



EMPLOYEE HANDBOOK

Table of Contents

	Page
WELCOME STATEMENT	2
DIVERSITY	3
• Equal Employment Opportunity Statement	3
• Americans with Disabilities Act (ADA) & Amendments Act (ADAAA)	3
• Anti-harassment Policy and Complaint Procedure	4
EMPLOYMENT	6
• Employment At-Will	6
• Employee Classification Categories	6
• Background and Reference Checks	7
• Progressive Discipline	8
• Separation of Employment	9
WORK ENVIRONMENT	10
• Drug-Free Workplace	10
• Workplace Bullying	11
• Violence in the Workplace	12
• Safety	13
• Workers Compensation	14
• Smoke-Free Environment	14
WORKPLACE EXPECTATIONS	14
• Confidentiality	14
• Conflicts of Interest	14
• Outside Employment	15
• Attendance and Punctuality	15
• Attire and Grooming	16
• Electronic Communication and Internet Use	16
• Social Media—Acceptable Use	17
• Solicitations, Distributions and Posting of Materials	18
• Employee Personnel Files	18
• COVID-19 Policy	18
COMPENSATION	19
• Performance and Salary Reviews	19
• Payment of Wages	19
• Time Reporting	19
• Overtime Pay	20
• Employee Travel and Reimbursement	20
BENEFITS	21
TIME OFF/LEAVES OF ABSENCE	21
• PTO	21
• Jury Duty	22
• Holidays	23
• Family and Medical Leave (FMLA)	23
• Military Leave of Absence	24

WELCOME TO BRANDING HEARTS HOME HEALTH!

Branding Hearts Home Health is committed to bringing the highest quality of personalized and professional care to all patients and families. Through our innovative skills, client care and compassion, we strive to support, not only your child, but the entire family.

We are confident that you will find our company a dynamic and rewarding place in which to work. We consider the employees of Branding Hearts Home Health to be one of its most valuable resources. This handbook has been written to serve as the guide for the employer/employee relationship.

As you will quickly discover, our success will be based on delivering high quality care and providing unsurpassed patient services to our patients and to their families. How do we do it? By working very hard, thinking about our patients' needs, and doing whatever it takes to provide excellent care to our families. We do this by treating each other and our patients with respect and by working together as a team and treat them like family.

The minute you start working here, you become an integral part of our agency and its future. You will play a key role in the continued growth of Branding Hearts Home Health.

There are several things to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to your direct supervisor or manager. Neither this handbook nor any other company document confers any contractual right, either express or implied, to remain in the company's employ. Nor does it guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and may be terminated at will with or without cause and without prior notice by the company, or you may resign for any reason at any time. No supervisor or other representative of the company (except the Owner) has the authority to enter into any agreement for employment for any specified period of time or to make any agreement contrary to the above.

The procedures, practices, policies and benefits described here may be modified or discontinued from time to time. We will try to inform you of any changes as they occur.

This handbook and the information in it should be treated as confidential. No portion of this handbook should be disclosed to others, except Branding Hearts Home Health employees and others affiliated with Branding Hearts Home Health whose knowledge of the information is required in the normal course of business.

Some subjects described in this handbook are covered in further detail in official policy documents. Refer to these documents for specific information because the handbook only briefly summarizes those guidelines and benefits.

DIVERSITY

Equal Employment Opportunity Statement

Branding Hearts Home Health provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. Branding Hearts Home Health complies with applicable state and local laws governing nondiscrimination in employment in every location in which the company has facilities. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

Branding Hearts Home Health expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, genetic information, disability or veteran status. Improper interference with the ability of Branding Hearts Home Health employees to perform their expected job duties is absolutely not tolerated.

Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that when needed provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of Branding Hearts Home Health to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our company policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

The company will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to Branding Hearts Home Health. Contact the Owner with any questions or requests for accommodation.

Anti-Harassment Policy and Complaint Procedure

Branding Hearts Home Health is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Branding Hearts Home Health expects that all relationships among persons in our employment will be business-like and free of bias, prejudice and harassment.

It is the policy of Branding Hearts Home Health to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran. Branding Hearts Home Health prohibits any such discrimination or harassment.

Branding Hearts Home Health encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of Branding Hearts Home Health to promptly and thoroughly investigate such reports. Branding Hearts Home Health prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

Definitions of Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law or that of his/her relatives, friends or associates, and that a) has

the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment via email, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to Branding Hearts Home Health (e.g., an outside vendor, consultant, patient, or patient's family member).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Complaint Process

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with their immediate supervisor, or any member of management.

When possible, Branding Hearts Home Health encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. Branding Hearts Home Health recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

Branding Hearts Home Health encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, although no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy

and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

If a party to a complaint does not agree with its resolution, that party may appeal to Branding Hearts Home Health's Owners.

False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action.

EMPLOYMENT

Employment At-Will Statement

Texas is an "employment-at-will" state. This means that either the employer or employee may terminate the employment relationship at any time, with or without warning, and with or without cause, unless there is an existing agreement with express terms and conditions covering its termination.

Employee Classification Categories

All employees are designated as either nonexempt or exempt under state and federal wage and hour laws. The following is intended to help employees understand employment classifications and employees' employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment-at-will relationship at any time is retained by both the employee and Branding Hearts Home Health.

Nonexempt employees are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are NOT exempt from the law's requirements concerning minimum wage and overtime.

Exempt employees are generally managers or professional, administrative, or technical staff who ARE exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.

Branding Hearts Home Health has established the following categories for both nonexempt and exempt employees:

- **Regular, full time:** Employees who are not in a temporary status and who are regularly scheduled to work the company's full-time schedule. Generally, these employees are eligible for the full benefits package, subject to the terms, conditions and limitations of each benefits program.
- **Regular, part time/PRN:** Employees who are not in a temporary status and who are regularly scheduled to work less than the full-time schedule. Regular, part-time/PRN

employees are eligible for some of the benefits offered by the company subject to the terms, conditions and limitations of each benefits program.

- **Temporary, full time:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work the company's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.
- **Temporary, part time:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work less than the company's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

Temporary workers are not eligible for company benefits unless specifically stated otherwise in company policy or are deemed eligible according to plan documents.

Background and Reference Checks

To ensure that individuals who join Branding Hearts Home Health are well qualified and to ensure that Branding Hearts Home Health maintains a safe and productive work environment, it is our policy to conduct pre-employment background checks on all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form.

All offers of employment are conditioned on receipt of a background check report that is acceptable to Branding Hearts Home Health. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and anti-discrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process.

If information obtained in a background check would lead Branding Hearts Home Health to deny employment, a copy of the report will be provided to the applicant, and the applicant will have the opportunity to dispute the report's accuracy. Background checks may include a criminal record check, although a criminal conviction does not automatically bar an applicant from employment.

Additional checks such as a driving record or credit report may be made on applicants for particular job categories if appropriate and job related.

Branding Hearts Home Health also reserves the right to conduct a background check for current employees to determine eligibility for promotion or reassignment in the same manner as described above.

Progressive Discipline

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her job description or as otherwise established.

Branding Hearts Home Health supports the use of progressive discipline to address issues such as poor work performance or misconduct. Our progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. Our progressive discipline policy has been designed consistent with our organizational values, HR best practices and employment laws.

Outlined below are the steps of our progressive discipline policy and procedure. Branding Hearts Home Health reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training; the employee's work record; and the impact the conduct and performance issues have on our organization.

The following outlines Branding Hearts Home Health's progressive discipline process:

- **Verbal warning:**A supervisor verbally counsels an employee about an issue of concern, and a written record of the discussion is placed in the employee's file for future reference.
- **Written warning:**Written warnings are used for behavior or violations that a supervisor would consider serious or in situations when a verbal warning has not helped change unacceptable behavior. Written warnings are placed in an employee's personnel file. Employees should recognize the serious nature of the written warning.
- **Performance improvement plan & Final warning:**Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be given a final warning or placed on a performance improvement plan (PIP). PIP status will last for a predetermined amount of time not to exceed 90 days. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor and the organization. At the end of the performance improvement period, the performance improvement plan may be closed or, if established goals are not met, termination of employment may occur.

Branding Hearts Home Health reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion and discharge.

Separation of Employment

Separation of employment within an organization can occur for several different reasons:

- **Resignation:** Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide two weeks' notice, preferably in writing, to facilitate a smooth transition out of the organization. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.
- **Job abandonment:** Employees who fail to report to work or contact their supervisor for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The supervisor shall notify the Human Resource department at the expiration of the third workday and initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible to receive accrued benefits and are ineligible for rehire.
- **Termination:** Employees of Branding Hearts Home Health are employed on an at-will basis, and the company retains the right to terminate an employee at any time.

Return of Company Property

The separating employee must return all company property at the time of separation, including uniforms, cell phones, keys, PCs and identification cards. Failure to return some items may result in deductions from the final paycheck. An employee will be required to sign the Wage Deduction Authorization Agreement to deduct the costs of such items from the final paycheck.

Health Insurance Benefits & COBRA

Health insurance terminates the last day of the month of employment. Information for Consolidated Omnibus Budget Reconciliation (COBRA) continued health coverage will be provided. Employees will be required to pay their share of the dependent health and dental premiums through the end of the month.

Rehire

Former employees who left Branding Hearts Home Health in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required.

Supervisors must obtain approval from the Owners prior to rehiring a former employee. Rehired employees begin benefits just as any other new employee. Previous tenure will typically not be considered in calculating longevity, leave accruals or any other benefits, but is at the discretion of the Owners.

An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation will not be eligible for rehire.

WORKPLACE ENVIRONMENT

Drug-Free Workplace

Branding Hearts Home Health has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our equipment and facilities. For these reasons, Branding Hearts Home Health is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment of Branding Hearts Home Health.

Employee Assistance and Drug-Free Awareness

Illegal drug use and alcohol misuse have a number of adverse health and safety consequences.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so.

Work Rules

The following work rules apply to all employees:

- Whenever employees are working, are operating any company vehicle, are present on company premises, or are conducting related work off-site, they are prohibited from:
 - Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia).
 - Being under the influence of alcohol or an illegal drug as defined in this policy.
- The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body while performing company business or while in a company facility is prohibited.
- Branding Hearts Home Health will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.
- Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

Required Testing

The company retains the right to require the following tests if needed:

- **Reasonable suspicion:** Employees are subject to testing based on observations by a supervisor of apparent workplace use, possession or impairment. Human Resources must be consulted before sending an employee for reasonable suspicion testing.
- **Post-accident:** Employees may be subject to testing when they cause or contribute to accidents that seriously damage a company vehicle, machinery, equipment or property and/or result in an injury to himself or herself, another employee, or a patient and requires off-site medical attention. In any of these instances, the investigation and subsequent testing must take place immediately following the accident.

Consequences

Employees who refuse to cooperate in drug testing under the above requirements or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated immediately. The first time an employee tests positive for alcohol or illegal drug use under this policy, the result will be immediate termination.

Most drug/alcohol test results are received immediately by the employer, but in the rare occasion when this does not happen, the employee will be suspended without pay pending the results of the drug/alcohol test.

Confidentiality

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the employer shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files.

Inspections

Branding Hearts Home Health reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including termination.

Crimes Involving Drugs

Branding Hearts Home Health prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on company premises or while conducting company business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel shall be notified, as appropriate, when criminal activity is suspected.

Workplace Bullying

Branding Hearts Home Health defines bullying as “repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.” Such behavior violates the company Code of Ethics, which clearly states that all employees will be treated with dignity and respect.

The purpose of this policy is to communicate to all employees, including supervisors, managers and executives, that the company will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important. Branding Hearts Home Health considers the following types of behavior examples of bullying:

- **Verbal bullying:** Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person’s work area or property.
- **Gesture bullying:** Non-verbal threatening gestures or glances that convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

Violence in the Workplace

All employees, customers, patients, vendors and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates or coerces another employee, customer, patient, vendor or business associate will not be tolerated. Branding Hearts Home Health resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace.

Branding Hearts Home Health treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, or member of Branding Hearts Home Health's Management Team. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform their supervisor of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence. Branding Hearts Home Health will not retaliate against employees making good-faith reports.

Branding Hearts Home Health will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. Branding Hearts Home Health will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, Branding Hearts Home Health may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Branding Hearts Home Health encourages employees to bring their disputes to the attention of their supervisors before the situation escalates. Branding Hearts Home Health will not discipline employees for raising such concerns.

Workplace Safety

It is the responsibility of each employee to conduct all tasks in a safe and efficient manner complying with all local, state and federal safety and health regulations and program standards, and with any special safety concerns for use in a particular area or with a client.

Although most safety regulations are consistent throughout each department and program, each employee has the responsibility to identify and familiarize her/himself with the emergency plan for his/her working area. Each facility shall have posted an emergency plan detailing procedures in handling emergencies such as fire, weather-related events and medical crises.

It is the responsibility of the employee to complete an Accident and Incident Report for each safety and health infraction that occurs by an employee or that the employee witnesses. Failure to report such an infraction may result in employee disciplinary action, including termination.

Furthermore, management requires that every person in the organization assumes the responsibility of individual and organizational safety. Failure to follow company safety and health guidelines or engaging in conduct that places the employee, client or company property at risk can lead to employee disciplinary action and/or termination.

A copy of the OSHA Safety and Health Standards is available for your use and reference at the home office and will be handed to employees on the first day of employment.

Compliance with the company's Safety Policy and all items contained therein is mandatory for all employees of the company. The authorization and responsibility for enforcement has been given primarily to the supervisor on site, however, all employees are expected to assist in identifying and correcting unsafe conditions and work practices.

Our company safety program is designed to provide and promote a safe working environment for all of Branding Hearts Home Health employees. A workplace safety program will be incorporated as the standard of practice for our employees. Compliance with the safety rules will be required of all employees as a condition of employment. Employees that do not comply with the safety requirements outlined in this program will be subject to disciplinary action up to and including termination.

Workers' Compensation

Branding Hearts Home Health is a non-subscriber to workers' compensation. As an employee of Branding Hearts Home Health, you are not eligible to receive workers' compensation benefits under the Texas Workers' Compensation Act. If you are injured on the job, you must report the incident immediately to your supervisor and/or Human Resources.

Smoke-Free Environment

It is the policy of Branding Hearts Home Health to prohibit smoking at sites in order to provide and maintain a safe and healthy work environment for all employees. This defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette, vaping or pipe of any kind."

Employees who violate the smoking policy will be subject to disciplinary action up to and including immediate termination.

WORKPLACE EXPECTATIONS

Confidentiality

Our clients and other parties with whom we do business entrust the company with important information relating to their families. It is our policy that all information considered confidential will not be disclosed to external parties or to employees without a “need to know.” If an employee questions whether certain information is considered confidential, he/she should first check with his/her immediate supervisor.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications.

Conflicts of Interest

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with situations in which business actions taken on behalf of Branding Hearts Home Health may conflict with the employee’s own personal interests. Company property, information or business opportunities may not be used for personal gain.

Conflicts of interest could arise in the following circumstances:

- Being employed by, or acting as a consultant to, a competitor or potential competitor, supplier or contractor, regardless of the nature of the employment, while employed with Branding Hearts Home Health.
- Hiring or supervising family members or closely related persons.
- Serving as a board member for an outside commercial company or organization.
- Owning or having a substantial interest in a competitor, supplier or contractor.
- Accepting gifts, discounts, favors or services from a customer/potential customer, competitor or supplier, unless equally available to all company employees.

Employees with a conflict-of-interest question should seek advice from management. Before engaging in any activity, transaction or relationship that might give rise to a conflict of interest, employees must seek review from their manager or the Human Resource department.

Outside Employment

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions as outlined below.

Activities and conduct away from the job must not compete with, conflict with or compromise the company interests or adversely affect job performance and the ability to fulfill all job responsibilities. Employees are prohibited from performing any services for customers on non-working time that are normally performed by Branding Hearts Home Health. This prohibition also extends to the unauthorized use of any company tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If Branding Hearts Home Health determines that an employee's outside work interferes with performance, the employee may be asked to terminate the outside employment.

Employees who have accepted outside employment may not be absent or call off of work from Branding Hearts Home Health to work on the outside job.

Attendance and Punctuality

Absences and Tardiness

Each employee is important to the overall success of our company. When you are not here, someone else must do your job. Consequently, you are expected to report to work on time at your scheduled start of the workday or shift.

Because the company depends on its employees to be at work at their scheduled times, excessive tardiness and absenteeism may lead to disciplinary action up to and including termination for cause. The determination of excessive tardiness and absenteeism will be made at the discretion of the company. If you expect to be late or absent from your job, you should notify your supervisor as far in advance as possible.

No-Call/No-Show

Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter and could result in termination of employment for cause. Any no-call/no-show lasting three days is considered job abandonment and will result in immediate termination of employment. Management will consider extenuating circumstances when determining termination or disciplinary action for a no-call/no-show (for instance, if the employee is in a serious accident and is hospitalized) and has the right to exercise discretion in such cases.

Notes/Documentation

All patient documentation including but not limited to; visit/shift notes, charts, and journal notes are to be completed within 24 hours from the end of the session or end of shift or within 24 hours of receiving patient updates or documentation from external sources. Evaluations/Assessments are due within 72 hours of the evaluation/assessment of a patient.

Attire and Grooming

It is important for all employees to project a professional image while at work by being appropriately attired. Branding Hearts Home Health employees are expected to be neat, clean and well-groomed while on the job. Clothing must be consistent with the standards for a business or clinical environment and must be appropriate to the type of work being performed.

Take personal responsibility to cover all visible tattoos as much as possible, but any tattoo that might be considered offensive to others must be covered completely while performing your job duties or as you present yourself as a representative of Branding Hearts Home Health.

Nose, tongue, or other types of facial rings or studs are not permitted to be worn while on the job. The only visible piercings permitted are small studs in the ears.

For our caregivers, open toe shoes or sandals are not permitted. OSHA standard 1910.136 require that caregivers use protective footwear to provide protection from potential falling or rolling objects, needle sticks, splashing from blood or other potentially infectious material spills.

Branding Hearts Home Health is confident that employees will use their best judgment regarding attire and appearance. Management reserves the right to determine appropriateness. Any employee who is improperly dressed will be counseled or in severe cases may be sent home to change clothes. Continued disregard of this policy may be cause for disciplinary action, which may result in termination.

Electronic Communication and Internet Use

The following guidelines have been established for using the Internet, company-provided cell phones and e-mail in an appropriate, ethical and professional manner. Internet, company-provided equipment (e.g., cell phone, laptops, computers) and services may not be used for transmitting, retrieving, or storing any communications of a defamatory, discriminatory, harassing, offensive, or pornographic nature.

- The following actions are forbidden
 - using disparaging, abusive, profane or offensive language
 - creating, viewing or displaying materials that might adversely or negatively reflect upon Branding Hearts Home Health or be contrary to Branding Hearts Home Health's best interests.
 - engaging in any illegal activities, including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and company-provided equipment such as cell phones and laptops.
- Employees may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.
- Employees must not use the system in a way that disrupts its use by others. Employees must not send or receive large files that could be saved/transferred via thumb drives. Employees are prohibited from sending or receiving files that are not related to work.
- Employees should not open suspicious emails, pop-ups or downloads. Contact your supervisor or IT with any questions or concerns to reduce the release of viruses or to contain viruses immediately.
- Internal and external emails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending email within and outside the company.
- The use of personal cell phones while at a client place of service is not permitted as it is deemed a safety risk. Cell phones may be used during break periods, including lunch periods.

Right to Monitor

All company-supplied technology and company-related work records belong to the company and not to the employee. Branding Hearts Home Health routinely monitors use of company-supplied technology. Inappropriate or illegal use or communications may be subject to disciplinary action up to and including termination of employment.

Branding Hearts Home Health may monitor any internet content visible to the public. Content that violates any policy may result in discipline up to and including termination of employment for cause.

Social Media—Acceptable Use

- Employees may not post financial, confidential, sensitive, or proprietary information about the company, clients, employees, or applicants.
- Employees may not post obscenities, slurs or personal attacks that can damage the reputation of the company, clients, employees, or applicants.
- When posting on social media sites, employees must be mindful that posts may be perceived as a reflection of Branding Hearts Home Health and ultimately their professional career. Therefore, when posting on social media sites, employees must use the following disclaimer when discussing job-related matters, "*The opinions*

expressed on this site are my own and do not necessarily represent the views of Branding Hearts Home Health.”

Solicitations, Distributions and Posting of Materials

Branding Hearts Home Health prohibits the solicitation, distribution and posting of materials on or at company property by any employee or nonemployee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities supported by Branding Hearts Home Health management and company-sponsored programs related to Branding Hearts Home Health’s products and services.

Provisions:

- Employees may not solicit co-workers or distribute literature of any kind on company premises, company functions, client place of service, or while
- Employees may only admit nonemployees to work areas with management approval or as part of a company-sponsored program. These visits should not disrupt workflow. An employee must accompany the nonemployee at all times. Former employees are not permitted onto company property except for official company business.
- Employees may not solicit other employees during work times, except in connection with a company-approved or sponsored event.
- Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a company-sponsored event
- The posting of materials or electronic announcements are permitted with approval from Management.
- Violations of this policy should be reported to Management.

Employee Personnel Files

Employee files are maintained by the acting HR professional and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis.

A manager or supervisor considering the hire of a former employee or transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with anti-discrimination laws.

Personnel file access by current employees and former employees upon request are to be reviewed in the office environment only. Personnel files may not be taken outside the office. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to personnel file information.

COMPENSATION

Performance and Salary Review

Performance appraisals are conducted on an annual cycle. Employees will receive a performance review on the established date each year. The performance appraisal will be discussed, and both the employee and manager will sign the form to ensure that all strengths, areas for improvement and job goals for the next review period have been clearly communicated. Performance evaluation forms will be retained in the employee's personnel file.

Merit increases are based on overall company performance and must take into consideration the agency's billable reimbursement rates. Merit increases are not guaranteed. A performance review does not always result in a salary increase. The employee's overall performance and salary level relative to his/her position and responsibilities are evaluated to determine if a salary increase may be warranted.

Salary adjustments are occasionally requested or warranted at times other than the employee's scheduled annual salary reviews. The department manager, and the company president must pre-approve out-of-cycle salary increases. All salary increase/adjustment requests will be reviewed to ensure internal equity and compliance with company policies and guidelines.

Payment of Wages

Pay periods are made biweekly on Friday, and one week in arrears. Please reference the yearly payroll schedule for specific dates.

It is the company's policy that employee paychecks will only be made through direct deposit of funds to either a savings or a checking account at the financial institution of the employee's choice, given personally to that employee or mailed to his/her home address.

If the normal payday falls on a company-recognized holiday, paychecks will be processed one workday before the aforementioned schedule.

If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to Human Resources.

Time Reporting

A work hour is any hour of the day that is worked and should be recorded accurately to the nearest minute.

- a workday is defined as a 24-hour period starting at 12:00 a.m. and ending at 11:59 p.m.
- a work week is defined as seven consecutive days beginning on Sunday 12:00 a.m. and ending on Saturday at 11:59 p.m.
- A standardized work week is defined as 40 hours
- For our administrative employees, normal office hours are 8:30am to 4:30pm Monday through Friday. Anything outside of that schedule must be pre-approved by the immediate supervisor.
- Overtime is defined as hours worked by an hourly or nonexempt employee in excess of 40 hours in a workweek and should be recorded to the nearest tenth of an hour. Overtime must be approved in advance by the manager to whom the employee reports.
- Employees will submit their time record daily via the company's electronic medical record system as directed by their manager. Each employee is to maintain an accurate daily record of his or her hours worked. All absences from work schedules should be appropriately recorded.

Overtime Pay (nonexempt employees)

- Nonexempt employees who exceed 40 hours of work time in a workweek will be paid time and one half.
- Paid leave, such as holiday, PTO or vacation pay, does not apply toward work time and cannot be used to pay an employee in excess of 40 hours per work week.
- The work week begins at 12:00 a.m. on Sunday morning and ends at 11:59 p.m. on Saturday night.
- Employees who anticipate the need for overtime to complete the week's work must notify the supervisor in advance and obtain approval before working hours that extend beyond their normal schedule.
- During busy periods, management reserves the right to require employees to work extended hours, or mandatory overtime.

Employee Travel and Reimbursement

In specific circumstances, and with pre-approval, the company will reimburse an employee for reasonable expenses incurred in connection with travel on behalf of the company.

Travel must be authorized and approved in advance. Employee should verify that planned travel is eligible for reimbursement before making travel arrangements. Upon completion of the trip, and within 30 days, the employee must submit a Travel Reimbursement request and supporting documentation (including receipts) to obtain reimbursement of expenses.

The company does not pay employees for mileage or any other travel expenses to commute to and from work in their personal vehicles. The company will pay mileage at IRS rate ONLY if an employee is asked to use their own vehicle for company travel.

Exempt employees will be paid their regular salary for weeks in which they travel. Nonexempt employees will be paid for travel time in accordance with federal and state wage payment laws.

BENEFITS

To qualify for these benefits, a full-time employee is defined as one who works a minimum of 30 hours per week.

Branding Hearts Home Health currently offers our regular, full-time, employees the following benefits:

- Paid time off each year, accrued bi-weekly & granted after 90 days of employment.
- Medical Insurance – 50% of monthly premiums paid by the agency & available to the employee on the 1st of the month following 60 days of full-time employment.
- Medical, dental, and vision insurance is available to full-time employee's dependents at the group's discounted rate. (monthly premiums are the responsibility of employee through payroll deductions)

We reserve the right at any time to add, amend, modify or terminate any employee benefit plan or program.

TIME OFF/LEAVES OF ABSENCE

Paid Time Off (PTO)

Branding Hearts Home Health cares about its employees and encourages them to maintain a healthy work-life balance. Paid time off is a benefit the company provides to our full-time employees and serves to reward employees for their hard work during the year.

Each full-time employee will begin accruing PTO after 90 days of employment. The PTO time is accrued each pay period in hourly increments, and awarded as long as the employee has worked an average of 30 hours per week in that pay period.

The following rules apply to PTO:

1. Refer any questions about the accrual amount of PTO to your immediate supervisor or to the HR department.
2. Regular, full-time employees are eligible to request to use their accrued PTO after their initial 90-day probationary period with the company.
3. PTO requests must be submitted in writing (via email) to your immediate supervisor or manager, and cc'd to HR. It is the employee's responsibility to ensure that they have enough accrued PTO available to cover the time requested.
4. As a general rule, PTO is not granted for two consecutive weeks of vacation.
5. Requests to use PTO should be made as far in advance as possible, but at a minimum of two weeks' notice. If PTO is being used for illness, please notify your supervisor as soon as you know you will be unavailable to work, prior to your shift.
6. Submission of a request to take PTO does not guarantee that the time off is approved. Branding Hearts Home Health reserves the right to approve or deny a vacation request based on operations and staffing requirements.
7. PTO cannot be used to ask the company to pay an employee for more than 40 hours per week.
8. PTO will be paid at the employee's hourly base rate (LT for Nurses & the hourly rate for Therapists) within the pay period that it is taken.
9. In the rare occasion that leave is approved beyond an employee's available PTO balance, it will be unpaid, and considered a leave without pay (LWOP) unless otherwise required under state or federal law.
10. Employees who misuse our PTO policy may be subject to disciplinary action. This action could include suspending or reducing the employee's current or future PTO allowance, reprimand, discharge, or other appropriate action as determined at the Company's sole discretion. Examples of misuse may include but are not limited to:
 - Excessive or questionable absences
 - Calling in absent after use of PTO has been denied
 - Continued absences after accrued PTO has been exhausted

Upon Resignation or Separation of Employment

PTO has no cash value upon separation of employment. It is intended for use during an employee's term of employment only. Therefore, upon separation of employment (either voluntary or in-voluntarily) any accrued & unused PTO earned through the last day of active employment will not be paid.

PTO Rollover

Our PTO policy has a roll-over provision that will allow the employee to roll-over a balance of up to ½ of the yearly accrual amount at the end of each calendar year (December 31st). For specific accrual amounts allotted, please speak with your immediate supervisor or to HR.

Jury Duty

Upon receipt of notification from the state or federal courts of an obligation to serve on a jury, employees must notify their supervisor and provide him/her with a copy of the jury summons

Holidays

Branding Hearts Home Health does not offer paid holidays to all employees. Each employee is responsible to verify with their immediate supervisor on the guidelines of holiday pay that may apply to them.

The administrative office of Branding Hearts Home Health will be closed for the following holidays:

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

Should a holiday fall on a weekend, the holiday will be observed on the workday closest to the holiday. (Monday or Friday)

With prior approval, time off may be granted to an employee to observe a religious holiday that is not recognized by the company, and may be requested to be paid through any PTO accrued by that employee.

Due to our unique business needs, some employees are required to work on these holidays.

These holidays are not implied to be paid time off for all employees. Please refer any questions about holiday pay to your immediate supervisor.

Family and Medical Leave Act

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

Employees who have been employed for at least one (1) year AND have worked at least 1,250 hours during the preceding 12-month period are eligible for family and medical leave. This leave consists of any accrued paid leave and unpaid leave.

Under the FMLA policy, Branding Hearts Home Health will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees.

FMLA leave will be granted for a leave requested under any of the following conditions:

- The birth of a child and in order to care for that child
- The placement of a child for adoption or foster care in your custody and to care for a newly placed child in your custody To care for a spouse, child, or parent with a serious health condition
- The serious health condition of the employee

Leave under FMLA is unpaid, unless the employee has accrued PTO. In this case, the employee will be required to use the PTO in conjunction with their FMLA. If you intentionally misrepresent the reasons for requesting family and medical leave, you may be terminated from the company.

All requests for FMLA need to be made in writing, and must be submitted on the required forms to the Human Resources department.

Please contact Human Resources for more information regarding all FMLA policies and to obtain required forms.

Military Leave of Absence

Branding Hearts Home Health is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the company's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or company policy. If any employee believes that he or she has been subjected to discrimination in violation of company policy, the employee should immediately contact Human Resources.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

Employees requesting leave for military duty should contact Human Resources to request leave as soon as they are aware of the need for leave.