



Resources for Older People and Their Families

**Staff Employee
Guidebook
2022**

Introduction

Welcome to CareLink

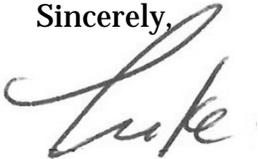
Outstanding people are the key to our success. Thousands of older people are served every year through the efforts of our employees.

To ensure continued success, we feel it is important that all employees understand our policies. This guidebook will help familiarize you with the various aspects of working with CareLink.

I encourage you to use it as a valuable resource for understanding our organization. We feel it will also be a useful reference document.

If you have any questions, please do not hesitate to ask your supervisor or any member of the management team. My best wishes to you and thank you for taking this first step in knowing CareLink.

Sincerely,

A handwritten signature in black ink that reads "Luke". The signature is fluid and cursive, with a large initial "L" and a trailing flourish.

Luke Mattingly

President/CEO

Vision

"A community of people who celebrate living and are aging well"

Mission

To connect older people and their families with resources to meet the opportunities and challenges of aging.

We accomplish this by:

- providing in-home services to help homebound older people live in their homes as long as possible,
- offering activities and volunteer opportunities that help active older people stay fit, healthy, and involved,
- helping family caregivers navigate the maze of available services and care for aging family members.

Core Values

- **Service** – *We strive for excellence in all we do.*
- **Integrity** – *We will be honest and ethical in all we do.*
- **Commitment** – *We put the needs of those we serve first.*
- **Diversity** – *We are stronger because we embrace our differences.*

Table of Contents

Introduction

Welcome to CareLink	2
Vision, Mission, Core Values	3
Table of Contents	4
Important Telephone Numbers	5
Disclaimer	6
About this book	7

CareLink Policies

Agency Rules and Regulations	8
Ethical Standards and Conflict of Interest	9
Solicitation	14
False Claims and Whistleblower Protection	14
Drug Free Workplace	16
Substance Abuse	18
Harassment	21
ADA	22
Equal Opportunity	23
Introductory Period	23
Progressive Discipline	23
Conduct and Work Performance	24

On the Job

Calling in to Report an Absence	26
Inclement Weather	26
Telephone Usage and Greeting	26
Mobile Phone Usage	29
Automobile Liability Insurance	29
Reporting on the Job Injuries	29
Infection Control	31

Benefits and Compensation

Work Schedules and Pay	31
Mileage Reimbursement	31
Time Off	32
Leave of Absence	34
Other Benefits	40
Receipt of Guidebook Acknowledgement	42

Important Telephone Numbers

CEO	(501) 688-7483	Agency Main	(501) 372-5300
Chief Operations Officer	(501) 688-7469	Information & Assistance	(501) 372-5300
Chief Financial Officer	(501) 688-7489	Agency Fax	(501) 688-7437
Director Development	(501) 688-7475	Agency Toll Free	(800) 482-6359
Director of Homecare	(501) 688-7414	Human Resources Manager	(501) 688-7437
Accounting Manager	(501) 688-7487	Human Resources	(501) 688-7410
Care Coord. Manager	(501) 688-7441	LOA/FMLA/401 (k)	(501) 688-7484
Director of Comm Services	(501) 688-7445	Benefits	(501) 688-7403
Manager of Fleet Services	(501) 688-7416	Meals on Wheels	(501) 688-7432
Home Care Manager	(501) 688-7415	Homecare Scheduling	(501) 688-0600
Director of Transportation	(501) 688-7425	Payroll	(501) 688-7473
Transportation Dispatch	(501) 688-7419		

Disclaimer

This guidebook is intended to provide an overview of CareLink's policies, procedures, and employee benefits. The Agency reserves the unilateral rights to modify, alter, amend, change, discontinue, suspend, cancel, or terminate at any time without written or verbal notice all or any part of the benefits or terms and conditions of employment described in this guidebook, exclusive of any applicable laws or regulations prohibiting the same. Nothing contained herein is intended to, nor does it create any right to employment for any specific length of time, to indefinite employment, to conditions of continued employment or a limitation upon the right of either the Agency or yourself to terminate the employment relationship. The employment relationship is terminable at will by either the Agency or you. No oral or written representation made to an employee at the time of hire or during employment in any way creates a right to any specific term or condition of employment unless reduced to writing and executed.

About This Guidebook

This Guidebook has been prepared to communicate general information regarding CareLink and its policies and may not contain complete details on each subject. Additional details on policies, procedures, and benefits related to your employment are available from your supervisor or a Human Resources Department representative. Also, since policies, procedures, and benefits are subject to change, always consult with your supervisor or Human Resources to make certain that information is current.

Furthermore, your work location may have more specific policies and procedures that reflect the needs or circumstances of its function. We intend for this booklet to further clarify and support those policies. If there are matters addressed here that appear to conflict with departmental policies or practices, please contact your supervisor or Human Resources Department representative for clarification.

The Guidebook was developed to provide a positive influence on our day-to-day working relationship and to assure consistent application of work rules and benefits. Employees are expected to use this guide as a source of information. Also, employees are responsible for being knowledgeable of the contents of this guide.

CareLink Policies

Agency Rules and Regulations

Every organization has certain guidelines which were developed to reflect good practices. In establishing rules of conduct we wish to define the guidelines that protect the rights of all employees and ensure maximum understanding and cooperation. Therefore, all employees are expected to be:

- On time and alert when scheduled to be at work
- Careful and conscientious in performance of duties
- Thoughtful and considerate of other people
- Courteous and helpful with clients and with other employees

Safety

CareLink expects its employees to conduct themselves in a safe manner. Use good judgment and common sense whether driving, in the field or in the office. Observe any safety guidelines posted and follow all federal and state safety regulations.

Violence

CareLink is committed to doing what it can to prevent violence in the workplace. Our work rules make it clear that acts of violence directed toward another employee, client, or third party could result in immediate termination of employment. CareLink could also terminate the employment of any employee who takes action which indicates that violence might follow, such as threats of bodily harm, property damage, or theft.

As a matter of policy, CareLink prohibits: 1) the possession of guns and other weapons (including hunting weapons), even if the employee has a permit or license, on CareLink property or in CareLink vehicles; and 2) field employees from possessing guns or other weapons while on CareLink business. VIOLATION OF THIS POLICY WILL SUBJECT AN EMPLOYEE TO DISCIPLINARY ACTION UP TO AND INCLUDING IMMEDIATE TERMINATION OF EMPLOYMENT.

Smoking

Smoking and the use of other tobacco products or vaping products are prohibited in client homes, CareLink motor vehicles and in space rented, leased, owned, or otherwise occupied by CareLink. Smoking or vaping will be allowed in designated smoking areas only. Contact your supervisor about the location of the designated smoking area.

Social Media

Social Media is a powerful tool for personal interaction and to provide Informative messages about our agency to individuals across a multitude of ever evolving platforms. By "social media", we refer to a variety of online communities like blogs, social networks, chat rooms and forums – not just platforms like Facebook, Twitter, Instagram, or Snapchat.

You should NEVER post client/customer information or client/customer stories on your personal accounts. Even if you don't name a client specifically, his or her privacy might be violated by the details of what you are posting and by those comments being associated with your account.

This could have extremely negative consequences for the agency and for you personally. During the time which you are at work you are restricted from reading or interacting with your social media accounts, unless expressly asked to do so for a business purpose. No pictures taken in or at CareLink facilities or grounds or at a customer site may be placed on your personal social media account without express written consent from the Chief Executive Officer (CEO), Chief Operations Officer (COO), or the Director of Development.

We ask you to be careful when posting on social media. We can't restrict what you post there, but we expect you to always adhere to our confidentiality policies. We also caution you to avoid violating our anti-harassment policies or posting something that might make your collaboration with your colleagues more difficult (e.g., hate speech against groups to which colleagues belong). Although you have the right to post opinions to social media, the Agency has a right to conduct discipline up to and including termination for violations of company rules or for statements that might be detrimental to the agency's image in the community. In general, we advise our employees please:

- Ensure others know that your personal account or statements don't represent our agency. You shouldn't state or imply that your personal opinions and content are authorized or endorsed by our agency. We advise using a disclaimer such as "opinions are my own" to avoid misunderstandings.
- Avoid sharing intellectual property like trademarks, financial data, or internal communications on a personal account without approval. Confidentiality policies and laws always apply.
- Avoid any defamatory, offensive, or derogatory content. It may be considered as a violation of our company's anti-harassment policy, if directed towards colleagues, clients, or partners.

CareLink has numerous sponsored social media accounts, and those accounts are administered by trained professional staff. You may occasionally be asked to "like" or "share" posts from the Agency's sanctioned accounts. Your cooperation in sharing agency communications is appreciated.

Ethical Standards and Conflict of Interest

CareLink is committed to the highest standards of legal and ethical conduct in its business practices. The continued success of the agency is dependent upon the ethical conduct of its representatives. All CareLink representatives are responsible for ensuring that their behavior and activity is consistent with this ethics standard, as well as agency policies and procedures, and applicable federal, state, and local laws, and regulations.

CareLink will make reasonable efforts to ensure that all activity by or on behalf of the agency is in compliance with the Articles of Incorporation and the Bylaws of CareLink, and all applicable federal, state, and local laws and regulations, whether or not specifically addressed in this Ethics Standard.

As a nonprofit entity under Section 501(c)(3) of the Internal Revenue Code, the agency has a legal and ethical obligation to act in compliance with applicable laws, to engage in activities in furtherance of its charitable purpose, and to ensure that its resources are used in a manner that furthers the public good, rather than the private or personal interests of any individual. Consequently, the agency will avoid compensation arrangements more than fair-market value, will accurately report payments to appropriate taxing authorities, and will file all tax and

information returns in a manner consistent with applicable laws.

Political Contributions and Civic Involvement

As a nonprofit entity under section 501(c)(3) of the Internal Revenue Code, CareLink is prohibited from making contributions to any candidate for political office and from intervening in any political campaign on behalf of or in opposition to any candidate for public office. The agency encourages individual participation and involvement in civic activities, including political activities, but individuals engaged in such activities may not act in any way that implies that personal involvement is endorsed by or conducted on behalf of CareLink. In certain instances, employees are covered by laws pertaining to political activity on the part of state or local government employees.

The agency has many dealings with governmental bodies and officials. All such contacts and transactions shall be conducted in an honest and ethical manner. Any attempt to influence the decision-making process of governmental bodies or officials by an offer of any benefit is prohibited. No one may lobby on behalf of CareLink without the knowledge and approval of the CEO.

Business Ethics

To further the agency's commitment to the highest standards of business ethics and integrity, agency representatives will accurately and honestly represent CareLink and will not engage in any activity or scheme intended to defraud anyone of money, property, or honest services. Our reputation and integrity are central to our ability to operate within our service area. The standards set forth below are designed to provide guidance to ensure that the agency's business activities reflect the highest standards of business ethics and integrity.

Misappropriation of Information

Agency representatives shall not misappropriate confidential or proprietary information belonging to CareLink. All agency representatives are responsible to ensure that they do not improperly copy for their own use documents or computer programs in violation of applicable copyright laws or licensing agreements.

All information contained in the agency's communications systems, such as voice mail, e-mail, and computer hardware and software applications, is the property of CareLink and will remain agency property upon an employee's separation from the agency. Agency representatives should not have any expectation of privacy with respect to such systems.

Confidentiality

Agency representatives shall strive to maintain the confidentiality of confidential information in accordance with legal and ethical standards. Each agency representative has an obligation to actively protect and safeguard confidential, sensitive, and proprietary information in a manner designed to prevent the unauthorized disclosure of such information.

Personnel Actions and Decisions

Salary, benefit, and other personal information relating to CareLink employees shall be treated as confidential. Personnel files, payroll information, disciplinary matters, and similar information shall be maintained in a manner designed to ensure confidentiality in accordance with applicable laws. Agency representatives will exercise due care to prevent the release or sharing of information beyond those persons who may need such information to fulfill their job function.

Client Records

Client records will be maintained in accordance with applicable laws and regulations. CareLink

representatives will exercise due care to prevent the release or disclosure of information beyond those persons who are authorized by applicable law to access such information.

Conflict of Interest

CareLink representatives owe a duty of undivided and unqualified loyalty to the organization and may not use their positions to profit personally or to assist others in profiting in any way at the expense of the agency. All agency representatives are expected to regulate their activities so as to avoid actual impropriety and/or the appearance of impropriety, which might arise from the influence of those activities on business decisions of the agency, or from disclosure or private use of business affairs or plans of the agency.

While not all inclusive, the following will serve as a guide to the types of activities by an agency representative, or immediate family member (spouse, parents, grandparents, children, grandchildren, and siblings) of such person, which might cause conflicts of interest:

Representation of the agency by an agency representative in any transaction in which (s)he or an immediate family member has a substantial personal interest is prohibited. Furthermore, agency representatives are prohibited from participating in the selection process and/or award of a contract in which the employee or her/his immediate family may benefit from the contract award.

Disclosure or use of confidential, special or inside information of or about the agency, particularly for the personal profit or advantage of the representative or an immediate family member is prohibited.

Participation in a transaction with the agency for personal profit except upon the written approval of the CEO is prohibited.

Agency representatives in management or staff positions may not supervise an immediate family member.

Members of the Board of Directors, upon joining the Board, and employees, upon hire, are required to complete a "Conflict of Interest Disclosure Form." This will be completed as part of the orientation process. Thereafter, self-disclosure is required, and a new form is to be completed at any time a Conflict of Interest occurs. The disclosure and any required attachments are to be approved and signed by the agency's CEO. The approved forms are to be housed in a confidential file that is maintained by the CEO. A review of active Conflict of Interest Disclosures will be presented to the Board of Directors annually.

Services for Vendors

No agency representative shall perform work or render services for any organization with which the agency does business, or which seeks to do business with the agency outside of the normal course of her/his employment with the agency without the signed written consent of the CEO. Neither shall agency representatives be a trustee, officer, or consultant of such an organization, nor permit her/his name to be used in any fashion that would tend to indicate a business connection with such organization. A review of active authorizations will be presented to the Board of Directors annually.

Participation on Boards of Directors

An agency representative must obtain approval from her/his supervisor prior to serving as a member of the Board of Directors or Trustees of any organization whose interests may conflict with those of the agency.

An agency representative who is asked, or who seeks to serve on the Board of Directors or Trustees

of any organization whose interest would not impact the agency will not be required to obtain such approval.

The agency retains the right to prohibit membership on any Board of Directors or Trustees where such membership might conflict with the best interest of the agency.

An individual is excluded from employment with CareLink while they or a member of their immediate family serves on the agency's Board of Directors.

Business Relationships

Business transactions with vendors, contractors, clients/customers and other third parties shall be transacted free from offers or solicitation of gifts and favors or other improper inducements in exchange for influence or assistance in a transaction.

The standards set forth below are intended to guide agency representatives in determining the appropriateness of the listed activities or behaviors within the context of the agency's business relationships, including relationships with vendors, providers, contractors, clients/customers third-party payers, and government entities. It is the intent of the agency that this policy be construed broadly to avoid even the appearance of improper activity. If there is any doubt or concern about whether specific conduct or activities are ethical or otherwise appropriate, you should contact the CEO.

Gifts and Gratuities - It is always the agency's desire to preserve and protect its reputation and to avoid the appearance of impropriety through implementation of the following standards:

Agency representatives are strictly prohibited from accepting gifts from a client/customer. In all other relationships, agency representatives shall not accept gifts, favors, services, entertainment, or other things of value to the extent that decision making or actions affecting the agency might be influenced. Similarly, the offer or giving of money, services, or other things of value with the expectation of influencing the judgment or decision-making process of any purchaser, supplier, customer, government official or other person by the agency is prohibited. Any such conduct must be reported immediately either to the CEO, Chief Financial Officer (CFO), or the Human Resources Manager.

Agency representatives may retain gifts from vendors which have a nominal value. The agency expects representatives to exercise good judgment and discretion in accepting gifts. If a representative has any concern as to whether a gift should be accepted, that person should consult with her/his supervisor. To the extent possible, these gifts should be shared with the employee's co-workers. Agency representatives shall not accept excessive gifts, meals, expensive entertainment, or other offers of goods or services which have more than a nominal value, neither may they solicit gifts from vendors, suppliers, contractors, or other persons.

At a vendor's invitation, an individual may accept meals or refreshments at the vendor's expense. Occasional attendance at a local theater or sporting event, or similar entertainment at vendor expense, may also be accepted. In most circumstances, a regular business representative of the vendor should be in attendance with the representative.

While CareLink encourages and willingly accepts grants and donations to the agency, agency representatives may not accept gifts and/or gratuities from clients.

Contracting - Agency representatives may not utilize "insider" information for any business activity conducted by or on behalf of the agency. All business relations with contractors must be conducted at arm's length, both in fact and in appearance, and in compliance with agency policies and procedures. Representatives must disclose personal relationships and business activities with contractor personnel that may be construed by an impartial observer as influencing the representative's performance or duties. Agency representatives have a responsibility to

obtain clarification from management on questionable issues which may arise and to comply, when applicable, with the agency's conflict of interest policy.

Business Inducements - Agency representatives shall not seek to gain any advantage through the improper use of payments, business courtesies, or other inducements. Offering, giving, soliciting, or receiving any form of bribe or other improper payment is prohibited.

Appropriate commissions, rebates, discounts, and allowances are customary and acceptable business inducements if they are approved by agency management and do not constitute illegal or unethical payments. Any such payments must be reasonable in value, competitively justified, properly documented, and made to the business entity to which the original agreement or invoice was made or issued. Such payments should not be made to individual employees or agents of business entities.

In addition, agency representatives may provide gifts, entertainment, and meals of nominal value to agency customers, contributors, current and prospective business partners, and other persons when such activities have a legitimate business purpose and are reasonable and consistent with all applicable laws.

Protection of Assets

All agency representatives will strive to preserve and protect the agency's assets by making prudent and effective use of agency resources and properly and accurately reporting its financial condition.

The standards set forth below are intended to guide representatives by articulating the agency's expectations as they relate to activities or behaviors which may impact the agency's financial health, or which reflect a reasonable and appropriate use of the assets of a nonprofit entity.

Internal Control - The agency has established control standards and procedures to ensure that assets are protected, properly used and that financial records and reports are accurate and reliable. All agency representatives share the responsibility for maintaining and complying with required internal controls.

Financial Reporting - All financial reports, accounting records, research reports, expense accounts, time sheets, and other documents must accurately and clearly represent the relevant facts or the true nature of a transaction. Improper or fraudulent accounting, documentation, or financial reporting is contrary to the policy of the agency and may be in violation of applicable laws.

Travel and Entertainment

Travel and entertainment expenses should be consistent with each representative's job responsibility and the agency's needs and resources. It is the agency's policy that a representative should not suffer a financial loss or a financial gain as a result of business travel and entertainment. Agency representatives are expected to exercise reasonable judgment in the use of the agency's assets and to spend the agency's assets as carefully as they would spend their own. Representatives must also comply with agency policies relating to travel and entertainment expenses.

Personal Use of Agency Assets

No agency representative shall convert assets of the agency to personal use. All agency property shall be used, and business shall be conducted in a manner designed to further the agency's interest rather than the personal interest of individual representatives. Agency representatives are prohibited from the unauthorized use or taking of the agency's equipment, supplies, materials, or services. Prior to engaging in any activity during working hours which will result in remuneration to representatives or the use of the agency's equipment, supplies, materials, or services for

personal or non-work-related purposes, representatives shall obtain the approval of the appropriate business unit or other management of the agency.

Administration and Application of This Ethics Standard

The agency expects each person to whom this ethics standard applies to abide by the principles and standards set forth herein and to conduct the business and affairs of the agency in a manner consistent with the general statement of principles set forth herein. As part of this responsibility, all agency representatives are expected to report any activity or practice that may violate this ethics standard to their supervisor or the agency CEO. Failure to abide by this Ethics Standard or the guidelines for behavior which the Ethics Standard represents may lead to disciplinary action up to and including termination.

Nothing in this Ethics Standard is intended to or shall be construed as providing any additional employment or contract rights to any employee.

While the agency will generally attempt to communicate changes concurrent with or prior to the implementation of such changes, the agency reserves the right to modify, amend or alter the Ethics Standard without notice to any representative or employee of the agency.

On the Job Solicitation

To avoid work disruptions and possible discord among employees, CareLink prohibits employees from soliciting other employees or distributing literature during working hours. Prohibited solicitation includes but is not limited to asking for funds or donations; offering goods or services for sale for a charitable or commercial purpose; buying or selling chances; buying or selling merchandise; circulating petitions; selling tickets or subscriptions; soliciting contributions or memberships; and any solicitation that disturbs or interferes with CareLink's business.

- a) Prohibited distribution includes any non-work related written or printed matter, especially distributions that interfere with CareLink's business.
- b) Soliciting or distributing literature that is harassing, discriminatory, hateful, obscene, defamatory, or abusive is strictly prohibited at any time.
- c) Distribution or solicitation anywhere upon CareLink's premises at any time (including the parking lots) by non-employees is strictly prohibited.
- d) This policy does not restrict employer-sponsored activities connected with supporting charities.
- e) Employees who violate this policy may be subject to disciplinary action up to and including termination from employment.

For the purpose of this policy, employees are defined as all exempt and non-exempt Regular Full-Time, Regular Part-Time, Minimum Part-Time, Temporary, Intermittent Hourly, Employment Program Trainees, and Pool personnel. Working hours means all times an employee is at work other than scheduled meal periods.

False Claims and Whistleblower Protection

It is the policy of CareLink to provide services in a manner that complies with applicable federal and state laws and that meets the Agency's high standards of business and professional ethics. Specifically, it is the policy of CareLink to detect and eliminate waste, fraud and abuse related to payments to CareLink from federal or state programs providing payment for customer care and other services. Consequently, CareLink does not tolerate making or submitting false or misleading billing claims or statements to any government agency, home care program or

payer source. To further this policy, and to comply with Section 6032 of the Deficit Reduction Act of 2005, what follows is a discussion of CareLink' s False Claims and Whistleblower Protection Education Policy. Please review the full policy at Human Resources Policy Number 124.

Federal Laws

The Federal False Claims Act ("FCA") helps the federal government combat fraud and recover losses resulting from fraud in federal programs, purchases, or contracts. 31 U.S.C. §§ 3729-3733. Actions that violate the FCA include: (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. The FCA imposes penalties of \$5,500 to \$11,000 per claim plus three times the amount of damages to the Government for FCA violations. Any individual can sue for violations of the FCA. Individuals who report fraud generally receive 15% to 25% of the total amount recovered (plus costs and attorney fees) if the Government prosecutes the case, and 25 to 30% if the person litigates the case on his or her own. The FCA contains important protections for whistleblowers. Employees who report fraud and consequently suffer discrimination are entitled to all relief necessary to be made whole, including two times their back pay plus interest, reinstatement at the seniority level they would have had prior to the discrimination, and compensation for any costs or damages they have incurred.

The Federal Program Fraud Civil Remedies Act ("PFCRA") creates administrative remedies for making false claims and false statements. The PFCRA imposes liability on people or entities that file false claims, provide fraudulent documents or information to support a claim, "lies by omission" in a claim, or payment for goods or services not provided. A violation of the PFCRA is punishable by a \$5,000 civil penalty for each wrongfully filed claim, plus an assessment of twice the amount of any unlawful claim that has been paid.

State Laws

The Arkansas Medicaid Fraud False Claims Act ("AMFFCA") imposes civil (money) liability on people and corporations who knowingly submit false claims, make false statements, or receive bribes or "kickbacks" in regard to the Arkansas Medicaid program. It also imposes liability if someone who has a criminal record for fraud, abuse of adults, or child maltreatment and participates directly or indirectly in the Medicaid program. A person found liable under the AMFFCA is subject to making full restitution and for a civil penalty of not less than \$5,000 and not more than \$10,000 for each violation, plus 3x the amount of all payments fraudulently received. A person who provides information which leads to a person being found liable under the AMFFCA, may receive a reward at the court's discretion. The amount may be up to 10% of the aggregate penalty recovered. There is no specific whistleblower employment protection like under federal law, but no person may be subject to civil or criminal liability for providing access to records to the Department of Human Services, the Attorney General, or prosecuting attorneys.

The Arkansas Medicaid Fraud Act ("AMFA") provides for criminal sanctions in cases of fraud or illegal Medicaid participation under the Medicaid Program. Under the AMFA categories of Medicaid fraud are: (1) Purposely making (or causing to be made) false statements or concealing relevant knowledge in regard to any benefit or payment under the Medicaid Program or in regard to the condition or operation of an entity as regards certification; (2) purposely converting a benefit to a use other than for the use and benefit of the participant; (3) purposely soliciting or receiving any remuneration (kickback, bribe, or rebate) in exchange for certain referrals or recommendations; (4) purposely charging in excess of the Medicaid rate or requiring funds additional to those paid by the program as a condition of admission or continued stay. Penalties of full restitution, a mandatory fine of three times the total amount of the false claims, and a fine of up to \$3,000 per claim may be imposed. Medicaid Fraud is a Class B felony if the aggregate number of payments illegally claimed is \$2500 or more. It is a Class C felony if the aggregate

number of payments illegally claimed is less than \$2500 but more than \$200. Otherwise, Medicaid fraud is a Class A misdemeanor. Illegal Medicaid participation is where someone who has a criminal record for fraud, abuse of adults, or child maltreatment participates directly or indirectly in the Medicaid program. Illegal Medicaid participation is a Class A misdemeanor for the first offense; Class D felony for the second offense; Class C felony for the third offense and subsequent offenses. A person who helps with the criminal case where someone is convicted under the AMFA may receive a reward up to 10% of the aggregate penalty recovered.

Policies/Procedures for Detecting and Preventing Medicaid Fraud

CareLink takes Medicaid fraud seriously. Accordingly, CareLink has implemented measures to prevent and detect Medicaid fraud, waste, and abuse. These measures include the use of technology and independent auditors.

CareLink's Home Care Department uses its scheduling/timekeeping system, Generations, to schedule and track service in real time. Generations uses smart-phone technology to ensure the caregiver is where they are scheduled to be at the time they are supposed to be there. This real-time tracking through Generations is CareLink's first line of defense in preventing and detecting Medicaid fraud. CareLink also has implemented measures to prevent and detect Medicaid fraud at the billing level. CareLink's case management software, WellSky has built in measures to ensure integrity of billing. For example: All information from the care plan must be in WellSky before any units of services can be keyed to a client. Also, WellSky will reject any information including units that do not match the information keyed from the client intake form or the care plan. This prevents the keying of more units than authorized which diminishes the potential for fraud waste and abuse.

CareLink relies on more than technology to prevent and detect Medicaid fraud, waste, and abuse. In order to ensure proper financial management of the organization, each year CareLink engages the service of an independent accounting firm to conduct an audit. As a regular part of the audit, the firm investigates any suspicions or evidence of fraud, waste, and abuse, including Medicaid.

Perhaps the most important tool CareLink has for detecting and preventing fraud, waste, and abuse, is CareLink's ethics standards. CareLink is committed to the highest standards of legal and ethical conduct in all its practices. The continued success of the agency is dependent upon the ethical conduct of its representatives. All CareLink representatives are responsible to ensure that their behavior and activity is consistent with this ethics standard, as well as agency policies and procedures, and applicable federal, state, and local laws, and regulations, including Medicaid integrity laws. CareLink expects each representative to abide by the principals of the ethics standards set forth herein. As part of this responsibility, all agency representatives are expected to report any activity or practice that may violate this ethics standard, including any suspicion of potential Medicaid fraud, waste, or abuse, to their supervisor, manager or to the CEO.

Drug Free Workplace

Drug abuse and use in the workplace are subjects of immediate concern in our society. The problems created by drug abuse are extremely complex and ones for which there are no easy solutions. From a safety perspective, the users of drugs may impair the safety of all employees, the public at large, and cause damage to property. Consequently, CareLink intends for its workplace to be drug free. Therefore, it is the policy of CareLink that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance on CareLink premises, on the premises of a workplace controlled by CareLink, or while an employee of CareLink is on the job is prohibited. Any employee violating this policy will be subject to discipline up to and including termination of employment or trainee program. The specifics of this policy are as follows:

- In accordance with Arkansas Act 1336 of 2013 on or after September 1, 2013, applicants to become Caregivers paid in whole or in part with Medicaid funds must submit to a pre-employment substance screen. Also, new and current Caregivers must submit to random substance screens on average every 54 to 60 months thereafter (See *HR Procedure #114 Pre-employment and Random Substance Testing*).
- Any employee or trainee who, in any way manufactures, distributes, transfers, dispenses, or possesses a controlled substance will be subject to discipline up to, and including, termination.

The term "controlled substance" means any drug listed in 21 U.S. C. 812 and any other drug which is illegal under Federal, state, or local law. Generally, these drugs include but are not limited to; opiates, marijuana, cocaine (crack), PCP, and amphetamines (methamphetamine).

- Each employee or trainee is required as a condition of employment to inform CareLink within five (5) days after he or she is convicted of a violation of any Federal or state criminal drug statute where such violation occurred while on the job or on CareLink premises. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any Federal court, state court or other court of competent jurisdiction.
 - CareLink is required to notify the contracted Federal agencies of the conviction of any employee for drug use or abuse who is employed by CareLink within ten (10) days of receiving notice of the conviction from the employee or otherwise receiving actual notice.
 - If an employee or trainee is convicted of violating any drug statute while in the workplace, he or she will be subject to discipline up to and including termination. Alternatively, CareLink may require the employee to successfully complete a drug rehabilitation program sponsored by a private or governmental institution approved by CareLink.
 - Abiding by the Drug-Free Workplace Policy is a condition of employment for all employees.
- Any employee or trainee interested in obtaining more information concerning the dangers of substance abuse and local hospitals, medical clinics, and other social service agencies which offer substance abuse counseling and rehabilitation programs should contact the Human Resources Department at 688-7481.
 - This policy is intended to comply with the rules published by the Federal Office of Management and Budget in the Federal Register, on January 31, 1989, implementing the Drug-Free Workplace Act of 1988.

Arkansas Medical Marijuana Amendment of 2016

In November 2016, the Arkansas voters approved the Arkansas Medical Marijuana Amendment of 2016 (AMMA), legalizing marijuana, for very limited medical purposes. It is critical for employees to understand that the AMMA did not legalize the use of marijuana in the workplace.

Following passage of the AMMA, Act 593 of 2017 amended the AMMA to further clarify that an employer may establish and implement "a substance abuse or drug-free workplace policy that may include a drug testing program that complies with state or federal law and taking action with respect to an applicant or employee under the policy." Additionally, Act 593 of 2017 established that a qualifying patient has no cause of action, i.e., a lawsuit, against an employer, and an employer is allowed to take action against an employee for, among other things, "being employed in or performing a safety sensitive position", if the employer has a good faith belief that the employee was engaged in the current use of marijuana. Some CareLink positions, including but not limited to Caregivers and Drivers, are designated as "safety sensitive". Based upon the express provisions of the AMMA and Act 593 of 2017, the Company will continue to enforce the provisions of this Policy that apply to the unlawful or unprotected use of marijuana.

To the extent that the AMMA and this Policy are in conflict, the AMMA will govern.

Substance Abuse

CareLink considers substance abuse unacceptable since it increases the likelihood of on-the-job accidents or mistakes, endangers clients, undermines the health of the employees and interferes with the ability of CareLink employees to provide quality services.

Substance abuse includes, but is not limited to, the use of illegal drugs and the abuse or misuse of legal drugs, medication, or alcohol.

As used in this policy, the term legal drug is defined as including any prescribed drug or over-the-counter drugs which have been legally obtained and are being used solely for the purpose for which they were prescribed or manufactured.

As used in this policy, the term illegal drug is defined as follows: drugs or the synthetic or generic equivalent of drugs which are illegal under federal, state, or local laws, including but not limited to, marijuana, heroin, hashish, cocaine, hallucinogens, depressants and stimulants not prescribed for current medical treatment by an accredited physician, and any other drug-like substance, the use, possession or sale of which is unlawful. It also includes any legal drug which is being used in a manner or for a purpose other than as prescribed or labeled.

The term possession, when used in this policy relating to alcohol, includes traces of alcohol found in the body at a rate equal to or greater than .040%.

As used in this policy, the phrase aberrant behavior is defined as: any act(s) performed or the omission of the performance of any act(s) by an employee which is unusual, reckless, or abnormal, or which indicate the employee is incapable of performing job responsibilities and duties. Circumstances that could be indicators of such include, but are not limited to:

1. Apparent physical state of impairment.
2. Incoherent speech or mental state.
3. Marked changes in personal behavior; or
4. Deteriorating work performance not readily attributable to other factors.

The term on-the-job accident refers to any act(s) performed, or the omission of the performance of any act(s) by an employee, which results in injury to any person, or any injury to an employee that requires medical attention by a professional health care provider, or any damage to any real or personal property. Should such an incident occur, then all employees involved will be tested. A determination as to which employees are involved, as well as what constitutes a significant physical injury, will be left up to CareLink's discretion, as such may vary from incident to incident depending upon the facts involved.

The term premises when used in this policy is defined in its broadest sense and includes all land, property, buildings, structures, client's premises, and vehicles owned, leased, or being utilized by CareLink personnel. This will include other work locations, as well as travel to and from such locations while in the course and scope of CareLink business.

General Prohibitions

In order to attain and maintain a drug-free workplace, all employees are prohibited from:

1. The use and possession of illegal drugs.
2. The use, consumption, or possession of alcohol on CareLink premises or during the employee's working hours.
3. The sale, distribution, purchase, or transfer, or attempt to do the same, of illegal drugs at

any time or place.

4. The abuse or misuse of legal drugs or medications.

NOTE: Any employee undergoing medical treatment prescribed by a physician that includes the use of any drug or medication which is affecting the employee's ability to perform job-related functions must notify the Human Resources Manager in writing. An employee who exhibits aberrant/reckless behavior while taking this medication, which is determined by CareLink to create a substantial risk of significant harm to the employee or others, will be required to remain off work as described below.

When Testing Will Occur

The CEO or Human Resources Manager must authorize all drug tests other than post-accident. CareLink may conduct drug and alcohol testing under the following circumstances:

1. Suspected use, possession or sale of illegal drugs or the unauthorized consumption or possession of alcohol on CareLink premises or while on the job.
2. If an employee exhibits aberrant behavior on CareLink premises or while on the job.
3. Suspected abuse or misuse of legal drugs or medications on CareLink premises or while on the job.
4. For any employee involved in an on-the-job accident.

NOTE: Any illegal drugs found on CareLink premises or in possession of a CareLink employee while on the job will be immediately turned over to the appropriate law enforcement agency and may result in criminal prosecution.

Consent to Testing

Each employee will be required to sign a consent form as part of the testing procedure. Any employee who refuses to submit to drug and/or alcohol testing, for any of the reasons noted above, will be subject to discharge and denial of reemployment opportunities.

Testing Procedure

Drugs - Urinalysis and mouth swab screenings are the methods employed for testing for the presence of drugs. Both methods will be administered under controlled conditions at CareLink. If the results of the screening test yield a presumptive positive result, a confirmation test will be performed to corroborate the results of the screening test. The specimen will then be forwarded to a laboratory certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) and selected by CareLink. The specimen shall then be subjected to a screening test. The results of the confirmation test are controlling.

CareLink has identified and obtained a certified Medical Review Officer (MRO) for the program. Positive results are reviewed by the MRO who will contact the individual and determine whether the individual has a legitimate explanation for a positive test.

Alcohol - Breath and oral fluid testing will be the methods employed for testing for the presence of alcohol. An oral fluid specimen will first be obtained from the employee, and an oral fluid test will be performed. If the oral fluid test results are positive, the individual will or may be required to provide a breath alcohol test conducted by a certified breath alcohol technician at an approved Department of Transportation (DOT) facility. The results of the breath alcohol test are controlling.

Test Results

Drugs - A positive test result occurs when the initial screening and the confirmation test indicate

the presence of the drug(s) for which the test was conducted. A positive test result is a violation of CareLink policy.

A negative test result occurs when either the initial screening or the confirmation test indicates the absence of the drug(s) for which the test was conducted.

Alcohol - A positive test result occurs when both the breathalyzer and blood serum tests indicate the presence of alcohol equal to or greater than .040%. A positive test result is a violation of CareLink policy.

A negative test result occurs when either the oral fluid test indicates presence of alcohol at less than 0.01% or the breath alcohol test indicates presence of alcohol at less than .020%.

Confidentiality

Information regarding testing and test results will be treated as confidential. It will be provided only to persons within CareLink with the need to know and to the individual being tested.

On the Job Accident

This will result in a drug test to be conducted within 24 hours of the accident.

Potential Actions for Violation of This Policy

1. Sale, distribution, purchase, or transfer, or attempt to do the same, of illegal drugs. The individual will be discharged and denied reemployment opportunities.
2. Observed or suspected use, consumption, or possession of illegal drugs while on the job, observed or suspected unauthorized use, consumption, or possession of alcohol while on the job, aberrant behavior. This will result in immediate suspension without pay pending the results of further investigation by a medical review officer. Upon conclusion of the investigation, the employee will be subject to discipline up to and including termination, or if no violations of the policy occurred, the employee shall be allowed to return to work with back pay.
3. Known taking of prescription drugs. If an employee is undergoing medical treatment which includes the use of any drug or medication affecting an employee's ability to perform job-related functions, and under this policy informs the Human Resources Manager in writing of such, CareLink reserves the right to remove the employee from the job, if the employee is unable to perform the essential functions of the position (with or without a reasonable accommodation), or refer the employee to a physician to determine if the use of the medication creates a direct threat of harm to the employee and/or others. If so determined, the employee will be required to remain off the job until the employee is able to perform the essential functions or the direct threat is eliminated. All time off will be without pay unless the employee has any applicable leave available.

Costs

All costs of testing required by CareLink shall be borne by CareLink.

Employee Discovery of Drugs/Alcohol or Observation of Persons Suspected of Being Unfit for Duty

If an employee discovers suspected illegal drugs or alcoholic beverages on CareLink property, the employee should immediately notify his or her supervisor. The employee MAY NOT touch or disturb the suspected item.

If an employee observes another employee using, possessing, distributing, transferring or selling illegal drugs, or observes another employee consuming or possessing alcohol on CareLink property or while on the job, or observes another employee exhibiting aberrant behavior, the

employee should immediately notify his or her supervisor.

Employee Searches

If CareLink has a reasonable belief that an employee is in possession of prohibited drugs or alcohol on CareLink premises or in a customer's home, the CEO or Human Resources Manager may authorize a search of all land, property, buildings, structures, and vehicles owned, leased, or used by CareLink, as well as the personal effects (briefcases, handbags, any item brought to a customer's home, etc.), property or vehicles of the employee on CareLink premises.

Miscellaneous

This policy and any decision to test an employee does not diminish CareLink's right to administer corrective action based upon violation of other CareLink policies, rules and procedures, including such factors as poor job performance, absenteeism, etc. Being under the influence of or in possession of alcohol or other prohibited substances is not a defense neither does it constitute mitigating circumstances if an employee is found in violation of any CareLink policy.

Rehabilitation

Employees needing assistance in dealing with substance abuse problems are encouraged to seek medical treatment and rehabilitation BEFORE a violation of this policy occurs. CareLink's medical insurance program provides for substance abuse treatment, and insured employees should consult the medical insurance summary plan description for more details. In addition, there are community services available to deal with substance abuse problems.

Substance Abuse for Drivers with Commercial Driver's License

Employees holding positions that require a Commercial Driver's License are required to adhere to *Policy Number 175, Substance Abuse for Drivers with Commercial Driver's License (CDL)*. The authority for controlled substances and alcohol testing of all drivers of commercial motor vehicles is found in the United States Code of Federal Regulations (CFR), particularly 49 CFR, Parts 40, 382, 383, 391, 392 and 395. For more information concerning this policy, please contact Human Resources.

Amendment

This policy may be amended by the Agency, as necessary, without advance notice. Upon a policy amendment's communication, continued employment by the employee indicates the employee acknowledges and agrees to the amendment.

Harassment

CareLink does not and will not tolerate harassment of its employees or its clients. The term harassment includes, but is not limited to, slurs, jokes, offensive or non-professional conduct, and other verbal, graphic, or physical conduct relating to an individual's race, color, religion, sex, national origin, age, or disability.

Harassment also includes sexual advances, requests for sexual favors, unwelcome or offensive touching, and other verbal, graphic or physical conduct of a sexual nature, including cartoons, calendars, posters, photos, posts, memes, videos, etc.

It will also be a violation of this policy for any supervisor or other member of management to state or suggest to any employee that the employee's continued employment, future advancement, pay or benefits will be affected in any way by that employee's entering into or refusing to enter into any form of personal relationship with the supervisor or member of management.

VIOLATION OF THIS POLICY WILL SUBJECT ANY EMPLOYEE TO DISCIPLINARY ACTION UP TO, AND INCLUDING, IMMEDIATE TERMINATION.

If you feel that you are being harassed in any way by a co-worker, member of management or supervisor, client, or supplier, you should immediately notify your supervisor, Manager, Director, Human Resources Manager, or the CEO. The matter will be thoroughly investigated and when appropriate, disciplinary, or other action will be taken.

Your complaint will be limited to those who are involved in the investigation and be kept as confidential as possible. There will be no penalty or fear of retribution for reporting any such conduct. You may be asked to provide a written statement concerning your complaint. A refusal to provide a written statement will not terminate the investigation of the complaint, however, it will be considered as part of the investigation.

Do not assume that CareLink is aware of your problem. It is the employee's responsibility to bring complaints and concerns to the attention of the supervisor, Human Resources Manager or CEO, so that they can be resolved.

Americans with Disability Act Compliance

CareLink prohibits any and all types of prohibited discrimination against a qualified applicant or employee on the basis of: (1) a current disability, (2) record of a prior disability, (3) being perceived or regarded as disabled, or (4) a relationship or association with someone with a disability. A qualified applicant or employee is an individual who can perform the essential functions of the job in question, either with or without a reasonable accommodation.

If CareLink is notified that a qualified individual with a disability requires a reasonable accommodation in order to participate in the application process, perform the essential functions of a job, or enjoy equal benefits and privileges of employment, CareLink will work with that person to attempt to find and implement a reasonable accommodation unless to do so would impose an undue hardship on the operation of CareLink's business or, despite the reasonable accommodation, create a direct threat of safety to the individual or others.

Requests for accommodations can be either oral or in writing, and individuals are not required to use any particular words in making a request. CareLink's Senior Leadership Team is responsible for determining if an individual is considered "qualified" and if a "reasonable accommodation" exists. As such, an applicant or employee in need of an accommodation, or a manager or supervisor aware of an applicant's or employee's need for an accommodation,

should contact a member of CareLink's Senior Leadership Team. A designated member of the Senior Leadership Team, usually the team member responsible for the administration of human resources, will promptly engage in the interactive process with the applicant or employee regarding the requested accommodation. The interactive process will consist of a cooperative dialogue or discussion between the employee or applicant and the designated member of CareLink's Senior Leadership Team. The purpose of the interactive process will be to:

- Evaluate whether the medical condition qualifies as a disability under ADA;
- Determine the disability's effect upon the individual's ability to perform the essential functions of the job;
- If possible, craft an effective accommodation to enable the individual to participate in the application process or to perform the essential functions of the job; and
- Take prompt action to offer and implement the reasonable accommodation.

CareLink will not tolerate any form of retaliation against an applicant or employee on the basis of a disability, a request for a disability accommodation, or participation in a complaint or

investigation of disability discrimination

An employee may reach CareLink's Management Team by contacting one of the following individuals:

- CareLink's CEO, COO, CFO, Director, or Manager

Equal Employment Opportunity

CareLink maintains a strong policy of equal employment opportunity. Equal employment opportunity means that CareLink makes employment decisions without regard to race, color, religion, sex, national origin, age, disability, or sexual orientation. This philosophy applies to all aspects of employment, including recruiting, hiring, training, promotion, compensation, and termination.

CareLink complies with Equal Employment/Affirmative Action statutes of Title VI of the Civil Rights Act of 1964. The Area Agency on Aging has developed and implemented an Affirmative Action plan which is presented at least annually during an agency-wide staff meeting. The Area Agency on Aging also complies with Section 504 of the Rehabilitation Act of 1973 as an applicable regulation regarding nondiscrimination in employment. Complaints of discrimination on the basis of handicap in employment may be filed with the Office for Civil Rights of the Department of Health and Human Services.

Pay Transparency Nondiscrimination

CareLink will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the CareLink's legal duty to furnish information.

Introductory Period

All new CareLink employees, and re-hires, must successfully complete a ninety (90) day Introductory Period. During this period, quality of work, attendance, attitude, initiative, safety record, and adherence to CareLink's policies and work rules will be evaluated. CareLink's Progressive Disciplinary policies do not apply to Introductory Period employees. All employees, whether or not they have completed the Introductory Period, are "at will" employees at all times.

Transfers/Promotions

When an employee transfers or receives a promotion, he or she must successfully complete a ninety (90) day introductory Period in his or her new position.

Progressive Discipline

At work, as elsewhere, we are all expected to meet certain standards of conduct. CareLink has defined these required standards in the form of policies, procedures, and work rules. In cases where these standards are violated, employees may receive progressive disciplinary action.

Work-related issues such as inappropriate behavior, profanity, poor attendance, poor quality or quantity of work, safety violations or violations of other policies or procedures will be addressed through this progressive discipline process. The progression of steps of discipline may include any or all of the following: Counseling with a Record of Conversation, documented Verbal Warning with an Employee Counseling Report, starting the first step in the formal disciplinary process, Written Warning, suspension, and/or separation from employment. In general, discipline should follow the process outlined above. However, depending on the severity of the violation, an employee could receive a written warning, be suspended, or separated for a first offense.

In some cases, a manager or supervisor may suspend an employee pending review. These cases include, but are not limited to:

- a) Customer abuse
- b) Unauthorized control or possession of a controlled substance
- c) Willful abuse, destruction, removal, or defacing of the Agency's property, equipment, or assets
- d) Willful abuse, destruction, removal, or defacing of an Agency employee's property, stored, or used at work
- e) Fighting, possession of firearms or other dangerous weapons on Agency property
- f) Insubordination
- g) Falsification of information (either oral or written)
- h) Violation of the Agency's Substance Abuse Policy
- i) In extreme cases, violation of the Harassment policy
- j) In cases involving expired legally required documents

In all cases, the decision to separate an employee will be at the Agency's sole discretion.

Conduct and Work Performance

It is CareLink's intention to take a constructive approach to disciplinary matters and performance problems. When appropriate, we will attempt to counsel the employee or trainee in order to correct any disciplinary or performance problems. However, in certain circumstances, CareLink may find it necessary to impose immediate disciplinary action, up to and including termination, without notice or prior counseling.

So that employees are aware of their responsibilities to CareLink and to their fellow employees, the following list contains conduct which may result in disciplinary action up to and including termination:

- Any conduct contrary to CareLink's equal employment opportunity policy, including verbal or physical conduct constituting sexual or other harassment.
- Dishonest or fraudulent conduct, including but not limited to fraud, theft, misappropriation of or unauthorized removal of CareLink funds or property.
- Falsification of an application for employment or documents submitted in consideration for employment.
- Falsification of CareLink client and business records including, but not limited to, client Medicaid billings or employee time records, expense reports and requests for reimbursement.
- Insubordination, the refusal to comply with instructions, or the failure or refusal to perform

assigned duties.

- Unsatisfactory job performance.
- Violation of CareLink's substance abuse policy.
- Failure to observe health and safety rules.
- Absenteeism or tardiness.
- Physical violence or threats of violence, or insulting, intimidating, coercive, abusive, or obscene language or gestures.
- Inability or unwillingness to cooperate with other employees or enrollees when performing assigned tasks, or any interference with the performance of job duties by fellow employees or enrollees.
- Disorderly conduct, such as "horseplay" or practical jokes, which may endanger CareLink operations, property or the well-being of any employee, enrollee or visitor to CareLink;
- False, vicious, or malicious statements about CareLink, its employees, clients, or services provided such statements interfere with productivity or job performance, or with public relations, employee relations, or enrollee relations.
- Abuse of any leave policy.
- Violation of policies regarding confidential information and conflicts of interest, unauthorized access to information which is not normally available to an employee or enrollee, or any conduct which is in conflict with the standards of appropriate business and professional ethics.
- Failure to adhere to the rules of operation and conduct established by CareLink including, but not limited to, those policies and procedures set forth in this manual and any other written employment policies and departmental procedures.
- Any other practice, whether or not mentioned in this manual, which may be inconsistent with the ordinary and reasonable rules of conduct necessary to the welfare of CareLink and its employees or enrollees and clients.
- Professional appearance is always required when reporting to work. This includes appropriate clean clothing and excellent personal hygiene.

This list is not intended to exclude other acts which may form the basis for discipline or create any contract for employment, whether expressed or implied. CareLink will attempt to correct minor performance or disciplinary problems by bringing the problem to the employee's or enrollee's attention through verbal counseling.

When a verbal warning is not sufficient to bring about improvement in an employee's performance or the nature of conduct involved warrants more formal intervention, a written reprimand may be issued.

Even for minor infractions, if an employee engages in a "Pattern of Misconduct" which is defined as three or more Employee Counseling Reports (ECRs) and/or suspensions he/she can be separated. The ECRs or suspensions do not need to be related to the same unsatisfactory action or behavior. The termination would not be based upon the infraction that resulted in the last ECR or suspension, but rather the accumulation of three or more ECRs.

If the above steps do not result in significant and lasting improvement in an employee's or enrollee's job performance, the employee or enrollee may be terminated. Some misconduct is so serious in nature as to warrant immediate termination, and CareLink specifically reserves the

right to skip any less serious disciplinary action.

In all cases, the decision to separate an employee will be at the Agency's sole discretion.

On the Job

Calling in to Report an Absence

Employees must call in to report an absence to their immediate supervisor within one hour of the start of their workday. An employee's failure to call in to report an absence from work affects the operating efficiency of the Agency. As a result, failure to report an absence will result in progressive disciplinary action. An employee's failure to report her/his absence for three consecutive workdays will be considered a voluntary resignation due to job abandonment.

Inclement Weather

CareLink expects its employees to use sound judgment on determining if they should attempt to go to work during inclement weather. CareLink does not anticipate closing its facilities due to inclement weather. Under hazardous travel conditions, should it not be possible for an employee to report to work as scheduled notification should be made to her/his immediate supervisor at least one hour prior to the beginning of her/his workday, and will be charged Annual Leave. If in an approved position, employee may request to telework from home. Should road conditions improve, employees are expected to report to work for the balance of the day.

Telephone Usage and Greeting

Telephone, Internet, and Email Usage

CareLink provides telephone, Internet, and email services for the purpose of conducting official Agency business. Official Agency business includes contacts that are (a) in the best interest of the Agency and (b) emergency contacts. Telephone calls and email contacts give an employee the opportunity to promote good public relations for CareLink. It is expected that employees will be courteous to individuals contacted by telephone or email and to individuals contacting the Agency by telephone or email. Telephone calls should be restricted to the amount of time it takes to accomplish the purpose of the telephone call.

Due to the heavy demands on Agency telephone and email facilities, personal calls and email contacts should be kept to a minimum. With this in mind, personal telephone calls and emails are permitted if (1) they do not adversely affect the performance of the employee's work duties and (2) they are both reasonable in duration and frequency.

The following types of Agency telephone and email usage are prohibited:

- a) In a manner which violates any law, regulation, treaty, or tariff.
- b) In a manner which violates the rules, regulations and policies of any network or service provider.
- c) In a manner which is defamatory, fraudulent, indecent, offensive, or deceptive.
- d) To threaten, harass, abuse, or intimidate others.
- e) To damage the name or reputation of CareLink or its affiliates.
- f) The usage of Agency telephones for personal long-distance calls is strictly prohibited.

CareLink reserves sole discretion to determine whether any use of telephone, Internet, or email services is a violation of the Agency's policies.

Telephone Greeting

All incoming telephone calls are to be answered promptly (within 2 rings if possible). There are four elements that you need to remember when answering your telephone. These elements include being: Pleasant, Courteous, Helpful, and Brief.

- a) Pleasant - a pleasant greeting is essential to a successful call because it sets the stage emotionally. In general, listeners tend to mirror the emotional state of the speaker. If you sound irritated, the calling party will feel that irritation and respond in kind. However, if you are pleasant and professional, the caller will react favorably.
- b) Courteous - simply remember to say please and thank you.
- c) Helpful - your sole purpose for answering the telephone is to assist the calling party.
- d) Brief - you want your greeting to be natural, which also makes it easier to sound pleasant. The key components of the greeting are the Agency name, your name, an offer to help, and thank the party for calling.

Sample Greeting #1 - "Thank you for calling CareLink, this is Sue. How may I help you?"

Sample Greeting #2 - "Thank you for calling CareLink Human Resources, this is Sue Jones. How may I help you?"

Email Greeting

The four important elements in answering your telephone (being pleasant, courteous, helpful, and brief) also apply to your outgoing emails. All outgoing emails should be in Century Gothic 11-inch font. There should also be a signature block included in all outgoing email correspondence that included the following:

Name

Job

Title

(501) 688-xxxx Work

(xxx)xxxx-xxx Cell

(501)688-7437 Fax

P.O. Box 5988

North Little Rock, Arkansas 72119-5988

Email Address with Link

www.carelink.org



PROTECTED HEALTH INFORMATION NOTICE PRIVACY WARNING

"Confidentiality Notice: The information contained in this e-mail message and any attachment(s) is the property of CareLink and may be protected by state and federal laws governing disclosure of private information. It is intended solely for the use of the entity to whom this e-mail is addressed. If you are not the intended recipient, you are hereby notified that reading, copying, or distributing this transmission is **STRICTLY PROHIBITED**. The sender has not waived any applicable privileges by sending the accompanying transmission. If you have received this transmission in error, please notify the sender by return email and delete the message and attachment(s) from your system."

Voicemail Greeting

Voicemail greetings are to be changed at the start of each workday. The four important elements in answering your telephone (being pleasant, courteous, helpful, and brief) also apply to your voicemail greeting. However, your voicemail message needs to contain specific information, all of which is designed to help the caller. In addition to the Agency name, your name, and thanking the party for calling, your greeting should include: the day and date, your status in or out of the office, when you are likely to respond, and instructions on what to do if the call is urgent.

Sample Greeting #1 - "This is John Doe with CareLink. It is Thursday, June 23. I am sorry that I missed your call. I am in the office today. Please leave a message and I will respond to your call as soon as possible. If you need immediate assistance, please dial "0" for the operator now. Thank you for calling CareLink"

Sample Greeting #2 - "This is John Doe of the CareLink Human Resources Department. I am sorry that I missed your call. I will be out of the office until Tuesday, July 5. If you need immediate assistance, please dial "0" for the operator now. Otherwise, please leave a message and I will respond to your call as soon as possible upon my return. Thank you for calling CareLink"

Employees using Agency issued cell phones should also use the voicemail format above. The opt out should be changed to the appropriate 800 number and/or Agency contact number as applicable.

Email Out of Office Reply

An out of office reply should be initiated when you are out of the office for more than 24 hours. The four important elements in answering your telephone (being pleasant, courteous, helpful, and brief) also apply to your out of office greeting. However, your out of office message needs to contain specific information. In addition to the day and date you will return it should also state when you are likely to respond, and instructions on who to contact if the matter is urgent.

Sample out of office greeting #1- "I will be out of the office Friday 12/10 and will return on Monday 12/13. If you need immediate assistance, please contact John Smith at 501-688-0000."

Sample out of office greeting #2- "I will be out of the office Friday 12/10 and will return on Monday 12/13 I will be responding to emails periodically. If you need immediate assistance, please contact Jane Doe at 501-688-1111."

Transferring Incoming Calls

Many of our callers have trouble hearing or seeing, which may make it difficult for them to write down and/or follow instructions. When the caller needs to speak with another CareLink employee, you need to transfer the call rather than giving the caller another number to contact. The following procedure is to be used when transferring calls.

- a) Explain the reason that you need to transfer the caller to another employee or department

- b) When transferring a call, you should remain on the line to make sure the receiving employee picks up the call
- c) If you get a voicemail message, you should keep the call and offer the caller the option of leaving a voicemail or written message or of speaking with someone else, if there is someone else that can help
- d) Because staff employees answering Agency issued cellular telephones do not have the option to transfer calls, they will need to provide the caller with telephone numbers when necessary

Field staff employees are to forward their cell phones to the toll free 800 number when out a day or longer. When taking a forwarded cell phone call for an employee that is out of the office, the employee taking the call should offer to take a message or forward the call to the appropriate supervisor or co-worker as applicable. If a co-worker has been designated to cover in her/his absence, the employee will forward her/his cell phone to the co-worker.

Mobile Phone Usage

While at work, employees are expected to exercise the same discretion in making personal cellular phone calls as is expected for the use of Agency phones. Employees should limit personal calls to a minimum during work time. Employees are asked to make personal calls on non-work time when possible and to ensure that friends and family members are aware of the company's policy. Flexibility will be provided in circumstances demanding immediate attention. The Agency will not be liable for the loss of personal cellular phones brought into the workplace or while conducting company business.

In some instances, a business cell phone may be issued to an employee. Phone logs or billing statements may be audited to ensure no unauthorized use has occurred.

Employees whose job responsibilities include driving and who utilize a cell phone for business or personal use are expected to refrain from using their phones while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are to pull off to the side of the road, preferably in a parking lot or other suitable stopping location, and safely stop the vehicle before placing or accepting a call. Special care should be taken in situations where there is, for example, any other traffic, inclement weather, or the employee is driving in an unfamiliar area.

Employees whose job responsibilities do not specifically include driving as an essential function, but who occasionally drive as a business function, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves or clients at risk to fulfill business needs. CareLink will not accept any responsibility or liability for any traffic violations received by an employee, or for any damages or injuries to any property or person, resulting from a situation where an employee was using a cell phone while driving. In those situations, CareLink will hold the employee solely responsible for all liabilities that result from such actions. Further, the employee will be subject to discipline up to and including separation of employment.

Automobile Liability Insurance

All nurses, care coordinators, ombudsmen, home care qualified supervisors, and recruiters who are required to use a personal automobile in the course of their employment shall be required to provide proof of auto liability insurance with coverage limits of: a) at least \$300,000 combined single limit or b) \$250,000/\$500,000/\$50,000 split limits. A "Condition of Employment" form regarding Driver's License and Automobile Liability Insurance must be signed and on file before

an employee can drive her/his personal vehicle for business purposes. Proof of insurance must be submitted annually to Human Resources.

Reporting on the Job Injuries

Employees must report all injuries to their supervisor. If an employee cannot contact her/his supervisor, she/he is to contact Human Resources at (501) 688-7481. Employees are required to receive medical treatment for an on-the-job injury at designated medical treatment facilities. Emergency treatment is exempt from this requirement. However, after emergency treatment, the employee must go to a designated clinic.

The following is a list of the CareLink Designated Medical Treatment Facilities for Work Related Injuries:

Faulkner County:
ARCare #24
1500 Museum Dr. Ste 104
Conway, AR 72032
(501) 932-9010

Monroe County:
Stuttgart Regional Med. Ctr.
North Buerkle Road
Stuttgart, AR 72160
(Emergency Only)

Pulaski County:
Baptist Health Med. Ctr.
NLR
3333 Springhill Dr
North Little Rock, AR 72117
(Emergency Only)

Faulkner County:
Conway Regional Med. Ctr.
2032 College Avenue
Conway, AR 72032
(Emergency Only)

Prairie County:
Mid-Delta Health System
245 Madison St.
Clarendon, AR 72029
(870) 747-3381

Pulaski County:
Concentra Southwest
10101 Mabelvale Plaza Dr #3
Little Rock, AR 72209
(501) 568-7868

Lonoke County:
Concentra North
3470 Landers Road
North Little Rock, AR 72117
(501) 945-0661

Prairie County:
ARCare #40
705 Highway 63
Hazen, AR 72064
(870) 255-3696

Pulaski County:
Baptist Medical Center
9601 Lile Drive, I-630 Exit 7
Little Rock, AR 72205
(Emergency Only)

Lonoke County:
ARCare
1310 North Center Street
Lonoke, AR 72086
(501) 676 -0181

Prairie County:
ARCare #30
405 Hwy 11 North
Des Arc, AR 72040
(870) 255-3696

Saline County:
Concentra SW
10101 Mabelvale Plaza Dr #3
Little Rock, AR 72209
(501) 568-7868

Monroe County:
Mid-Delta Health System
245 Madison St.
Clarendon, AR 72029
(870) 747-3866

Prairie County:
Stuttgart Regional Med. Ctr.
North Buerkle Road
Stuttgart, AR 72160
(Emergency Only)

Saline County:
Saline Memorial
#1 Medical Park Dr
Benton, AR 72015
(Emergency Only)

Monroe County:
ARCare #70
615 North Main Street
Brinkley, AR 72054
(870) 734-1150

Pulaski County:
Concentra North
3470 Landers Road
North Little Rock, AR 72117
(501) 945-0661

An employee who is injured on the job and may be eligible for worker's compensation must furnish a certificate from the attending physician releasing the employee to return to work regardless of the time away from the job. Whenever an employee presents a return-to-work statement from the doctor which contains restrictions, the supervisor must contact Human Resources. Human Resources will coordinate placement on a transitional job, if applicable. A drug and alcohol test will be administered following any on-the-job injury which results in medical treatment.

Infection Control and Hand Hygiene

Universal precautions must be observed by all employees with direct customer contact to prevent contact with blood or other potentially infectious materials. All blood or other potentially infectious material will be considered infectious for HIV, HBV, and other blood borne diseases regardless of the perceived status of the source individual.

Compensation and Benefits

Work Schedules and Pay

All CareLink staff are classified as exempt or non-exempt from overtime. Supervision, management, and some administrative or professional positions are classified as exempt. Non-exempt, also known as hourly employees, are eligible for overtime pay at the rate of 1 and a half times the hourly rate for any hours worked over 40 in one workweek. The standard workweek for all staff is 37.5 hours and runs from Sunday through Saturday. A standard workday is 7.5 hours.

A pay period consists of two workweeks. At the end of each pay period, employees submit a timesheet to their immediate supervisor. Paycheck stubs are mailed to the employees' homes the Thursday following the end of the pay period. Payday is the Friday following the end of the pay period. Employees are paid via direct deposit.

Occasionally it may be necessary for non-exempt staff to work overtime, such as when a department is understaffed, a special project is underway, or other extenuating circumstances. Non-exempt employees are required to obtain permission from their supervisor before working over 40 hours in a given week.

Holiday Pay, Annual and Sick Leave are not included in overtime calculations. Overtime is calculated based on actual hours worked.

Example: John Smith's timecard shows a total of 42 hours worked week 1 of the current pay period, however, he was on 7.5 hours of annual leave that Wednesday. Mr. Smith's actual hours worked are 34.5, therefore, he would not be paid overtime for this week.

Non-exempt employees must report all hours worked on their timesheets without exception. **No one** has the authority to instruct or influence employees to falsify time worked. If an employee is encouraged to report more or less than actual hours worked, the employee should immediately report the situation to the Human Resources Manager. Requests for pay advances will not be granted. Any questions about payroll checks should be directed to the employee's supervisor.

The regular start time for most exempt and non-exempt employees is 8:00 a.m. However, various positions have different requirements to meet the needs of the agency and the older people we serve. Scheduled work hours may change on an as-needed basis, including the need to permanently change work schedules or to require overtime, nights, weekends, and holidays. Employee work schedules will be coordinated with the direct supervisor.

Mileage Reimbursement

Staff employees may be reimbursed for use of personal vehicles while on agency business. Reimbursable business travel includes travel to conferences, training, and meetings. Reimbursable business travel does not include travel from an employee's home to any of CareLink's offices or facilities, even if the employee customarily works from a "home office."

The mileage reimbursement rate will be paid at the rate approved by Management. The following employee classifications may receive mileage reimbursement:

- Regular full-time, regular part time or temporary employees for whom driving more than 25 miles is a regular part of their daily duties. (This generally includes Care Coordinators, Nurses, Homecare Qualified Supervisors, and Recruiters)
- Regular full-time, regular part time or temporary employees who drive their personal vehicles on agency business on a trip that exceeds 25 miles in a single day

Employee will submit and expense report in Paylocity detailing mileage claims for supervisor approval each pay period.

Credit Union

All CareLink employees may participate in the Arkansas Federal Credit Union. Employees interested in joining the credit union should contact Human Resources.

Time Off

Annual Leave

Annual leave is earned by regular full time and regular part time employees as a means for the Agency to provide paid time off to its employees.

Annual leave is accrued for any pay period in which any hours are worked, or absences are covered by paid leave. The amount of Annual leave accrued per pay period increases with years of service as shown below:

Months of employment		Accrual Rate
0-36 months	3.47 hours/pay period	12 days/year
37-60 months	5.20 hours/pay period	18 days/year
61-120 months	6.06 hours/pay period	21 days/year
121 months and up	6.93 hours/pay period	24 days/year

The accrual rates shown above are based on a 37.5-hour work week. If an employee's scheduled workweek is less than 37.5 hours per week, accrual, carry over, pay out, and any

other leave process is prorated based on the employee's scheduled workweek.

After a new employee has worked seven pay periods, the employee will be credited with 3.47 hours of accrued annual leave for each of the seven pay periods. If the employee is scheduled less than 37.5 hours per week, she/he will earn a prorated amount of accrued leave. However, if employment is ended within the first seven pay periods, annual leave has not been accrued and therefore, no payout of accrued annual leave will be made.

Annual leave will not accrue during any pay period in which an employee does not have pay for hours worked or absences covered by paid leave.

Annual leave guidelines are as follows:

1. Annual leave must be approved in advance by the employee's supervisor.
2. CareLink reserves the right to deny, reschedule, or cancel the use of annual leave in order to assure proper and adequate response to routine and/or requested services.
3. Annual leave will automatically be used to cover absences due to illness when an employee has exhausted her or his sick leave. However, sick leave may not be used for absences when annual leave is exhausted.
4. Sick leave may not be used in the place of Annual Leave for any reason.
5. Up to 150 hours (20 days) of annual leave may be carried over to the next year.

When an employee voluntarily leaves the Agency, up to 75 hours of accrued annual leave will be paid under the following conditions:

1. The employee must provide a full 14 calendar days' notice.
2. The employee must work each scheduled workday during the 14-day notice period.
3. Any request for annual leave after notice of resignation must be approved by the Head of the Department.
4. Employees providing notice which exceeds the 14-calendar day requirement are expected to work each scheduled workday of her/his last 14 calendar days.

Holidays

CareLink main offices will be closed on the following holidays, however some Departments such as Transportation and Home Care will continue to operate in a determined capacity:

New Year's Day	Martin Luther King Birthday**	President's Day**
Memorial Day	Independence Day	Labor Day
Veteran's Day**	Thanksgiving Day	Day after Thanksgiving**
Christmas Eve**	Christmas Day	

** Transportation and Home Care Scheduling are operational on these days

Holidays falling on Saturday will be observed on the preceding Friday; holidays falling on a Sunday will be observed on the following Monday.

Requests to work on a holiday must be approved by the Department Manager. However, Business Operations require that certain Regular Full-time or Part-time Employees work on a Holiday.

Regular full-time employees and regular part-time employees will receive Holiday pay regardless of time of service. Regular Full-time employees will receive 7.5 hours of Holiday Pay. Regular part-time employees pay will be pro-rated. In the event that an employee in either of

these categories is scheduled to work on an observed Holiday, they will be compensated at their regular rate of pay for the number of hours worked in addition to receiving Holiday Pay.

Sick Leave

The purpose of sick leave is to provide employees financial protection against illness, injury, or temporary disability. Both regular full time and regular part time employees are eligible for sick leave.

Sick leave accrues at 3.47 hours per pay period (which is equivalent to twelve days per year or one day per month). Accrual rates do not increase with years of service. Sick leave will not accrue during any pay period in which the employee does not have pay for hours worked or absences covered by paid leave. The accrual rate stated above is based on a 37.5 hour per week work schedule. If an employee's scheduled work week is less than 37.5 hours per week, accrual, carry over, and any other leave process is prorated based on the employee's scheduled work week.

Sick Leave may be used as follows:

1. Sick leave may be taken for illness, accident, or injury, medical or dental examinations of the employee, spouse, parent, child, and to attend the funeral of an immediate family member. Immediate family for purposes of this policy will be parent, grandparent, sibling, spouse, child, and grandchild.
2. Arrangements to take sick leave for scheduled medical or dental examinations must be made in advance with the employee's supervisor.
3. Sick leave may only be taken for scheduled workdays.
4. Employees may not take sick leave on holidays or other days which are designated as non-workdays.
5. Employees must report actual hours of sick leave taken on her/his timesheet.
6. Any employee who takes sick leave for more than 5 consecutive days must furnish an attending physician's statement releasing the employee to return to work.
7. A supervisor may require an employee to furnish a certificate from an attending physician that the employee was too ill to work during the time the employee claims sick leave for periods less than 5 days.
8. An employee who is injured on the job must furnish a certificate from the attending physician releasing the employee to return to work regardless of the time away from the job.
9. If sick leave is exhausted before the employee is able to return to work, any annual leave will automatically be used.

Up to 818 hours (109 days) may be carried over to the next year. An employee's sick leave accrual balance is not paid out upon termination.

Leave of Absence

Under certain situations, it is the policy of CareLink to provide employees with an extended time off from the job by granting Leaves of Absence. Leaves of Absence fall into one of five categories:

1. Medical and family-related leaves granted under the terms of the Family Medical Leave Act (FMLA);

2. Medical leaves beyond the terms of the FMLA determined to be reasonable as an accommodation under the Americans with Disabilities Act (“ADA”);
3. Medical leaves determined to be reasonable as an accommodation under the ADA, when an employee is not eligible for FMLA leave.
4. Leaves granted for personal reasons not covered under the FMLA or ADA
5. Leaves granted for active military duty

General Leave of Absence Requirements

Any period of absence other than a preapproved paid vacation requiring an employee to miss more than three consecutive workdays will require an approved Leave of Absence. An absence is defined as a missed scheduled workday. In general, all Leave of Absence requests must be made in writing and must be approved in advance, unless it is an emergency situation. For the purpose of this procedure, all time off granted under the terms of the FMLA, or the ADA will be considered Medical Leaves of Absence. All other reasons for Leaves of Absence will fall under Non-Medical Leaves of Absence, i.e., either a Personal Leave or a Military Leave of Absence.

Medical and Family-Related Leaves

Employees with a minimum of a total of one (1) year of tenure and who have worked at least 1,250 hours in the last twelve months, may be eligible for a Medical Leave under the FMLA. The FMLA entitles the employee under certain circumstances to take up to 12 weeks off within any twelve-month rolling period. Medical and Family-related Leaves of Absence under the FMLA must fall under one of the following categories:

1. the birth of a child and to care for the newborn child within one year of birth;
2. the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
3. to care for the employee’s spouse, child, or parent who has a serious health condition;
4. a serious health condition that makes the employee unable to perform the essential functions of his or her job;
5. any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on “covered active duty;” or
6. Twenty-six workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member’s spouse, son, daughter, parent, or next of kin (military caregiver leave).

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active-duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; is in outpatient

status; or is on the temporary disability retiredlist.

All time off granted under the terms of the FMLA will be considered Medical Leaves of Absence. To apply for a Medical Leave of Absence, the employee must contact the Human Resources Department. A Human Resources representative will go over the employee's options and give her/him the necessary paperwork to take to the employee's healthcare provider to certify the need for a Medical Leave. Depending on the circumstances, paperwork may also be mailed to the employee or even faxed directly to the healthcare provider.

If the need for family or medical leave is foreseeable, the employee must give Human Resources thirty days prior notice, and if thirty days prior notice is not possible, the employee must give notice as soon as possible (usually within one or two business days of learning of the need for a Medical Leave.) Failure to provide the required notice may be grounds for delay or denial of the leave. Where the leave is not foreseeable, the employee is expected to notify Human Resources within one to two business days of learning of the need for a Medical Leave, except in extraordinary circumstances. Requests for a Medical Leave must be made on a form available from Human Resources. The request should state the reason for the requested leave, the anticipated start of the leave, and the anticipated duration of the leave.

When requesting a Medical Leave because of his/her own or a covered relation's serious health condition, an employee must provide medical certification. A Certification of Healthcare Provider form may be obtained from the Human Resources Department. Employees applying for a Medical Leave under the FMLA have fifteen calendar days to return the completed Certification of Healthcare Provider. Failure to return the documentation within fifteen calendar days may result in the delay or denial of a Medical Leave of Absence.

If CareLink doubts the validity of the initial medical certification, the Agency may require, at its own expense, an examination of the employee by a second health care provider. If the second health care provider's opinion conflicts with the initial medical certification, the Agency may require, at its own expense, a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. CareLink may require subsequent medical re-certifications on a reasonable basis, which shall be no more often than every thirty days. Supervisors must notify the Human Resource department immediately if they suspect an employee needs to apply for a Leave of Absence. Human Resources will arrange an interview with the employee and distribute all required paperwork within two business days. Also, Supervisors must notify Human Resources after an employee has missed a maximum of three (3) consecutive days (exclusive of vacation time or paid holidays) or anytime an employee notifies a supervisor that she/he is hospitalized. After being notified, Human Resources will contact the employee and/or mail or fax paperwork to the employee or directly to the healthcare provider within two business days.

After the Human Resources department has been notified of the need for a possible Medical Leave of Absence, the Human Resources Department will complete the process with the employee. Other than securing work-related medical information, such as the duration of the Medical Leave, it is important that the Supervisor take no action after the process of determining the need for Medical Leave of Absence has begun. Once a Medical Leave of Absence is approved and until such time as the employee returns to work, the employee's Supervisor is to defer all questions concerning the employee's benefits and/or employment status to the Human Resources Department.

Medical Leaves of Absence because of a serious health condition may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the number of hours of work per workweek or workday), if medically necessary. For intermittent or reduced leave, if Accrued Annual Leave or Sick Leave Pay has been exhausted and the leave is unpaid (see Compensation below), CareLink will reduce the employee's salary

and paid leave accrual based on the amount of time actually worked. That is, Sick Leave and Annual Leave will accrue at a rate equal to that which is worked. In addition, while the employee is on an intermittent or reduced leave schedule, CareLink may transfer the employee to an alternative position which better accommodates the recurring leave, and which has equivalent pay and benefits. Please see FMLA Employee Rights Notice included in your hire packet.

Exception Due to Annual Leave and Sick Pay Benefits

Except as previously noted for the care of a covered service member, time off granted under the terms of the FMLA may not exceed 12 weeks in a rolling twelve-month period, however, Medical Leaves of Absence under the Agency's Leave of Absences Procedure may be extended beyond 12 weeks to allow an eligible employee to maximize the benefits of their Accrued Annual Leave and Sick pay. Medical Leaves of Absence may be extended until Annual Leave and Sick pay are exhausted, or even longer if an applicable exception applies. All other conditions of the FMLA must continue to be met.

Exceptions Due to a Reasonable Accommodation as Defined by ADA

If CareLink is notified that a qualified individual with a disability may require an extension of a medical leave of absence as a reasonable accommodation, CareLink will engage in an interactive process with the individual to determine whether to extend the medical leave of absence or otherwise find a reasonable accommodation unless to do so would impose an undue hardship on the operation of CareLink's business.

Personal Leave of Absence

Unpaid Leaves of Absence that are not related to a serious health condition covered under the FMLA are generally not approved. When an employee has available accrued annual leave, or if appropriate sick leave, an employee may request a personal leave of absence. All Personal Leave of Absence requests must be coordinated with supervision and submitted to the Human Resources Department in writing. Factors which may be considered in approving a Personal Leave of Absence include, but are not limited to, operational requirements, the employee's performance and attendance record, length of service, and the reason for the leave.

Examples of legitimate reasons for approval of a Personal Leave of Absence may include bereavement time off in excess of five workdays for the death of an immediate family member (see Sick Pay Procedure) or some kind of unusual life event. The discretion for approving these exceptions is solely determined by CareLink.

Employees requesting a Personal Leave of Absence due to a personal illness not covered under the terms of the FMLA, or to a serious health condition in the immediate family not covered under the FMLA may be required to submit a completed Certification of Healthcare Provider.

Please see FMLA Employee Rights Notice on the next page:

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

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

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

BENEFITS & PROTECTIONS

ELIGIBILITY REQUIREMENTS

REQUESTING LEAVE

EMPLOYER RESPONSIBILITIES

ENFORCEMENT



For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division



WH1420 REV 04/18

Military Leaves of Absence

CareLink will grant military leaves of absence as required by law. CareLink does not discriminate in any way against employees who are members of the military.

An employee who is a member of the Reserve or National Guard and is required to attend annual active duty for training or other short-term duty is eligible for military leave without pay. Such time off will not be considered annual leave unless requested as such.

Returning from a Leave of Absence

When an employee is on Medical Leave of Absence or Leave due to personal illness not covered under the terms of the FMLA, the employee must provide a release to return to work statement from his or her doctor. The release may include paperwork provided by the employee's healthcare provider or a Return-to-Work Release form may be obtained by contacting the Human Resources Department. The employee may either bring the release to the Human Resources Department or have their physician fax it to the Human Resources Department. The release must be received by the Human Resources Department before the employee is allowed to return to work. Employees returning from all other Medical (i.e., illness of a family member) or Personal Leaves of Absence do not need to submit a medical release form. If possible, employees must contact Human Resources at least five days before their scheduled return date.

In general, an employee who returns from an approved FMLA Leave of Absence will be restored to the same or equivalent position held by the employee when the leave began. Such position will be equivalent in pay, benefits and other terms and conditions of employment.

CareLink does not guarantee that an employee who returns from a Personal Leave of Absence or extended medical leave not covered under the FMLA will be returned to the same position, customer placement, schedule, number of hours, or rate of pay.

An employee failing to return from a Leave of Absence on the specified day of return will be considered to have voluntarily separated their position with CareLink.

Compensation while on a Leave of Absence

Medical (FMLA) Leaves of Absences are unpaid. If an employee has Accrued Annual Leave or Sick Pay available, Medical Leave runs concurrently with both forms of paid time off until the accrued paid time off is exhausted. Once both Sick Pay and Annual Leave are exhausted, the remaining leave time off is unpaid. All Sick Pay will be applied before Accrued Annual Leave is used.

Regular full time and regular part time employees are required to use Annual Leave and/or Sick Pay (if for a non-qualified illness or injury) to cover time off granted as a Personal Leave.

Staff Benefits

When a Staff employee is on a Medical or Personal Leave, CareLink will continue to maintain the employee's health and life insurance benefits. If Annual Leave or Sick pay is being paid during the Medical or Personal Leave, CareLink will deduct the employee's contribution and the employee's dependent premiums as a regular payroll deduction. After Annual Leave and Sick pay are exhausted, the employee will be responsible for maintaining payments on the employee's portion of the premium. The payment is due at the same time as it would have been otherwise made by payroll deduction. If the premium payment is more than thirty days late, health and life insurance benefit coverage will be terminated. The employee will be offered continuation coverage under COBRA.

Unless an employee cannot return to work because of a serious health condition or other

circumstances beyond his or her control, when an employee elects not to return to work at the end of the Leave of Absence, the employee will be asked to reimburse CareLink for any premiums paid by the Agency during an unpaid period of absence. Under any circumstance, the employee will be offered continuation coverage under COBRA.

Jury Duty

If a regular full time or regular part time employee is called to perform jury duty, time off with pay will be granted. Other employees are not eligible for paid time off.

Leave without Pay for Staff Employees

CareLink provides a generous amount of paid leave for its regular full time and regular part time employees. Any absence that occurs when paid leave has been used up is considered leave without pay.

Leave without pay is limited. It can only be taken if it is available through a specific policy, for example, Section VII above, FMLA, or ADA. It is unacceptable to take leave without pay otherwise, and is grounds for disciplinary action, up to and including termination of employment.

Violations of Policy

Leaves of Absence may be denied and/or the employee may not be reinstated if: (1) the employee advises CareLink that he or she will not return to work, in which case the employment relationship is deemed terminated and the employee's entitlement to reinstatement, continued leave, and other health benefits ceases; (2) the employee fraudulently obtains leave, in which case CareLink will not restore the employee's job or maintain health benefits; or (3) the employee accepts other employment while on leave, in which case the employee will not be entitled to benefits under this policy and employment may be terminated.

Other Benefits

General

Benefits offered are at the discretion of the Agency and may change or terminate with or without notice at any time. Additionally, the percentage of Agency contributions to the Retirement Plan is subject to the Agency's Board of Directors' discretion and will be determined annually.

Group Insurance Benefits

Regular fulltime employees are eligible to participate in the Agency's group insurance benefits effective the first day of the month following sixty days of employment. Eligible employees may elect to participate in the Agency's group healthcare insurance plan, group dental insurance plan, group vision care plan, voluntary life insurance plan, and accidental death and dismemberment plan. Also, after ninety days of employment, the Agency provides all regular fulltime employees term life insurance coverage equal to one time their annual earnings (at no cost to the employee).

A Human Resources representative will schedule a benefits enrollment meeting with each newly hired employee no later than thirty days prior to the new hire's benefits eligibility date. During the new employee benefits enrollment meeting, the options pertaining to the Agency's group benefit programs will be presented. The new employee is then given the opportunity to participate in the various group benefits as she/he chooses. If the employee declines a benefit, she/he will not be eligible to participate in the benefit until the Agency's next annual open enrollment period. For medical benefits, the Agency's annual open enrollment period is in April.

The cost of group healthcare insurance is shared by the Agency and participating employee. The Agency currently pays seventy-five percent of the insurance premium for the employee only. The employee pays the remaining twenty-five percent of her/his health insurance premium. If the employee uses tobacco or vaping products, the Agency currently pays seventy percent of the insurance premium for the employee only. The employee pays the remaining thirty percent of her/his health insurance premium. The employee may also choose to cover her/his eligible dependents under most of the Agency's group insurance plans. The employee pays one hundred percent of the expenses incurred for dental, vision care, voluntary life, AD&D, and all dependent benefits.

Cafeteria Plan

Regular full-time employees are eligible to participate in the Agency's Cafeteria Plan (or Section 125 Plan) effective the first day of the month following ninety days of employment. The plan allows participating employees to pay premiums for our group medical and dental insurance with pre-tax earnings. Employees may also elect to set aside pre-tax deductions into an account(s), which are then used to pay for un-reimbursed medical expenses (up to a maximum of \$2,000), dependent care expenses (up to a maximum of \$5,000), and/or non-payroll deducted premiums under the Other Health Insurance Reimbursement Program. The Agency's annual open enrollment period is January.

Retirement Plan

Regular full time and regular part time employees are eligible to participate in the Agency's 401(k) Plan after one year of service. Entry dates are January and July. Eligible employees may choose to contribute any percent of their annual income (in whole percent) up to a maximum of \$20,500 in 2022. Employees 50 years old or older may choose to contribute an additional "catch-up contribution" up to a maximum of \$6,500 as of 2020. The Agency may choose to match your contributions and/or grant profit sharing. These amounts, if any, are set and authorized by the Board of Directors annually. If authorized, employees must be employed on the last day of the year to receive the Agency match or profit sharing.

Employees are 100 percent vested in their personal contributions to the plan.

Receipt of Guidebook Acknowledgement

I acknowledge that I have received and read a copy of the Staff Employee Guidebook and understand how the policies will apply to me. This Guidebook is effective January 1, 2022 and replaces and supersedes all previous guidebooks.

Please Print Full Name: _____

Employee Signature: _____

Date: _____

Note: A signed copy of this Acknowledgement Form is to be filed in the employee's personnel file.