relentless optimism and perseverance to support the lifelong journey of those we serve.
- ***Learning***: We pursue continuous personal improvement, professional development and expanding impact.
- ***Forward-looking***: We are *Always en Route*, continually incorporating new innovations to advance our services, our industry and the lives of those we serve.

Table of Contents

Subject	Page
Welcome to Devereux Advanced Behavioral Health	2
Getting Started	3
Our Mission	3
Our Core Values	3
Guide for Using this Handbook	7
Purpose	7
Section 1: The Way We Work	
A Word About Our Employee Relations Philosophy	9
Talk To Us – Positive Approach for Sharing Concerns/Suggestions	9
Employee Responsibility for Compliance Matters	10
Individuals Served and Their Families - Our Responsibility; Confidentiality/ Privileged Communication; Records of Individuals Served; Abuse of Individuals Served; Travel by Individuals Served	11
Professionalism	12
Public Relations	12
Attendance and Punctuality	12
Attire	12
Solicitation and Distribution	13
Compliance with Immigration Law	13
Equal Employment Opportunity	13
Genetic Non-Discrimination Information Act	14
Americans with Disabilities Act	14
AIDS in the Workplace	14
Non-Harassment	15
Sexual Harassment	15
Non-Retaliation	16
(CP) Policies for Non-Harassment, Sexual Harassment and Non-Retaliation	16
Responsible Use of Social Media	16
Section 2: Your Pay and Progress	
Recording Your Time	19
Pay Day	19
Compensatory Time	19
Method of Compensation	19
Pay for E-Learning (Online Training)	19
Performance Reviews/Development Plans	20
Employee Professional Growth and Development	20
Promotions	20
Transfers to Another Devereux Center	20
Transfers Within a Center/Temporary Transfers	21
Pay Advances	21
Employment Classification –Exemption/Non-Exempt Status	21
Overtime	21

Section 3: On the Job	
Confidentiality of Employment and Business Information	24
Employee Protected Health Information Authorization, Use and Disclosure -Health Insurance Portability and Accountability Act (HIPAA)	24
Electronic Communication Policy	25
Emergencies and Inclement Weather	26
Supervisory Support and Crisis On-Call System	26
Devereux and Personal Vehicles	27
Damage to Personal Vehicles	28
Use of Business Telephones, Mobile Phones, and Mobile Devices	28
Access to Personnel Files (All Locations)	29
(CP) Access to Personnel Files	30
(CP) Therapeutic Foster Care	30
Changes in Personal Data	30
Care of Equipment	30
Travel/Expense Accounts	30
Mail Use	31
Bulletin Boards	31
Letters of Reference or Recommendation/Social Media Endorsements	31
If You Must Leave Us – Resignation Notification; Payout of Time-Off Benefit Time	31
Section 4: Employment Status, Time-Off, and Other Benefits	
Orientation Period for New Hires/Transferred Employees	34
(CP) New Employee Orientation	34
Categories of Employment – Full-time; Part-Time	34
Re-Employment with Devereux	34
Change in Status –Part-time to Full-time; Full-time to Part-time; Full-time to Part-time to Full-time; Termination or Leave of Absence (LOA) status	35
Time Off – Time-off Benefits, Academic Employees, Advancement of Time-Off Benefits; Forfeiture of TOB; Sell Program; and Health Management Leave	37
Service Awards – Years of Service; Retirement Recognition	40
Weaver E. Falberg Leadership Promise Fellowship	41
Staff Tuition Assistance Plan	41
Savings Bonds	41
Section 5: Leaves of Absence	
Jury Duty	43
Military Leave	43
Court Attendance and Witness Duty Leave (non-work related)	44
Administrative Leave	44
Bereavement Leave	44
Personal Leave Of Absence	45
Devereux Leave for Medical Absences (DML)– Full-Time and Part-Time Employees; Other DML Conditions; Job Restoration; Health Management Leave (HML) Accruals and Caps; Paid HML for Part-Time Employees by State or Municipality; Approval of Devereux Leave for Medical Absences	45

	Section 5: Leaves of Absence (continued)	
	Federal Family and Medical Leave– Eligibility and Job Restoration; Reasons for Leave; Requirements for the Use of Time-Off Benefits; Benefit Continuation; Intermittent Leave; and Recertification While of Family Medical Leave	49
	State and Local Family and Medical Leave Laws	53
	State Temporary Disability Insurance	57
	All Disability Leaves	58
	Other State Leave Laws	59
	Section 6: Health and Welfare and Other Mandated Benefits	
	Social Security	62
	Unemployment Compensation	62
	Workers' Compensation	62
	Choice Benefits - Section 125 Plan; Benefit Changes/Qualified Family Status Changes	62
	Retirement Plan	63
	Work/Life Assistance Services	64
	Employee Assistance Program	64
	Health Advocate	65
	Section 7: Standards of Conduct	
	Standards of Conduct	67
	Employee Coaching, Counseling, Verbal Or Written Warning, Suspension/Probation And Termination Guidelines	67
	Conflict of Interest- General Guidelines; Outside Employment; and Employment of Relatives	68
	Employee Responsibility for Detecting and Preventing Fraud, Waste and Abuse	69
	Section 8: Safety in the Workplace	
	Employee Responsibility	72
	Health Screening	72
	Smoking In the Workplace	72
	Hepatitis B Vaccine	72
	Good Housekeeping	73
	Workplace Violence	73
	Domestic Violence	73
	Drug Free Workplace/Substance Abuse	74
	ACKNOWLEDGEMENT BY EMPLOYEE (Human Resources Copy)	75

GUIDE FOR USING THIS HANDBOOK

Congratulations on joining Devereux Advanced Behavioral Health! To our employees already working at Devereux, you know that you are already a member of an outstanding team of professionals; and we thank you for your continued service and commitment to Devereux's mission.

Devereux offers a comprehensive continuum of care that includes residential and day treatment programs, community-based group homes, hospital inpatient and outpatient settings, partial hospitalization, transitional living arrangements, supervised apartments, therapeutic foster care homes, community-based mental health services, vocational training, and respite care. Additionally, Devereux provides aftercare, family counseling and therapy, prevention, foster care, early intervention and post-discharge services. The services provided at a particular Center*, or program within a Center, differ between states and Centers. Devereux's 15 operating Centers are located in 13 states. This range of services provides our employees with opportunities both geographically and programmatically.

As indicated above, one of our greatest strengths is the scope and diversity of the programs that we offer and our ability to provide services in a number of locations. Therefore, the policies outlined in this handbook and policy manual provide valuable information to assist you with making your employment at Devereux successful. However, it is important to note that you must also review your Center's procedures carefully, as they provide more detail and guidance; your Center's procedures often address differences that may exist, for example, between a residential setting and community-based program setting.

In using this handbook, it is important to review it carefully, particularly with regard to the following:

1. Differences based on State-specific regulations or requirements in accordance with the State in which your Center operates; and,
2. Differences identified for employees working in community-based programs. At the time you are assigned to such a program, you will be informed if your work location or program is designated as a community-based program. In this handbook, policy differences, if they have been established, are denoted by the code (CP) in the policy subject heading. If you are assigned to a community-based program, you will want to pay particular attention to sections marked (CP).

**Throughout this handbook, reference is made to the Center. It should be noted that all handbook content applies to every Devereux employee, manager and supervisor, including National office employees. Additionally, Center refers to all Devereux programs and services, including, but not limited to residential treatment and community-based programs and services.*

PURPOSE

Devereux reserves the right to revise or rescind provisions of this handbook, as well as any other policies, with or without notice. Matters not included in the Handbook should not be interpreted to mean that a related policy does not exist. Such issues may be included in Devereux Policy; the Standards of Conduct Manual; Center Procedural Manual; Devereux Benefits, Wage and Employment Practices Administrative Reference Manual; Benefit Summary Plan Descriptions; Insurance Contracts; and/or Devereux's Drug-Free Workplace Manual.

Neither this handbook nor any other written or verbal communication by a management representative is intended in any way to create a contract of employment. Devereux adheres to a policy of employment-at-will, which permits Devereux or the employee to terminate the employment relationship at any time, for any reason. Your supervisor or Human Resources department personnel should be consulted for clarification or questions about policies and procedures.

Section 1: The Way We Work

A WORD ABOUT OUR EMPLOYEE RELATIONS PHILOSOPHY

Devereux is committed to providing the best possible environment for maximum development and achievement of goals for all employees. Our practice has always been to treat each employee as an individual. We have always sought to develop a spirit of teamwork, and encourage individuals to work together to achieve common goals. Devereux has identified core competencies that we believe are critical to the success of our employees and the organization. Devereux expects that all employees, regardless of their roles:

Will be:

- Responsible
- Respectful
- Team-Focused
- Customer-Focused; and,

Will demonstrate:

- Safety first
- Positive initiative
- The skills needed to be a capable communicator

Additionally, we have identified the professional skills and technical competencies that are needed by each employee to successfully perform his/her role, and these are outlined in your job profile.

In order to maintain an atmosphere where Devereux's goals and mission can be accomplished, we strive to provide a workplace that is comfortable, inclusive and progressive. Most importantly, we wish to have a workplace where communication is open and problems can be discussed and resolved in a mutually respectful atmosphere, taking into consideration the individual circumstances of each employee. We firmly believe that by communicating with each other directly, we can resolve most difficulties that may arise, and develop a mutually beneficial relationship.

We are always interested in your constructive ideas and suggestions for improving our programs and services. Your suggestions should be submitted in writing to your supervisor. After your suggestion is reviewed, you will be notified whether or not it is feasible to put into practice. Management believes that suggestions demonstrate initiative on the part of an employee. With your approval, we will place the suggestion in your personnel file and take it into consideration at the time of your performance review.

TALK TO US – POSITIVE APPROACH FOR SHARING CONCERNS/SUGGESTIONS

Devereux encourages all employees to share their ideas and concerns openly. We are committed to exploring ideas and suggestions that may help improve the services we provide and our work environment. We encourage you to bring your questions, suggestions and concerns to management’s attention, and want to let you know that in our continuing effort to improve operations, careful consideration will be given to each of these. If you feel you have a problem, you should present the situation to your supervisor so that the problem can be addressed by investigation, examination and through a discussion of the facts. We hope that your supervisor will be able to satisfactorily resolve most matters.

If you find that you still have questions after meeting with your supervisor or that you would like further clarification on the matter, you may request a meeting with the next level supervisor. Your suggestions and comments on any subject are valued, and we encourage you to take every opportunity

to discuss them with us. Your job will not be adversely affected in any way, because you choose to use this procedure.

Devereux also knows that there are times when you may experience a problem or concern in the workplace and wish to resolve it in a positive manner. We want you to be heard. Therefore, we encourage you to take the following steps to present your ideas or to address any work-related concern or suggestions you may have.

1. Talk to Us - **As indicated above,** have a discussion with your supervisor. If you cannot talk to your supervisor about the matter, talk to your Center Human Resources department personnel. All complaints or concerns should be brought to the attention of the appropriate supervisor or manager as close to the time of the related event as possible. The greater the length of time between the event and the filing of the complaint or concern, the greater concern there will be regarding our ability to investigate. Additionally, a delay in bringing forward your concern may in fact raise a question as to the validity of the complaint.

2. If you feel that after your discussions under Step 1, your idea, problem or concern was not thoroughly considered or resolved, you can talk to your Supervisor's supervisor in conjunction with Human Resources department personnel (or Center Management team member or designee, if Human Resources is not appropriate).

At this stage, Human Resources, the Center Management team member, or the designee will document the resolution or next steps to be followed.

3. If you are not satisfied with the response in Step 2, you may appeal to the Executive Director or the Department Head/Vice President by stating in writing the reasons why you believe further review is warranted. This written appeal should be submitted directly to the Executive Director or Department Head/VP with a copy given to Human Resources.

Resolution does not necessarily mean agreement or that an idea will be implemented; however, you will be heard and receive an explanation for the final decision. We wish to resolve any complaint or concern quickly. A complaint or concern should be filed within 10 business days of the event or unsatisfactory resolution at any stage of the process. All supervisory responses at any stage will be provided within 10 business days, unless there are unforeseen circumstances. In such cases, the employee will be informed of the delay and the need for an extension.

This process may be used for concerns with performance assessments or to raise concerns regarding a termination as long as Step 1 is commenced within 48 hours of the termination.

EMPLOYEE RESPONSIBILITY FOR COMPLIANCE MATTERS

All employees, including supervisors and managers, are responsible for promptly reporting actual or potential wrongdoing, including actual or potential violations of law, regulation, policy, procedure, or Devereux's Standards of Conduct. The "Talk to Us" policy must be maintained at all levels of management for employees to report problems and concerns, and procedures have been established to ensure that such reports are acted upon in an appropriate manner. If the problem is not satisfactorily resolved, the employee may proceed up the normal reporting chain to a higher level.

In addition, the existing Human Resources "Positive Approach to Sharing Concerns/Suggestions" policy provides a formal procedure for reporting and responding to employee problems and concerns. **Furthermore, a Corporate Compliance Helpline is available to all employees for use in reporting**

problems and concerns, or to seek clarification of compliance-related issues. Employees can contact the Helpline anonymously or in confidence. The Helpline number is 1-877-780-9374.

INDIVIDUALS SERVED AND THEIR FAMILIES

Our Responsibility

The safety and well-being of the individuals served must be the priority of all employees. During the emergencies that inevitably occur, it is expected that employees will always be willing to assume responsibility "above and beyond the call of duty." It is also the responsibility of all trained employees to support other employees in a crisis situation. Additionally, in the event that your replacement has not reported for duty as scheduled, you should contact the on-call supervisor/manager for further direction. Under no circumstances may individuals requiring supervision be left unattended or unsupervised.

Confidentiality/Privileged Communication

The work of Devereux is unique in many respects, and we often deal with many personal problems of the individuals served, their families and other environmental influences. It is necessary that this type of information be developed and utilized for the benefit of the individuals served and their families. This puts us in a position of trust, with knowledge of what we consider “Privileged Communication.”

Each of us has a responsibility to maintain the highest ethical standards and confidentiality regarding this information. The misuse of this knowledge and material can be extremely damaging and can serve to create additional serious problems. Naming of individuals served and/or discussion of their problems must be avoided. The dangers of misinterpretation, misuse and the transmission of information cannot be overemphasized. Such abuse can easily create serious personal problems for individuals served, for their immediate families, and for the professional and public image of Devereux.

In accordance with the Health Insurance Portability and Accountability Act (HIPAA) of 2003, we must ensure that Protected Health Information (PHI) concerning individuals served is maintained in a confidential manner and is not released without appropriate authorization. As such, you must not communicate any information whatsoever about an individual served, to any party other than those to whom you are authorized to release such information.

Your supervisor can provide additional information regarding your responsibilities under HIPAA.

Records of Individuals Served

If in the event, you have access to treatment and medical records of individuals served and related information, including the fact that an individual receives services from Devereux, you are required to keep this information strictly confidential. All records, and copies thereof relating to individuals served, both present and discharged, shall remain the property of Devereux and shall not be removed from the premises without the written approval of the appropriate Executive Director or his/her designee. Research records and statistical data prepared and gathered during employment remain the property of Devereux and may not be borrowed, duplicated or removed upon termination. Medicaid records must be maintained and made available in accordance with the applicable laws.

Abuse of Individuals Served

Devereux is dedicated to the care, treatment and rehabilitation of the individuals in our care. Punitive actions, emotional or physical abuse, neglect, sexual conduct or other abusive behaviors are never appropriate. Devereux has "zero" tolerance for any form of abuse of individuals served.

Travel by Individuals Served
Transporting individuals off of Devereux premises without the prior approval of the individual's clinical treatment team and the individual's parent or guardian (when applicable) is strictly prohibited. Furthermore, you must follow the Center's procedures for transporting individuals served.

PROFESSIONALISM
Devereux assumes a very important responsibility when it accepts an individual into its care, as this environment becomes a primary influence in the individual's development and growth. It is expected that employees will serve as positive role models, conduct themselves in a professional manner, and avoid any actions that may be detrimental to individuals served. Maintaining a positive attitude is essential, and discussion of personal or work-related problems while in the presence of individuals must be avoided. Obscene or abusive language is never appropriate and will not be tolerated.

PUBLIC RELATIONS
Devereux's reputation has been built on excellent service and quality work since its inception in 1912. Maintaining this reputation requires the active participation of every employee. Employees are expected to interact in a courteous, friendly and sensitive manner with all associated with Devereux, including co-workers, individuals served, families, agencies, community service providers, our community neighbors and others.

ATTENDANCE AND PUNCTUALITY
Regular attendance and punctuality of all employees is critical for the successful and efficient operation of Devereux.

- If you are unable to report for work or must be late due to illness or an emergency, you are required to notify your supervisor or department head in accordance with Center procedures, as far in advance as possible. Normally, you must report to your supervisor no later than your normal reporting time.
- An employee absent from work who fails to contact his/her supervisor or designee for three (3) consecutive work days will be considered as having abandoned his/her position and will be terminated. Chronic absenteeism or lateness will result in disciplinary action or dismissal.
- It is equally important that you work for the entire time you are scheduled. If an emergency should arise or you become ill during working hours, be sure to secure permission from your supervisor prior to leaving work, and before the end of your scheduled workday.

ATTIRE
Employees are expected to maintain the highest standards of personal grooming and present a neat, professional appearance at all times.

- The satisfaction of individuals served, as well as other customers, represents the most important and challenging aspect of our business. Whether or not your job responsibilities place you in direct contact with individuals served, you represent Devereux by your appearance as well as your actions. Properly groomed employees help to create a favorable image to the public and fellow employees.
- Good grooming and good taste should be the two factors considered in determining what is appropriate.
- Employees certified to perform Safe and Positive Approaches Parts 2 and 3 must comply with dress and grooming standards designed for the safety of the individuals served, as well as their own safety. The list below is not all inclusive, but rather provides general guidelines:
    - Footwear must be supportive, safe and appropriate. Recommended footwear includes flat-soled, closed-toe shoes, tennis shoes, running shoes or athletic type footwear. An employee may not wear open-toe shoes, sandals, flip-flops, high-heeled, open-backed or slip-on shoes.

- Jewelry is permitted, but not recommended. If you elect to wear jewelry, you may not wear large hoop earrings or exposed body piercings.
- Neckwear, including necklaces or ties, must be breakaway.
- It is not recommended that employees wear dresses, and if worn, they must be modified to allow for the successful and safe implementation of all interventions.
- Long fingernails are not permitted.

- No employee should dress or adorn themselves in a manner that may be offensive or provide a poor example for individuals served.
- Guidelines for attire are available at each Center. Employees who do not conform to these guidelines will be appropriately advised by their supervisors, and notified that continued disregard will result in disciplinary action, up to and including termination.

SOLICITATION AND DISTRIBUTION

In order to avoid unnecessary annoyances and interruptions to your work, solicitation by an employee to another employee is prohibited while either individual is on working time.

- Employee distribution of literature in work areas is prohibited at all times.
- Trespassing, soliciting or distribution of literature by non-employees on Devereux property is prohibited at all times.
- Solicitation includes any fundraising or sale of goods or services for any organization or cause other than those that directly benefit Devereux.
- In the event of a natural disaster or personal tragedy that impacts Devereux staff members, information provided and requests for employees' assistance made to non-affected Devereux employees shall not be considered "solicitation" under specific conditions outlined in Policy 510. Before any action is taken to request assistance, the steps outlined in Policy 510 must be taken, and reviewed with Center Human Resource department personnel.

COMPLIANCE WITH IMMIGRATION LAW

Devereux is required by federal immigration law to verify the identity and eligibility to work for all individuals within three (3) business days of being hired. In the event that appropriate documentation is not provided, employment must be terminated.

In accordance with this requirement, each individual hired must present for inspection by Human Resources department personnel, original documentation verifying his or her identity and eligibility to work in the United States. In accordance with Center procedure, a copy of the documentation may be maintained by Human Resources department personnel throughout your employment. Each applicant must also attest to his or her legal authority to work and certify this on the Form I-9. All offers of employment and continued employment for positions in the United States are contingent on furnishing satisfactory evidence of identity and legal authority to work in the United States.

Devereux voluntarily participates in the U.S. Department of Homeland Security's E-Verify program which is used in accordance with federal guidelines to verify the employment eligibility of all newly hired employees, as well as the validity of Social Security Numbers provided by all new hires.

EQUAL EMPLOYMENT OPPORTUNITY

Devereux is committed to the full utilization of all Human Resources and to a policy of equal employment opportunity. Devereux recognizes its responsibility not only to its employees and contractors, but also to the communities in which it operates. Therefore, Devereux reaffirms its policy to hire qualified applicants and treat employees during their employment without regard to race, religion, gender, color, age, physical or mental disability, national origin, veteran status, marital status, gender identity and expression, sexual orientation, citizenship, or any other category protected by law.

This includes all employment decisions, including, but not limited to, recruitment, hiring, compensation, training and apprenticeship, promotion, upgrading, demotion, downgrading, transfer, lay-off, termination or any other term and condition of employment.

In some cases, individual states may have additional or stricter laws to protect additional classes from discrimination. You may discuss equal employment opportunity related questions with your supervisor, a member of the Human Resources department or any other member of management.

GENETIC INFORMATION NONDISCRIMINATION ACT

Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA) protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral and other aspects of employment.

Devereux recognizes its responsibility to limit the acquisition and disclosure of employee or applicant genetic information. Genetic information includes information about genetic tests of applicants, employees or their family members; the manifestation of diseases or disorders in family members (family medical history), and requests for or receipt of genetic services by applicants, employees or their family members.

AMERICANS WITH DISABILITIES ACT

Devereux is committed to providing equal employment opportunities to otherwise qualified individuals with disabilities, which includes providing reasonable accommodation where appropriate. Whether you are an applicant, a part-time or full-time employee, or are working during your orientation period, we ask that you notify your supervisor or a member of the Human Resources department of the need for reasonable accommodation in order for you to perform the essential functions of your job. At that time, you will be asked to complete the request for an accommodation and provide medical certification.

Typically within five (5) business days of your request for a reasonable accommodation and your completing the request and returning the medical certification, a member of the Human Resources department will interact with you regarding your proposals for an effective reasonable accommodation. If in the event of extenuating circumstances, you will be provided notice if the Human Resources department personnel need more than five (5) business days to evaluate your proposal. In doing so, Human Resources department personnel may ask you for your assistance on the type of accommodation you believe may be necessary regarding the functional limitations caused by your disability. Also, when appropriate, we may need your permission to obtain additional information from your treating healthcare provider or other medical or rehabilitation professionals.

Any employee or applicant who requests an accommodation and/or complains of or believes he/she or others have been subjected to discrimination is protected from retaliation. An employee, at all times, has the right to file a charge of discrimination with the Equal Employment Opportunity Commission (EEOC) or similar state or local agency, and the right to participate or assist in any investigation.

AIDS IN THE WORKPLACE

Devereux will not discriminate against any employee because of AIDS, has tested positive for HIV or AIDS related complex, or has been suspected of having AIDS. Such discrimination is not permitted in hiring, discharging, promotions, demotions, transfers, job assignments, compensation or any other employment related decision. In the event that an AIDS–afflicted employee becomes disabled as a result of his/her disease, he/she will be treated consistently with regard to all employment matters, including medical benefits and time-off policies.

NON-HARASSMENT
Our policy is to prohibit harassment of one employee by another employee or supervisor on any basis, including but not limited to, race, religion, gender, color, age, physical or mental disability, national origin, veteran status, marital status, gender identity and expression, sexual orientation, citizenship or any other category protected by law. The purpose of this policy is not to regulate our employees' personal morality. Rather, it is to assure that no employee harasses another, in any manner in the workplace.

While it is not easy to define precisely what harassment is, it certainly includes slurs, epithets, threats, derogatory comments, unwelcome jokes, bullying and teasing. Bullying can take a number of forms, including, but not limited to, verbal abuse, offensive conduct or behavior that is threatening, humiliating, or intimidating, work interference, or sabotage, which prevents an employee from accomplishing what needs to be done. On the other hand, supervisory feedback to an employee indicating areas in need of improvement or development does not constitute harassment.

Any employee who feels he/she is a victim of such harassment should immediately report the matter to his/her supervisor, a member of the Human Resources department or any other member of management. Devereux will investigate all such reports as confidentially as possible. Adverse action will not be taken against any employee who reports or participates in the investigation of a violation of this policy.

Supervisors have a duty to report any allegations brought to them by employees regarding behavior that may violate this policy. Employees should not expect, and may not require, a supervisor to hold such information in confidence. Supervisors must report the information to their supervisor, Human Resources department personnel or any member of management immediately.

SEXUAL HARASSMENT
It is the policy of Devereux that all of our employees should be able to enjoy a work environment free from all forms of discrimination, including sexual harassment.

Sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. No employee -- either male or female -- should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. Sexual harassment is unlawful and will not be tolerated by Devereux.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior which is not welcome, which is personally offensive, which debilitates morale, and which therefore interferes with our work effectiveness.

Such conduct, whether committed by a supervisor or non-supervisory personnel, is specifically prohibited. This includes repeated offensive sexual flirtations, advances or propositions; continued or repeated verbal abuse of a sexual nature; graphic or degrading verbal comments about an individual or his or her appearance; the display of sexually suggestive objects or pictures; or any offensive or abusive physical contact. All employees should maintain appropriate professional boundaries. This is especially imperative for those in positions of authority (i.e. managers and supervisors).

Supervisors have a duty to report any allegations brought to them by employees regarding behavior that may violate this policy. Employees should not expect, and may not require, a supervisor to hold such information in confidence. Supervisors must report the information to their supervisor, Human Resources or any member of management immediately.

In addition, no one should imply or threaten that an applicant or employee's cooperation of a sexual nature (or refusal thereof) will have any effect on the individual's employment, assignment, compensation, advancement, career development or any other condition of employment.

If sexual harassment is committed by a Devereux employee, we will take such action as is appropriate under the circumstances. Such action may include counseling, informal or formal reprimands, written or verbal warnings, suspension, reduction in pay, reduction in duties, mandated training, transfers and other formal sanctions up to and including termination of employment.

Any questions regarding either this policy or a specific situation should be addressed to the appropriate supervisor or a member of Human Resources. If you prefer not to discuss the matter with your supervisor or a member of the Center Human Resources department, you may discuss it with any other member of management or address the situation with the Vice President of Human Resources (or designee) at Devereux Advanced Behavioral Health, 2012 Renaissance Blvd., King of Prussia, PA 19406.

In addition to the above, an employee may file a formal complaint with either The United States Equal Employment Opportunity Commission or the applicable state or local equal employment opportunity agency. The address and telephone number for each agency is posted in the Human Resources department office.

NON-RETALIATION

Employees who report a possible violation of law, regulation, policy, procedure or Devereux's Standards of Conduct will not be subjected to disciplinary action or other form of retaliation, retribution or harassment. No supervisor or employee is permitted to engage in retaliation, retribution or any form of harassment against an employee for reporting a compliance related concern. Any supervisor or employee who conducts or condones retribution, retaliation or harassment in any way will be subject to disciplinary action up to and including termination. Employees can not exempt themselves from the consequences of wrongdoing by reporting their own wrongdoing, although self-reporting may be taken into account in determining the appropriate course of action.

(CP) POLICIES FOR NON-HARASSMENT, SEXUAL HARASSMENT AND NON-RETALIATION

Policies for Non-Harassment, Sexual Harassment and Non-Retaliation outlined above are the same for community-based programs. As indicated, any such inappropriate behavior will not be tolerated. Whenever possible, the reporting requirements for community-based programs will be the same, typically starting with your supervisor. However, because a supervisor is not always on site and may not be immediately accessible, each Center has established procedures for contacting an on-call supervisor as a backup. In the event that the appropriate supervisor is not available in accordance with Center procedure, and in your judgment, immediate assistance is needed, contact your Human Resources Director. Finally, if none of the resources outlined above are available or the situation makes any contact at these levels inappropriate, you may contact the Vice President of Human Resources (or designee). Directions and contact information are posted physically or electronically – according to Center procedure, and it may be periodically updated or changed.

RESPONSIBLE USE OF SOCIAL MEDIA

Devereux personnel using social media or social networking sites must act responsibly as inappropriate use of social media may affect your job. A social media site user is expected to act appropriately whether working on the Devereux information systems network or while using his or her personal account. In reviewing these guidelines, consider them in conjunction with the Devereux Standards of Conduct, Non-Harassment and Sexual Harassment policies, and other relevant policies. Inappropriate

postings, which include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated.

Devereux personnel using the Internet and Devereux Intranet services are expected to communicate in a courteous, respectful and sensitive manner with all those persons associated with Devereux, including co-workers, families, agencies, community service providers, our community neighbors and others. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by using our "Talk to Us - Positive Approach to Sharing Concerns/Suggestions" policies than by posting complaints to a social media outlet.

Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening, harassing or bullying, or that disparage individuals served, parents, other employees, suppliers or others associated with Devereux. The use of social media for personal reasons during work time is prohibited. This policy is not meant to interfere with an employee's rights under Section 7 of the National Labor Relations Act.

Without their permission, it is never appropriate to engage with any current or discharged individuals served, or the parents of individuals through social media. If you are contacted by an individual or parent, you should check with your supervisor to determine whether there are any therapeutic, treatment or business reasons why you should not respond.

Section 2: Your Pay and Progress

RECORDING YOUR TIME

- You are required to maintain an accurate record of all time worked.
- Hourly (non-exempt) employees and salaried (exempt) employees must record actual hours on time sheets/cards, or by use of other approved time-keeping systems. Employees are responsible for preparing their time records for their supervisor's review and approval in accordance with Center procedure, but under no circumstances should time records be submitted later than the close of the pay period. Time sheets/cards/records not submitted may result in a delay of payment; however, employees will be paid in accordance with the applicable state law. You should check with your Human Resources department personnel if you are asked by your supervisor to record your time in another manner.
- For non-exempt employees, Devereux tracks hours worked in 15-minute increments, as permitted under the Fair Labor Standards Act.
- A full-time exempt employee who works a partial day and who has accrued time-off in accordance with Devereux's time-off policies may use, or be expected to use, time-off benefits in four (4) hour increments. However, in accordance with Wage and Hour regulations, an exempt employee who works a partial day and does not have accrued time-off must be paid according to a predetermined amount (typically, a full eight (8) hours) or 40 hours in a workweek in which services were provided, unless no hours are worked on a given day.
- With the exception of an employee on an approved Family Medical Leave, an exempt employee may not be issued a partial day of pay. Under Family Medical Leave, time may be taken off intermittently and adjusted for an exempt employee based on the amount of time actually worked.
- At no time is a full-time employee with accrued time-off benefits, including Health Management Leave time, permitted to voluntarily elect to receive zero pay. The abuse or excessive use of time-off benefits, including the partial use of days by exempt employees without accrued time off may result in disciplinary action, up to and including termination of employment.

PAY DAY

You will be paid on a bi-weekly basis. This payment is distributed on alternate Fridays and reflects your earnings for the two-week period that concluded on the preceding Saturday. Employees will be paid on the preceding workday if a payday falls on a non-working day, such as a bank or Federal holiday.

COMPENSATORY TIME

This is a practice not authorized for use at Devereux.

METHOD OF COMPENSATION

Devereux requires that all employees be paid by Direct Deposit or the Check Debit Card system, unless prohibited by State law. Direct Deposit program and Check Debit Card enrollment forms can be obtained from your Human Resources or Payroll office. If in the event the use of direct deposit or the Check Debit Card system will create a documented undue hardship, the Center Human Resources Director may approve payment through a payroll check. In the event that an employee is approved to receive a hard copy, paper paycheck, it will be mailed to the employee's home address. Under no circumstances may payroll checks be cashed/deposited prior to the designated payday.

PAY FOR E-LEARNING (ONLINE TRAINING)

The time spent in mandatory training is considered work and is included in an employee's pay as hours worked. Voluntary training or meetings not directly related to an employee's primary duties that take place outside the employee's regular working hours are not considered work hours; and therefore, are not compensable. Non-exempt employees who participate in online mandatory training will be paid for all

hours worked. However, if a training module is not completed within the specified time period assigned for the training, the employee should stop and seek support and direction from his/her supervisor regarding the steps to be taken to complete the course work.

PERFORMANCE REVIEWS/DEVELOPMENT PLANS

Your performance and contributions to Devereux are very important. Periodically, your supervisor will review your performance with you. Normally, you and your supervisor will be responsible for jointly completing a performance assessment annually. In keeping with Devereux's philosophy of providing employees with "Skills for Life," your supervisor will assist you in preparing a development plan that is specific to your present role. Additionally, at your request, your supervisor and Human Resources department personnel will work with you to prepare a career development plan that will help you determine how you may be able to align your professional goals with organizational needs and opportunities outside of your role. New employees, rehired employees and those who have assumed a new role at Devereux will receive supervisory feedback throughout their new/transferred employee orientation period. This feedback will include at least one formal session to review your progress.

EMPLOYEE PROFESIONAL GROWTH AND DEVELOPMENT

Devereux places significant importance on professional growth and development. Employees have an obligation to the organization and to the individuals served to perform to their best ability. Our focus on performance and competency means that you will actively participate in professional growth and development opportunities based on prescribed learning paths for your position, as well as learning related to your individual needs and goals. Devereux provides a host of learning resources that present opportunities for you to acquire new knowledge, develop skills, and to assist you in enhancing your performance. These opportunities consist of traditional classroom instruction, coaching and supervision, eLearning (computer-based), structured on-the-job learning, small group meetings, self-study materials, workshops and other external resources. It is Devereux's belief that learning can occur at any time and in any place, and we strive to make that possible for you.

PROMOTIONS

We believe that career advancement is rewarding for both the employee and Devereux. Whenever possible, we will promote qualified employees to new or vacated positions. In addition, your Human Resources department personnel and your supervisor are available to discuss potential promotional opportunities with you.

TRANSFERS TO ANOTHER DEVEREUX CENTER

Devereux is a large organization, which may provide you with opportunities outside of your current location. To help make you aware of opportunities available throughout the organization, Devereux uses an electronic job posting system. A list of current vacancies can be viewed on Devereux's Intranet > Devereux Career Opportunities, or at http://jobs.devereux.org .Depending on Center procedure, a list of available Center job openings may be available in your Center Human Resources department office or other designated Center locations.

The posting process gives you the chance to identify and communicate your interest in positions for which you are qualified. Normally, you are eligible to request a transfer after 90 days of employment, provided your performance meets expectations for your current role. Typically, an employee who is on a performance improvement plan, or has been issued a final warning, is ineligible for transfer.

Your Department Head or Human Resource representative will be happy to discuss transfer opportunities with you, as well as your eligibility to transfer.

A request for a voluntary transfer between Centers must be made by applying online for a position of

interest through Devereux's electronic job posting system. When doing so, interested employees are required to apply using their Devereux email address, which identifies you as an internal applicant. The Human Resources department where the position of interest is located will be notified of your interest. You will be contacted by them to discuss the position, and if approved, scheduled for an interview.

TRANSFERS WITHIN A CENTER/TEMPORARY TRANSFERS

Because Devereux is a complex organization, there may be times when it is in the best interest of the organization for you to work in a program or department other than your current location. The decision to transfer an employee is made based on the needs of the individual and the organization. As such, your supervisor or Department Head may also request a transfer for you. In order to ensure the safety of the individuals served, as well as efficient and cost-effective operations, Devereux reserves the right to reassign employees to programs and change employee work shifts/schedules as business needs demand. Advance notice of such changes will be given when feasible, but is not guaranteed. The duration of such reassignments and/or shift/schedule changes is determined by the needs of the organization, but also with consideration for the personal needs of the affected employee.

In the event that you are reassigned and/or your shift/schedule is changed, any questions or concerns you have relative to this change should first be addressed with your immediate supervisor. You may also contact Human Resources or the next level supervisor as outlined in the "Talk to Us" policy. Temporary transfers are considered an essential job function of any role at Devereux. Also, a temporary transfer may present a development or learning opportunity, which is beneficial for both you and Devereux.

PAY ADVANCES

Pay advances will not be granted to employees.

EMPLOYMENT CLASSIFICATION – EXEMPT/NON-EXEMPT STATUS

All positions are classified as non-exempt or exempt in accordance with provisions of the federal Fair Labor Standards Act and state wage and hour laws. Employees working in non-exempt positions are eligible for overtime pay consistent with Devereux's policy, while employees working in exempt positions are not eligible for overtime pay. Employees will be notified of their employment classification upon hire. Employees seeking new roles will be informed whether a role is exempt or non-exempt during the interview process. Supervisory personnel conduct performance evaluations and have the authority to hire and terminate an employee, or effectively recommend such. Exempt status applies to most supervisors as well as administrative, professional and executive employees. Exempt employees are paid a set base salary per pay period. The duties of the role may require an employee to work beyond the standard workweek without additional compensation. An exempt employee is paid for doing the job, not for the specific hours worked.

Devereux's policy is to pay all employees in accordance with all applicable federal and state regulations. Additionally, Devereux will only make payroll deductions or, if required, dock pay in accordance with applicable law. Devereux is committed to classifying (exempt or non-exempt) and paying all employees correctly, as well as within one pay period or sooner, if required by state law. Any employee who feels that he/she has been paid or classified incorrectly should report it immediately to the Center Human Resources Director or his/her supervisor, so that such reports can be investigated promptly and confidentially. Adverse action will not be taken against an employee who reports or participates in the investigation of a possible violation of this policy.

OVERTIME

There will be times when you will need to work overtime so that Devereux can meet the needs of individuals served or to provide other services required by Devereux. Overtime may include work performed remotely by hourly employees after regularly scheduled work hours, including sending or

responding to work-related email or text messages when approved by his or her supervisor. All overtime must be approved in advance by your supervisor.

Hourly employees will be paid at a rate of time and one-half their regular hourly rate for time worked in excess of 40 hours in a week. The week is defined as Sunday through Saturday. Only actual hours worked count toward computing weekly overtime; time-off benefits used do not count toward computing weekly overtime.

Some states have additional requirements concerning the payment of overtime; specific regulations governing overtime computations at your Center are posted in the Center's Human Resources department office.

Section 3: On the Job

CONFIDENTIALITY OF EMPLOYMENT AND BUSINESS INFORMATION

- In the course of employment, employees will come into contact with programs and procedures developed by Devereux or its contractors, and/or may have the opportunity to develop programs and procedures. Employees may not disclose confidential or proprietary information related to programs or procedures without express written authority. Nor may employees disclose individuals' confidential information, including the names of individuals served. Use of this information outside its intended purpose and without authorization is strictly prohibited.
- The receipt of individuals' confidential or proprietary information, in error or indirectly, must be reported to Human Resources department personnel or your Department Head immediately. Examples of confidential information include records of individuals served, proprietary operational information, social security numbers and confidential communications.
- The release of confidential or proprietary information or failure to report the release of such information is considered violation of Devereux's Standards of Conduct.
- The release of confidential or proprietary information with authorization of management is permitted within the scope of your job responsibilities, provided it is done for valid Devereux business reasons.
- Protected Health Information (PHI) may not be released or obtained without appropriate authorization, and in accordance with the Health Insurance Portability and Accountability Act (HIPAA). If you are not sure or have a question regarding PHI, you should contact your Human Resources department personnel or Center's Privacy Officer.

EMPLOYEE PROTECTED HEALTH INFORMATION AUTHORIZATION, USE AND DISCLOSURE - HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

The following information outlines Devereux's policy concerning employees' Protected Health Information (PHI). If you have any questions, contact your Human Resources department personnel.

- Devereux's benefit plans include coverage, which at times requires the access and release of PHI. These plans include the following: health benefits, behavioral/mental health benefits, Employee Assistance Program (EAP), dental, prescription drug plan, workers' compensation, life insurance and disability insurance. In addition, Devereux is self-insured for many of the aforementioned benefits and carries additional coverage in the form of stop-loss insurance. Stop-loss insurance provides reimbursement back to Devereux for eligible benefits paid by Devereux above a negotiated threshold. When proper authorization is received, Devereux will request PHI and work with a Third Party Administrator or Insurer to assist an employee or dependent of an employee to resolve claim or coverage issues. In the event PHI is received in error, the employee will be informed by the Vice President of Human Resources and the PHI will be returned to the vendor.
- Devereux also provides benefits in the form of Leaves of Absence and Health Management Leave (Sick Leave), and must administer policies and procedures related to Drug-Free Workplace, Family Medical Leave, Medical Leave, pre-employment drug screening, Workers' Compensation and Pre/Post employment health screenings. At times, employee medical information may be exchanged between Devereux and a healthcare provider in order to assist in obtaining services, to address billing issues, to issue benefits or document the appropriateness of Leaves requested. All information obtained pursuant to this paragraph is considered part of the employee's employment file and is excluded from the requirements of the Health Insurance Portability and Accountability Act. However, all such files are confidentially maintained in a separate locked file cabinet or in a separate electronic file.
- At no time is PHI released to assist a Third Party in selling other insurance products, to discriminate against an individual in receiving treatment, or to withhold treatment or discriminate in employment decisions including selection, employment, promotion or related decisions.

- An authorization may be revoked at any time. Devereux's Notice of Privacy Practices describes the revocation process.

ELECTRONIC COMMUNICATIONS POLICY

- Devereux continues to adopt and make use of new means of communication and information exchange to give you the tools to do your job. This means that you may have access to one or more forms of electronic media and services, including computers, e-mail, telephones, mobile phones, voice mail, fax machines, external electronic bulletin boards, wire services, on-line services and the Internet.
- Devereux encourages the use of these media and associated services, because they are valuable sources of information and can assist you in doing your job more effectively. However, the electronic media and services provided by Devereux are Foundation property and their purpose is to facilitate and support our mission.
- The use of any photographic, video or audio recording devices must respect the privacy of individuals and their families.
- Personal signatures on electronic communications may include no more than: Name, Title, Address, Phone number, Fax number, Cellular number, or approved Devereux links.
- Personal photographs must respect the professional and business aspects of Devereux's work and depict only the employee as the subject. Other photos and images are prohibited.
- This policy is not designed to cover every possible situation. Instead, it is designed to express Devereux's philosophy and set forth general principles that should be applied when using electronic media and services.
- The following applies to all electronic media and services that are accessed on or from Devereux premises, accessed using Devereux equipment or through Devereux access methods; or used in a manner that identifies the individual with Devereux.

    - **Prohibited Communications –** Email messages may not contain content that may be considered offensive or disruptive. Email cannot be used to knowingly transmit, retrieve or store any communication that is discriminatory or harassing; obscene; defamatory or threatens physical harm; or to engage in illegal activity or activity that is contrary to the Devereux Standards of Conduct. Commercial messages, employee solicitations, or messages of a religious or political nature should not be distributed using Devereux email.
    - **Personal Use** – Electronic media and services are provided by Devereux primarily for employees' business use. Incidental and occasional personal use of Devereux email is permitted. However, you are expected to demonstrate a sense of responsibility and not abuse the privilege. Such messages become the property of Devereux and are subject to the same policies as business email. Personal email should not interfere with or conflict with business usage or job duties.
    - **Access to Employee Communications –** Electronic information created and/or communicated by an employee using Devereux email, word processing, utility programs, spreadsheets, voice mail, telephones, Internet and bulletin board system access, and similar electronic media generally is not monitored by Devereux. However, Devereux reserves the right, at its discretion, to review any employee's electronic files and messages to the extent necessary to ensure electronic media and services are being used in compliance with the law, this policy and other Devereux policies. You should not assume electronic communications are private. Accordingly, if you have sensitive information to transmit, you should use other means.
    - **Security/Appropriate Use –** Employees must respect the confidentiality of other individuals' electronic communications. Except in cases in which explicit authorization

has been granted by Devereux management, employees are prohibited from engaging in, or attempting to engage in monitoring or intercepting the files or communications of other employees or third parties; hacking or obtaining access to systems or accounts to which he or she is not authorized; and using the passwords or log-ins of others. No e-mail or other electronic communications may be sent that attempts to hide the identity of the sender or represents the sender as someone else. Electronic media and services should not be used in a manner that is likely to cause Center system congestion or significantly hamper the ability of other people to access and use the system. Anyone obtaining electronic access to other companies' or individuals' materials must respect all copyrights and cannot copy, retrieve, modify or forward copyrighted materials except as permitted by the copyright owner.

- **Participation in On-line Forums –** Devereux recognizes that participation in some forums might be important to the performance of your job. Employees should include the following disclaimer in all of their postings to public forums:

  "The views, opinions and judgments expressed in this message are solely those of the author. The message contents have not been reviewed or approved by Devereux Advanced Behavioral Health."

EMERGENCIES AND INCLEMENT WEATHER

- It is essential that all employees make every reasonable effort to be available during weather or other emergencies. During such periods, the needs of the individuals served are paramount. Employee duties and responsibilities may be adjusted so that the needs of individuals served are met. Administrative services are often critical during these periods; therefore, administrative personnel must also make every effort to report to work as scheduled.
- Each Center has a call-up system or notification process. All employees should use the system or process prior to, or at the time of any potential weather-related or disaster event to receive instructions or information about the status of Center operations (i.e. - school closure; prohibition on driving Devereux vehicles, etc.).
- In the event of a weather-related emergency or disaster, emergency personnel, as defined by the employee's Center, are expected to report to work. Emergency personnel may include, but are not limited to, Direct Care staff, medical/nursing personnel, facilities staff and others deemed essential by Center management.
- Unexcused absences will be without pay. If approved, excused absences allow an employee to use accrued, unused Time-Off Benefit (TOB) time. The use of Health Management Leave (HML) time will not be approved.
- Non-emergency and non-exempt employees may be offered alternative workdays to make up missed work time within the pay week, provided the job assignment allows for it and there is appropriate supervision. Work from home may be permitted in accordance with Center procedure provided the job allows for work product that can be monitored for hours worked as well as the quality of work.
- Centers with Academic employees who follow an assigned work schedule that corresponds to a school calendar may, with the Center Executive Director's approval, authorize time off and/or require exempt employees to work an alternate day when a facility closed due to an emergency situation or inclement weather.

SUPERVISORY SUPPORT AND CRISIS ON-CALL SYSTEM

Devereux programs have supervisory support systems in place for use by employees who may be faced with new or difficult situations that require coaching, direction and/or confirmation of the appropriate action to be taken.

While Devereux locations may vary regarding the specific technology and procedures used for the crisis-on-call system, prior to beginning each workday you should check to ensure that you have current information for the following contacts:

- Supervisor's and back-up supervisor's telephone numbers -both office and mobile numbers, if appropriate.
- Clinical and administrative back-up to the assigned person on call to assist in handling any issues reported.
- Phone numbers for local police and fire departments.
- Phone number for Poison Control.
- Child/Adult abuse hotline or appropriate numbers.
- Phone numbers as part of Center's emergency response systems.

DEVEREUX AND PERSONAL VEHICLES

- Individuals served are permitted to travel in employee-owned vehicles provided such travel is within the scope of the employee's job duties and the travel is approved in advance by a supervisor. The primary liability for any damages incurred as a result of an accident when a Devereux employee is using his/her own vehicle for Devereux business rests with the owner of the private vehicle. Devereux employees using their own vehicles must keep such vehicle in safe operating condition.
- All employees who drive in a Devereux owned or leased vehicle or in his or her personal vehicle while conducting Devereux business must provide proof of possession of a valid driver's license from his or her state of residence. Additionally, an employee granted permission to use his or her own vehicle in the course of conducting Devereux business must provide proof of valid automobile insurance in an amount equal to or greater than the minimum required under his/her state of residence insurance regulations.
- In many roles, driving and maintaining a valid driver's license are essential functions of the job. Employees responsible for transporting individuals served or for driving his/her personal vehicle for business purposes must maintain a safe driving record in accordance with Devereux's Transportation Program policy; Components of Comprehensive Driver Safety Program; and Center procedures. Employees must notify the supervisor and Center Human Resources department personnel in the event that his or her license or driving privileges are suspended or revoked prior to working his or her next shift or regularly scheduled work day. Additionally, it is the individual responsibility of each Devereux employee to bring to the attention of Human Resources department personnel information about any moving violations.
- All employees who are required or authorized to drive vehicles in the course of performing job duties must consent to a periodic review of his or her driving record. The frequency of these record checks will be determined by Center procedure and/or in accordance with state or federal regulatory requirements. Furthermore, Devereux reserves the right to verify that an employee's personal vehicle used for Devereux business is maintained in accordance with state requirements and/or in safe operating condition.
- Reimbursement for mileage when using employee-owned vehicles will be in accordance with Center procedure and must be supported by documentation of purpose of trip, date of trip, mileage and destination.
- Devereux vehicles may only be used for job-related travel.
- Operators of Devereux vehicles are responsible for the safe operation and cleanliness of the vehicle. Accidents involving a Devereux vehicle, or personal vehicle used for Devereux business purposes must be reported to your supervisor immediately.
- Employees operating a Devereux owned or leased vehicle, or personal vehicle used for Devereux business purposes are responsible for any moving or parking violations and fines received while

driving. The receipt of any moving or parking violation must immediately be reported to the employee's supervisor. A copy of the documentation of the violation, as well as evidence of payment of the violation must be given to the employee's supervisor.

- The use of seat belts is mandatory for all operators and passengers of Devereux vehicles and personal vehicles used for business purposes.
- The use of business or personal mobile phones while driving is highly discouraged and may be prohibited by state law. If state law allows, and a call is absolutely required while driving on Devereux business, have a passenger make the call or, if alone, find a safe place to park the vehicle before placing the call. Texting while operating a vehicle is prohibited. Citations for violations of state law while conducting Devereux business are the sole responsibility of the employee.

DAMAGE TO PERSONAL VEHICLES

- The primary liability for any damages incurred as a result of a motor vehicle accident when a Devereux employee is using his/her own vehicle for Devereux business rests with the owner of the private vehicle. Generally, Devereux is not responsible for the repair costs to the employee's vehicle.
- A Devereux employee involved in a motor vehicle accident in his/her own vehicle while performing Devereux business is responsible for reporting the claim to his/her own automobile insurance company. The employee is encouraged to cooperate fully with the insurer's adjustment of the claim, including working with them to arrange for an inspection, damage appraisal and approval for repairs.
- The employee is also responsible for working with his/her Devereux supervisor or designee to provide a full accident report and description of the claim. The employee will be required to provide his/her insurance company's contact information including the name and a phone number for the insurance company, as well as policy information.
- If an employee's personal vehicle is damaged during the course of an employee fulfilling his or her job duties, each Center will review such situations on an individual basis. The maximum level of reimbursement may not exceed the employee's automobile deductible, or the actual vehicle repair costs, whichever is less, and only applies to damage caused by an individual served while the employee was on duty. The reimbursement, if approved by Devereux, will be processed as soon as administratively possible following the completion of an investigation, which confirms the damage was caused by an individual served, and occurred during the time the employee was on duty.

  An employee seeking reimbursement is required to submit three (3) written estimates of repair costs to Human Resources department personnel for consideration by Center management. Devereux reserves the right to select the vendor to make the repairs, and will pay the vendor directly for authorized repair work performed.
- An employee seeking reimbursement must provide a copy of the declaration page of his/her automobile insurance policy.
- Each employee driving his/her personal vehicle for Devereux business in the scope or course of employment must maintain the minimal level of automobile insurance coverage required by the state in which he/she resides.
- In the event an employee requires temporary replacement of a personal vehicle due to a motor vehicle accident occurring while the employee was conducting Devereux business, the employee should review Center procedure regarding support that may be available.

BUSINESS TELEPHONES AND MOBILE DEVICES

- Personal use of business telephones and mobile devices should be limited and occasional, and may not interfere with assigned duties. Employees will be expected to pay for any long distance

personal calls made using Devereux equipment. Excessive personal use of the business telephone or assigned mobile device may result in disciplinary action.

- The use of personal mobile devices during work hours is discouraged and may be prohibited by Center procedure when the use of such devices interferes with client care, treatment and/or supervision. Personal devices should be turned off or set to silent or vibrate mode during meetings, conferences and in other locations where incoming calls may disrupt normal workflow, other employees or individuals served.
- Devereux is committed to protecting the confidentiality and privacy of individuals served, as well as the privacy of employees. As such, the use of mobile devices with cameras and other devices with photo or video capabilities by employees, visitors and others is strictly prohibited in client living areas, restrooms, changing areas, locker rooms, areas where client and employee records are stored, and in any and all areas in the workplace where privacy is an expectation.
- An employee may be provided with a Devereux-owned/leased mobile device based on operational need. Employees will be responsible for excess minutes used/data accessed or transmitted beyond the employee's Devereux approved plan. This equipment shall remain the property of Devereux, and must be surrendered upon request, or returned to Devereux at the time of termination of employment.
- All access to Devereux systems will be terminated upon the employee's separation of employment. As such, the transfer of a Devereux-owned/leased mobile device or business telephone number for personal use following termination is prohibited.

ACCESS TO PERSONNEL FILES (All Locations)

Upon request, an employee may inspect his/her own personnel file in the presence of a Devereux official in the office in which the records are maintained. The inspection will take place within a reasonable time after the request has been made (within five (5) business days) and at a mutually agreed upon time. You may take notes regarding the contents of the file, and may place a statement in the file if you find an error in the file. Removal or correction of any information in the record may be done by mutual agreement. If no agreement is reached, you may submit a written explanation to be part of the record.

You will be permitted to see any records used to determine your qualification for employment, promotion or wage increases, and any records used to discipline you with the exception of any records relating to a criminal investigation or any letters of reference maintained by Devereux. You are permitted to have a copy of any document you have signed relating to your obtaining employment.

Unless directed by Court Order, state law or subpoena, or required by law, a terminated employee may not have access to his or her file and may not receive copies of his or her file.

ACCESS TO PERSONNEL FILES (under state law where applicable)

- **Colorado – Former Employees**

  Former employees may review their files one time after they separate from employment. Documents that may be reviewed, as defined by the State of Colorado are those that have been used to determine the employee's qualifications for employment, promotion, additional compensation, or disciplinary action. The definition does not include documents that must be kept in a separate file under federal or state law (such as medical information and responses to invitations to self-identify), records pertaining to confidential reports from previous employers of the employee (e.g., drug testing reports on drivers), or documents relating to an active criminal investigation, active disciplinary investigation, or active investigation by a regulatory agency. Documents that identify any person who made a confidential accusation against the employee are also excluded from the definition.

- **Connecticut – Access to Employee Medical Records**

  Within a reasonable time following receipt of an employee's written request, the employer is to permit inspection of the employee's medical records by a physician chosen either by the worker or

by the employer with the worker's consent. Inspection is to take place during regular business hours at a location at or reasonably near the employee's workplace.

- **Connecticut- Access to Personnel Records by Former Employees**

Former employees will be granted access within 10 business days after submitting a written request. The inspection must take place during regular business hours at a mutually agreed upon location. If a mutually agreeable location cannot be found, the employer may mail a copy of the personnel file to the former employee within 10 business days after receipt of the written request.

(CP) ACCESS TO PERSONNEL FILES

In the event that the employee's assigned work place is located greater than 25 miles from the office in which the records are maintained, Human Resources department personnel will arrange with the employee to allow for inspection of the records at a more convenient location. All other guidelines related to Access to Personnel Files (All Locations) apply.

Unless directed by Court Order, state law or subpoena, or required by law, a terminated employee may not have access to his or her file and may not receive copies of his or her file.

(CP) ONLY - THERAPEUTIC FOSTER CARE

An employee assigned to a Therapeutic Foster Care program should check with his/her supervisor for information related to Center specific procedures.

CHANGES IN PERSONAL DATA

Devereux needs to maintain up-to-date information about you so that we can aid you and/or your family in matters of personal emergency. Changes in your name and telephone number should be given to your supervisor and Human Resources department personnel. Changes in your address, marital status, number of dependents, or changes in next of kin and/or beneficiaries are to be given to a member of your Human Resources department personnel promptly, or may be changed by you through the Human Resources Management System self-service option.

CARE OF EQUIPMENT

You are expected to use proper care when using Devereux's property and equipment. No property may be removed from the premises without the proper authorization of management. If you lose, break or damage any property, report it to your supervisor at once.

TRAVEL/EXPENSE ACCOUNTS

Devereux will reimburse employees for reasonable expenses incurred through business travel or entertainment. All cash advances must be accounted for and expense receipts required.

The following business expenses will be reimbursed:

- Travel Expense
- Automobile Expense
- Lodging
- Tips
- Business Meals (in accordance with our per diem rates, room service excluded)

In some exempt roles, local travel is an expectation and requirement of the position. The individuals in such roles are not provided additional reimbursement under this policy for local travel. An employee will be provided appropriate notice if he/she is not eligible for reimbursement for local travel and expenses.

For additional details related to staff travel expenses, refer to Devereux Policy # 003.

MAIL USE
Employees may not receive personal mail through Devereux facilities. Receipt of prescription medications ordered through Devereux's mail service is permitted only when these items cannot be received at the employee's home during normal business hours.

BULLETIN BOARDS
We post information of interest and importance to you on our bulletin boards. We suggest that you look at it regularly to keep up with what is happening in your location and within the organization. This bulletin board is for administrative use only, and employees may not post or remove any information from it.

LETTERS OF REFERENCE OR RECOMMENDATION/SOCIAL MEDIA ENDORSEMENTS

- References may be provided upon request for current and former employees with written approval provided by the Center Human Resources Director. The reference or letter of recommendation must be supported by information in the employee's personnel file. (California Law requires employers to provide service letters).
- Requests by current or former employees for endorsements of professional skills on social media sites – i.e. - LinkedIn, may be provided upon written request and with approval from the Center Human Resources Director. The reference or recommendation must be supported by information in the employee's personnel file.
- Interns/trainees hired as a component of their school program may receive recommendations from the appropriate Department Head provided it is reviewed and approved by Human Resources department personnel before any information is sent.
- Devereux may provide information, with a signed consent and release form from professional, clinical, medical and teaching staff, for such person to receive work credit in a public school system or for another organization completing its credentialing process on the individual. The information provided must be specifically requested in writing, and only that information requested in the consent and release form may be provided.
- Providing false or undocumented information may subject the employee/supervisor to disciplinary action, up to and including termination.

IF YOU MUST LEAVE US

- Should you decide to leave your employment with us and you are a non-exempt employee, we ask that you provide your supervisor with a minimum of two (2) weeks advance notice. If you are an exempt employee, notice of four (4) weeks is requested. Your thoughtfulness will be appreciated and will be noted favorably should you ever wish to reapply for employment with Devereux.
- All resigning employees are asked to participate in an in-person exit interview or complete a brief online exit interview.
- All Devereux property must be returned upon or prior to termination. Otherwise, Devereux may take further action to recover any replacement costs and/or seek the return of Devereux property through appropriate legal recourse.
- You should notify Devereux if your address changes during the calendar year in which termination occurs so that your tax information is sent to the proper address.
- Accrued, unused Time-Off Benefit time will be paid at termination when a non-exempt employee provides a minimum of two (2) weeks written notice of intent to resign employment. Supervisory/management level staff will provide a minimum of four (4) weeks written notice. Additionally, in order to be paid for accrued, unused Time-Off Benefit time following termination, a departing employee must honor his/her responsibility to work his/her regular work schedule during the notification period, as well as adhere to Devereux's policies, Center procedures and Standards of Conduct.

- **Employees who fail to provide written notice of intent to resign employment as outlined above, or who fail to complete the required notification period, and those whose employment is terminated for cause will not be paid for accrued, unused Time-Off Benefit time, unless required by state law (presently required in California, Colorado, Connecticut, Massachusetts and Rhode Island for employees with a minimum of one year of service).**
- Payment of accrued, unused Time-Off benefit time will be paid to eligible employees in the paycheck following the last paycheck issued for hours worked during the pay period in which the termination falls, unless prohibited by state law (currently Arizona, California, Colorado, Massachusetts and Texas).

Time-Off Benefit time advanced before it has accrued must be repaid at termination and will be deducted from an employee's final paycheck.

Section 4: Employment Status, Time-Off and Other Benefits

ORIENTATION PERIOD FOR NEW HIRES/TRANSFERRED EMPLOYEES

The first 90 days of employment are classified as an orientation period for all new employees and for employees who have been promoted or transferred into a new role. You should use this period of time to determine if Devereux and/or your new job are suited to you. Your supervisor will also use this period as an opportunity to evaluate your work performance. However, the completion of the orientation period does not guarantee employment for any period of time thereafter.

This employee handbook, which can be accessed on Devereux's Intranet > Departments > Human Resources > Employee Handbook, can serve as a valuable resource during your initial employment as well as throughout your employment, as do the specific policies of your center and department. Your supervisor, who is responsible for the operation of your department, is another good source of information about Devereux and your job, and is available to assist you in adjusting to your new role.

(CP) NEW EMPLOYEE ORIENTATION PERIOD

The 90-day orientation period described above is the same for all employees, including community-based program employees. However, Devereux realizes that at times your supervisor may not be on-site and, therefore, not available as a source of information about your job or to provide guidance on how to manage a specific client situation. Therefore, as previously mentioned, Devereux has established supervisory support systems and each community-based program employee will receive Center specific procedures for contacting the appropriate backup supervisor or manager in the event that your primary supervisor is not available and you are confronted with a situation requiring immediate attention (and the situation was not outlined in the training or procedures that you received). In the event assigned resources cannot be reached during a client safety situation, contact your Center Executive Director or designee.

CATEGORIES OF EMPLOYMENT

Statutory benefits are state and federally mandated employee benefits. Examples of statutory benefits include Social Security, Unemployment Compensation and Workers' Compensation.

The following employees are eligible for statutory benefits:

- **Full-time Employees**

  Full-time employees are those who are scheduled/budgeted as full time and work 40 hours per week on average, including Time-Off Benefit time, in each week of a two-week payroll period. Employees classified as full-time employees are eligible for Devereux's fringe benefits package in accordance with their position and length of employment.

- **Part-time Employees**

  Part-time employees are scheduled/budgeted as part time, normally working less than 40 hours per week on average in each week of a two-week payroll period and are eligible for statutory benefits, Devereux's Employee Assistance Program (EAP) and available work/life programs. Part –time employees who work 30 hours per week or more on average are eligible for some fringe benefits as well. Part-time employees who work 1,000 hours or more per year (based on their anniversary date) should also review eligibility requirements for the Devereux Retirement Plan.

RE-EMPLOYMENT WITH DEVEREUX

An employee who leaves employment will not be eligible for rehire for 30 days. In most cases the date the employee returns to work will be considered the rehire date and will become the employee's original date of hire. Following rehire, the employee must satisfy the waiting period for benefits. Full-time employees will be subject to the benefit eligibility waiting periods of a new employee, including the accrual of Time-Off Benefit time. Health Management Leave (HML) time will begin accruing on the date of rehire for full-time employees.

A full-time employee will be eligible for all medical benefits on the first day of the pay period in which the 90th day of continuous active, full-time employment occurs. The self-service benefit enrollment process must be completed prior to the eligibility date, or the employee will have to wait until the next Open Enrollment period (typically October or November) to enroll in benefits that will be effective in January of the next plan year.

Devereux's Retirement Plan allows for rehired employees to be reinstated into the plan and continue receiving Devereux contributions (if the employee previously met vesting requirements) if the employee returns to work within twelve (12) months.

CHANGES IN EMPLOYMENT STATUS/BENEFIT AND TIME-OFF BENEFIT ELIGIBILITY

Part-time to Full-time

An employee's waiting period will be waived when changing status from part-time to full-time status, provided that the employee has been employed by Devereux for a minimum of 180 days prior to the status change. An eligible employee must enroll within 30 days of the status change. If the online enrollment process is completed within 30 days, the eligibility date for all health and welfare benefits, including life insurance, long term disability and voluntary benefits will become effective the first day of the month on or following the status change. In the event that an employee's status change from part-time to full-time occurs on the first day of the month, the employee would be eligible for benefit coverage effective the same day. Example: If an employee changes status on July 1, he/she would be eligible for benefits on July 1. If this same employee changed status on July 2, the employee's benefit eligibility date would be August 1 (the first day of the month following the status change).

If the employee does not enroll during the enrollment period, the eligibility date to elect the options will be the next Open Enrollment period (typically October or November) for the benefits to be effective the next plan year (January 1).

If the employee has been employed for a minimum of 180 days, Health Management Leave time (HML) will begin accruing on the date of the status change to full-time employment. Time-Off Benefits (TOB) will begin accruing the first of the month following the status change. If the employee has not been employed for at least 180 days, the employee must complete the 90-day waiting period that applies to new employees, both for health and welfare benefits and TOB accruals.

Full-Time to Part-Time Status Change

Employees who change from full-time to part-time status will be removed from Group Life, Long-Term Disability and Medical/Dependent Care Spending Accounts effective the day of the change in status. Welfare benefit coverage for medical, dental, mental health, AD & PL, prescription drug benefits and Voluntary Benefits will terminate on the last day of the month in which employment status changes.

Conversion coverage is offered for Life insurance and Voluntary Benefits. Continuation of welfare benefits, including medical, dental, prescription coverage and Medical Spending Account coverage is available through COBRA. Upon changing to Part-time status, an employee may be eligible to continue medical, dental and prescription coverage through COBRA offered through Devereux's Third Party Administrator. An employee who has lost coverage as the result of changing from full-time to part-time status may wish to visit the Healthcare Insurance Marketplace at https://www.healthcare.gov/ to explore alternate healthcare options. Devereux's Employee Assistance Program (EAP) and Work Life Programs continue to be available to part-time employees.

Part-time employees working on average between 30-39 hours between their start and first year anniversary date will be offered coverage no later than the thirteenth month if hired on the first day of

the month, or on the first of the month following 13 months of employment. Qualified part-time employees working on average between 30-39 hours and their dependent children (to age 26) are eligible for the High Deductible Health Plan (HDHP) medical benefit and may contribute to a pre-tax Health Savings Account (HSA). Dental benefits are also available. For additional information, contact your Center Human Resources department personnel.

Devereux's Retirement Plan continues to be available to eligible part-time participating employees. An employee will be eligible for Devereux's contribution, provided, he or she met the original eligibility requirements to receive Devereux's contribution and the employee works 1,000 hours in the plan year and did not experience a break in service (a computation period during which the employee does not complete at least 501 hours of service).

Unused Time-Off Benefit time accrued up to the date of the employee's change to part-time status will be paid out in a lump sum, in accordance with Devereux's regularly scheduled payroll cycle. Accrued, unused Health Management Leave time is not paid out at the time of the change to part-time status, and is not available for use by the part-time employee.

Full Time to Part-time to Full-time Status Change

An employee who has a minimum of 180 days of combined full-time and part-time service, who changes from full-time status to part-time status, and then returns to full-time status within the same plan year will be eligible for initial enrollment or reinstatement into his/her previous full time elections under Devereux's benefit plans. An employee who changes from full-time status to part-time status, and then returns to full-time status **within a different plan year** will be eligible to make new elections under Devereux's benefit plans. The reinstatement date for all benefits, with the exception of life insurance and long term disability coverage, will be the first of the month on or following the return to full-time status, as long as the employee enrolls within 30 days of the change to full-time status; life insurance and long term disability are reactivated as of the full time status date. In the event that the employee does not enroll within 30 days, the employee must wait until the next Open Enrollment period to enroll in health and welfare benefits.

An employee who returns to full-time status from part-time status within 180 days (assuming benefit eligibility was met during his/her initial full-time status) will retain his/her previously accrued Health Management Leave (HML) balance. An employee who returns to full-time status from part-time status after 180 days will not retain his/her previously accrued Health Management Leave.

Provided an employee returns to full-time employment within 180 days, Time-Off Benefit time begins accruing at a rate based on the employee's original full-time hire date. If in the event an employee returns to full-time status after 180 days, the employee will have to wait the 90-day eligibility period and accrue at the rate for a new employee.

Termination or Leave of Absence (LOA) Status

Full-time employees who terminate employment will be removed from Group Life, Long-Term Disability and Medical/Dependent Care Spending Accounts effective the day of the termination. Welfare benefit coverage for medical, dental, mental health, AD&PL, prescription and Voluntary benefits will terminate on the last day of the month in which employment ends. Conversion coverage is available for Life insurance and Voluntary benefits. Continuation of welfare benefits, including medical, dental, prescription coverage, and Medical Spending Account coverage are available through COBRA, which is administered by Devereux Third Party Administrator.

Family and Medical Leave and/or Medical Leave of Absence (Leaves certified as qualifying events

under the Family and Medical Leave Act, as well as state related regulations and/or Devereux approved medical leave) may be approved for a combined period, typically not to exceed nine (9) months in a twelve (12) month period for an employee hired before July 1, 2015, and six (6) months in a twelve (12) month period for an employee hired on or after July 1, 2015. Devereux will work with the employee both during the leave period and at its end in order to return the employee to his or her position or another open position for which the individual is qualified and in which the individual can perform the essential functions of the job with or without reasonable accommodation. If the employee is unable to return to work at the end of the approved period, and when an extension of the Leave is not appropriate, employee benefits will terminate. Eligibility for COBRA benefits will apply in accordance with COBRA regulations. A medical leave of absence includes employees out of work due to a Long Term Disability and/or a Workers' Compensation event.

TIME OFF

The primary purpose of Devereux is to provide high quality services to those entrusted to our care by their families, guardians, agencies and other designated parties. The most critical resource we have by which to accomplish this task is our employees. No intervention can be implemented without the assistance of competent employees who are physically and mentally prepared to carry out this tremendous responsibility. For this reason, Devereux provides generous time-off benefits. Devereux's comprehensive time-off policies include Time-Off Benefits (TOB) and Health Management Leave (HML). These benefits are available to employees designated as full time who consistently work 40 hours per week. Additionally, part-time employees who work at Devereux locations in Massachusetts, California, Connecticut, and Philadelphia, Pennsylvania and Newark, New Jersey are eligible to accrue HML time in accordance with state or municipal law.

Time-Off Benefits (TOB)

TOB is a benefit provided to full time employees who consistently work 40 hours per week. TOB is provided to allow you time off to revitalize or attend to other events that require your attention and cannot be managed within your normal work schedule.

- TOB must be requested and approved by your supervisor in advance, and in accordance with your Center's procedures.
- Due to the needs of individuals served and/or Center needs, you may be required to use or schedule your time in accordance with these needs.
- TOB begins accruing following the completion of 90 days of continuous full-time service and from that point forward is earned each pay period based on the number of hours worked each pay period.
- TOB begins accruing in July, and stops accruing in June each year. However, eligible employees will have until the end of the pay period that includes Labor Day of the calendar year in which time off-benefit time stopped accruing, to use this time. Example: TOB time that accrues between July 2016 and June 2017 must be used by the end of the pay period that includes Labor Day 2017. See your Human Resources department personnel for specific dates, as these dates vary each year depending on the payroll cycle. Additionally, approval for the use of time-of benefit time is subject to the Center's operational needs.
- **During their initial year of employment, eligible employees earn TOB on a prorated basis.**
- **TOB does not accrue on any time-off without pay.**

- TOB is earned in accordance with the following accrual schedule:

Service	Earn up to	Accrual Rates
90 days – 2 years	192 hrs./year/24 days	.0923 x # of hours worked
3 years – 4 years	200 hrs./year/25 days	.0962 x # of hours worked
5 years – 9 years	208 hrs./year/26 days	.1000 x # of hours worked
10 years – 14 years	248 hrs./year/31 days	.1192 x # of hours worked
15 + years	288 hrs./year/36 days	.1385 x # of hours worked

- Non-exempt employees who are absent from work for a full or partial day, or who arrive late or leave work early, will be charged with the use of unused accrued, TOB for time not worked.
- In the event that an exempt employee does not have the adequate TOB accrued to permit Leave with pay during an absence of a full day, deductions in pay may occur for absences of a full day or more. However, an exempt employee who works a partial day and has accrued time-off is expected to use his or her TOB in four (4) hour increments. In accordance with federal Wage and Hour regulations, an exempt employee who has exhausted his or her accrued time-off must be paid for the full day according to his or her predetermined salary for any partial days of absence, unless such absence is approved under the Federal Family and Medical Leave policy. An exempt employee may receive no pay for a given day if all accrued time according to the policy has been used and no services are provided during the day.
- The over-use, misuse, or abuse of TOB may result in counseling and, if necessary, disciplinary action.

Academic Employees

- Academic employees who work a partial year based on the Center's designated academic year, do not accrue TOB time. Employees who are classified as Academic employees should contact a member of the Human Resources department for information regarding the number of days provided for the academic year.
- For Academic employees, TOB time provided in excess of that provided in accordance with the TOB accrual schedules listed above is provided based on a Center's school calendar, and is not paid upon termination.

Advancement of TOB

Under certain circumstances and in accordance with Center procedure, TOB hours may be advanced to address specific needs. However, at no time should such advancement exceed the lesser of 40 hours or the hours that the employee can earn during the remainder of the TOB year. Advanced time is TOB time that has been requested, approved, but not yet earned and will result in a negative TOB balance. Once your TOB balance reflects a positive balance you will again be eligible to request the use of accrued TOB.

Forfeiture of TOB

All accrued, unused TOB for the previous TOB year will be forfeited as of the end of the pay period in which Labor Day falls, unless state law specifies otherwise. However, if by the end of the TOB year forfeiture date an employee is unable to use accrued, unused TOB time due to an extended absence resulting from a work related injury or work related illness, arrangements will be made for the employee to be paid for this unused time no later than the pay following the TOB year forfeiture date.

Sell Program

Under IRS regulations and Devereux policy, direct care, as well as other employee groups identified by Center leadership, and approved by the Vice President of Human Resources may elect to 'sell' a portion

of their TOB, not to exceed 40 hours. In order to "sell" this time, an employee must make the irrevocable election prior to the start of the time off benefit year. The "sell" election will be held prior to the start of the plan year, normally in May. The specific election period will be established by National Human Resources each year.

Eligible employees may elect their payout during any pay period following the first pay in September of each year, but no later than the end of the last pay period of the TOB year. Employees must complete a TOB Sell Request for Payment form and return it to the Center HR/Payroll department at least two (2) weeks prior to the desired pay out date. A delay in submitting the request form may result in a delay of payment. The sell option is not to be used as an advancement of time, and the payout may not exceed forty (40) hours or the employee's current accrual, whichever is less.

Health Management Leave (HML)

Devereux recognizes that at times each of us may experience health problems that prevent us from reporting to work, even when we make every effort to manage our health needs. Health Management Leave (HML) is a Time-Off Benefit (TOB) provided by Devereux that allows you to protect yourself from loss of income due to illness or injury. HML works best for you when it is used as intended, and only when necessitated by illness or injury.

- HML will begin to accrue immediately upon hire for eligible full-time employees. HML is accrued based on hours worked, at a rate of four (4) hours per pay period, based on a two-week pay period of 80 hours, not to exceed a total of 64 hours in a TOB year. Hours actually worked include any approved paid time-off leave.
- HML is not earned on any time off without pay.
- It is expected that you will accumulate HML to use in the event that you sustain an illness or injury that may result in an extended absence.
- HML is designed to provide you with short-term disability income, and provides you with financial protection in the event you become disabled or experience an extended absence. (Devereux provides a no-cost Long-Term Disability (LTD) insurance plan to eligible employees that begins after an employee is disabled for 90 or more days).
- Accrued HML hours are available to use for an illness/injury whether or not certified by a qualified healthcare provider.
- In the event that an absence of four (4) or more days is needed to attend to the health needs of yourself, your spouse, domestic partner, child***** or parent, you must notify your supervisor and request a Leave of Absence Application from Human Resources department personnel.
- An employee who has been absent for three (3) or more consecutive workdays must present a healthcare provider's certificate upon returning to work stating that the employee is able to resume the essential functions of his/her job with or without accommodation; and/or, is free of communicable disease (if applicable).
- A certificate from a qualified healthcare provider may be requested at any time in the event of suspected abuse of HML time, unless prohibited by state law (currently Connecticut and Massachusetts), or to ensure that an employee can successfully perform essential job functions, as evidenced by successful participation in an approved Job Demand Assessment. Further, for absences of less than three (3) consecutive days, a supervisor may designate that accrued TOB be charged rather than HML, until a qualified healthcare provider's certificate is provided.
- HML is designed as protection against illness or non-work related injury; it may not be converted into TOB time.
- Under no circumstances will unused, accrued HML be paid upon termination.

**For the purpose of all Devereux Medical, Devereux Family and Medical, and Health Management Leaves and related policies, "child" includes foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis.*

Accrued HML

Accrued HML are hours accrued but not used in the TOB year in which they are issued, and as such are carried over and available for use in accordance with Devereux policy, during subsequent TOB years.

- Accrued HML of 40 hours or more that are not used by the conclusion of the current TOB year in which they are accrued will be doubled. These hours are available in the event that they are needed due to a long-term illness.
- HML hours of 39 hours or less that are accrued, but unused during the current TOB year will be carried into the next TOB year at their current value. The benefit year-end is the last day of the last pay period of the TOB year.

  Example: (1) You accrue and do not use 45 HML hours as of the end of the benefit plan year; you will be credited with 90 hours of HML time as of the first pay period of the new TOB year. *(2)* You accrue and do not use 32 HML hours as of the end of the benefit plan year. You will be credited with 32 hours of HML as of the first pay period of the new benefit year.

- Accrual of HML time is capped at 1,040 hours.
- In accordance with Center procedure, accrued HML time may be approved for occasional, one day events to care for an immediate family member (spouse, domestic partner or child). For information regarding your Center's procedure, check with your supervisor or Center Human Resources department personnel.

SERVICE AWARDS

Years of Service

- Full and part-time employees celebrating five-year incremental service anniversaries shall receive a monetary award.
- The employee must be an active employee at time of issuance of the award. These awards are given twice a year, and will be issued as soon as administratively possible following the end of the January through June, and July through December service periods.
- The following cash awards in the form of a check will be given:

Years of Service	Award
5	$ 200
10	$ 250
15	$ 300
20	$ 350
25	$ 400
30	$ 450
35	$ 500
40	$ 1,000
45	$ 1,250
50	$ 1,500

All awards are subject to withholding in accordance with Internal Revenue Service regulations.

Retirement Recognition

At the time of retirement, an employee is eligible for a certificate of appreciation and a cash award. The retiring employee must be age 55 or over, and must have completed a minimum of 10 years of service in order to be eligible. An eligible retiring employee will receive a $200 award, and $25 for each additional year of service beyond 10 years.

Eligible employees will receive a cash award in accordance with a schedule approved by the President and CEO. All awards are subject to withholding in accordance with Internal Revenue Service regulations. Contact Center Human Resources department personnel for details.

WEAVER E. FALBERG LEADERSHIP PROMISE FELLOWSHIP
This fellowship, named for a former chairman of The Devereux Board of Trustees, is presented to a deserving employee annually and provides an exceptional developmental or educational opportunity for an individual to strengthen leadership qualities.

More details on this program are available from your Human Resources department personnel.

STAFF TUITION ASSISTANCE PROGRAM, may be available at your Center, based on the Center's ability to fund the plan. The funds may be used for continuing education and development opportunities, which support the professional growth of the employee and the needs of the organization. The Devereux Staff Tuition Assistance Program (STAP) may be a component of an employee's individual development plan; however, a development plan is not a guarantee of advancement or continued employment.

Full-time employees who have completed six (6) months of continuous employment may be eligible for benefits through STAP. In order to be eligible for support of an employee's authorized development plan, two (2) years of full-time, continuous employment is required. Managers/Directors will factor an employee's performance to determine eligibility to participate in STAP.

- An employee who terminates employment or changes to part-time status in less than 18 months following completion of the approved program will be required to reimburse Devereux for the benefit received. As a condition of accepting the benefit, the employee must agree to repay Devereux a pro-rated amount, based on the remainder of the service commitment period, or in accordance with Center procedure.
- Each employee accepting the STAP benefit will be required to sign a Staff Tuition Assistance Program service commitment agreement.
- Applications for the STAP and further details concerning the plan are available in your Human Resources department office.
- Reimbursements may be taxed based on the current IRS guidelines. Please contact your Human Resources department personnel for current regulations.

SAVINGS BONDS
Devereux participates in the United States Payroll Savings Bond Program through Direct Deposit. An employee who wishes to participate in the plan should contact his/her Center Payroll office for details.

Section 5: Leaves of Absence

JURY DUTY

All full-time employees summoned for jury duty are granted a paid Leave in order to serve. Paid Leave consists of your regular pay, less any juror fees paid to you, unless state law dictates otherwise. You must provide a copy of the summons to your supervisor no later than the day before, or as soon as possible following notification of a requirement to report for jury duty service.

On return from jury duty, you must submit a copy of a receipt of jury fees paid to you to your supervisor, who will submit the document to your Center payroll department.

We expect you to return to your job if you are excused from jury duty during regular working hours.

- **Colorado**
  Employees are entitled to their regular pay (up to $50 per day) for the first three (3) days of jury duty.
- **Connecticut**
  Employees working at least 30 hours a week are entitled to their regular pay for the first five (5) days of jury duty.
- **Massachusetts**
  Employees who are summoned for jury duty and are regularly employed will receive their regular wages for the first three (3) days of jury duty. Regularly employed includes all full-time employees, part-time, temporary and casual employees whose hours may be reasonably determined. Thereafter, Massachusetts employees are granted an unpaid Leave in order to serve.
- **New York**
  Employees who are summoned for jury duty are paid up to $40 for each day for the first three (3) days. Thereafter, they receive the necessary time off unpaid.

MILITARY LEAVE

- If you are about to enter active duty with the U.S. Armed Forces, you should notify your supervisor and your Human Resources department personnel as far in advance as possible. Upon leaving Devereux, you will receive pay due to you.
- In accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), employees will be eligible for re-employment upon return from active duty in the same, or reasonably comparable job, that they would have attained had they not been absent for military service, with the same seniority, status and pay, as well as other rights and benefits determined by seniority.
- The period an employee has to make application for reemployment or report back to work after military service is based on time spent on military duty.
  - For active service of less than 31 days, the service member must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight (8) hour rest period.
  - For service of more than 30 days, but less than 181 days, the service member must submit an application for reemployment within 14 days of release from service.
  - For service of more than 180 days, an application for reemployment must be submitted within 90 days of release from service. Failure to notify Human Resources department personnel of your intention of returning within these designated time periods will result in forfeiture of your re-employment rights, as well as any benefit determined by length of service, should you be re-employed at a later date.
- Employees performing military duty of more than 30 days may elect to continue employer sponsored health plans in which he/she is enrolled for up to 24 months of activation; however, you may be required to pay up to 102 percent of the full premium. For military service of less

than 31 days, health care coverage is provided as if the service member had remained employed.

- On return from Military Leave, Devereux will contribute to an eligible employee's retirement plan an amount equal to what would have been contributed had the employee continued to work. Additionally, Devereux will match the employee's voluntary employee contribution in accordance with established policy, provided the employee continued to make his/her contribution while on Military Leave.
- An employee who must take time off for National Guard and Reserve training will be granted Leave without pay; however, the employee may, but is not required to, use accrued TOB during his/her Military Leave if available.
- All questions regarding Military Leave should be directed to your Human Resources department personnel.

COURT ATTENDANCE AND WITNESS DUTY LEAVE (Non-Work Related)

- All full-time employees who are subpoenaed to appear as a witness in a criminal or civil proceeding are permitted to take unpaid Leave to appear as a witness in court proceedings.
- Employees can substitute available TOB time for unpaid court attendance or Witness Duty Leave.
- Whenever possible, employees must provide advance notice of their need for Leave. Devereux will not discriminate against an employee who is required to appear as a witness.
- Under no circumstances will Leave be approved for an employee seeking to take action on his/her own behalf against Devereux, a Devereux client or family, against a Devereux Officer, or against a member of Devereux's management or Board of Trustees.

ADMINISTRATIVE LEAVE

At times, for business or safety reasons, an employee may be placed on an administrative leave. In addition, in instances when an internal investigations of alleged policy or program violations, including investigations of allegations of abuse or neglect, are required, an employee may be placed on administrative leave. This action is taken to protect all parties as well as the investigative process. Devereux takes such allegations and the investigation process seriously. When such investigations are needed, we will take the following action:

- A determination will be immediately made as to whether the employee who is the subject of the allegation will be placed on Administrative Leave with or without pay pending the conclusion of the investigation. This decision will be based on the seriousness of the allegations and the information or evidence available at the time of the allegation. This action is taken to protect the integrity of the investigation, the employee(s) involved, Devereux, and/or the individuals served. Typically, the employee will be paid while on Administrative Leave.

In the case of allegations of abuse against, or neglect of individuals served there may be Center specific procedures that must be followed. Also, in an investigation of abuse or neglect of an individual served, Devereux may be prohibited from conducting an investigation until the assigned, external licensing agency has completed the initial review or investigation

BEREAVEMENT LEAVE

- Full–time employees will be paid for a period up to four (4) regularly scheduled workdays for the death of an immediate family member.
- For purposes of Bereavement Leave, members of an immediate family include spouses, siblings, domestic partners, children, parents, parents-in-law, grandparents, grandchildren and other relatives, other than the above who reside in the employee's household.
- Full-time employees may use accrued, unused TOB time to attend the funeral services for someone other than a person designated as immediate family. Every effort will be made to grant such a request, keeping in mind the operational needs of the Center or department.

PERSONAL LEAVE OF ABSENCE

- Occasionally, personal circumstances may make it necessary for an employee to request permission for an extended, unpaid absence to attend to personal situations that arise and cannot be handled by means other than time off.
- To be eligible for this Leave, you must have completed five (5) years of continuous employment (full or part-time status), and must be full-time when the Leave is requested.
- The length of time permitted for a Personal Leave will be based on the request, the employee's work record, and the needs of the Center or department. However, under no circumstances, may a Personal Leave extend beyond a maximum period of nine (9) months**.** Final determination for the length of a Personal Leave is made by the Center Executive Director or appropriate Vice President, in consultation with Human Resources and the employee's supervisor.
- The approval of a Personal Leave ensures the employee a position with Devereux upon his/her return. If the employee's original position is available, the employee shall be returned to that position. Otherwise, the employee will be offered an available position for which he/she is qualified. Should the employee return to a lesser paying position, the employee's rate of pay shall be reduced to a level appropriate to that position and the employee's length of service.
- During a Personal Leave, support for the insurance programs provided as benefits and Devereux's contributions toward the employee's retirement plan are discontinued. The employee has the option to convert the group insurance programs to individual policies during the Personal Leave, provided that such policies offer conversion to individual plans. You may contact your Human Resources department personnel for more information regarding continuation of group benefit plans through COBRA. All of the plans in which the employee was previously eligible and enrolled, those supported by Devereux and those paid by the individual, and those currently offered will become available or effective the first of the month on or following the employee's return from the Personal Leave, and upon timely enrollment in benefit self-service. Service tenure otherwise is maintained.

Devereux Leave for Medical Absences (DML) (All Locations)

- Devereux Leave for Medical Absences (DML) interacts with Family Medical Leave (FML) and are leaves without pay. Employees may use any accrued TOB/HML. If Center Human Resources department personnel and/or the supervisor have received notice of a qualifying event under the Family and Medical Leave Act (FMLA), but the required forms have not been returned, the absence will be designated as FML, and the rights permitted under the Family and Medical Leave Act (FMLA) will be provided until the forms are received and reviewed.
- If an employee qualifies for Family and Medical Leave (FML), the FML will run concurrently with the DML.
- Medical absences begin on the earlier of the approved date or the initial absence.
- DML is available to both full-time and part-time employees, as all employees may need time off for illness or injury, whether work or non-work related.

Full-Time and Part-Time Employees

- Beginning as of the first day of work, an employee who has a disability may be eligible for leave as a reasonable accommodation under the Americans with Disability Act (ADA) and/or applicable state law. If in the event of a potential disability during this time, contact your Center Human Resources department personnel.
- **After completing 90 days of employment, an employee hired prior to July 1, 2015**, and who is approved for DML, is permitted Leave typically not to exceed nine (9) consecutive months in a twelve (12) month period. The twelve (12) month period is tracked from the approved date or the initial absence, whichever is earlier.

- **After completing 90 days of employment, an employee hired on or after July 1, 2015**, and who is approved for DML is permitted Leave typically not to exceed six (6) consecutive months in a twelve (12) month period. The twelve (12) month period is tracked from the approved date or the initial absence, whichever is earlier.
- Unless state law dictates otherwise, the employee must use his or her accrued but unused Health Management Leave (HML) time, followed by Time-Off Benefits (TOB) during the Leave. Any additional absences will be without pay. The use of such time must be approved in advance by the employee's supervisor/Department Head in accordance with Center procedure. During a Leave of Absence, TOB will accrue only when approved, accrued benefit (TOB or HML) hours are used. The issuance of "zero" time is not permitted when an employee has accrued HML or TOB available.

Other DML Conditions (Applicable to Full-time and Part-time Employees)

- The TOB Year coincides with Devereux's fiscal year, which begins with the first payroll period that includes July 1, and ends with the last payroll period that includes June 30.
- A DML will be reviewed on a month-by-month basis: However, it may be less frequent, if documented by the treating healthcare professional. Devereux reserves the right to request a second or third opinion, in compliance with the FMLA, state law and Devereux policy, as outlined under federal Family and Medical Leave below.
- An extension of DML may be approved as a reasonable accommodation when it is medically certified that the employee can return to work within a specified time of reasonable duration. In the event that additional Leave is required beyond the approved DML, as a reasonable accommodation under the Americans with Disability Act (ADA) or applicable state law, the employee will discuss with designated Center Management and Human Resources department personnel the need for the extension, and any accommodation being requested. Leave in excess of permitted DML must be approved by the Vice President of Human Resources.
- If the employee wishes to return to work after the Leave of Absence, he/she must notify Center Human Resources department personnel as soon as possible of the date of availability. An employee who has been out of work on a DML must present a healthcare provider's certificate upon returning to work stating that the employee is able to resume the essential functions of his/her job with or without accommodation.
- An employee who has been absent due to a non-work or work-related injury, illness or exposure, must submit a qualified healthcare provider's certification for all absences of three (3) days or more.
- Furthermore, direct care and support services employees, including, but not limited to, direct support professionals, nursing, education, facilities, food services, housekeeping and transportation on DML (including Leave due to a work-related injury, illness or exposure), must participate in a "fitness-for-duty" screening prior to returning to work to confirm his/her ability to perform the essential functions of his/her job. Devereux, at its expense, may require the employee to participate in a Job Demand Assessment.
- Devereux's Transitional Work Program recognizes our responsibility to provide opportunities to employees with occupational injuries or illnesses to contribute to our mission during temporary periods when they cannot fulfill all the responsibilities of their regular roles while they are receiving medical treatment. Additionally, there are times when a non-work related injury or illness may prevent an employee from fulfilling the responsibilities of his or her regular roles, and transitional work may be provided, as part of a reasonable accommodation. For more information about your eligibility to participate in Devereux's Transitional Work Program, please review Devereux Policy #527, or contact your Center Human Resources department personnel.

Job Restoration

- Devereux will work with the employee both during the Leave period and at its end in order to return the employee to his or her position or another open position for which the individual is qualified and in which the individual can perform the essential functions of the job with or without reasonable accommodation.
- Under the FMLA, an eligible employee will be restored to the same or an equivalent position upon his/her return.
- For all other medical leaves under this policy, Devereux will make reasonable efforts to return an employee to the same or similar job as held prior to the DML, considering any reasonable accommodations necessary to perform the essential functions of the position.

  Devereux will take the following actions in the sequence listed:
  - Attempt to return the individual to the most recently held position.
  - Attempt to place the individual in a comparable position. Should the employee return to a lesser-paying position, the employee's salary shall be reduced to a level appropriate to that position and the employee's length of service.
  - If the employee has exhausted all Leave and the employee cannot be returned to work, the employee will be given preference for rehire if the position previously held or a comparable position becomes available following a 30-day break in service, and the employee applies for the position. Benefit eligibility will be in accordance with Devereux's rehire policy.
- Devereux may prohibit employees from holding another job while on leave, including a Family and Medical Leave. The employee requesting the Leave has a duty to disclose any other form of employment to the Center Human Resources Director. The commencement of another job while on any authorized leave and without Center approval may lead to disciplinary action, up to and including discharge.

Health Management Leave (HML) Accruals and Caps – Full Time Employees

- Devereux recognizes that at times each of us may experience health problems that prevent us from reporting to work, even when we make every effort to manage our health needs. HML is a time-off benefit provided by Devereux that allows you to protect yourself from loss of income due to illness or injury. HML works best for you when it is used as intended, and only when necessitated by illness or injury. HML is provided to all eligible full-time employees.
- HML is to be used for short term disability and available to use for an illness/injury. HML is designed to provide an employee with short-term disability income and provides you with financial protection in the event you become disabled or experience an extended absence. (Devereux provides a no-cost Long-Term Disability (LTD) insurance plan to eligible employees, which, begins after an employee is disabled for 90 or more days). It is expected that you will accumulate HML to use in the event that you sustain an illness or injury that may result in an extended absence.
- HML will begin to accrue immediately upon hire. An employee hired to work on a full-time basis will accrue .05 hours of HML for each base pay hour worked, not to exceed 64 hours in a benefit year.
- Accrued HML are hours earned but not used in the benefit year, and are carried over and available for use, in accordance with Devereux policy, during subsequent benefit years.

Paid Health Management Leave (HML) for Part-Time Employees by State or Municipality

Part-time employees working for the Devereux Arizona (effective July 1, 2017), California, Connecticut and Massachusetts Centers, as well as employees working in Philadelphia, PA or Newark, NJ, will accrue HML, according to the schedule below. Employees are entitled to use their HML for their own qualifying need or that of a family member for diagnosis, care or treatment of an existing health

condition, preventative care, or issues related to the employee being a victim of domestic violence, sexual assault or stalking.

A "family member" is defined to include the following:

- biological, adopted or foster child, stepchild or legal ward or a child to whom the employee stands in loco parentis;
- biological, foster, stepparent or adoptive parent or legal guardian of an employee or an employee's spouse or a person who stood in loco parentis when the employee was a minor child;
- person to whom the employee is legally married under state law;
- grandparent or spouse of a grandparent;
- grandchild;
- biological, foster, or adopted sibling or spouse of a biological, foster or adopted sibling; and
- Life/Domestic Partner

Work Location	**Accrual Rate**	**Annual Cap (Hours)**	**Carry-over Hours Permitted**
Arizona (effective 7/1/17)	1 hour for every 30 hours worked	40	Not to exceed 40 hours
California	1 hour for every 30 hours worked	24	Not to exceed 48 hours
Connecticut	1 hour for every 40 hours worked	40	Not to exceed 40 hours
Massachusetts	1 hour for every 30 hours worked	40	Not to exceed 40 hours
Newark, NJ	1 hour for every 30 hours worked	30	Not to exceed 40 hours
Philadelphia, PA	1 hour for every 40hours worked	40	Not to exceed 40 hours

Approval of Devereux Leave for Medical Absences (DML)

In the event that an absence of four or more days is needed to attend to your health needs, you must notify your supervisor and request a Leave of Absence application from Center Human Resources department personnel.

- A certificate from a qualified healthcare provider may be requested at any time in the event of suspected abuse of HML time, or to ensure that an employee can successfully perform essential job functions, as evidenced by successful participation in an approved Job Demand Assessment. Furthermore, for absences of less than three (3) consecutive days, a supervisor may designate that accrued TOB be charged rather than HML, until a qualified healthcare provider's certificate is provided.
- HML is designed as protection against illness or non-work related injury; it may not be converted into TOB time.
- **Under no circumstances will accrued HML be paid upon termination.**

**For the purpose of all Medical Leaves and related policies, "child" also includes a foster child, stepchild, adopted child, legal ward or a child of a person standing in loco parentis.*

FEDERAL FAMILY AND MEDICAL LEAVE (FML)

Overview

Devereux recognizes the importance of child and family development, the need to be able to participate in early child rearing, as well as the need to care for family members who have serious health conditions. The Family and Medical Leave Act (FMLA) of 1993 (amended January 2009 and February 2013) is intended to provide job-protected, time off from work to meet the demands upon the family unit.

If you are requesting Family Medical Leave (FML), because of your own serious health condition, you and your treating healthcare provider must complete a "Certification of Health Care Provider for Employee's Serious Health Condition" form. It is Devereux policy that a request for any form of job-protected Leave because of an employee's or applicant's own qualifying medical condition that results in an extended absence, may constitute a request for a reasonable accommodation, and such requests will be decided on a case-by-case basis, consistent with the Americans with Disabilities Act (ADA).

The "Request for Family Medical Leave Certification Health Care Provider" forms must be provided to your Human Resources department personnel within 15 days of the submission of an "Application for Leave of Absence" form. You can obtain forms from your Center Human Resources department, or online under the Human Resources department section on Devereux's Intranet. If you can provide at least 30 days' notice of your need for FML, you must do so. The failure to report your need for Leave or to provide the appropriate forms in a timely manner may result in a delay of the Leave or termination of employment.

If you are requesting FML because of a covered relation's serious health condition, you and your covered relation's treating provider must complete a "Certification for Health Care Provider Family Member's Serious Health Condition" form. Additionally, for each FML request, you must complete and return to your Human Resources department personnel an "Application for Leave of Absence" form.

Devereux, at its expense, may require an examination by a second healthcare provider designated by Devereux, if it reasonably doubts the medical certification you initially provide. If the second health care provider's opinion conflicts with the original medical certification, Devereux, at its expense may require a third mutually agreeable healthcare provider to conduct an examination and provide a final and binding opinion.

In the event that the Center has received notice of a qualifying event under the Family and Medical Leave Act, but the required forms are not returned, the absence will be designated as FML and the rights permitted under the FMLA will be provided. In the event that you fail to provide required re-certification, or in the event that the qualifying event is no longer applicable, your employment may be terminated, effective on the date the applicable event occurs.

In the event you feel as though termination is not warranted, you may file an appeal with your Human Resources Director within 15 days of termination. Your appeal must include the reason(s) why you believe termination of employment is unwarranted.

Family and Medical Leave Eligibility and Job Restoration

- Under the FMLA, an eligible employee may take up to twelve (12) work weeks of unpaid Leave within a twelve (12) month period, and be restored to the same or an equivalent position upon his/her return. To be eligible for FMLA, you must have worked for Devereux for at least 1,250 hours during the twelve (12) month period prior to the start of the Leave. This twelve (12) month

period does not need to be continuous or consecutive. The months of service would not include those earned prior to a break of seven (7) years or more. Time is credited for breaks required for fulfillment of military obligations or as provided in a written employment agreement. Devereux is not required to aggregate service when there is break of seven (7) years or longer, except for breaks resulting from either fulfillment of military obligations or as provided in a written employment agreement.

- Your individual record of hours worked are used to determine whether 1,250 hours have been worked in the twelve (12) months prior to the commencement of Family and Medical Leave (FML). The 1,250 hours include only those hours actually worked. Paid Leave and unpaid Leave, including FML, are not included. The twelve (12) month period in which twelve (12) weeks of Leave may be taken will be measured forward from the date of the employee's first day of FML.
- When both spouses or domestic partners are employed by Devereux, they are each entitled to up to a total of twelve (12) weeks during a twelve (12) month period; however, leave for birth, adoption, foster care, or to care for a parent with a serious health condition must be shared by both spouses or domestic partners working for Devereux.
- Certain highly compensated employees or "key employees" may be denied restoration to their prior or equivalent position. Key employees are defined as those employees who are among the highest paid 10 percent of employees within 75 miles of the work site. Denial is based on the following conditions:
  - The denial is necessary to prevent substantial economic injury to the employer;
  - The employer has notified the employee of its decision to deny restoration should the Leave take place or continue; and
    The employee elects not to return to work after being notified of the employer's decision.

Reasons for Leave

- Eligible employees may take FML for any of the following reasons:
  - The birth of a child of the employee and in order to care for such child;
  - The placement of a child with the employee for adoption or foster care;
  - To care for the spouse, domestic partner, child or parent of the employee, if such spouse, domestic partner, child or parent has a serious health condition; or
  - A serious health condition that makes the employee unable to perform the essential functions of his/her position.
- Any Leave due to the birth and care of a child, or the placement of a child for adoption or foster care and care of the newly placed child, must be completed within one year of the date of birth or placement of the child.
- DML and FML run concurrently.

- <u>Military Care Giver Leave</u> - The FMLA entitles eligible employees to take unpaid, job-protected leave under the Military Caregiver Leave. This benefit provides up to a total of 26 workweeks of unpaid leave during a single twelve (12) month period for a spouse, domestic partner, son, daughter, parent, or "next of kin" to provide care for a recovering service member or veteran undergoing medical treatment, recuperation, or therapy for a serious injury or illness that occurred within five (5) years of his or her service in the regular Armed Forces or the Reserves. This provision is intended to cover the treatment of those illnesses or injuries that may not manifest immediately, such as post-traumatic stress disorder.

  Eligible employees may take leave to care for a service member or veteran who was injured on active duty and suffers an aggravation or recurrence of that injury. A recovering service member is defined as a member of the Armed Forces who suffered an injury or illness while on active-duty that may render the person unable to perform the duties of the member's office, grade, rank

or rating.

If you are requesting FML under the Military Care Giver Leave, you and your covered relation's treating provider must complete a "Certification for Serious Injury or Illness for a Current Service Member for Military Family Leave" form, or for veterans, a "Certification for Serious Injury or Illness of a Veteran for Military Leave" form; as well as an "Application for Leave of Absence" form. All forms can be obtained from, and should be returned to your Human Resources department; or are available online under the Human Resources department section on Devereux's Intranet.

- Qualifying Exigencies Leave – Qualifying exigencies may arise when an employee's spouse, domestic partner, son, daughter or parent who is a member of the Armed Forces (including the National Guard and Reserves), and who is on active covered duty or has been notified of an impending call or order to covered active duty. For the purposes of Qualifying Exigency Leave, an employee's son or daughter on covered active duty refers to a child of any age. Covered active duty is duty during deployment to a foreign country. Eligible employees are entitled to take up to twelve (12) workweeks of unpaid, job-protected leave in a twelve (12) month period.

    - Qualifying exigencies include:
        - Short-notice deployment
        - Military events and related activities
        - Certain childcare and school activities
        - Financial and legal arrangements
        - Counseling
        - Rest and recuperation
        - Post-deployment activities; and
        - Any other event that Devereux and the employee agree is a qualifying exigency.

    If you are requesting FML under the Qualifying Exigency Leave, you must complete a "Certification of Qualifying Exigency for Military Family Leave" form, as well as an "Application for Leave of Absence" form. Both forms can be obtained and should be returned to your Human Resources department; or are available online under the Human Resources department section on Devereux's Intranet.

Requirements for the Use of Time-Off Benefits

- FML is unpaid. However, all accrued, unused TOB and HML time must be used as part of your designated FML, unless state law dictates otherwise. The payment of TOB does not extend the twelve (12) week (or twenty-six (26) week Leave under the Military Care Giver Leave) Leave period provided by the law.
- If you request Leave, because of a birth (other than female employee), adoption or foster care placement of a child, or to care for a "covered" relation with a serious health condition, any accrued, unused TOB is used first during your FML. After you have exhausted all available TOB time, you must use any accrued, unused HML time, unless state law dictates otherwise. The issuance of "zero" time is not permitted when an employee has accrued TOB or HML available. TOB or HML time may not be advanced during a Family and Medical Leave of Absence.
- If you request Leave because of your own serious health condition, including childbirth, any accrued, unused HML time is used first as part of your Family and Medical Leave. After you have exhausted all HML time, you must use accrued, unused TOB time. The issuance of "zero" time is not permitted when an employee has accrued HML or TOB time available. If an employee is eligible for FML, any Devereux Medical Leave will run concurrently and begin on the approved date or the initial absence, whichever occurs first.

Benefit Continuation

- During an approved FML or DML Devereux will maintain your medical benefits under the same terms and conditions applicable to employees not on Leave, provided the employee elects to continue his/her these benefits during the FML. You may elect to continue or discontinue your benefit coverage during your FML or DML, and must do so on the "Application for Leave of Absence" form. If TOB or HML Leave is substituted for unpaid FML, Devereux will deduct your portion of the health plan premium as a regular payroll deduction.
- If your Leave is unpaid, you must arrange with Human Resources department personnel to make monthly premium payments throughout the duration of your Leave. Failure to continue paying your portion of benefit contributions will result in benefit termination.
- If you elect not to return to work at the end of the Leave, you are required to reimburse Devereux for the cost of premiums that were paid by Devereux to maintain coverage during your unpaid Leave. An exception to this would be if you cannot return to work because of a serious health condition or because of other circumstances beyond your control. If you return to work for at least 30 days following the completion of your unpaid Leave, then elect to leave Devereux, you are considered to have "returned to work," and thus are not required to reimburse Devereux for its share of premiums paid during your Leave.

Intermittent Leave

- If medically necessary, FML due to a serious health condition may be taken intermittently (in separate blocks of time due to a single health condition, or on a schedule that reduces the usual number of hours you work per week or workday). If the Leave is unpaid, Devereux will adjust your salary based on the amount of time actually worked.
- If you are on an intermittent or reduced scheduled Leave, Devereux may temporarily transfer you to an available alternate position that better accommodates your recurring Leave and that has equivalent pay and benefits. When scheduling intermittent Leave, you must make a reasonable effort not to disrupt Devereux's operations when possible.
- Intermittent Leave is reserved for employees on FML, and is not available to employees on DML.

Recertification While on Family Medical Leave

- During an approved FML, recertification by a qualified healthcare provider (a type of provider recognized by our health care plan) to document the need for continued Leave for an ongoing medical condition may be requested every 30 days, unless medical certification indicates the minimum duration of the Leave is more than 30 days. For extended absences due to ongoing medical conditions, recertification may be requested on a less frequent basis.
- Recertification is needed to document your need for continued Leave, and must provide information on the status of your medical condition and your intent to return to work. Failure to provide required documentation may result in the discontinuation of the Leave effective the date the documentation was originally required, or may result in termination of employment. At the time you are notified of Devereux's intent to terminate employment for failure to provide required documentation you will be granted a 15 day grace period from the date of the notice to file an appeal. In the event that an employee's appeal is upheld, the employee will be reinstated and the Leave continued. At no time may the continuation of the Leave extend beyond the Leave maximum, beyond the initial end date of the Leave or beyond an approved extension, without an approved extension.
- If you have been on an approved FML because of your own serious health condition (except if you are taking intermittent Leave), prior to returning to work, you must provide "fitness-for-duty" certification, which may include at Devereux's expense, a Job Demand Assessment to

confirm that you are able to perform the essential functions of your job.

STATE AND LOCAL FAMILY AND MEDICAL LEAVE LAWS

Where state and local Family and Medical Leave laws offer more protection or benefits to employees, the protection or benefits provided by such laws will apply. For qualified employees, the initial twelve (12) weeks of any medical Leave, or longer if required by a state Family and Medical and/or Maternity Leave regulation, whether extended or intermittent, is considered Family and Medical Leave. Family and Medical Leave includes state Family and Medical, as well as Maternity and Paternity Leaves provided under state law. In accordance with Devereux procedure, your Human Resources department personnel will notify you when your Leave has been designated as Family and Medical Leave.

The following information is intended as a summary of benefits only. Additional information on State Family and Medical Leave programs can be obtained from your Human Resources department personnel or from your State governmental agencies responsible for administering these programs.

- **CALIFORNIA**

  California Family Rights Act (CFRA)

  The California Family Rights Act (CFRA) and the Federal Family and Medical Leave Act of 1993 (FMLA) apply. Depending on the circumstances, either or both of these laws may apply to a particular Leave. Also, either or both of these laws may apply at a particular time during a Leave. When both laws apply, the Leave provided by each must be taken concurrently, except for any Leave taken under the FMLA for disability due to pregnancy, childbirth or related medical condition. Under the CFRA and FMLA, an eligible employee is entitled up to twelve (12) weeks of unpaid Family/Medical Leave within any twelve (12) month period. The total amount of Leave that can be taken is twelve (12) workweeks in a twelve (12) month period, except if you are qualified for additional time for a disability due to pregnancy, childbirth or related medical condition.

  In that event, you may be eligible for up to four (4) months, and if necessary, may be eligible to take additional Leave in the form of Family Leave. The twelve (12) month period begins on the first day Leave is taken under the appropriate law. At the end of the Leave, you will be restored to the same or an equivalent position upon your return.

  To be eligible you must:

  - Have worked for Devereux for at least twelve (12) months, and for at least 1,250 hours in the last twelve (12) months; and
  - Be employed at a worksite that has 50 or more employees within 75 miles.

  Paid Family Leave (PFL)

  - California's PFL program provides up to six weeks of wage-replacement benefits to workers who take time off work to care for a seriously ill child, spouse, parent or domestic partner, or to bond with a new child.
  - An individual who is entitled to a Leave under the federal or state FMLA must take PFL concurrently with the other available types of Leave.
  - No more than six (6) weeks of PFL can be paid within any twelve (12) month period. An employer may, as a condition of an employee's initial receipt of PFL benefits during any twelve (12) month period, require an employee to take up to two (2) weeks of earned but unused vacation (TOB) Leave first.

  Pregnancy Disability Leave (PDL)

  - California's PDL law provides for up to four (4) months or seventeen (17) and one-third

weeks of Leave per pregnancy for eligible female employees affected by pregnancy, childbirth or related medical conditions. However, employers can limit the Leave to six (6) weeks for a normal pregnancy, childbirth or related condition. In addition, the maximum Leave entitlement is prorated for employees who are part-time or have alternative schedules.

- Employees can take pregnancy disability Leave on an intermittent basis or reduced work schedule.
- If the federal FMLA applies, time off under the PDL will be counted against the employee's federal FMLA Leave entitlement. However, pregnancy disability Leave does not run concurrently with state Family and Medical Leave. At the end of the four (4) month period of pregnancy disability Leave, an employee eligible for state Family and Medical L eave can request up to twelve (12) additional weeks of Leave for childbirth. Disabilities due to pregnancy or childbirth qualify for coverage under the state's temporary disability benefits law.

"Kin Care" Leave

- California's "Kin Care" Leave permits an employee to use up to 50 percent of accrued sick (HML) time for the care of a sick spouse, child, parent, domestic partner or the child of a domestic partner in a twelve (12) month period.
- Under the law, "child" is defined to mean biological, adopted or foster child, stepchild, legal ward or a child for whom an employee has accepted the duties and responsibilities of raising. This covers a grandparent who is raising a grandchild. The child is not required to be a minor to receive coverage. "Parent" means a biological, foster or adoptive parent, a stepparent or legal guardian. Mothers-in-law, fathers-in-law and grandparents are not considered parents for the purposes of this law.

➢ COLORADO

Colorado Family Care Act

- Employees are eligible for leave if they meet the eligibility requirements under the Federal Family and Medical Leave Act. Eligible employees will be able to take twelve (12) weeks of leave to care for their civil union or domestic partners with serious health conditions.

Pregnant Workers Fairness Act

- Under the law, an employer shall provide reasonable accommodations for any "health conditions" related to pregnancy or the physical recovery from childbirth. An employer shall provide reasonable accommodations for any "health conditions" related to pregnancy or the physical recovery from childbirth. The Act identifies a number of possible accommodations, even if such a condition would not be covered under the Americans with Disabilities Act (ADA). For additional information regarding requests for accommodation, see your Human Resources Department personnel.

➢ CONNECTICUT

- All employees who have been employed with Devereux for twelve (12) consecutive months and have worked at least 1,000 hours in the twelve (12) month period preceding the first day of Leave are entitled to up to 16 weeks in any two (2) year period of unpaid family Leave.
- Reasons for the Leave include the birth or adoption of a child, or the serious health condition of you, your child, spouse, parent or your spouse's parent. Employees must provide at least two (2) weeks advance notice of the intended date upon which the Leave will commence, unless such notice is prevented by a medical emergency. Leave granted under the State's Family and Medical Leave law will run concurrently with the federal Family and Medical Leave.

- You are also required to provide us with written certification from your healthcare provider that states the expected date of your return to work. Consistent with applicable law and/or our business conditions, we will return you to the same or equivalent position held prior to the Leave of Absence.

Maternity Leave

- Employees are granted a reasonable Leave of Absence due to a pregnancy-related disability.
- An employee returning from such Leave is reinstated to her original position with equivalent pay and accumulated seniority, retirement and fringe benefits, unless Devereux's circumstances have so changed as to make it impossible or unreasonable to do so.
- If you are pregnant and reasonably believe that continuing to work in your present position may cause injury to you or your fetus, you may request a temporary transfer to another position. Upon giving Devereux written notice of your pregnancy, Devereux will make a reasonable effort to transfer you to a suitable temporary position, if one is available. You may appeal any such transfer to the Connecticut Human Rights and Opportunities Commission (CHRO).

- **MASSACHUSETTS**

Massachusetts Maternity Leave Act (MMLA)

- Full-time, female employees are eligible for an unpaid Maternity Leave upon completion of their orientation period. Eligible employees will be granted a Leave of Absence of at least eight (8) weeks for giving birth or adopting a child. In the event of multiple births, the employee is entitled to eight (8) weeks for the birth of each child. The taking of such Leave will not affect your right to receive TOB, HML, bonuses, advancement, seniority, benefits or other advantages incidental to your employment. You must provide two (2) weeks of notice of your expected departure date, as well as notice that you intend to return to your job.
- In certain instances, the MMLA and FMLA will overlap. Where Leave is taken for a reason specified in the FMLA and MMLA, the Leave may be counted simultaneously against the employee's entitlement under both laws. For example, a female employee who takes a Leave for the purpose of caring for a newborn or adopted child may be covered by both FMLA and MMLA. In such an instance, provided that all FMLA requirements are met, the employee's Leave may count simultaneously against her twelve (12) week entitlement under FMLA and her eight (8) week entitlement under the MMLA.
- In other instances, however, the MMLA may entitle an employee to Leave in addition to Leave taken under the FMLA. The FMLA provides that nothing in the law supersedes any provision of state law that provides greater Family or Medical Leave rights. Thus, for example, if an employee takes twelve (12) weeks of FMLA Leave for a purpose other than birth or adoption of a child, she will still have the right to take eight (8) weeks of maternity Leave under the MMLA.
- Employees can elect to use accrued TOB to continue their pay during a Maternity Leave, but are not required to do so. In the event that an employee's absence has been approved as time off under the FMLA and under the MMLA, these Leaves will run concurrently. As a result, an employee absent under the protection of both Leaves has the option of using or not using accrued HML for the first eight (8) weeks of the absence. For the remaining four (4) weeks of the Family Medical Leave/Massachusetts Maternity Leave, the employee must use accrued HML time; then TOB benefits until they are exhausted.
- Upon termination of such Leave, you are entitled to return to your previous or similar position, unless other employees of equal seniority and status in the same or similar position have been laid off due to economic conditions, or there have been other changes in operating conditions affecting employment during your Leave period.

- **NEW JERSEY**

New Jersey Family Leave Act

- All employees who have worked 1,000 hours in the previous twelve (12) months of consecutive employment are eligible to receive up to twelve (12) weeks of unpaid Family Leave within a twenty-four (24) month period. Family Leave may be used only in the event of a birth or adoption of a child, or to provide care for a parent, child under 18, spouse or civil union partner who has a serious health condition requiring in-patient care, continuing medical treatment or medical supervision. The Family Leave Act considers a parent to be in-laws, step-parents, foster parents, adoptive parents or others having a parent-child relationship with an employee. In situations where a Leave is covered by both the New Jersey Family Leave Act and the federal Family and Medical Leave Act, the employee is entitled to only one period of Leave of up to twelve (12) weeks in a twelve (12) month period to care for a family member.
- A Leave granted due to the employee's disability is covered only by the federal Family and Medical Leave Act and may be followed by an additional Leave for the care of a family member under the New Jersey Family Leave Act.
- An employee must provide advance notice unless prevented by a medical emergency. Moreover, an employee may be required to provide a certification issued by a licensed health care provider prior to the employer granting a request for Family Leave. Leave taken due to the birth or adoption of a child may begin any time within one year of the birth or placement for adoption. Such Leave must be taken consecutively, unless Devereux otherwise agrees to permit the employee to take this Leave on an intermittent or reduced Leave schedule.
- Leave taken due to the serious illness of a child or covered family member may be taken consecutively or, if medically necessary, on an intermittent basis.
- Upon termination of such Leave, an employee is entitled to return to his/her previous or similar position, unless during such Leave Devereux has experienced a reduction in force or layoff and the employee would have lost his/her position had he/she not been on a Family Leave.

- **New Jersey Paid Family Leave Law**

- The New Jersey Paid Family Leave program provides up to six (6) weeks of paid Leave or forty-two (42) days of Intermittent Leave in any twelve (12) month period to be with a newborn or newly adopted child, as long as the Leave is taken within the first twelve (12) months after the date of birth or adoption; or to provide care for a family member with a serious health condition. For the purpose of the New Jersey Paid Family Leave, “family members” are defined as the employee’s child, spouse, domestic partner, civil union partner or parent. A “child” includes a biological, adopted or foster child, a stepchild or legal ward, or a child of an employee’s domestic partner or civil union partner, who is under age 19, or is age 19 or older if incapable of self-care due to mental or physical impairment.
- An individual who is entitled to Leave under the federal or state FMLA must take New Jersey Paid Family Leave concurrently with the other available types of Leave.
- No more than six (6) weeks of New Jersey Paid Family Leave can be paid within any twelve (12) month period.
- Family Leave Insurance (FLI). FLI will provide protection from wage loss in accordance with the New Jersey Paid Family Leave Act. An employer may require an employee to use up to two (2) weeks of Health Management Leave and/or TOB prior to receiving FLI.
- Upon termination of New Jersey Paid Family Leave, an employee is not guaranteed return to his/her previous or similar position, unless Paid Family Leave was taken concurrently with State or Federal Family Medical Leave.

- **RHODE ISLAND**

  Parental and Family Medical Leave Act
  - All full-time employees working an average of 30 or more hours per week for twelve (12) consecutive months (1,560 hours) immediately preceding the request for Family or Medical Leave is entitled to a total of thirteen (13) consecutive work weeks of unpaid Family Leave or Medical Leave during a twenty-four (24) month period.
  - Employees may take parental leave for childbirth or adoption of a child age 16 or younger.
  - Family Leave may be used in the event of a birth of a child, the adoption or placement of a child for adoption or foster care, or to provide care for the employee's child, spouse, domestic partner, parent, parent-in-law or the employee's own serious health condition. An employee must provide at least thirty (30) days' notice of the need for Family or Medical Leave unless prevented by a medical emergency. An employee will be required to provide a certification issued by a licensed health care provider prior to the employer granting a request for Family Leave.
  - An employee who has been employed for twelve (12) consecutive months is entitled to ten (10) hours of Leave during any twelve (12) month period to attend school conferences or other school-related activities for a child of whom the employee is the parent, foster parent or guardian. A notice of twenty-four (24) hours prior to the Leave must be given to the employer by the employee. The Leave is unpaid however an employee many substitute any accrued TOB Leave.

STATE TEMPORARY DISABILITY INSURANCE LEAVES

The following information is intended as a summary of benefits only. Additional information on State Temporary Disability Insurances programs can be obtained from your Human Resources office or from State governmental agencies responsible for administering these programs.

- **CALIFORNIA**
  - All employees are eligible for a Disability Leave of Absence due to illness, injury or pregnancy-related disabilities provided they meet the eligibility requirements. The benefits are calculated as a percentage of salary, up to a weekly maximum duration of fifty-two (52) weeks, as specified in State law.
  - You are responsible for filing your claim and other forms promptly and accurately with the California Employment Development Department. A claim form may be obtained from any office of the Employment Development Department.
  - If you are disabled from work due to pregnancy, childbirth or related medical conditions for a period up to four (4) months, you will be reinstated to the same or similar position, unless business necessity dictates otherwise. For employees who are disabled from work because of a pregnancy-related disability for more than four (4) months, or for employees who are disabled due to an illness or injury not covered by the Family Medical Leave policy, Devereux will make reasonable efforts to return you to the same or similar job as held prior to the Leave of Absence, subject to our staffing and business requirements. Your continued absence from work beyond your disability, as determined by your healthcare provider, is deemed a voluntary termination of your employment.

- **NEW JERSEY**
  - All employees who have met the minimum earning requirements specified by New Jersey State law are eligible for short-term disability insurance. This insurance is designed to provide income for you when you are absent from work for more than seven (7) calendar

days due to non-occupational illness, injury or pregnancy-related disability.
- The benefits are calculated as a percentage of salary, up to a weekly maximum twenty-six (26) weeks, as specified by law. The cost of this insurance is shared between Devereux and the employee.

- **NEW YORK**
  - Employees are eligible for short-term disability insurance after four (4) consecutive weeks of full-time employment or twenty-five (25) days of regular part-time employment in accordance with State law. This insurance is designed to provide income for you when you are absent from work for more than seven (7) calendar days due to non-occupational illness, injury or pregnancy-related disability.
  - The benefits are calculated as a percentage of salary, up to a maximum twenty-six (26) weeks, as specified by law. The cost of this insurance is shared between Devereux and the employee.
- **RHODE ISLAND**
  - Employees are eligible for short-term disability insurance due to a disability after twenty-eight (28) days of employment. This insurance is designed to provide income for you when you are absent from work for more than seven (7) calendar days due to non-occupational illness, injury or pregnancy-related disability.
  - To be medically eligible for Temporary Disability Insurance (TDI) benefits, a Qualified Healthcare Provider (QHP) must certify that you are unable to work for at least seven (7) consecutive days. Midwives, Nurse Practitioners, Physicians, Physician Assistants and Psychiatric Clinical Nurse Specialists are Qualified Healthcare Providers. Your QHP will tell us the length of time he/she expects you to be unable to work.
  - The benefits are calculated as a percentage of salary. The cost of this insurance is fully paid by the employee.
  - Your claim begins with the Sunday of the week in which you became unable to work. This begins your benefit year. The benefit year is a fifty-two (52) week period. Any additional claims (re-files) you submit during this period will have the same benefit year.
  - The second period of disability does not have to be a related medical problem, but the disability must continue for at least seven (7) consecutive days.

Temporary Caregiver Insurance
- Eligible employees can use up to four (4) weeks of temporary caregiver insurance benefits within a benefit year. Employees who receive temporary disability benefits and temporary caregiver insurance benefits cannot receive more than 30 times their weekly benefit rate in any benefit year.
- Eligible employees may receive benefits when they take Leave to care for a seriously ill child, spouse, domestic partner, parent, parent-in-law, grandparent, or to bond with a new child. For more information, contact your Center Human Resources department personnel.
- Employees taking leave under the temporary caregiver insurance provisions must give at least thirty (30) days' advance written notice of the need for leave. Employees who fail to provide advance notice can have their temporary caregiver insurance benefits delayed or reduced unless such advance notice is impossible, because circumstances regarding time of leave are unforeseeable.

ALL DISABILITY LEAVES
- You are required to provide Devereux with written notice, including a healthcare provider's certificate that documents the nature of the disability, the date of treatment, an opinion as to whether the illness or injury prevents the employee from performing the essential function of

his/her work with or without accommodation, and an estimate of the date of the expected date of return to work

- Disability insurance information may be obtained from a member of the Human Resources department. If you qualify for a Leave, we will maintain health benefits under the same terms and conditions applicable to those employees not on Leave.
- You must inform us as soon as possible when you are able to return to work, and provide a "fitness-for-duty" certification stating that you are able to perform the essential functions of your job. Devereux reserves the right to require a health care screening conducted by a qualified healthcare provider of our own choosing prior to your resumption of duties.
- Devereux will make reasonable efforts to return you to the same or similar job as held prior to the Leave of Absence, subject to our staffing and business requirements. Your continued absence from work beyond your disability, as determined by your healthcare provider, is deemed a voluntary termination of your employment.

OTHER STATE LEAVE LAWS

- **CALIFORNIA**

  California Crime Victims Leave

  California allows employees who are victims of certain types of crime to take unpaid Leave without fear of being disciplined or terminated. Workers can take Leave to obtain injunctions or other legal relief to ensure their safety or the safety of their family members. Whenever possible, employees must provide their employers with reasonable advance notice of their need for Leave.

- **FLORIDA**

  Florida Domestic Violence Leave

  Florida provides three (3) days of unpaid Leave in a twelve (12) month period to eligible employees (those who have been employed for three (3) months) who are victims of domestic violence. Specifically, Leave may be granted for an employee to seek an injunction for protection; to obtain medical care or mental health counseling to address related physical or psychological injuries; to obtain services from a victim services organization; to make the employee's home secure or to seek new housing; or to seek legal assistance or to attend and prepare for court proceedings related to the domestic violence. Employees are required to give appropriate notice, barring imminent danger, and provide adequate documentation of the need for leave.

- **MASSACHUSETTS**

  Massachusetts Small Necessities Leave Act

  Eligible Massachusetts' employees may take up to twenty-four (24) hours of Leave in a twelve (12) month period, in addition to the twelve (12) weeks provided under the Family and Medical Leave Act. The Small Necessities Leave Act permits an employee Leave for the following purposes:

  - To participate in school activities directly related to the educational advancement of a son or daughter of the employee, such as a parent-teacher conference or interviewing for a new school
  - To accompany a son or daughter of the employee to routine medical or dental appointments, such as check-ups or vaccinations
  - To accompany an elderly relative of the employee to routine medical or dental appointments or appointments for other professional services relating to the elder's care, such as interviewing at nursing or group homes.

  The twenty (24) hours may be taken on an intermittent (i.e. two (2) hours to attend a parent-teacher conference) or reduced time schedule. An employee is required to provide Devereux with

a minimum of seven (7) days of notice of the need for the Leave, if the Leave is foreseeable. If the necessity for the Leave is not foreseeable, the employee is required to provide notice of the Leave as soon as practicable. Devereux may require that written certification or documentation support a request for Leave under this Act.

Eligible employees are those who:

- Have been employed for twelve (12) consecutive months, and have worked a minimum of 1,250 hours during the twelve (12) month period preceding the request for Leave.

➢ NEW JERSEY

New Jersey Crime Victim Leave

Eligible New Jersey employees who have been employed for at least twelve (12) months, for not less than 1,000 base hours during the preceding twelve (12) month period, who are victims or the family member of victims of domestic or sexual violence may take unpaid Leave. Unpaid Leave may be taken for up to twenty (20) days over a twelve (12) month period. Each incidence of domestic or sexual violence is a separate offense for which an eligible employee may take crime victim leave, up to the allotted twenty (20) days. Crime victim leave can be taken on an intermittent basis in intervals of at least one day. Family members include the employee's spouse, domestic partner, civil union partner, parent or child. Devereux reserves the right to require certification of the need for Leave, and employees must provide, if possible, advance notice of his/her need for Leave. For additional information, contact your Center Human Resources department personnel.

Section 6: Health and Welfare, and Mandated Benefits

SOCIAL SECURITY
Law requires a percentage of your earnings be paid to Social Security through payroll deductions. Devereux, as your employer, pays an equal amount. Your payments plus Devereux's, provide Social Security retirement and disability incomes for you, and payments to your family in the event of your death.

UNEMPLOYMENT COMPENSATION
Employees in all states may be entitled to unemployment compensation when they separate from employment. Employees are advised to contact the state employment offices for more details, as the conditions controlling each unemployment compensation program vary from state to state.

WORKERS' COMPENSATION
Employees are protected by applicable state Workers' Compensation Law, which determines financial support to employees who sustain a work-related injury, illness or exposure during the course of work.

- Employees must report any incident resulting in personal injury, illness or exposure immediately to their supervisor or Department Head. The employee is responsible for following the Center/Department procedures in the event of such an incident. Your supervisor or Human Resources department personnel can provide these procedures.
- Consistent with applicable State law, failure to report an incident within a reasonable period of time could jeopardize your claim. We ask your assistance in alerting management to any condition that could lead or contribute to an employee accident.
- An employee who is out of work for three (3) or more days and is eligible for Workers' Compensation benefits will have such time designated as Family Medical or Medical Leave after the third day absent.
- Should an employee terminate because of a job-related disability, he/she may be entitled to benefits as stipulated in the applicable state Workers' Compensation law in which the employee was employed at the time of injury.

CHOICE BENEFITS – SECTION 125 PLAN
Devereux provides comprehensive health benefits to eligible full-time employees through its Choice Benefits program. These benefits include medical, dental, prescription drug, and accidental death and personal loss, as well as flexible medical and dependent care spending accounts. The cost of these benefits is dependent upon the types of plans and/or the levels of benefits that you elect. In the event you elect benefit coverage, your contributions will be deducted each pay and will be made on a before-tax basis.

By contributing to the costs of your benefits with before-tax dollars, you reduce your taxable income. Devereux pays for benefits at the beginning of each month for the present month. Therefore, if you cease employment during the month, you will be responsible for the full month's benefit deduction. Depending on your date of termination, payment for the month will be deducted from your final paycheck. If there is a need to take a double deduction from your final paycheck in order to cover benefit costs for the month, or if you have any past payment due, you will be notified by your Human Resources department personnel.

- Eligible employees may also elect to enroll in voluntary, employee paid supplemental Life, Group Accident and Vision insurance coverage. Voluntary benefit deductions are made on an after-tax basis.
- Plan documents are available for each benefit plan on Devereux's Intranet>Human Resources

department site, or through your Center Human Resources department office.

- Choice Benefit plans are available to full-time employees effective the first day of the pay period in which day 90 occurs, provided the employee has had active, continuous employment, and has enrolled during their 60 day enrollment period, (days 30 - 90). If an employee does not enroll during their enrollment period, the eligibility date to elect the options will be the next Open Enrollment period (November) for the benefits to be effective the next plan year (January 1).
- You may elect to change your benefit selections or terminate benefit coverage only during the annual Open Enrollment period.
- Voluntary plans may be dropped at any time, and coverage will end on the last day of the month in which the employee elects to discontinue coverage.

Benefit Changes/Qualified Family Status Changes

- Additionally, you are also permitted to make a change in your benefit selection during the benefit year if you have experienced a specific "Qualified Family Status Change" event, which affects a family member's or your employment, or a family member's or your coverage. For more details regarding "Qualified Family Status Change" events, see your Human Resources department personnel or visit Devereux's Intranet>Human Resources site for additional information.
- The event and your changes in coverage must meet Internal Revenue Code requirements. In order to make a benefit change following a "Qualified Family Status Change" event, you must make these changes within a specified number of days of the event. Otherwise, you will need to wait for the next Open Enrollment period to make benefit changes.

The following Family Status Changes must be made within <u>30 days</u> of the event:

- Change in employment status (FT to PT or PT to FT);
- Significant changes in health plan cost or coverage levels;
- When your, your spouse's, domestic partner's or dependent's coverage is lost or obtained;
- Marriage or affidavit that the domestic partner relationship has ended;
- Moving out of a health plan's service area due to a change in residence or work site;
- Strike or lockout;
- Leave of Absence;
- Court order giving or removing custody or ordering/removing coverage.

Exception to 30-day rule: Under the following circumstances, an employee must notify and submit documentation within <u>60 days</u> of the date of the event:

- When you, your spouse's, domestic partner's or dependent's Medicare or Medicaid coverage is lost or obtained;
- Divorce, legal separation or annulment;
- Birth, adoption, placement for adoption, or death of a spouse or dependent (effective date of event).

- All benefit changes must be because of and consistent with the change in status which affected eligibility for coverage under Devereux's plan. For example, if you have a baby, you can add the baby to your existing plans, but cannot drop other dependents from your plans.
- The effective date of coverage for the birth, adoption or death of a dependent is the actual date of birth, the date of adoption or date of death. Any change in premium due to an event will be effective the first of the month following the Qualified Family Status Change.
- For more information regarding your Choice Benefit options, see your Human Resources department personnel who will provide you with a current plan year Benefit Summary Plan Description and more detailed benefit information.

RETIREMENT PLAN

- All employees are eligible for the Devereux retirement plan managed by Teachers Insurance and

Annuity Association (TIAA).

- Eligibility requirements for Devereux contributions include completing at least 1,000 hours of service during two (2) consecutive years of employment without a break in service. A break in service occurs if an employee is not credited with at least 501 hours within a twelve (12) month computation period. The employee must also have attained age 21.
- Once eligibility requirements have been met, an employee must be employed on the last day of the final pay period beginning and ending in December, in order to be eligible to receive Devereux's Employer Contribution unless the employee has attained age 62 or older. If age 62 or older and in final year of employment, an otherwise eligible employee must only complete at least 1,000 Hours of Service for the plan year (calendar year). An employee who passes away while an active employee during the plan year need not meet either the 1,000 hours requirement or the requirement to be employed at the end of the year. Contributions made on behalf of deceased participants will be made within 30 days of the date of death. Employees may enroll in the plan and make voluntary contributions immediately.
- You will be notified in advance of your date of eligibility, and a member of the Human Resources department will assist you with enrollment if needed.
- Participation in the plan is mandatory, and a condition of employment once you reach eligibility. Employees who fail to enroll will be automatically enrolled in the plan, in accordance with plan guidelines.
- Retirement plan benefits that you will receive are based on your age at retirement, the manner in which you elect to receive distributions, and the amount of funds in your account at the time of your retirement.
- Within limitations outlined in the Plan Document or by TIAA the retirement plan funds may be withdrawn at any age. However, in accordance with IRS regulations, any retirement funds taken prior to age 59 ½ are subject to applicable penalty, unless taken as a monthly annuity.
- Plan documents are available on Devereux's Intranet>Human Resources department site, or through the Center Human Resources department office.

WORK/LIFE ASSISTANCE SERVICE

Consultation and assistance are available to support you and your dependents in successfully managing issues related to childcare and elder care concerns and arrangements through Devereux's Employee Assistance Program provider. The services include, but are not limited to, providing referrals or plans to assist you in finding child care services, short term care, summer care, in-home, ill child care and contingency plans, as well as adoption information and college planning assistance. In addition, Eldercare services provide referral services and counseling, including elder housing choices, nursing facilities and crisis planning.

EMPLOYEE ASSISTANCE PROGRAM

Devereux makes available to you a comprehensive Employee Assistance Program (EAP), which provides you and your dependents with confidential assistance and consultation. This behavioral health counseling service provides you with assessment, treatment and referral services for a variety of personal problems including family, marital, mental health, substance abuse, legal and financial matters, as well as with matters related to work, stress and/or other areas impacting your personal and professional life.

- At times, the EAP may be a tool utilized by a supervisor to assist an employee and/or to address a performance issue. In such a case, a supervisor may make participation in the EAP mandatory, and a condition of continued employment.
- The service provides in-person counseling away from work and emergency counseling 24 hours a day, seven (7) days a week. **Employees may access services by calling 800-437-0911.** Additional resources are available at www.myliferesouce.com using the Access Code ADC53.
- These benefits are provided at no cost to you and are available to all full-time and part-time

employees. Contact your Human Resources department personnel for additional information.

HEALTH ADVOCATE

Health Advocate is available at no cost to employees enrolled in one of Devereux's Independence Blue Cross medical plans. Services are designed to help you resolve healthcare and insurance-related issues, and to improve your health. Health Advocate is available 24/7 and ensures that all personal information is kept confidential and private.

The Health Advocacy service covers you, your spouse, domestic partner, dependent children and your parents and parents-in-law. The Wellness program covers you, your spouse, domestic partner and dependent children age 18 and older.

Eligible employees may access Health Advocate's Health Advocacy and Wellness Support services by calling 866-695-8622.

Section 7: Standards of Conduct

STANDARDS OF CONDUCT

Each employee has an obligation to observe and follow Devereux's policies and procedures, and to maintain proper standards of conduct at all times. If an individual's behavior interferes with the orderly and efficient operation of a department, corrective disciplinary measures will be taken as detailed in the Devereux Standards of Conduct manual and Devereux policies and procedures. Disciplinary action may include a verbal warning, written warning, probation, suspension without pay, or termination. The appropriate disciplinary action imposed will be determined by Devereux. Devereux does not guarantee that one form of action will necessarily precede another.

The following may result in disciplinary action, and may result in termination for cause:

- Violation of Devereux's policies, procedures, Standards of Conduct or safety rules
- Insubordination
- Not engaged or alert
- Poor attendance
- Possession, use, sale of alcohol or controlled substances on work premises, on Devereux property or in vehicles used for Devereux purposes or during work hours
- Unauthorized possession, use or sale of weapons, firearms or explosives on work premises, on Devereux property or in vehicles used for Devereux purposes or during work hours
- Poor performance
- Failure to appear for scheduled work without notification for three (3) consecutive days
- Theft or dishonesty
- Physical harassment, sexual harassment, threatening, bullying or intimidating behavior
- Harassment or disrespect toward visitors or other members of the public
- Unlawful discrimination
- Physical/sexual/emotional abuse or neglect of individuals served and/or others
- Falsification of time or other records
- Use of obscene or abusive language or behavior
- Failure to report known or observed violations of the Standards of Conduct

These examples are not all inclusive. Discharge/termination decisions are based on an assessment of all relevant factors. Center Human Resources department personnel shall be consulted for final warnings, suspensions or terminations before a decision is reached on the appropriate level of discipline. For matters of alleged abuse, neglect, safety, or other serious allegations suggesting that an employee should not be in the workplace, the employee may be placed on immediate Administrative Leave in accordance with Devereux policy and Center procedure to allow for proper investigation, assessment of the facts, and for the protection of staff, individuals served and the employee. Confirmed abuse and/or neglect of individuals served is cause for immediate discharge.

EMPLOYEE COACHING, COUNSELING, VERBAL/WRITTEN WARNING, SUSPENSION/ PROBATION AND TERMINATION GUIDELINES

- Supervisory personnel will attempt to provide each employee with an appropriate level of coaching and counseling to assist them in adhering to Devereux's Standards of Conduct and performance.
- Depending on the situation, infraction, violation of Devereux's policies and/or violation of Devereux's Standards of Conduct, appropriate action may include additional coaching, disciplinary warning, suspension, probation and/or termination. The circumstances and the seriousness of the infraction or situation will determine the action to be taken.

CONFLICT OF INTEREST

All Devereux employees will take all reasonable steps to avoid conflicts, or the appearance of conflicts between their private interest and their official responsibilities and performance of their duties. We have a duty to report any actual or perceived conflicts of interest to management, Human Resources, the Vice President of Audit and Compliance or the Employee Helpline.

It is expected that you will raise legitimate questions or concerns in an appropriate and efficient manner, including raising it directly with the individual employee, provided you are comfortable in doing so. Additional information regarding Conflicts of Interest can be found in Devereux's Policy #002 Business Ethics, and in the Devereux Standards of Conduct manual, which can be found on Devereux's Intranet > Departments > Corporate Compliance.

In general, all employees will:

- Avoid all situations that may create an actual conflict, or the appearance of a conflict of interest. Every employee has a duty to disclose any potential conflict of interest, which will subsequently be reviewed by appropriate management;
- Act in a manner that does not conflict with the best interest of Devereux. We may never use our position or confidential information for our own personal gain;
- Refrain from hiring relatives of existing employees in a position that may create a conflict of interest (such as a direct reporting relationship);
- Compensate providers and vendors at fair market value. Every payment must be supported by proper documentation confirming that the contracted services were provided.

Failure to disclose a potential conflict of interest is a violation of Devereux Standards of Conduct.

Outside Employment (Except California)

- Devereux will not prohibit employees from holding other jobs, except as it relates to guidelines provided under Devereux Medical Leave. However, every employee has a duty to disclose any outside employment to his/her supervisor regardless of whether any potential conflict is perceived. If the outside employment causes performance problems in the employee's work at Devereux, management may require that such outside employment be discontinued.
- Employees will not serve as a trustee or director of, or have a financial interest in or a business relationship with another organization that might result in any conflict with the purposes, aims or goals of Devereux, unless approved in advance by appropriate management.

Employment of Relatives

- Devereux permits members of the same family to be employed by Devereux in the same Center/Department, unless the Center Executive Director or Department Head finds that such employment would not be in the best interest of Devereux.
- Devereux may not hire relatives of employees who work in a Devereux Human Resources, Audit Services, or Payroll department in any capacity, without the approval of the President and CEO. Additionally, Devereux may not hire relatives of Center or National senior management or trustees in any capacity, without the approval of the President and CEO.
- A supervisor may not hire an individual to work under his/her supervision or supervise an individual who is a member of the supervisor's immediate family, or his/her spouse or domestic partner. With regard to the employment of relatives, the term "immediate family" refers to parents, in-laws, children, sisters, brothers, aunts, uncles, nieces, nephews or family members residing in the same household. In the event that a conflict occurs after employment, the employee in the non-supervisory role will be required to transfer to another role within 30 days. The employee will be given preference for a job for which he or she is qualified. In the event the employee must take a lesser paying position, the employee's salary is reduced at the time of the

change, to a level appropriate to the position and the employee's length of service.

EMPLOYEE RESPONSIBILITY FOR DETECTING AND PREVENTING FRAUD, WASTE AND ABUSE

Each employee has an obligation to observe and support Devereux's efforts to identify and prevent instances of fraud, waste and abuse in provision of services and billing of services under government health care programs. In accordance with the Deficit Reduction Act of 2005, Devereux has established written policies, and has summarized those policies in this Employee Handbook to provide employees with information regarding: (1) The federal False Claims Act and similar state laws, (2) an employee's right to be protected as a whistleblower in reporting false claims, and (3) Devereux's policies and procedures for detecting and preventing fraud, waste and abuse.

The Federal False Claims Acts and Similar State Laws

a. The False Claims Act

The Federal False Claims Act (31 USC § 3729-33) helps the federal government combat fraud, waste and abuse and recover losses resulting from fraud in Federal programs, including Medicare and Medicaid. Violations of the False Claims Act can include "knowingly" (1) submitting a false claim for payment, (2) making or using a false record or statement to obtain payment for a false claim, (3) conspiring to make a false claim or get one paid, or (4) making or using a false record to avoid payments owed to the U.S. Government. "Knowingly" means that a person: (1) Has actual knowledge that the information is false; (2) acts in deliberate ignorance of the truth or falsity of the information; or (3) acts in reckless disregard of the truth or falsity of the information.

Examples of potential false claims include:

- Billing for services that were not provided at all
- Submitting inaccurate or misleading claims about the type of services provided
- Making false statements to obtain payment for products or services

The False Claims Act contains provisions that allow individuals with original information concerning fraud involving government programs to file a lawsuit on behalf of the government. If the lawsuit is successful, the individual may be eligible to receive a portion of the recoveries received by the government.

Penalties for violating the Federal False Claims Act are significant. Financial penalties for submitting a false claim can total as much as three (3) times the amount of the claim, plus fines of $5,500 - $11,000 per claim.

b. Federal Program Fraud Civil Remedies Act of 1986

The Program Fraud Civil Remedies Act (31 U.S.C. §§ 3801 et seq.) establishes an administrative remedy against any person who presents or causes to be presented to certain federal agencies, a claim or written statement that the person knows or has reason to know is false, fictitious or fraudulent.

Under this statute, the term "knows or has reason to know," is defined in the Act as having actual knowledge of the information, acting in deliberate ignorance of the truth or falsity of the information, or acting in reckless disregard of the truth or falsity of the information. No proof of specific intent to defraud is required. The term "claim" includes any request or demand for property or money, e.g., grants, loans, insurance or benefits, when the United States Government provides or will reimburse any portion of the money.

The federal government may investigate and, with the Attorney General's approval, commence proceedings if the claim is less than $150,000. A hearing must begin within six (6) years from the

submission of the claim. The Act allows civil monetary sanctions to be imposed in administrative hearings, including penalties of $5,500 per claim and an assessment, in lieu of damages, of not more than twice the amount of the original claim.

c. State False Claims Acts

In addition to the Federal False Claims Act, many states have or are in the process of adopting similar laws. While Devereux operates treatment programs in 13 states, it accepts and treats individuals from across and outside of the United States. Devereux is subject to, and must comply with, State False Claims Act requirements nationally. Employees are encouraged to periodically visit Devereux's website where additional, detailed information regarding state laws related to false claims will be posted.

Whistleblower Protections

The Federal False Claims Act and many State False Claims Acts contain whistleblower protections to encourage and protect individuals who report violations, and thereby assist the government in preventing and detecting fraud, waste and abuse in federal and state health care programs. These whistleblower laws protect individuals from retaliation – including termination, demotion, threats or harassment -- based upon their good faith actions in reporting false claims violations or instituting a False Claims Act lawsuit. An individual who experiences retaliation may be entitled to reinstatement (at the seniority level they would have if not for the retaliation), up to twice their back pay, plus interest, and compensation for their costs or damages. Likewise, Devereux's Policy #080 Non-Retaliation also protects Devereux employees from retaliation.

Policies and Procedures for Detecting and Preventing Fraud, Waste and Abuse

Devereux is committed to full compliance with all laws and regulations that apply to our organization. We have established the Corporate Compliance Program as an expression of our commitment to ethical behavior. Our Corporate Compliance Program includes Devereux's policies and procedures (Policies # 080 through #096), the Devereux Standards of Conduct, training and education programs (Policy #084), auditing and monitoring operations (Policy #088), an Employee Helpline (Policy #083) and other opportunities for individuals to raise issues and concerns without fear of retaliation (Policy #080).

As an employee of Devereux, you are reminded to:

- Exercise good faith and honesty in all dealings and transactions;
- Observe all laws and regulations that govern what we do, including the requirements of Medicare, Medicaid and other federal and state health care programs;
- Provide accurate and truthful information in all transactions;
- Contact one of the following resources available within The Devereux Foundation if you have any knowledge or concern regarding a potential false claim, waste or abuse:
    - Speak with your supervisor or another manager;
    - If the supervisor or manager is not available, or you are not comfortable speaking with him or her, or you believe the matter has not been adequately resolved, contact the Vice President of Audit and Compliance or the Senior Vice President and General Counsel;
    - You may also report a concern by calling the Devereux Employee Helpline. If you wish, you may remain anonymous when calling the Helpline. The Helpline is a confidential service available 24 hours a day, seven (7) days a week. **The Helpline number is 1-877-780-9374.**

Devereux strictly prohibits retaliation in any form against any individual making a report, complaint or inquiry in good faith. If Devereux determines that an individual has engaged in such retaliation, Devereux will take appropriate action – including disciplinary action up to and including dismissal from employment.

Section 8: Safety in the Workplace

EMPLOYEE RESPONSIBILITY

Safety can only be achieved through teamwork. Each employee, supervisor and manager must practice safety awareness by thinking defensively, anticipating unsafe situations and reporting unsafe conditions immediately.

- Notify your supervisor of any emergency situation. If you are injured or become sick at work, no matter how slightly, you must inform your supervisor immediately.
- The use or possession of alcohol, or illegal or controlled substances (including marijuana) on Devereux property during working hours is prohibited.
- Use, adjust or repair machines and equipment only if you are trained and qualified.
- Get help when lifting or pushing heavy objects.
- Understand your job fully and follow instructions. If you are not sure of the safe procedure, don't guess…ask your supervisor.
- Know the locations, contents and the use of first aid and firefighting equipment.
- Wear personal protective equipment in accordance with the job you are performing.
- A violation of a safety precaution is in itself an unsafe act and may lead to disciplinary action, up to and including termination.

HEALTH SCREENING

- In Centers where it is required by licensing/funding agency regulations, or Center procedure, persons who have been offered a position must have a pre-placement, post-offer health screening in accordance with these requirements. The purpose of the health screening is to determine an employee's ability to perform the essential functions of the job as detailed within the appropriate job profile, and to ensure that the employee is in good health and free from infectious disease. The health screening must be renewed as required by state, Center and/or agency regulations.
- Employees who work in more than one Center must comply with the most restrictive health screening requirements.
- A tuberculosis screening test may be required at the time of employment. Thereafter, the frequency of subsequent testing is based on agency regulation or Center procedure, unless medically contraindicated.
- The reimbursement for a health screening and other required screening is in accordance with state regulations and Center procedure.

SMOKING IN THE WORKPLACE

Devereux is committed to providing a safe and healthy environment for employees, individuals served and visitors. Therefore, smoking, including the use of other tobacco products and e-cigarettes, is not permitted, unless the Center provides designated smoking areas.

Devereux provides benefits through the national prescription plan to help eligible employees and their dependents stop smoking. These benefits include over-the-counter smoking cessation products. For additional information on plan coverage, contact Center Human Resources department personnel.

Smoking or the use of tobacco products outside of the course of employment is protected in California, Colorado, Connecticut, Massachusetts, New Jersey, New York and Rhode Island.

HEPATITIS B VACCINE

- As required by OSHA regulations and for your protection, Devereux will make the Hepatitis B Vaccine available to employees. This vaccine will be made available to you after you have been informed of the vaccine's affects, safety considerations, method of administration, the benefits of being vaccinated and the no-cost provision.
- Employees will be eligible for the vaccine within 10 working days of their first day of work.

Under certain circumstances as provided by OSHA standards, the vaccine may not be made available.
- If you choose not to be vaccinated, you must sign a Hepatitis B Vaccination Declination form. The vaccine will be made available to those employees who initially decline, but later decide to accept the vaccine.

GOOD HOUSEKEEPING
Good work habits and a neat place to work are essential for job safety and efficiency. You are expected to keep your place of work organized, and materials in good order at all times. Report anything that needs repair or replacement to your supervisor.

WORKPLACE VIOLENCE
Workplace violence can affect or involve employees, visitors, individuals served and contractors. Whatever the cause or whoever the perpetrator, workplace violence **is not to be accepted or tolerated**. Devereux is committed to providing a safe and productive environment for all employees, individuals, visitors and contractors.

Workplace violence includes any threat of or act of physical violence, threat of or damage to property; or physical or emotional harassment, bullying or intimidation, or other threatening, disruptive behavior that occurs in the workplace. Physical/Emotional Harassment or Intimidation is conduct that creates a hostile environment, impairs operations, or frightens, alarms or inhibits others. This includes making statements that are false, malicious, disparaging, derogatory, disrespectful, abusive, insubordinate, or which have the intent to hurt others' reputations. Physical intimidation or harassment may include holding, impeding or blocking movement, following, stalking, touching or other inappropriate physical contact or advances. Intimidating, bullying or harassing behavior may cause bodily or emotional injury, pain and/or distress.

The foregoing does not include the use of appropriate physical intervention by a Devereux staff member when necessary to protect the health or safety of a Devereux client, a Devereux staff member and/or a third party.

If you observe or experience workplace violence, physical/emotional harassment or intimidation:
- If you receive or overhear any threatening communications from an employee or outside third party, report it to your supervisor, Human Resources department personnel or member of management immediately.
- Do not engage in either physical or verbal confrontation with a potentially violent individual.
- If you encounter an individual who is threatening immediate harm to an individual on our premises, contact emergency personnel immediately.
- All reports of work-related threats are kept confidential to the extent possible, investigated and documented. Employees are encouraged to report and participate in an investigation of any suspected or actual cases of workplace violence.
- Failure to report or fully cooperate in Devereux's investigation could result in discipline, up to and including termination.

DOMESTIC VIOLENCE
We recognize that domestic violence is a serious issue, and that the impact on an affected employee, as well as his/her family and co-workers can be significant. If you are a victim of domestic violence, we encourage you to seek assistance through the Employee Assistance Program, local law enforcement personnel, a community counseling treatment center or domestic violence shelter. **Devereux's Employee Assistance Program, which is available to support you 24 hours a day/seven days a week, can be reached by calling 1-800-437-0911.**

If you have obtained an Order of Protection against a perpetrator of domestic violence, you are required to notify your Human Resources Director immediately, so that appropriate actions can be taken to minimize the risk for you, your co-workers, individuals served and other visitors in the workplace. If you are unsure where to seek assistance, contact your Human Resources department personnel for assistance.

DRUG FREE WORKPLACE/SUBSTANCE ABUSE

Devereux's intention is to provide quality care in an environment that is safe, healthy and fosters therapeutic interaction between and among employees and individuals served. The abuse of Controlled Substances and alcohol or their use at Devereux interferes with this goal.

- No employee is to work, report to work, or to be present on Devereux premises, in Devereux vehicles or engaging in Devereux activities while under the influence of illegal or illicit drugs, alcohol, controlled substances or any prescription or over-the-counter medication that affects job safety or performance. Marijuana is a Class 1 controlled substance.
- The unlawful or unauthorized manufacture, distribution, dispensation, possession or use of controlled substances or alcohol on Devereux premises, in Devereux vehicles or while engaged in Devereux activities are strictly prohibited.
- The use of prescription drugs or over-the counter medication, which may affect an employee's ability to concentrate or affect equilibrium or impair reactions or an employee's judgment, must be reported to the immediate supervisor. A qualified healthcare provider's statement attesting that the prescribed dosage level is consistent with the safe performance of the employee's duties may be required before you report to your work area.
- For the safety of individuals served, prescription drugs, as well as over-the-counter medication that must be taken during work hours to treat a medical condition, must be stored in a locked area or an area that is not otherwise accessible to individuals served. Medication that is not needed during work hours is not to be brought on-site.
- Employees are required to immediately, (but no later than the next regularly scheduled workday) to notify Devereux of any pending criminal charge related to violations of drug laws or driving under the influence occurring outside of the work place.
- Your initial and continued employment with Devereux is conditioned upon your full compliance with Devereux's Drug-Free Workplace policies and procedures. Any violation may result in disciplinary action, up to and including termination.
- Any employee who violates this policy may be required, in connection with or in lieu of disciplinary sanctions, to participate in or successfully complete an approved drug or alcohol assistance program as a condition of continued employment.
- Devereux reserves the right to take appropriate and lawful actions to enforce this policy, including but not limited to, the right to inspect the employees' personal property in certain circumstances, as well as Devereux-issued lockers, desks, vehicles or other suspected areas of concealment. Consent to such inspections under the foregoing circumstances shall be a condition of employment or continued employment. Any employee who fails to undergo a properly requested inspection is subject to disciplinary action, up to and including termination.
- A Drug-Free Awareness Program is available at each Center. These programs inform employees about the dangers of drug abuse in the workplace; Devereux's policy of maintaining a drug-free workplace; available drug counseling, rehabilitation and employee assistance programs; and penalties which may be imposed upon employees for substance abuse violations occurring in the workplace.
- As a condition of employment, applicants must undergo a drug screening at Devereux's expense, after being offered employment, but before being employed. Employment is conditional upon the satisfactory results of this screening.
- During their work hours, employees are also subject to reasonable suspicion drug and/or alcohol screening, as well as unannounced screening, if required under the terms and conditions of an employee agreement related to continued employment.

I have been notified that the Devereux Advanced Behavioral Health employee handbook updated March 1, 2017 is available for my review and reference online at https://hr.devereux.org. I understand that a paper copy of the handbook may be obtained from my Center Human Resources Office**. I understand that I am responsible to read and abide by the policies and procedures contained in this employee handbook.** I understand that this handbook replaces any and all prior handbooks, policies and practices of the foundation.

I understand and agree that my employment relationship with Devereux is at-will, which permits Devereux or me to terminate the employment relationship at any time, for any reason. Furthermore, I understand that no manager, supervisor or other representative of Devereux, except a Devereux Foundation Officer, has the authority to enter into any express or implied agreement of employment for any specified period of time or for employment other than at-will.

I understand that the policies and benefits contained in this employee handbook may be added to, deleted or changed by Devereux at any time and that I may access the current version of the handbook online on Devereux's Intranet. I understand that neither this manual nor any other written or verbal communication by a management representative is intended to create a contract of employment.

If I have questions regarding the content or interpretation of this handbook, I will bring them to the attention of Human Resources department personnel.

NAME _____
(Please Print)

DATE _____

EMPLOYEE SIGNATURE _____

March 1, 2017