



*Turner Senior Solutions, LLC*

and



Present

# **The Employee's Handbook**

(Issued: September 2021)

## Welcome



Welcome to Turner Senior Solutions (TSS) at Rutland Place! We are pleased that you are joining us and we know that your contributions will assist us in remaining a leader in this community. We have always firmly believed that outstanding people are the key to our success and are proud to have you as part our team.

As an employee of Turner Senior Solutions, you will want to know what you can expect from us and what we expect from you. This handbook will give you that information by outlining our Company's current benefits, practices, and policies. **Please keep it handy as a guide and ready reference throughout your employment here.** If you have any questions, please do not hesitate to ask your supervisor or the Executive Director.

### *THE PHILOSOPHY OF TURNER SENIOR SOLUTIONS*

It is the intent of Turner Senior Solutions and Rutland Place, to provide a productive, creative, collaborative, fulfilling, safe and compassionate working environment for our employees. We believe that by meeting those goals, we will reach our goal....to deliver "beyond expectation" services and living environments for our seniors. We understand that we can achieve this with you.

TSS/Rutland Place values its employees and feels strongly that competent, well-informed, and productive employees are essential to our success. TSS/Rutland Place intends to build and maintain a working environment that will support your best efforts. Our policies are established to help fulfil the mission of TSS/Rutland Place and, at the same time, take care of your interests and needs as an employee.

This Handbook is our way of keeping you informed of policies that both support and guide you on the job. We want you to have a quality work experience, to be highly productive in your work; and, hopefully, to experience personal achievement and satisfaction as a member of our team.

Policies help ensure equity and fairness in our workplace. Policies, however, are only as good as their implementation. We expect all employees to translate these policies into action. Please familiarize yourself with the contents of this handbook so all of us can work together productively in achieving our mission.

We count on your commitment, competency, integrity, and good relationship skills as a member of our team.

## ***PURPOSE OF THIS HANDBOOK***

There are several things that are important 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 benefits or the applicability of a policy or practice to you, you should address your specific questions to the Human Resources Department.

***This Handbook should not be construed as creating an “employment contract” or creating any other contractual rights of any nature. Although the Companies intend that the benefits, policies, and regulations outlined in this Handbook will generally remain in effect, they reserve the right at any time to amend, curtail, or to otherwise revise the benefits, policies, or regulations outlined in this Handbook.***

***Nothing in our social media policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment. Employees have the right to engage in or refrain from such activities.***

This Handbook applies to all employees, however, where it conflicts with any other contract, such contract shall control. For example, in the case of insurance, the insurance contract is controlling.

**This Handbook supersedes all prior inconsistent handbooks and/or policies.**

## EQUAL EMPLOYMENT OPPORTUNITY

### POLICY:

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It is the Company's policy to employ the best qualified individuals available for all jobs. Therefore, any discriminatory action taken on account of an employee's ancestry, age, color, disability, genetic information, gender, gender identity, gender expression, sexual and reproductive health decision, marital status, medical condition, military or veteran status, national origin, race (include traits historically associated with race, including, but not limited to, hair texture and protective hairstyles), religion (including religious dress), sex, or sexual orientation that adversely affects an employee's terms or conditions of employment is prohibited. This policy applies to all aspects of the employment relationship, including, but not limited to, hiring, training, salary administration, promotion, job assignment, benefits, discipline, and separation of employment.

Effective November 21, 2009, the new Genetic Information Nondiscrimination Act (GINA) prohibits discrimination by employers and health insurers based on genetic information. The Americans with Disabilities Act (ADA) and the anti-genetic discrimination laws of many states already provided some protection against genetic discrimination, but this new federal law now clearly prohibits these practices:

- Discrimination based on an employer's genetic predisposition against certain illnesses in hiring, compensation, promotions, and other employment decisions
- The collection and disclosure of genetic information by employers
- Enrollment restrictions and premium adjustments based on genetic information by insurers
- Retaliation against individuals who exercise their rights under GINA

GINA prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information at any time during the application process, during the tenure of your employment and specifically when responding to any permissible requests for medical information. "Genetic Information" as defined by GINA includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Any Employee who feels that he or she has been subjected to unlawful discrimination must immediately report the matter to an appropriate member of management of the Company. In most instances, this appropriate person will be the President of the Company or the Executive Director of the Community. Your complaint will be investigated, and improper conduct will be remedied. There will be no retaliation against any Employee who, in good faith, reports a violation of this policy, and any violation of this policy will result in immediate termination of employment.

## **ETHICAL STANDARDS / CONFLICT OF INTEREST**

### **POLICY:**

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TSS/Rutland Place has an excellent reputation for conducting business activities with integrity, fairness, and in accordance with the highest ethical standards. As an employee, you enjoy the benefits of that reputation and are obligated to uphold it in every business activity. If you are ever in doubt whether an activity meets our ethical standards or would compromise the company's reputation, please ask us.

## IF YOU HAVE A PROBLEM

### POLICY:

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TSS/Rutland Place has an open-door policy, and we want you to feel comfortable coming to us to discuss any problems, questions, or concerns that you may have about your job. If there is something about your job that is bothering you, let's get it out in the open and discuss it. We cannot answer your question or solve your problem unless you tell us about it.

Our "Problem Solving Procedure" offers all employees the freedom to discuss anything they wish with their supervisors or managers. Whenever you have a problem, it can usually be resolved by following these steps:

1. Any concern should first be discussed with your supervisor. Your supervisor is often in the best position to handle your problem satisfactorily.
2. If you are not satisfied after you have talked with your supervisor, you should request to speak to the Executive Director.
3. In the event your problem relates directly to your supervisor, you may contact Turner Senior Solutions.

In the event you have a problem, but because of the nature of the problem you cannot follow the steps in this procedure, you may go directly to Frank Turner, Turner Senior Solutions Company President, or to the Executive Director of your Community, who is available for advice and assistance in solving your problem at any time.

You should also follow this procedure if you are or become disabled and you need some accommodation to enable you to perform the essential functions of your job or if you believe that our "Policy Against Harassment and Discrimination" is being violated. After discussing the matter with you and conducting an appropriate investigation, we will then attempt to reasonably accommodate you, if possible, or to take whatever remedial action is appropriate.

When you inform us of a concern or problem, we will try to answer you as soon as practical under the circumstances.

## POLICY AGAINST HARASSMENT AND DISCRIMINATION



### POLICY:

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TSS/Rutland Place does not tolerate harassment of or discrimination against any of our applicants, employees, customers, or vendors. Any form of harassment or discrimination related to an individual's race, color, gender (including same sex), sexual orientation, religion, age, national origin, handicap or disability, citizenship status, genetic information, or any other protected category, is a violation of this policy and will be treated as a disciplinary matter.

**Violation of this policy will subject an employee to immediate discharge.**

If you have any questions about what constitutes harassing behavior or what conduct is prohibited by this policy, please discuss the questions with your manager. At a minimum, the term "harassment" as used in this policy includes, but is not limited to, the following:

- Offensive remarks, comments, jokes, slurs, or verbal conduct pertaining to an individual's race, color, sex, religion, age, national origin, handicap or disability, citizenship status, or any other protected category
- Offensive pictures, drawings or photographs or other graphic conduct or communications, including e-mail, faxes, or copies, pertaining to an individual's race, color, sex, religion, age, national origin, handicap or disability, citizenship status, or any other protected category
- Offensive sexual remarks, sexual advances, or requests for sexual favors regardless of the gender of the individuals involved
- Offensive physical conduct, including touching, regardless of the gender of the individuals involved
- Threatening reprisal for an employee's refusal to respond to requests for sexual favors or for an employee reporting a violation of this policy

Our supervisors and managers are also covered by this policy and are prohibited from engaging in any form of harassing or discriminating conduct. No supervisor or other member of management has the authority to suggest to any employee or applicant that his/her employment, continued employment, or future advancement will be affected in any way by the individual's entering, or refusing to enter, any form of personal relationship with the supervisor or manager. Such conduct is a direct violation of this policy.

Harassment of or discrimination against our employees in connection with their work by non-employees also may be a violation of this policy. Any employee who experiences or observes any harassment of or discrimination against an employee by a non-employee should report such harassment to his or her manager.

If you feel that you are being harassed by another employee or by anyone else, you should tell that individual how you feel and report the matter to your manager immediately. We will promptly investigate the report and, where appropriate, take disciplinary action.

If the problem involves a supervisor or member of management, or if you do not feel that the matter can be discussed with your supervisor, you should report the problem to the Executive Director or Frank Turner, President of Turner Senior Solutions, LLC.

Any TSS employee who engages in protected activity will be shielded from retaliation. Retaliation occurs when an employer takes an Adverse Action against an employee because she/he engaged in a protected activity. Adverse Action includes, but is not limited to:

- Demotion
- Suspension
- Termination
- Failing to hire or consider for hire or promotion
- Failing to give equal consideration in making employment decisions or to make impartial employment recommendations
- Adversely impacting working conditions or otherwise denying any employment benefit to an employee
- Creating a hostile or intimidating work environment

TSS prohibits retaliation even if the concerns raised are not confirmed following an investigation. However, an employee may be subject to Adverse Action if the employee knowingly made a false allegation, provided false or misleading information during an investigation, or otherwise acted in bad faith. This anti-retaliation policy does not exempt employees from the consequences of their own misconduct or inadequate performance, and self-reporting such issues is not Protected Activity. The policy also does not prevent TSS from managing employee performance and addressing conduct issues after an employee has engaged in Protected Activity, so long as Protected Activity is not the reason for the performance management.



## **Obligation to Raise Concerns**

TSS depends on its employees to raise questions or concerns so that the company can take appropriate action. All employees are required to report any suspicion of improper or wrongful activity. Several different channels for reporting are available, which are explained in detail in the TSS Code of Conduct. Reports of suspected improper or wrongful activity will be treated confidentially, and employees have the choice to report concerns anonymously. If submitting a concern anonymously, it is important to provide sufficiently detailed information regarding the subject matter of the concern and identify potential witnesses to enable TSS to effectively address the concern.

Employees who believe they have either witnessed retaliation or been personally retaliated against or that any other violation of this policy has occurred, or who have questions concerning this policy, must immediately notify Frank Turner at TSS, or the TSS Human Resources department. Employees may also, where appropriate, contact appropriate governmental authorities. TSS takes all claims of retaliation very seriously, and reports will be reviewed promptly and investigated where appropriate.

We are serious about enforcing our policy against harassment and discrimination, as well as retaliation. However, we cannot resolve a problem, unless we know about it. You are responsible for bringing any such problems to our attention, so that we can take whatever steps are necessary to correct it.

## **Consequences for Policy Violation**

Any TSS employee who retaliates against an employee engaged in a Protected Activity or who otherwise violates this policy is subject to termination of employment. You will not be penalized in any way for reporting improper conduct, harassment, or discrimination.

## WORKPLACE BULLYING



### POLICY:

Turner Senior Solutions, LLC and Rutland Place considers workplace bullying unacceptable and will not tolerate it under any circumstances. This policy applies to all employees, regardless of his or her employee status (i.e., managerial vs. hourly, full-time vs. part-time, employee vs. independent contractor). Any employee found in violation of this policy will be subject to immediate termination. Independent contractors found to be in violation of this policy may be subject to contract cancellation.

Turner Senior Solutions, LLC and Rutland Place defines bullying as persistent, malicious, unwelcome, severe, and pervasive mistreatment that harms, intimidates, offends, degrades or humiliates an employee, whether verbal, physical or otherwise, at the place of work and/or during the conduction of their duties.

Turner Senior Solutions, LLC and Rutland Place promote a healthy workplace culture where all employees can work in an environment free of bullying behavior.

Turner Senior Solutions, LLC and Rutland Place encourage all employees to report any instance of bullying behavior. Any reports of this type will be treated seriously, investigated promptly and impartially.

Turner Senior Solutions, LLC and Rutland Place further encourages all employees to formally report any concerns of assault, battery, or other bullying behavior of a criminal nature to the local Police Department.

Turner Senior Solutions, LLC and Rutland Place requires any supervisor who witnesses any bullying, irrespective of reporting relationship, to immediately report this conduct to the Executive Director, Human Resources Consultant, or the President.

Turner Senior Solutions, LLC and Rutland Place will protect an employee who reports bullying conduct from retaliation or reprisal.

Turner Senior Solutions, LLC and Rutland Place consider the following types of behavior to constitute workplace bullying:

*(Please note, this list is not meant to be exhaustive and is only offered by way of example)*

- Staring, glaring or other nonverbal demonstrations of hostility
- Exclusion or social isolation
- Excessive monitoring or micro-managing
- Work-related harassment (work-overload, unrealistic deadlines, meaningless tasks)
- Being held to a different standard than the rest of an employee's work group
- Consistent ignoring or interrupting an employee in front of co-workers
- Personal attacks (angry outbursts, excessive profanity, or name-calling)
- Encouragement of others to turn against the targeted employee
- Sabotage of a co-worker's work product or undermining of an employee's work performance; Stalking
- Unwelcome touching or unconsented-to touching
- Invasion of another person's personal space
- Unreasonable interference with an employee's ability to do his or her work (i.e., overloading of emails)
- Repeated infliction of verbal abuse, such as the use of derogatory remarks, insults and epithets
- Conduct that a reasonable person would find hostile, offensive, and unrelated to the employer's legitimate business interests

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of bullying. Therefore, while no fixed reporting period has been established, Turner Senior Solutions, LLC and Rutland Place strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken.

Turner Senior Solutions, LLC and Rutland Place will make every effort to stop alleged workplace bullying before it becomes severe or pervasive but can only do so with the cooperation of its employees. Individuals who believe they have experienced conduct that they believe violates this policy, or who have concerns about such matters, should report their complaints verbally or in writing to his or her supervisor, the Executive Director, the Human Resources Consultant, or the President before the conduct becomes severe or pervasive.

***Individuals should not feel obligated to report their complaints to their immediate supervisor first before bringing the matter to the attention of one of the other designated representatives identified above.***

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to bullying conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that such behavior immediately stop.



## BACKGROUND CHECKS

TSS/Rutland Place recognizes the importance of maintaining a safe workplace for our residents and employees and so performs post-offer background screenings to include, but not limited to, drug testing, criminal checks, DMV checks (as required by position), license or certification checks (as required by the position), employment verification, educational verification as well as collecting other relevant information that is reasonably available to the Company, to the extent permitted by law. In addition, during employment TSS/Rutland Place may conduct certain relevant background checks if deemed important while protecting our residents and employees. It is mandatory that all employees complete any requested background checks within the specified time frame.

***During employment, all employees must report any arrests and convictions to the Executive Director when they occur. All employees that have the responsibility to drive on behalf of the Company must also report any traffic violations received. Reporting will not necessarily result in any disciplinary action; however, violation of this policy will result in termination. In all cases, TSS/Rutland Place will comply with state regulations in their response.***

### HOME SERVICES EMPLOYEES:

A condition of employment set forth by the State of TN Department of Mental Health is that TSS/Rutland Place will complete background checks to include the following:

- ▶ State(s) Motor Vehicle Records
  - ▶ National and TN Sex Abuse Registries
  - ▶ National and TN Adult Abuse Registries
  - ▶ National and State(s) Criminal background
  - ▶ Drug screening at hire and random testing during the term of employment
1. National and TN Abuse Registries (sex offender & DOH elderly) must be completed at hire and annually.
  2. National and TN Criminal Background checks must be completed at hire and annually.
  3. A minimum of two work reference checks is to be completed prior to the first workday. A one-time extension of 3 days may be issued by the HR Department or the President of TSS.
  4. Background check must be initiated once a hire date is confirmed.
  5. Verification of past 5 years of employment.

6. Drug testing is to be completed within 24 hours of notification by Rutland Place. No extensions will be granted for drug testing. Failure to appear for drug screening will result in immediate termination of employment.
7. Background checks must be completed within five days of employment and annually following employment. This includes all employees of the Home Services department of Rutland Place.
8. During pandemics other immunization and/or testing will follow guidelines set by the Centers for Disease Control (CDC) and the TN Department of Mental Health. These guidelines will be announced to personnel via internal memoranda. Failure to submit to testing and/or immunizations as required by policy may result in further employment action as prompted by the Human Resources department.

Failure to complete and successfully pass the background checks will result in immediate termination.

- o <https://sci.ccc.nashville.gov/Search/Search> Davidson Co. Criminal Court Clerk
- o <https://apps.health.tn.gov/AbuseRegistry/default.aspx> TN Abuse Registry
- o <http://sor.tbi.tn.gov/SOMainpg.aspx> TN Sex offender Registry
- o <https://www.nsopw.gov/> National Sex Offender Registry
- o <https://apps.tn.gov/foil-app/search.jsp> TN Felony Offender Registry



## **HIPAA (Health Insurance Portability and Accountability Act of 1996)**

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) established a set of national standards for the protection of certain health information. A major goal of HIPAA is to assure that individuals' health information is properly protected while allowing the flow of health information needed to provide and promote high quality health care and to protect the public's health and well-being. The policies found below allow us to strike a balance that permits important use of protected information while protecting the privacy of people, residents, and employees, who are receiving care. All Employees are required to comply with HIPAA Protected Health Care Information Policy as outlined below. Questions regarding the policies should be directed to your Executive Director.

The requirement to protect health information applies to employees ("employees"), volunteers, contractors, consultants, and other persons whose conduct, in the performance of work for TSS/Rutland Place, is under the direct control of TSS/Rutland Place, whether they are paid by the Company or not.

Protected Health Information (PHI) is information that is part of an individual's health information that identifies the individual or there is a reasonable basis to believe the information could be used to identify the individual, including demographic information, and that (i) relates to the past, present or future physical or mental health or condition of the individual; (ii) relates to the provision of health care services to the individual; or (iii) relates to the past, present, or future payment for the provision of health care services to an individual. This includes PHI which is recorded or transmitted in any form or medium. Specifically:

1. PHI includes oral, written, or otherwise recorded information that is created or received by TSS/Rutland Place.
2. PHI may relate to an individual's physical or mental health, payment, or health care services provided to an individual.
3. PHI may pertain to a health condition or payment in the past, present, or future, and the person who is the subject of the information may be alive or deceased.
4. PHI will be protected in any form, including, but not limited to, telephone conversations and voice mail, paper records, computers, transmissions over the Internet, dial-up lines, private networks, fax machines, electronic memory chips, magnetic tape, magnetic disk, CD-ROM.
5. De-identified information is not subject to TSS/Rutland Place's privacy policies and procedures.

6. PHI may be de-identified by removing, coding, encrypting, or otherwise eliminating or concealing the information that makes the PHI individually identifiable, including the following identifiers of the individual or of relatives, employers, or household members of the individual:

**Names**

- All geographic subdivisions smaller than a state, including street address, city county, precinct, or zip code
- All elements of dates (except year) for dates related to an individual, including birth date, admission date, date of death, and all ages over 89 (and all element of dates, including the year)
- Telephone numbers
- Fax numbers
- Electronic mail addresses
- Social Security numbers
- Medical record numbers
- Health plan beneficiary numbers
- Account Numbers
- Certificate/license numbers
- Vehicle identifiers and serial numbers, including license plates
- Web universal resource locators (URLs)
- Internet protocol (IP) address numbers
- Biometric identifiers, such as finger or voice prints
- Full face photographic images or other comparable images
- Any other unique identifying numbers, characteristics, or codes regardless of whether the covered entity has actual knowledge that the information could identify an individual

## DRUG-FREE WORKPLACE



### POLICY:

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Under the Tennessee drug-free workplace law, all employees and applicants must be informed – one time only, prior to testing – of an employer’s policy of testing for substance abuse. In addition, all employees must be given a written policy statement.

TSS/Rutland (the Company) intends to help provide a safe and drug-free work environment for our clients and our employees. With this goal in mind and because of the serious drug abuse problem in today's workplace, we are establishing the following policy for existing and future employees of TSS/Rutland.

The Company explicitly prohibits:

- The use, possession, manufacture, solicitation for, or sale of narcotics or other illegal drugs, alcohol, or prescription medication without a prescription on Company or customer premises or while performing an assignment.
- Being impaired or under the influence of legal or illegal drugs or alcohol away from the Company or customer premises, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the Company's reputation.
- Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from the Company or customer premises, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the Company's reputation.
- The presence of any detectable amount of prohibited substances in the employee's system while at work, while on the premises of the company or its customers, or while on company business. "Prohibited substances" include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to the employee.

Violation of the above rules and standards of conduct will not be tolerated and may result in immediate termination. The Company may also bring the matter to the attention of appropriate law enforcement authorities.

Each Employee, as a condition of employment, will be required to participate in pre-employment, random, post-accident or injury, reasonable suspicion, return-to-duty and follow-up testing upon selection or request of the Company’s management. Altered samples, substituted samples and negative dilutes constitute Employee failure to cooperate with a management investigation in violation of the Company’s policies. Any Employee submitting such a sample will be subject to immediate termination.



Drug or alcohol testing required or requested by the Company will be conducted at the Company's expense.

To ensure the accuracy and fairness of the testing program, all testing will be conducted according to DHHS/SAMHSA guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for Employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody.

The Company may conduct drug and/or alcohol testing under any of the following circumstances:

- **PRE-EMPLOYMENT:** Candidates will be required to submit to a drug and/or alcohol test following a conditional offer of employment.
- **RANDOM TESTING:** Employees may be selected at random for drug and/or alcohol testing at any interval determined by the Company. (See Full Policy Below)
- **REASONABLE SUSPICION:** The Company may ask an employee to submit to a drug and/or alcohol test at any time it feels that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity, unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol, negative performance patterns, or excessive and unexplained absenteeism or tardiness. *TN law requires that employers promptly detail in writing the circumstances that formed the basis of the determination that reasonable suspicion existed to warrant testing. This document will be kept confidential and retained for at least one year in the employee's permanent employment record. A copy of the document will be provided to the employee upon request.* Employees to be tested under the reasonable suspicion category will remain in the presence of a manager during the entire documentation, transportation, and clinical visit. This process will be immediate to ensure proper test results, as well as fair and equal treatment of the individual under the law.
- **POST-ACCIDENT TESTING:** Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only the one who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way.
- **FITNESS FOR DUTY:** Employees may be tested for drugs and/or alcohol as part of a routinely scheduled fitness-for-duty medical exam.
- **REHABILITATION CESSATION:** Following an employee's return to work after completing a drug and/or alcohol rehabilitation program, employees will be required to submit for drug and/or alcohol testing at the discretion of the program director in coordination with TSS/Rutland.

If an employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of this policy, the employee may be subject to discharge from employment. In such a case,

the employee will be given an opportunity to explain the circumstances prior to any final employment action becoming effective. Employees whose results indicate a violation of this policy will not be eligible for re-hire with TSS/Rutland.

If an employee refuses a request to submit to testing under this policy, the refusal will be accepted as a resignation from their position with TSS/Rutland and will be documented as such in their permanent employment record. The employee will not be eligible for re-hire.

## **DRUG TESTING**

### **Random Drug Testing**

TSS/Rutland Place will randomly test employees for compliance with its drug-free workplace policy. As used in this Policy, "random testing" means a method of selection of employees for testing, performed by an outside third party. The selection will result in an equal probability that any employee from a group of employees will be tested. Furthermore, TSS/Rutland Place has no discretion to waive the selection of an employee selected by this random selection method.

### **Scheduled Periodic Testing**

TSS/Rutland Place reserves the right to conduct periodic testing on a regularly scheduled basis for employees in designated departments, classifications, or work groups.

### **Post-Rehabilitation Testing**

Where the employee has had a confirmed positive test result or has been sent to a drug dependency program at the request of the company, TSS/Rutland Place, as a condition of continued employment, will require the taking and passing by the employee of follow-up drug tests during a probationary period within the two-year period after the employee's return to work.

### **Substances Covered by Drug/Alcohol Testing**

Employees will be tested for their use of commonly abused controlled substances, which include Amphetamines, Barbiturates, Benzodiazepines, Opiates, Cannabinoids, Cocaine, Methadone, Methaqualone, Phencyclidine (PCP), Propoxyphene, and chemical derivatives of these substances

Employees must advise testing lab employees of all prescription drugs taken in the past month before the test, and to be prepared to show proof of such prescription to testing lab personnel.

### **Testing Methods and Procedure**

All testing will be conducted by a licensed independent medical laboratory, which will follow testing standards established by the State or federal government. Testing will be conducted on a urine sample provided by the employee to the testing laboratory under procedures established by the laboratory to ensure privacy of the employee, while protecting against tampering/alteration of the test results.

Employees will be engaged at work for the time spent taking any tests and will be compensated for such time at their regular rate.

TSS/Rutland Place will pay for the cost of the testing, including the confirmation of any positive test result by gas chromatography. The testing lab will retain samples in accordance with State law, so that an employee may request a retest of the sample at his/her own expense if the employee disagrees with the test result.

## **Refusal to Undergo Testing**

Employees who refuse to submit to a test are subject to immediate discharge.

## **Positive Test**

If an employee tests positive on an initial screening test, the employee will be suspended while the confirmation test is being conducted. On receipt of the confirmation test, the employee will be subject to discharge. Discipline selected by TSS/Rutland Place will depend upon a variety of factors, including the prior work record of the employee; the length of prior employment; the prior accident and attendance record of the employee; the circumstances which led to the testing; and the proposals by the employee to address the problem.

## **Right to Explain Test Results**

All employees and applicants have the right to meet with the testing laboratory personnel, and with TSS/Rutland Place, to explain their test results. These discussions shall be considered confidential except that information disclosed in such tests will be communicated to personnel within TSS/Rutland Place or within the Lab who need to know such information to make proper decisions regarding the test results or regarding the employment of the individual.

## **Right to Review Records**

Employees have a right to obtain copies of all test results from the testing laboratory, or from TSS/Rutland Place. When the individual disagrees with the test results, the individual may request that the testing laboratory repeat the test. Such a repeat test shall be at the expense of the individual unless the repeat test overturns the original report of the Lab, in which case TSS/Rutland Place will reimburse the employee for the costs incurred for the retest.

## **Confidentiality Requirements**

All records concerning test results will be kept in medical files which are maintained separately from the personnel file of the employee.

Testing laboratories may conduct testing only for substances included on the disclosure list provided to the individual and may not conduct general testing related to the medical conditions of the individual which are unrelated to drug usage.

## **Re-testing**

Employees may request a retest of their positive test results, within five (5) working days after notification by TSS/Rutland Place of such positive test result. This retest is at the expense of the individual unless the original test result is called into question by the retest.

Where the employee/applicant believes that the positive test result was affected by taking of lawful or prescribed substances, the individual may be suspended without pay pending receipt of confirming information to substantiate the claims of the individual. Normally, the individual will be provided no more than five (5) business days in which to provide this additional information.

Once TSS/Rutland Place has determined whether there is evidence to indicate that the test results are incorrect, TSS/Rutland Place will advise the individual of its decision.

#### **Treatment, Termination and Rehire**

Employees who test positive for any drug(s) listed on the Disclosure list have two choices: The employee may agree to enter an authorized treatment program approved by TSS/Rutland Place, and agree to subsequent retesting for a period of two years after returning from treatment, or the employee will be terminated immediately, and will not be considered for rehire until he/she can show that he/she has remained drug free for a period of two years or more.

## EMPLOYEE STATUS

### POLICY:

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**Per State law, all employees are employed "at-will," which means that they can be terminated at any time, with or without cause and with or without advance notice. This "at-will" relationship can only be changed in a written document signed by the Company's chief executive.**

Regular full-time employees are employees who are normally scheduled to work thirty (30) hours or more per week.

Regular part-time employees are employees who are normally scheduled to work fewer than thirty (30) hours each week on a consistent basis.

Temporary employees may be hired for specific periods of time or for the completion of a specific project.

Regular full-time employees are eligible for benefits as outlined in the following pages, subject to certain other requirements that may be described in individual policies.

All other employees, including "temporary employees," "regular part-time employees," and "independent contractors," are not eligible for all benefits.

For the purposes of family and medical leave, insurance, and certain other benefits, eligibility requirements may be different. If so, plan documents or applicable law will control eligibility for benefits.

If you have any questions concerning your status or the benefits for which you qualify, please ask your supervisor or manager.

## Exempt vs. Non-Exempt Status Employees

### POLICY:

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#### Defining exempt and non-exempt

Your eligibility to earn overtime pay depends on whether you are classified as an exempt or a nonexempt employee.

Exempt employees are those who do not earn overtime because they are exempt from the overtime provisions of the federal Fair Labor Standards Act and applicable state laws. Salaries for exempt employees are calculated on a bi-weekly basis. If your position is considered exempt, you are paid an annual salary (paid in equal increments throughout the year) with no accounting for the number of hours you work. However, employers have the right under the Fair Labor Standard Act (FLSA) to set your work schedule for a minimum number of hours required each week to accomplish the tasks associated with the position. TSS/Rutland Place has defined a workweek for full-time, exempt employees at 40 hours per week for most positions; some may require more hours and will be defined at the time of hire. Exempt employees shall be compensated as if they were “on the job” for absences from work of less than one (1) complete working day. As with any absence, such time off must be approved by the Executive Director. Absences from work of one (1) or more complete working days are subject to the Sick/Personal and Vacation Leave provisions set forth in this manual and the Employee Handbook.

Nonexempt employees are those who meet the criteria for being covered by the overtime provisions of the federal Fair Labor Standards Act and applicable state laws. Nonexempt employees receive overtime pay in accordance with Federal and State Wage and Hour Laws and TSS/Rutland Place policy. Wages for nonexempt employees are calculated on an hourly basis.

Questions concerning exempt status can be directed to the Executive Director or Director of Human Resources.

#### Internal Controls

TSS/Rutland Place does not recognize Flex Time or Comp Time for hours worked more than 40 hours per week. Payment to exempt employees for this time classification would change the status to non-exempt and subject to overtime payments, which would necessitate the utilization of a timekeeping system to account for all hours worked.

Exempt employees who work less than a 40-hour work week will be required to use their vacation/sick/personal time benefits to receive a full week’s salary. The time off should be requested a minimum of two weeks prior to the date of absence and receive authorization from the Executive Director in writing. *(See Time Off Request Form in Forms section)*

If the absence is unexpected, the form should be submitted as soon as possible to the Executive Director so that payroll can be adjusted accordingly. If the form is not available for the affected payroll, then the adjustment will be made in the following pay period. These instances may require additional documentation to substantiate the absence.

Failure to comply with the documentation requirements of this policy can and will result in termination of employment. TSS/Rutland Place is dedicated to compliance of the Fair Labor Standards Act (FLSA), and this policy will ensure that the requirements of the regulation are met.



## INTRODUCTORY PERIOD

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. TSS/Rutland Place uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or TSS/Rutland Place may end the employment relationship “at will” at any time during or after the introductory period, with or without cause or advance notice. If, because of injury or illness, an employee is absent from work for more than three (3) days during the initial review period, the Company may choose to extend your initial review period as necessary to give you an opportunity to demonstrate your ability to do the job.

All new and rehired employees work on an introductory basis for the first sixty (60) calendar days after their date of hire. Employees who are promoted or transferred within TSS/Rutland Place must complete a secondary introductory period of the same length with each re-assignment to a new position. Any significant absence will automatically extend an introductory period by the length of the absence. If TSS/Rutland Place determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period to be determined by the employee's supervisor in consultation with the Human Resources Department. Such an extension should be communicated to the employee on or before the expiration of the first 60 calendar days.

In cases of promotions or transfers within TSS/Rutland Place, an employee who, in the sole judgment of management, is not successful in the new position may be removed from that position at any time. If this occurs, the employee may be allowed to apply for a comparable job for which the employee is qualified, depending on the availability of such positions at that time or any time in the future.

During the initial introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. Employees may also be eligible for other TSS/Rutland Place-provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements. Employees may also contact the Business Office for benefits information or clarification.

Benefits eligibility and employment status are not changed during the secondary introductory period that results from a promotion or transfer within TSS/Rutland Place.

## PAYROLL BASICS

	This Pay	Year
Gross Pay	388.27	
Pension	0.00	
AVC's	0.00	
Taxable Pay	388.27	
Tax	0.00	
NI	0.00	
SP	0.00	
TP	0.00	

## Your Pay

The standard pay period is bi-weekly and paychecks will be distributed on Friday. If the pay day falls on a holiday, employees will be paid on the business day preceding the holiday.

### Deductions from Pay

An employee's pay will be subject to required deductions for state, federal and local taxes, and for social security taxes. Voluntary deductions agreed to in writing may be made, for example, for health, dental or life insurance premiums, or voluntary contributions to a retirement plan, if applicable.

Additionally, the Company may be required by law to recognize certain court orders, liens, wage garnishments and others. In the event changes occur, you should obtain copies of court orders and immediately forward them to the Company with any changes.

**Social Security:** Employees are covered under the provisions of the Federal Insurance Contribution Act (FICA). Social Security tax is deducted from an employee's pay in two segments – Social Security tax and Medicare tax. The amount of deduction from the Employee's wages is matched by the Company and credited towards the Employee's Social Security benefits. Contact the Company, or the local Social Security office for further details or if assistance is needed.

All payroll changes must be submitted in writing.

### *Deductions for Exempt Employees*

Exempt Employees will receive their full salary for any workweek in which any work is performed. The only exceptions to this general policy may occur in the following situations, where deductions from an employee's salary may be made:

- for full day absences for personal reasons, including vacation but excluding sickness or disability
- for full day absences due to sickness or disability if a team member's PTO balance has been exhausted
- to offset amounts a team member receives as jury or witness fees (but not for travel and parking), or for military pay
- for penalties imposed in good faith for infractions of safety rules of major significance
- for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions (but not for performance or attendance problems)

- during the initial and terminal week of employment (if the team member works less than a full week)
- for weeks in which a team member takes unpaid leave under the Family and Medical Leave Act

In a workweek in which work is performed, an exempt Employee's pay will not be reduced for any of the following reasons:

- partial day absences for personal reasons, sickness, or disability
- an absence created by the Company (e.g., if the office is closed on a scheduled workday) when the team member is ready, willing, and able to work
- for variations in a team member's quality or quantity of work
- absences for jury duty, or attendance as a witness
- any other deductions prohibited by applicable law

Improper deductions are a serious violation of the Company's policies and such improper wage deductions are prohibited.

Complaint Procedure: If an Employee believes this policy has been violated in any way, the Employee must immediately report such concerns to an appropriate member of the Company's management team. Any Company manager receiving such a complaint must immediately report the complaint to the Executive Director of the Community or to one of the TSS executives.

The Employee's complaint will be thoroughly investigated. Any Employee electing to use this complaint procedure will be treated courteously, and the complaint will be handled as quickly as possible.

The registering of a complaint under this policy or participation in such an investigation will not be used against the Employee in any capacity, nor will it have an adverse impact on the Employee's employment. Retaliation will not be tolerated and must be reported to an appropriate member of the Company's management team.

Reimbursements: In the event an improper deduction was made, the Employee will be promptly reimbursed in full.

Employees may elect to receive paychecks or to have their pay directly deposited. While Employees are encouraged to use direct deposit, you are not required to do so. Pay stubs or paychecks, as applicable, will be distributed to each Employee, and you will be required to sign for such stub/check.

The Company makes every effort to ensure Employees are paid correctly. Occasionally, however, unintentional errors happen. Mistakes brought to the attention of the Company will be promptly corrected. Please review your pay stub upon receipt to ensure it is accurate and if you believe a mistake has happened you should report it as follows. If you believe your wages have been subject to any improper deductions or your pay does not accurately reflect all hours worked, you should report your concerns to your supervisor, an appropriate member of the Company's management team. The Company will promptly investigate and make corrections, as appropriate.

## **OVERTIME**

The Company may periodically schedule overtime or weekend work to meet our business needs. We will attempt to give notice, if possible. We expect that all employees who are scheduled to work overtime or who are called out to work on special projects will be at work unless specifically excused by their supervisor. Failure to report for scheduled overtime work may result in immediate termination.

Only non-exempt employees are eligible for overtime. All hours worked more than forty (40) hours per workweek are overtime hours. For the purpose of calculating overtime, only actual hours of work will be considered. Paid vacations, holidays, leaves, and similar paid time off will not be considered for purposes of calculating overtime.

## **TIMEKEEPING PROCEDURES**

Unless otherwise notified, each employee is required to record his or her hours of work for the Company either using a timecard or through a hand-written record. Accurately recording all your time is required to be sure that you are paid for all hours worked. You will be informed on your first day of the job whether you are required to keep your time by a time clock, a timesheet, or some other method. Whatever your method of timekeeping, you are expected to follow the established procedures in keeping an accurate record of your hours worked. Time must be recorded as follows:

- Immediately before starting work in the morning
- Immediately after finishing work before lunch
- Immediately before resuming work after lunch
- Immediately after finishing work in the evening
- All employees must have overtime approved by his or her supervisor

You and your supervisor must initial any changes or corrections to your timecard or time record.

Clocking another Employee in or out or allowing another Employee to clock you in or out is strictly forbidden. Deliberate falsification of your own time record or another Employee's time record, which includes failing to report all hours worked, or concealing or failing to report any known falsification of any Employee's time record is a serious offense. All changes on the timecard entries must be initialed by a manager of the Company. No Employee is to perform work "OFF THE CLOCK." If you are asked to work "off the clock," contact an appropriate member of the Company's management team. Violation of this policy may result in immediate termination.

## **Wage Garnishments**

It is the Company's wish that an employee manages his/her finances so that garnishment or court-ordered wage deductions are unnecessary. When court-ordered deductions must be withheld from an employee's paycheck, we will notify the employee and explain the deduction.

The Company complies with the federal Consumer Credit Protection Act and applicable state law, both of which place restrictions on the total amounts that may be garnished from an employee's paycheck.

## **Anniversary Date**

The employee's anniversary date is the date of his or her first day of employment. This date is used to compute various conditions and benefits described elsewhere in this handbook.

## SHIFT DIFFERENTIAL

The Shift Differential Policy allows for extra compensation to nonexempt employees who are scheduled on a regular, rotating, or sporadic basis to work during the night shift.

### Procedure

The night hours begin at 11:00 pm and end at 7:00 am. Schedules that begin before 6 a.m. are eligible for differential pay only for the actual shift hours worked. Hours worked outside the shift will be paid at the regular rate. For example, employees scheduled 4 a.m. to noon will be paid the night rate from 4 a.m. to 7 a.m. and the regular rate from 7:01 a.m. to noon.

### Overtime Rate

Night hours will be compensated for an additional \$1.00 per hour. The Overtime Rate during Shift Differential hours will be paid at the employee's regular rate of pay. Overtime hours worked outside the specified shift will be paid at one and half times the standard regular rate. (See example below.)

Employers must include shift differential pay when determining an employee's regular rate of pay. The following examples provide guidance on how to calculate overtime for employees who receive shift differential pay.

### *Example: Single Shift Differential*

A personal care assistant at an assisted living facility is paid \$8 an hour and overtime based on the 40-hour workweek system. She works three eight-hour day shifts at \$8 an hour and three eight-hour evening shifts. The assistant is paid \$1 shift differential for each hour worked on the evening shift. How much should she be paid for her eight hours of overtime?

An additional half-time must be computed based on the regular rate of pay. The regular rate is defined as the total remuneration divided by the total hours worked. The assistant earned a total of \$408 for the 48 hours that she worked (\$8 an hour, times 24 hours plus \$9 an hour times 24 hours). Her regular rate equaled \$8.50, and her half-time premium is \$4.25. Her total earnings for the 8 hours of overtime are \$102.

#### Straight-time computation

3 days x 8 hours/day x \$8/hour	\$192
3 evenings x 8 hours/evening x \$8/hour	\$192
3 evenings x 8 hours/evening x \$1/hour (shift differential)	\$24
<b>Total ST earnings</b>	<b>\$408</b>

#### Regular rate and half-time premium computation

$\$408 \text{ (total ST compensation)} \div 48 \text{ (total hours worked)} = \$8.50 \text{ (regular rate)}$   
 $\$8.50 \text{ (regular rate)} \times \frac{1}{2} = \$4.25 \text{ (half-time premium)}$

\$ 8.50 (regular rate) + \$ 4.25 (half-time premium) = \$12.75 (overtime rate)

**Total compensation calculation**

40 hours x \$ 8.50 (regular rate) = \$340 (straight time earnings)

8 overtime hours x \$12.75 (overtime rate) = \$102 (overtime earnings)

**Total earnings** **\$442**

**Compensation During Leave**

The Shift Differential is a benefit provided by the Company and applies only to hours worked. Therefore, paid vacation and sick and personal leave taken will be paid at the employee's regular rate excluding differentials. Employees who are on a prn shift schedule will be paid the regular rate when taking paid leave.

**Holiday Pay**

Holiday pay will be paid at the regular rate. Shift differentials will not be added to holiday pay.

**Other Paid Leave**

There may be times when the company may close due to unexpected situations such as inclement weather or other reasons beyond TSS control. TSS may choose to provide paid administrative leave during these times. Company administrative leave will be paid at the employee's regular rate. Shift differentials will not be added to TSS administrative leave. Administrative leave will not be included as hours worked in overtime calculations.

**PAY INCREASES**

TSS/Rutland Place will periodically audit market rates in the surrounding area and may or may not adjust an employee's wage as a result. During times of pandemic economics, the company cannot commit to annual increases, rather we promise to adjust wages as funds and budgets allow.

When annual increases do occur, they are typically reviewed on the anniversary of the employee's hire date unless they have received a promotion or pay increase during the previous 12 months. In that case, the next increase will be due on the anniversary of the employee's last wage increase date.

***For example:***

*Employee's current wage = \$12.00/hour*

*Employee's hire date was December 15th*

*Employee received an increase to \$12.25 on September 1<sup>st</sup> as a market adjustment*

*December 15<sup>th</sup> arrives, but instead of receiving an adjustment (because it's the employee's hire anniversary date) the adjustment will be postponed to the next September 1<sup>st</sup>.*

## TRAVEL-RELATED EXPENSES

Particulars	Grand Total		
	in PHP	in USD	in JPY
Transportation	31,978	711	71,540
Food	6,219	138	13,913
Accomodation	4,541	101	10,158
Entrance Fees	4,513	100	10,095
Shopping/Souvenirs	3,451	77	7,720
Visa	2,000	44	4,474
Airport Fees	2,170	48	4,855
Miscellaneous	1,138	25	2,545
<b>Grand Total</b>	<b>56,009</b>	<b>1,245</b>	<b>125,300</b>

Employees will be reimbursed for standard and reasonable expenses incurred while travelling or otherwise performing services for TSS/Rutland Place.

Employees will be reimbursed for expenses of travel, including the cost of transportation, meals and lodging, provided such travel is approved and performed while conducting TSS/Rutland Place business. Meals are paid for during overnight travel only.

All reimbursable expenses must be supported by receipts. Expense report forms are to be submitted at least monthly to your immediate Supervisor for approval and then to the Business Manager.

All employees must obtain approval before incurring expenses.

Mileage in personally owned automobiles will be reimbursed at the current IRS rate. TSS/Rutland Place will not reimburse employees for commuting expense between home and their normal work site. In addition to the standard mileage allowance, necessary and reasonable charges for bridge tolls and parking will be allowed. Expenses for auto insurance, parking tickets and traffic violations will not be reimbursed.

Travel expenses will not be paid in advance of travel.

## INSURANCE BENEFITS



### POLICY:

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We make medical insurance available for eligible, regular full-time employees, and all the plans meet the minimum requirements of the Affordable Care Act (ACA), also known as Obamacare. The Affordable Care Act adds numerous protections related to employment-based group health plans. These include:

- Extension of Dependent Coverage to Age 26
- Pre-existing Condition Exclusion Prohibition
- Summary of benefits and coverage (SBC)
- Coverage of Preventive Services
- Essential Health Benefits
- Internal Claims and Appeals and External Review
- Medical Loss Ratio
- Wellness Programs
- Grandfathered Health Plans

Coverage is effective the first of the month following the employee's first sixty (60) days of continuous employment, which is mandated by federal law. Dental, cancer and additional life plans are also available. Insurance premiums and benefits are paid in accordance with the current plan documents and employees may be responsible for paying future increases. Currently, there is a 75% employer contribution toward the base medical and base dental plans that is applied to the Employee-Only tier premium. Should you choose to "buy up" to a more comprehensive plan, the employer contribution will be 75% of the Employee-Only premium for the base plans applied to the higher-level premiums. There are no contributions made toward any individuals other than Employee-Only; the employee is responsible for all plan premiums that cover spouse and children.

**CHANGING COVERAGE AFTER A QUALIFYING LIFE EVENT** Your benefit elections are in effect throughout the plan year. However, you may adjust your coverage levels within your plans if a qualifying life event occurs. You must make any changes within 30 days of a qualifying life event or your next opportunity to make changes will be the next open enrollment period unless you experience another qualifying life event during the plan year. If you need to change coverage because your Medicaid or state children's health insurance plan coverage was terminated, or if you become eligible for premium assistance under Medicaid or a state children's health insurance program, you have 60 days to make changes. Contact Human Resources to find out what documentation is required to make coverage changes after a qualifying



life event. *Any changes you make must be consistent with and because of the qualifying life event.* For example, if you have a baby, you may add the child to your current medical coverage, but you cannot change from the CU Health Plan – High Deductible to the CU Health Plan – Exclusive medical option.

Qualifying life events include:

- Marriage, legal separation, divorce (a common-law spouse may not be dropped from coverage mid-year without proof of a legal separation or divorce) or dissolution of a partnership with a Same Gender Domestic Partner (Certificate of Termination required)
- Death of the employee's spouse/SGDP or dependent
- Birth, adoption, or legal guardianship of a child by the employee
- Termination or commencement of employment of the employee's spouse/SGDP, resulting in either loss of coverage or enrollment in new coverage
- Switching from part-time to full-time employment status or from full-time to part-time status of the employee or employee's spouse/SGDP
- Significant change in the health coverage of the employee or spouse/SGDP attributable to the spouse's/ SGDP's employment
- Loss of COBRA eligibility under another plan
- Loss of dependent's eligibility through loss of custody or dependents exceeding the age limit, marrying, or entering military service
- Change in cost or hours of dependent care (Dependent Day Care Spending Accounts only)
- Judgment, decree or court order that requires coverage
- Gain of Medicare or Medicaid eligibility by the spouse/SGDP or dependent, where coverage is through the employee

You may waive medical coverage if you have medical coverage elsewhere. By selecting "Waive Medical Coverage" on the enrollment form, you certify that you have other coverage and are waiving medical coverage for the plan year. Once you waive coverage, you will not be allowed to enroll until the next scheduled open enrollment, or within the deadline required for a qualifying life event, per applicable federal and/or state laws or the master plan documents.

Review all plan details and all available options carefully before making your selection. Each medical option has a network of doctors, prescription drug benefits and other features. However, each option is different, so you should carefully consider your choices when deciding which option best meets your needs and the needs of your eligible dependents. For a summary of benefits, limitations, exclusions, and formularies, or to find a provider, visit the appropriate website listed in *Important Contacts* addressed within the plan descriptions. If you have additional questions, contact the Business Office Manager.

Please note that you may or may not qualify for health coverage through the federal government's Marketplace Exchange. Credits are allowed through The Marketplace whereby you may apply all or part of these credits toward your premium amount in any of the plans purchased through The Marketplace. Full details are available online at [www.healthcare.gov](http://www.healthcare.gov) or by calling 1-800-318-2596.

**Dental plans** are also available to all full-time employees. You do not need to enroll in a medical plan to be eligible for dental coverage. TSS/Rutland Place contributes 75% of the DMO Employee-Only premium amount; employees pay the full premium for other members of the family they wish to cover. Plan details

are available in the Business Office for your review. You are eligible to enroll in these plans after the completion of 60 days of employment, and coverage is effective the first of the month following the 60<sup>th</sup> day of employment.

**Term Life Insurance** in the amount of \$20,000 is provided by TSS/Rutland Place to each eligible employee. Coverage is effective the first of the month following the employee's first sixty (60) days of continuous employment.

In the event of a conflict, the insurance contract or plan documents will prevail over other documents. You may obtain assistance or additional information regarding your plan by contacting your supervisor or the Business Office.

**401(k) Retirement Plan** – An employer 401(k) contribution match is (in our opinion) one of the best perks going. An employer match is literally free money ... and with our good friend “compound returns” coming in a clutch, it can make a serious difference in how much money you'll have when you retire. It's very much like being given magic beans without having to sell the cow.

Even better: This is no fairy tale. In fact, employer matches are fairly common. More than three-quarters of employers with fewer than 1,000 401(k) plan participants offer a match — and that percentage only goes up the larger the company and the plan.

TSS offers such a plan and contribution, so, here's what you need to know.

**What is a 401(k)-contribution match?** It means that if you put some money into your 401(k), TSS will put some in, too!

**How do 401(k) matches work?** TSS offers a 50% match up to 4% annually – it's called Partial Matching.

TSS will match part of the money you put in, up to a certain amount. The most common partial match provided by employers is also what TSS offers: 50% of what you put in, up to 4% of your salary. In other words, TSS matches half of whatever you contribute ... but no more than 2% of your salary total. To get the maximum amount of match, you must contribute 4%. If you put in more, say 8%, TSS still only puts in 2%, because that's our max. (But, you know, put in 8% if you can. Compound interest works on your money, too.)

**Is there a limit?** In 2020, the IRS limits employees' personal 401(k) contributions to \$19,500 a year (\$26,000 if you're over 50). Employer matching contributions don't count toward this limit, but there is a limit for employee and employer contributions combined: Either 100% of your salary or \$57,000 (\$63,500 if you're over 50), whichever comes first.

**What's this whole employer match “vesting” thing?** A lot of employers use a vesting schedule for their 401(k) matches. It's a way to help them hedge their bets on you as an employee by reducing the amount of money they'd lose if you were to leave the company. It's also meant to give you a shiny incentive to stay.

A vesting schedule determines how much of your employer's matching contributions you own, based on how long you've worked there. For example, if TSS contributions vest gradually over six years, then about 17% of your employer contributions belongs to you after you've been employed one year, 34% belongs to you after two years, 50% belongs to you after three years, about 67% belongs to you after four years, about 83% belongs to you after five years, and they're all yours once you hit your sixth work anniversary. (If you leave before then, you sacrifice some of that money.)

All the contributions made after your vesting schedule ends are usually fully vested right away. Oh, and don't worry: 100% of the money you put in yourself is *always* fully vested.

**What about the Roth type of 401(k)?** TSS has a Roth 401(k), which means you pay income taxes on your contributions now, rather than when you take that money out during your retirement. TSS doesn't pay the taxes on matching contributions (it's your income, after all), so TSS matching contributions go into a separate, traditional (aka pre-tax) 401(k). You'll pay the taxes on the traditional when you withdraw the money.

**Why always investing to get the full match is so smart...** Okay, you probably have a lot of different money goals (hello, house with sauna), and retirement might feel a long way off. But consider this: The stock market has historically earned an average return of 9.7% a year. The key word here is "average." In any given year, it might be more, it might be less. There's risk involved with all investments.

On the other hand, with an employer match of 50%, you're earning a *50% return* on everything you put in (once it's vested). Fifty percent. That's kind of amazing. And then, because that itself gets invested in the market, your 50% gets the chance to earn even more returns — compounded. In case you're counting, that's returns on returns on returns.

## WORKERS' COMPENSATION INSURANCE



Workers' compensation is required by state law and paid entirely by the Company. Workers' compensation protects you in the event of an occupational injury or sickness. **You must report any on-the-job accident(s) to your supervisor immediately, no matter how small.** Where medical care is required for on-the-job injuries, employees must initially go to one of the designated medical facilities listed on our bulletin boards.

All states have a waiting period prior to being eligible for any wage loss payments. If your doctor requires you to stay home from work, your lost time will be covered by our workers' compensation insurance after any applicable waiting period.

Employees will be required to submit to post-injury drug testing, as allowed by applicable law. A confirmed positive test result or refusal to take a test may result in the loss of benefits as specified under applicable law.

An injury caused by the knowing refusal of an Employee to use a safety device provided by the Company can reduce wage loss benefits as specified under applicable law.

## VACATION



All regular full-time employees who have completed sixty (60) days of continuous employment are eligible for paid vacation. **Vacation time is accrued each pay period and is prorated based on the number of hours worked per week.** If your employment is terminated prior to the 61<sup>st</sup> day of employment, **either voluntarily or involuntarily, you will not be paid for any unused vacation time.**

The amount of vacation time accrues each pay period, and is based upon the number of hours worked (minimum 30, maximum 40), according to the following schedule per **Biweekly** (every two weeks) pay period:

### ***Non-Leadership Staff***

<u>Length of Service</u>	<u>Accr Rate/hr worked</u>
0 – 3 Years	<b>.0385</b>
4 - 9 Years	<b>.05775</b>
10+ Years	<b>.0770</b>

### ***Leadership Staff***

<u>Length of Service</u>	<u>Accr Rate/hr worked</u>
0 – 3 Years	<b>.0385</b>
4 – 5 Years	<b>.05775</b>
6 – 9 Years	<b>.0770</b>
10+ Years	<b>.09625</b>

For example, if a Non-Leadership Staff member, with 4 – 9 years in service works 60 hours, they will accrue 3.465 (60 x .05775) hours of Vacation that pay period. If that same employee works 80 hours, they will accrue 4.62 (80 x .05775).

All vacations for all employees must be scheduled in advance to avoid conflicts with other staff members' vacations. Your direct supervisor must approve specific vacation dates. In general, we need a two-week notice to approve time-off requests, so that we can ensure the work is sufficiently covered. However, we can occasionally work with shorter notice, if coverage is available and no one else is impacted; in those cases, we may ask you to postpone your request. Requests for specific days will be granted by the individual's immediate supervisor based upon the work requirements of the organization. Seniority prevails in vacation scheduling conflicts.

If a paid holiday falls within an employee's vacation period, the holiday will be counted as a holiday, not as a vacation day, except for vacation time paid at termination. No allowance will be made for sickness or other comparable type of absence occurring during a scheduled vacation.

A maximum of forty (40) hours of earned vacation time may be carried over from one employment year to the next employment year; however, we encourage employees to utilize your vacation time. Employees may elect financial compensation in lieu of taking time off for vacation days if they have accumulated more than forty (40) hours of earned vacation time. Only the earned hours more than forty (40) hours will be remitted.

*In the event of involuntary termination of employment, employees will not be paid for any unused vacation, unless written authorization is received from a member of the Executive staff of Turner Senior Solutions, LLC.*

Part-Time employees are **not** eligible for vacation. All requested time off must be submitted for approval to their supervisor at least two weeks in advance of the requested date(s). Consideration will be given based on staffing available and event(s) schedule for the requested date(s). PT employees, who miss two (2) scheduled shifts, fail to contact their supervisor prior to missing a shift, or who fail to provide required documentation will be listed as "Unexcused". **All unexcused absences by Part-Time employees will be considered a voluntary resignation of their position.** Thus, those employees may not be eligible for unemployment benefits.

## HOLIDAYS



Regular, full-time employees, who work 30+ hours per week on a regular basis and have successfully completed the Introductory Period, are eligible for holiday pay. The following paid holidays\* will be observed:

**New Year's Day  
Independence Day  
Thanksgiving Day  
Personal Day**

**Memorial Day  
Labor Day  
Christmas Eve & Christmas Day  
Employee's Birthday**

If one of the above-listed holidays occurs on a Saturday, it will typically be observed on the preceding Friday; when a holiday occurs on a Sunday, it will typically be observed on the following Monday. TSS/Rutland Place has the right to make the decision on which day the holiday will be given. If a paid holiday falls within your vacation period, you are entitled to another day of vacation.

Use of any holiday hours will be allowed only after the employee has successfully completed their Introductory Period. If the holiday falls within your Introductory Period, the holiday may be granted with prior approval by both the Department Manager and the Executive Director. Approval will be dependent upon the available personnel to provide services to our residents, the employee's attendance record, and performance from time of hire.

Non-exempt regular full-time, part-time, or temporary employees who work on a holiday will be compensated for hours worked on the actual holiday (holiday pay + hours worked). Employees may elect to use a Personal Day or Employee Birthday benefit while also working the same day. This will result in the employee receiving pay for actual hours worked, as well as receiving pay for an additional 8 hours (for full-time employees) or 4 hours (for part-time employees). However, use of these time off benefits must be scheduled at least a month in advance to allow managers ample time to ensure coverage of all positions.

If an employee is requested to work on a holiday, an alternate day off in the current or subsequent pay period will be allowed. If the employee chooses, they may use a Personal or Birthday time off benefit in addition to time worked on the holiday.

*For example, if you are asked to work Easter Sunday, you may elect to also use your Personal Day benefit. This means you would receive pay for the actual hours you work on Easter Sunday, as well as an additional four or eight hours (depending on part-time or full-time employment). Approval by the department manager will be necessary to receive payment for the benefit.*

SAMPLE:      *Worked 5.0 hours on Easter Sunday  
Approved to use 4.0 hours for Personal Day  
Total hours paid for the day = 9.0 hours*

Holiday hours paid and not worked will not be considered when computing applicable overtime pay, per the Fair Labor Standards Act regulations.

Please note that, if an employee chooses not to work on the scheduled day prior to and/or the next scheduled day immediately following the holiday without prior approval, they will not be paid for the holiday. An employee who is scheduled to work on the holiday is held to the same call-out standard as those scheduled before and after the holiday.

## SICK LEAVE



### POLICY:

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TSS/Rutland Place makes provisions for time away from work for employees because of illness or injury. Sick leave may be used in the instance of the employee's personal illness, or as family care leave.

Full-time regular employees are eligible for up to 64 hours per year of sick leave. Employees who work between 30 and 40 hours per week are entitled to sick days on a prorated basis.

Sick leave may be carried over from one calendar year to the next and accumulated up to a maximum of 160 hours. No payments are made for accrued unused sick days at the end of the year or in the event of termination.

An employee must provide, or make a diligent and reasonable effort to provide, notice of absence to his/her Immediate Supervisor within 5 hours of the workday that the sick leave is being requested.

If an employee's request for sick leave is otherwise approved but there is no sick leave available, the absence will be charged to whatever vacation balance the employee may have. If there is no such balance available, then the time off is recorded as a leave of absence without pay.

Sick leave is not to be used in lieu of or in addition to vacation. An employee may be required to submit satisfactory proof of illness or disability. Misuse of sick leave may be cause for disciplinary action, including termination.

*Sick leave is not a vested benefit, and no payment is made for unused sick leave upon termination of employment or changing to part-time employment.*

Sick leave benefits will not accrue while an employee is absent on sick leave for fifteen (15) consecutive workdays or longer or during leave of absence without pay.

TSS/Rutland Place employees receiving temporary total or temporary partial disability under applicable Workers' Compensation Law may elect to augment that indemnity with the use of accumulated sick leave up to but not exceeding the full salary of the employee.

Part-Time (PT) employees who regularly work less than 30 hours per week are **not** eligible for sick leave. PT employees, who miss two (2) scheduled shifts, fail to contact their supervisor prior to missing a shift, or who fail to provide required documentation will be considered "Unexcused". **All unexcused absences by PT employees will be considered a voluntary resignation of their position.** As a result, those employees may not be eligible for unemployment benefits.



## BEREAVEMENT LEAVE



Regular full-time employees are eligible to receive up to three (3) days paid bereavement leave and all regular part-time employees are eligible for one (1) day paid bereavement leave due to the death of a member of the “immediate” family.

**For the purposes of this policy, an employee's immediate family includes his or her spouse, children, parents, in-laws, grandparents, spouse’s grandparents, brother or sister, spouse’s brother or sister, stepparents, stepchildren, legal guardian and/or relatives residing in the same household.**

One (1) day of paid leave will be provided to regular full-time employees due to the death of an aunt, uncle, cousin, niece, nephew, and great-grandparents. The amount of bereavement leave paid will be based upon the normal wages or salary that the employee would have earned had he/she worked his/her normal schedule on the days missed.

An employee notified of a death in his immediate family while at work will be paid for the remainder of the scheduled hours that day. The eligibility for paid bereavement leave will not commence until the next regularly scheduled workday which is lost. All time off in connection with the death of one of the above listed individuals should be scheduled with your department manager. If additional time is needed, an employee may utilize any unused vacation, sick, or personal time available to them. In the case no other paid leave is available for the employee, an unpaid personal leave of absence may be requested.

## MEDICAL LEAVE



The Family and Medical Leave Act (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons. This section provides general information about which employers are covered by the FMLA, when employees are eligible and entitled to take FMLA leave, and what rules apply when employees take FMLA leave. However, TSS/Rutland Place is not a covered employer under the FMLA. (See *State Leave Laws* section for information regarding the program under *Tennessee Medical Leave Act – TMLA*)

### **STATE LEAVE LAWS**

Where a State gives employees additional leave rights, we will comply with those laws.

TSS/Rutland Place does meet the definition of a “covered employer”, under the state-regulated Tennessee Family Medical Leave Act (TFMLA).

It is the policy of TSS to ensure that all employees are given equitable treatment within the guidelines of the TMLA. In 2005, the TMLA was amended and requires any employer to provide maternity leave to a female employee who is adopting a child, as well as grants leave rights to male employees.

### **SCOPE**

**A.** Full-time employees who have been employed by TSS for at least twelve (12) consecutive months as full-time employees are eligible to request parental leave. Those eligible will receive leave under the following conditions:

- 1.** May be absent from their employment for a period not to exceed four (4) months for adoption, pregnancy, childbirth, and nursing an infant, where applicable, or related physician-certified medical conditions. Regarding adoption, the four-month period will begin at the time an employee receives custody of the child.
- 2.** The eligible employee who gives at least a three (3) month notice to the employee’s Executive Director or designee of the employee’s anticipated date of departure for such leave, their length of leave, and their intention to return to full-time employment after leave, will be restored to their previous or similar position with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of their leave.
- 3.** An employee who is prevented from giving a three (3) month notice because of a medical emergency which necessitates that parental leave begins earlier than originally anticipated will not forfeit the employee’s rights and benefits under the Act solely because of the employee’s failure to give three (3) months advance notice.

**B.** Pursuant to the TMLA, leave will be without pay at the discretion of the employer. Such leave will not affect the employee's right to earn leave and/or other benefits in accordance with applicable TSS policy that governs the accumulation of such leave and/or benefits; and any other benefits or rights of the employee's employment incident to the employee's employment position; provided, however, that TSS need not provide for the cost of any benefits, plans, or programs during the period of such leave unless TSS so provides for all employees on leaves of absence.

If an employee's job position is so unique that TSS cannot, after reasonable efforts, fill that position temporarily, then TSS will not be liable under the Act for failure to reinstate the employee at the end of his or her parental leave period.

The purpose of this section is to provide leave time to employees for adoption, pregnancy, childbirth and nursing the infant, where applicable; therefore, if an employer finds that the employee has utilized the period of leave to actively pursue other employment opportunities or if the employer finds that the employee has worked part time or full time for another employer during the period of leave, then the employer will not be liable under this section for failure to reinstate the employee at the end of the leave. Should TSS determine that the employee will not be reinstated at the end of the leave, because the employee's position cannot be filled temporarily or because the employee has used the leave to pursue employment opportunities or to work for another employer, the employer will notify the employee in writing.

Nothing contained within the provisions of this section will be construed to affect any TSS policy that provides for greater or additional benefits than those required under this section.

## **PROCEDURES**

### **A. LEAVE OF ABSENCE WITH PAY**

When the eligible employee requests time off due to or related to an adoption, pregnancy, childbirth, nursing an infant, or related physician-certified medical conditions, the employee will be allowed to use unused accrued sick leave, vacation, bonus days, or any other paid time off due the employee as follows: Unused accrued sick leave may only be used for the portion of time the employee is certified by the primary physician as being disabled related to an adoption, pregnancy, childbirth, or related physician-certified medical conditions.

### **B. LEAVE OF ABSENCE WITHOUT PAY**

All unused accrued vacation, bonus days, and any other paid time off due to the employee is required to be exhausted before the employee is eligible to request a parental leave of absence without pay.

Leave benefits will not accrue while an employee is on leave without pay. Accrual of all leave benefits will resume on the first full day the employee is at work after maternity leave.

Employees who are on a leave of absence without pay and who wish to continue their health benefit coverage or their life insurance coverage, must contact the Business Manager to make necessary financial arrangements per the guidelines and provisions of the appropriate TSS insurance program. These arrangements must be completed before the end of the first pay period the employee is on leave of

absence without pay. If insurance premiums are not timely received by the Business Manager, insurance coverage will be canceled.

### **C. RETURN TO WORK FROM LEAVE**

Prior to an employee's return to work, the employee must submit a release to return to work (outlining any restrictions) in writing from their attending physician. A release from the physician which may contain restrictions will not necessarily ensure the employee's return to work. The breadth of the restrictions must be considered for each individual position and physical requirements. Final determination will be rendered by the Executive Director and Director of Human Resources.

When an employee returns to work from parental leave, which includes leaves of absence without pay for more than thirty (30) calendar days, it is the responsibility of the employee's supervisor to notify the Executive Director, in writing, immediately upon the employee's return to work.

When an employee returns to work from parental leave of absence no later than the four (4) month period allotted by the TMLA and is restored to the position the employee held at the time of parental leave or to a similar position and meets all other guidelines as defined in this policy, the employee will be compensated at the employee's previous rate of pay, plus any normal or special adjustments that occurred during the period of maternity leave.

In accordance with the TMLA, Turner Senior Solutions is under no obligation to hold an employee's position held at the time of parental leave or to return him or her to TSS employment, if the employee requests to return to the employee's employment later than the 4-month period allotted by the TMLA. If the employee requests additional leave after the expiration of the 4-month period, any such leave must be in accordance with other TSS policies providing for leaves of absence. Leaves under the TMLA provisions cannot be extended. All leave taken for or related to adoption, pregnancy, childbirth, nursing an infant, or related-physician certified medical conditions that includes sick leave, vacation, bonus leave, any other paid time off due to the employee, and parental leave of absence without pay will count toward the 4-month period allotted by the TMLA.

## Employee Referral Program



As part of a comprehensive recruitment strategy, it is the policy of the company to encourage its own employees to assist with the recruitment of new employees for hard-to-fill jobs with special skills requirements. All applicants shall receive equal consideration without regard to race, religion, sex, marital status, or disability. To reward employees for referring qualified candidates who subsequently are hired, the company pays the referring employee a cash bonus from \$100 to \$500 net for each successful referral made in accordance with the following provisions:

- Positions eligible for an employee referral bonus payment will be so identified in the "Notice of Vacancy" announcement.
- The amount of the bonus payment will vary, depending on the difficulty in filling the position.
- For each qualified candidate referred, the referring employee must complete an Employee Referral Form.
- Employees making a referral are responsible for informing the candidate of the vacancy, obtaining the individual's consent and, where possible, having the individual submit an up-to-date résumé and/or a completed application form.
- Employees will be paid  $\frac{1}{2}$  of the bonus after the candidate completes their Introductory Period (60 days) and the second  $\frac{1}{2}$  of the bonus once the candidate has completed six (6) months of employment.
- All candidates must meet the stated qualifications and will receive equal consideration and be processed in the same way as other applicants.

## Bonuses & Tips



As an added amenity to working with TSS/Rutland Place, funds created by the residents and Rutland Place have been set aside each year to be divided among the active personnel at the end of the year.

The Resident Council has elected to organize an “Employees’ Appreciation Fund” each year, which is divided among service employees of Rutland Place based on the number of hours the employee worked during the calendar year. The Staff Appreciation Fund is distributed in June and December. This is the **only** sanctioned gratuity plan.

### PROCEDURES:

**Residents** – In respect of the “no tipping” policy maintained by Rutland Place, the residents have established a Staff Appreciation Fund that is disbursed at two different times each year. The Rutland Place Staff Appreciation Fund guidelines are as follows:

- Residents may choose to contribute to this fund if you wish; it is completely on a volunteer basis.
- There is no set amount, residents give whatever they want, or they may choose not to give anything.
- This fund is open to give anytime throughout the year so that residents may give a little throughout the year rather than all at one time.
- The Resident Council Treasurer along with the Executive Director will manage the funds housed at Pinnacle Bank.
- A lock box is mounted to the wall in the Information Center for receipt of resident contributions. The Executive Director will remove donations from the box on a regular basis and work with the Resident Advisory Treasurer for deposits into the account.
- The monies will be fairly divided two times during the year, based on the number of hours each employee has worked during a six-month period. Fund distribution occurs in July for the hours worked from January through June and in December for the hours worked from July to December.
- To be eligible to receive a gift from the Staff Appreciation Fund the staff person must be an active employee in the distribution pay period at the time of the fund distribution.
- The Resident Council and the Executive Director will have final authority on the issue of complaints presented by any member(s) of staff.

***Designated Responsible Staff:***

The Executive Director will be responsible for ensuring that the Resident Council receives an accurate list of current, active employees eligible for receipt of distributed funds, as well as ensuring the accuracy of the Community's portion of the contribution to the fund. Responsibility for physically conducting audits of the account for the Community's portion can be delegated by the Executive Director to the appropriate Leadership Director.

**CATERING TIP FUND**

As an added incentive for Food Service employees to receive rewards for the hard work it takes to setup, perform and breakdown catering events, the Tip Fund was created. Whenever a catering event is billed, customers often will leave a lump sum bonus for the staff. TSS/Rutland Place has chosen to hold these tips for distribution to the Food Service staff once a year.

Qualifying employees,

1. are non-exempt (paid hourly), and
2. personally worked the catering event

The annual tip calculation is based on

1. the number of hours worked during the previous six (6) months by an employee,
2. length of service
3. an active employee at the time of the fund distribution

Tips are distributed twice a year (June& December). As with all bonus payments, tips are included in the employee's total earnings on their Form W-2 at the end of each year.

**ANNUAL PAY INCREASE**

TSS/Rutland Place does not engage annual performance reviews. Instead, the focus is on performance day-to-day, and you will receive one-on-one conversations with your supervisor or manager on a regular basis throughout the year. This allows for focus on problem areas and an opportunity for you to discuss with your supervisor or manager any questions or ideas you may want to share.

Based upon the local market rates and whether the Rutland Place budget will allow, TSS/Rutland Place may provide an annual pay increase. This increase, if provided, will occur on the date of your anniversary each year, based on the budgeted, market rate for your position. These increases can range anywhere from 1-5% each year and are consistent across the board for all positions. TSS/Rutland Place reserves the right to waive the annual increase for any given year.

## REASONABLE ACCOMMODATIONS / MODIFIED JOB DUTIES



### POLICY:

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To assist our employees who are or have become disabled and those who suffer on-the-job injuries, we will make reasonable accommodations to enable such employees to continue performing the essential functions of their jobs. Consistent with this policy, we may modify job duties to comply with medical requirements or restrictions. Other accommodation, such as transfer to a vacant position for which the employee is qualified, may be appropriate, depending upon specific facts and circumstances of individual situations.

Obviously, there are limits to the accommodation that we can realistically make. For example, where accommodation would cause undue hardship for the Company, we would be unable to make the accommodation. Similarly, we may be unable to place the employee in a position where placing that individual in a position, with or without accommodation, would cause the employee to be a direct threat to the employee or others.

If you need to request reasonable accommodation because of a disability or on-the-job injury, please follow the procedure set forth in our "If You Have a Problem" policy. We will discuss the matter with you, investigate your request and attempt, to the extent possible, to reasonably accommodate you.



## CIVIC RESPONSIBILITIES



### **POLICY:**

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We encourage each of our employees to accept his or her civic responsibilities. As a good corporate citizen, we are pleased to assist you in the performance of your civic duties.

#### **Jury Duty**

If you receive a call to jury duty, please notify your supervisor immediately so we can plan the department's work with as little disruption as possible. Documentation is required to substantiate periods of absence and when the period of jury duty is completed. TSS/Rutland Place will pay your regular straight-time wages for a period of up to two (2) weeks.

Employees who serve less than three (3) hours per day of jury duty are required to report to work for the remainder of the normal work period.

TSS/Rutland Place will make no attempt to have service on a jury postponed except when business conditions necessitate such action.

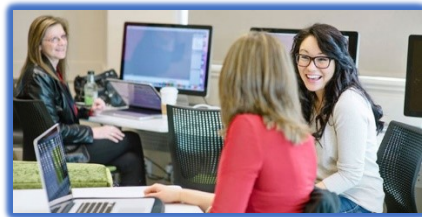
#### **Voting**

Although polls are open most of the day, we realize that in some instances our employees are required to work overtime and may find that these hours are insufficient to get to the polls. Employees who begin their workday less than three hours after polls open and finish less than three hours before polls close are entitled to up to three hours paid leave to vote. Employees must request leave by noon the day before the election. TSS/Rutland Place has the right to set the time for leave to vote.

#### **Military Leave of Absence**

If you are a veteran, reservist or in the National Guard, you will be granted time off for required military duty and/or training in accordance with applicable federal and state laws. If you are called for active military duty, training or if you volunteer for the same (e.g., firefighting, police duty for natural disaster, etc.), you must provide advanced written or verbal notice to the Company as soon as possible, unless such notice is impossible, unreasonable, or precluded by military necessity. You will be granted military leave without pay for the period of military service in accordance with applicable federal and state laws. During your military leave, you may use, but are not required to use, accrued vacation or other leave, as allowed by law. You may also be entitled to other benefits while on military leave.

## CONTINUING EDUCATION



### **POLICY:**

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Where applicable, there may be certification, licensing, and/or testing requirements for the job. These requirements may include, but are not limited to, proof of a valid driver's license, certification of insurance for your vehicle, or CPR certification. Periodic X-rays, cardio-pulmonary, hearing, or laboratory tests may be required as a condition of continued employment in some work locations as prescribed by applicable law. The Company will work with any individual who holds a position conditioned upon the maintenance of certain state licensing requirements to ensure that all licensing requirements are met and maintained. Please contact your supervisor if you have any questions regarding this requirement.

## BREAKS DURING THE WORKDAY



### POLICY:

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#### MEALS

Taking a meal break allows you to be both physically and mentally rested, improving your work performance and our service. Your manager will see that meal periods are provided following state and local laws.

A 30-minute meal period is **required** for all non-exempt employees scheduled to work six (6) consecutive hours, except in positions that by their nature of business provides for ample opportunity to rest or take an appropriate break. EX: There is no relief staff on the third shift front desk position. Exempt employees are encouraged to take at least a 30-minute break during the middle of their day.

Meal breaks are to be uninterrupted and free and clear from all work-related activities. You are required to be in the designated break area or outside of the building during your meal period. There are no exceptions to this rule. Failure to abide by this rule will result in termination.

During Dining Room operation periods, employees who work a shift of three (3) or more hours may be provided with a complimentary meal. This meal will be based on the food available and at the discretion of the Food Service staff on duty.

You are not paid for the meal period and all employees **must** clock in and out for this thirty (30) minute meal period, except second, third and weekend shift front desk positions. Failure to abide by this rule will result in termination.

#### REST BREAKS

Non-exempt employees are provided with ten (10) minute break every four (4) hours worked each shift. These breaks can be used to smoke or take care of personal business. Employees must check with management prior to taking your break to ensure coverage is adequate to provide care to our residents. These are considered paid breaks and you are not required to clock out. Please be mindful of your co-workers and return promptly when the break period is over. Failure to return to your workstation promptly after your break may result in termination. Employees who choose to work through breaks are not permitted to leave before the end of the shift.

- 1) Non-exempt employees will receive a 10-minute break for every 4 hours worked, during which time smoking is allowed
- 2) Employees who take excessive breaks may be required to work longer hours to make up for time lost
- 3) Only two (2) employees are allowed outside for their break at the same time
- 4) All breaks must be approved by their supervisor or a Leadership Team Member
- 5) Violation of this policy and/or any of its guidelines will result in termination.



#### **Breaks for Nursing Mothers**

If you are a nursing mother and require breaks to express breast milk during the day, please contact Human Resources or your supervisor for information to accommodate your needs.

## BASIC WORK RULES



### POLICY:

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For the protection of all Employees and the Company, and to promote harmonious, efficient working practices, Employees are expected to abide by certain rules and regulations that have been established. It is important that Employees be guided by the following:

1. Adherence to all applicable federal, state, and local laws and regulations.
2. Protection of Company corporate reputation and assets.
3. Responsible action that avoids conflicts of interest and other situations potentially harmful to the Company.
4. Ethical and honest behavior, including providing truthful information in response to any management inquiry or investigation.
5. Conducting oneself with integrity.

The Company considers work rules, guidelines, and work performance important responsibilities. They are essential to the proper management of the Company's business and ensure that Employees work together effectively. When these rules and guidelines are not followed, or an employee's work performance is below the Company's standards, disciplinary action may be taken.

Violations of the Company's rules or guidelines, or the Employee's failure to improve work performance may result in termination of employment. The Company reserves the right to terminate employment with or without cause and with or without notice. All terminated employees may not re-enter the property for any reason without the expressed authorization of TSS management or the Executive Director of Rutland Place.

### **Absenteeism or Tardiness**

Each of our employees plays an important role in getting the day's work done. Therefore, each employee is expected to be at his or her workstation on time each day. Absenteeism or tardiness, even for good reasons, is disruptive of our operations and interferes with our ability to satisfy our customers' needs. **Therefore, any absenteeism or tardiness can result in termination of employment.**

If you are going to be late or absent from work for any reason, you must personally notify your supervisor as far in advance as possible so that proper arrangements can be made to handle your work during your absence. Of course, some situations may arise in which prior notice cannot be given. In those

circumstances, you are expected to notify your supervisor as soon as possible. If the supervisor is not available, the employee must notify the Executive Director. **Failure to notify your immediate supervisor or Executive Director, or failure to produce requested backup documentation for the absence can result in immediate discharge.**

Absenteeism or tardiness that is unexcused or excessive in the judgment of the Company may result in termination. Also, you may be required to submit medical certification upon your return to work after three (3) or more consecutive days of absence. .

**Per State law, all employees are employed "at-will," which means that they can be terminated at any time, with or without cause and with or without advance notice. This "at-will" relationship can only be changed in a written document signed by the Company's chief executive.**

***Violation of any of the following areas of misconduct can result in termination of employment.***



## DRESS CODE



### POLICY:

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To promote and maintain a professional atmosphere, we expect a clean and tidy appearance on the part of all our employees. Every employee should be dressed appropriately to the employee's position and the amount of resident and/or client interaction, with subdued makeup, hair, nails, jewelry, and fragrance.

Home Services employees are asked to refrain from loose, dangling jewelry, as well as refrain from the use of fragrances.

All employees are to use good judgment in choosing their attire. You are expected to wear appropriate and safe clothing.

If a uniform is required, the uniform should be clean, presentable and in good repair. Your Department Manager will provide you with specifics of the type, color, etc. of the department or position uniform to wear.

Food Service, Housekeeping, and Home Services employees at Rutland Place are required to wear slip-safe and closed-toe shoes.

Please refrain from wearing slogans that might be offensive to co-workers or to customers at TSS/Rutland Place. Revealing or suggestive clothing should be avoided when reporting to work and when leaving work.

TSS/Rutland Place furnishes identification badges for all employees. This badge should be used to enter and exit the property and must be worn while on duty for security purposes. Identification badges are property of TSS/Rutland Place and must be returned upon termination of employment.

We reserve the right to establish and promote standards of dress and appearance that are judged appropriate.



**Breach of Confidence or Security**

Because of the nature of our work, we cannot tolerate any breaches of our security measures or of our confidential business relationships. Violating a confidentiality agreement or a policy regarding confidential information, using confidential or other proprietary information for any unauthorized purpose, removal of any records or other property without authorization or failure to maintain the confidentiality of business matters may result in termination.

**Cell Phones**

The use of cell phones during work hours is restricted to Leadership staff and specific others (i.e., Maintenance, Home Services, etc.) whose jobs are dependent upon communication with residents, computerized systems, and/or staff. Once you arrive for work, please store your cell phone with your belongings or in your vehicle. Cell phones are not to be used during your work shift; all exceptions must have permission from the department manager or a member of the Leadership staff.

**Company Premises**

Employees are only allowed to be on Company premises during his or her scheduled work hours, unless otherwise authorized by a Company representative. Employees are prohibited from going into work areas other than his or her own, except on Company business. Employees may not “visit” other departments.

**Conflict of Interest**

Additionally, the Company will not tolerate off-duty conduct that impacts negatively on the business, either regarding the individual Employee’s work performance or the business interests of the Company, including, but not limited to its reputation. The Company also prohibits outside employment, including self-employment, that conflicts with employment at the worksite and/or negatively impacts the Company’s business interests. Employees must notify their manager and receive written approval prior to engaging in outside employment.

If you think that you may have such a conflict, you must immediately notify your supervisor.

**Damage to Property**

The Company has made a tremendous investment in our facilities and equipment to better serve our customers and to make your job easier. Deliberate reckless or careless damage to the Company's property will not be tolerated. If appropriate, damage to property will be reported to law enforcement agencies.

**Defamation and Gossiping**

Employees are expected and required to refrain from making statements (even if they are true) or spreading rumors that may be damaging to the reputation of the company, the owners, other employees, customers, or the business in general.

**Discourtesy or Disrespect**

We expect all employees to be courteous, polite, and friendly to our customers, vendors, and to their coworkers. No one should use profanity or show disrespect to a resident, visitor, vendor, guest, or coworker, nor engage in any activity that could harm our Company’s reputation.

**Fighting, Threats, or Weapons**

The Company does not allow acts of violence such as, but not limited to, fighting, threatening words or conduct, loud, abusive, or profane language, or any other actions that could injure a customer, fellow employee, or member of the public, regardless of where such words or actions occur. To the extent permitted by law, we do not allow the possession of weapons of any kind on Company premises.

**Fraud, Dishonesty or False Statements**

No employee or applicant may falsify or make any misrepresentations on or about any application, document establishing identity or work status, medical history record, insurance form, invoice, paperwork, reports, time sheet, timecard, or any other document or in the course of participation in investigations conducted by the Company or one of the Company's agents. If you observe such a violation, please report it to your supervisor immediately.

**Gambling**

Employees may not engage in any form of gambling on Company premises.

**Gifts or Gratuities**

Employees may not accept any gift or gratuity of any kind from a customer or supplier.

**Harassment**

Our Policy Against Harassment and Discrimination, which we have set forth in detail in this handbook, strictly prohibits harassment or discrimination based on race, color, religion, gender, sexual orientation, national origin, citizenship, age, handicap or disability, or any other category protected by law.

**Injuries and Accidents**

Every injury, no matter how slight, must be immediately reported to your supervisor for first aid treatment or medical care. If you have a job-related injury/accident, you must see a Company doctor. You may be required to present a doctor's release before returning to work.

**Insubordination**

We all have duties to perform and everyone, including your supervisor, must follow directions from someone. Employees must not refuse to follow the directions of a supervisor or management official. Refusal to obey work requests of supervisors, refusal to perform job assignments, or the use of derogatory language to or about another team member or manager, or abusive or threatening language toward another team member or manager, will be subject to immediate termination of employment.

**Leaving Early**

Leaving early or returning late from breaks or lunch is prohibited. Leaving your workstation before quitting time to change clothes or prepare to leave before the end of your scheduled shift is also prohibited.

**Misuse of Property**

Employees may not misuse or use without authorization any equipment, vehicle or other property of customers, vendors, other employees, or Company.

**Non-Fraternization**

The Company desires to avoid misunderstandings, actual or potential conflicts of interest, complaints of favoritism, possible claims of sexual harassment, and the employee morale and dissension problems that can potentially result from romantic relationships in the workplace. Accordingly, employees are prohibited from being romantically involved with any other employees.

Due to the small number of employees at our corporate location and the fact that employees in all departments interact so frequently with each other, the Company must have such a policy to avoid creating a negative and unprofessional work environment and to limit disruption in the workplace. If the Company learns that this policy is being violated, both individuals will be subject to immediate discharge.

**Outside Employment**

We will not limit activities during non-working hours unless those activities interfere with or conflict with the performance of your job. However, if you are engaged in other employment or volunteer activities, you must inform the Executive Director and your immediate supervisor, so that we may ensure sufficient coverage of all shifts and positions.

Where a TSS/Rutland Place program is not in place, employees may perform services for residents upon request, but must obtain approval in writing from their Executive Director prior to performing the service. Time spent performing those jobs must be non-work time and Company equipment, tools and/or supplies may not be used.

**Poor Performance**

We expect all employees to make every effort to learn their job and to perform at a satisfactory level. Employees who fail to maintain a satisfactory level of performance are subject to discharge.

**Employment of Relatives**

We have no prohibition against hiring relatives. However, one general restriction has been established to help assure fair treatment of all employees. While we accept, and consider applications for employment from relatives, close family members such as parents, children, spouses, or in-laws will not be hired into or transferred into positions where they directly or indirectly supervise or are supervised by another close family member. The Company, in its sole discretion, may refuse to hire, may terminate, or may transfer/place a relative in a position where the potential for favoritism or conflict exists.

**Resident "Leftovers"**

Periodically, a resident will move out of Rutland Place and leave behind items they did not want or intended for us to throw in the trash. Those items that may be useful to some of our departments, i.e., cleaning products, etc., will be distributed accordingly. Some items of value may be offered to the staff through a "draw" from a pool of interested parties. At no time is an employee permitted to remove any items from an apartment without expressed, written permission from the Executive

Director of Rutland Place or TSS Management, even if offered directly from a family member. Failure to comply with this policy can and will result in immediate termination of employment and can result in criminal prosecution.

### **Shortages**

Employees who handle cash as a part of their job duties will be held accountable. Employees who handle cash as a part of their job duties may be terminated for cash shortages.

### **Sleeping or Inattention**

To protect the safety of all employees and to properly serve our customers, everyone needs to be fully alert while on the job. We cannot tolerate sleeping or inattention on the job, and violation is subject to immediate termination.

### **Solicitation or Distribution**

Solicitation and distribution of literature by non-employees on Company property is prohibited. Solicitation by Employees on Company property is prohibited when the person soliciting, or the person being solicited is on working time. "Working time" is the time Employees are expected to be working and does not include rest, meal, or other authorized breaks. Distribution of literature by Employees on Company property in non-working areas during working time, as defined above, is prohibited. Solicitation and distribution of literature in working areas are always prohibited.

The Company respects your right to express personal opinions and communicate concerning the terms and conditions of employment. Nothing in this Solicitation and Distribution of Non-Work Materials policy is intended to interfere with your rights under federal and state laws, including the National Labor Relations Act.

### **Substance Abuse**

We will not tolerate substance abuse. Employees who test positive for the presence of drugs or alcohol may be subject to immediate termination. Our Drug and Alcohol Policy, which is set forth in detail in this handbook, states our position and policy regarding drug and alcohol use.

### **Theft**

Our society has laws against theft and so do we. Stealing or attempting to steal the Company's property or property belonging to others is strictly prohibited and will result in termination of employment. Theft of resident property will be deemed immediate grounds for dismissal. To protect you, your co-workers, residents, and their families, as well as the Company, we reserve the right to inspect all purses, briefcases, packages, lockers, toolboxes, desks, cabinets, vehicles, and any other containers or items on TSS/Rutland Place property. If you wish to remove any of the Company's property from the premises, you must obtain written permission in advance from the Executive Director. Any items removed from Rutland Place without permission or knowledge will be deemed criminal theft and must be returned to the Company within 24 hours or the individual will face criminal prosecution.

### **Theft or Abuse on a Resident**

We consider any abuse or theft of a resident the ultimate betrayal of the TSS/Rutland Place family. Any person found abusing (verbally or physically), stealing, or attempting to steal from a resident

will be terminated immediately and will be referred to local law enforcement for criminal prosecution.

### **Unlawful Activity**

Employees should not engage in any unlawful or unethical activity, including, but not limited to activity either on Company property or off the job, since such activity can adversely affect the Company's reputation.

### **Unsafe Work Practices**

We are committed to providing a safe place for you to work, and we have established a safety program to ensure that everyone understands the importance of safety. This program requires all of us to exercise good judgment and common sense in our day-to-day work. Horseplay and practical jokes can cause accidents and injuries and, therefore, are prohibited.

### **Use of Staff Amenities**

Staff amenities including small appliances, restroom, break room, utensils, and plates are provided for your comfort and can be used by all employees. **Only the Kitchen Manager and cooks may utilize kitchen equipment and only in the execution of their job(s).** Every employee is responsible for cleaning up after him or herself immediately following the use of such amenities. In addition, all employees are responsible for maintaining common staff areas clean, neat, and in working condition. Gross or repeated violations of this policy by any employee will result in the loss of these amenities for all employees.

*Additionally, if you believe that anyone in or associated with the Company has requested or directed you to do anything that violates the law or has prohibited you from doing anything that the law requires you to do, you must report this immediately to a member of the Company's management team.*

Obviously, this list is not all-inclusive and there may be other circumstances for which employees could be terminated. If you have any questions about these rules, or what we expect of our employees, please discuss them with your supervisor.

*The Company respects your right to express personal opinions and communicate concerning the terms and conditions of employment. Nothing in this Work Rules and Conduct policy is intended to interfere with your rights under federal and state laws, including the National Labor Relations Act.*

## SMOKING



Rutland Place is a smoke-free community, and, therefore, the use of e-Cigarettes (vaping), and all tobacco products is NOT permitted inside the building, anywhere at any time. All legal (if allowed by State law) or illegal drug smoking is not allowed on any part of the property. If there is a choice to smoke legal tobacco products, Team Members must do so during their designated breaks utilizing the following guidelines:

- 1) Team Members must smoke outside of the building in designated areas at least 50 feet from the building
- 2) Smoking is allowed only during scheduled breaks in assigned areas
- 3) Team Members will receive a 10-minute break for every 4 hours worked, during which time smoking is allowed
- 4) Team Members who take excessive breaks may be required to work longer hours to make up for time lost
- 5) Only two (2) Team Members are allowed outside for their break at the same time
- 6) All breaks must be approved by their supervisor or a Leadership Team Member
- 7) Violation of this policy and/or any of its guidelines will result in disciplinary action up to and including termination of their employment

## DISCIPLINARY ACTIONS



Should an employee's performance, work habits, overall attitude, conduct or demeanor become unsatisfactory based on violations either of the above or of any other Company policies, rules, or regulations, the employee can be terminated.

**Per State law, all employees are employed "at-will," which means that they can be terminated at any time, with or without cause and with or without advanced notice. This "at- will" relationship can only be changed in a written document signed by the Company's chief executive.**

**TERMINATION.** If an employee fails to conform his conduct or performance to the standards required by the Company, the Company may, in its sole discretion, terminate the employee's employment.

*TSS/Rutland Place reserves the right to administer discipline in such a manner as it deems appropriate to the circumstances, and may, in its sole discretion, determine termination is the best course of action.*

*TN state law deems all employees hired within the state of TN are employed "at-will," which means that they can be terminated at any time, with or without cause, and with or without advanced notice. This "at- will" relationship can only be changed in a written document signed by the Company's chief executive.*

## RESIGNATION OF EMPLOYMENT



### **POLICY:**

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In the event you choose to resign from your position, we ask that the Executive Director and Department Managers provide at least four (4) weeks' notice. Front Desk, Food Service, Housekeeping Staff, and Bus Drivers are requested to give at least two (2) weeks' notice.

TSS/Rutland Place retains the right to determine if the employee who resigned will be allowed to work the full notice period. If the decision is made to not require an employee to complete their notice period, the employee will be paid their current wage or salary base for the full term of notice provided by the employee.

The Executive Director, or their designee, may conduct an exit interview prior to the employee's last day of work.

As a result of your separation from TSS/Rutland Place, whether voluntary or involuntary, any visits to the property MUST have prior authorization from the Executive Director of Rutland Place or a member of TSS Management. Turner Senior Solutions and Rutland Place reserve the right to prohibit entry to any party at any time for any reason.



## RESIDENT INTERACTIONS



### **ACCEPTANCE OF GIFTS & GRATUITIES**

The solicitation or acceptance of unauthorized tips, gifts, wages, or gratuities from residents is prohibited at any time. Due to the nature of our work, there may be times when a resident and/or vendor may offer an employee a gift or gratuity. If a resident and/or vendor wish to recognize an employee or group of employees with a monetary or non-monetary gift, they should be referred to the Executive Director of Rutland Place.

The acceptance of unauthorized gifts or gratuities, regardless of the amount, may result in termination of employment.

### **BEQUESTS FROM RESIDENTS TO EMPLOYEES**

TSS/Rutland Place believes that all residents are entitled to a high level of service provided by our employees and makes great efforts to gain the trust and confidence of our residents. In accordance with the company's mission and values, the residents served should be confident that services provided are not subject to any ulterior motives. Therefore, we have established a policy that prohibits employees of TSS/Rutland Place from soliciting or exerting undue influence upon residents with the intent of personal gain and from soliciting or accepting unauthorized tips, gifts, wages, or gratuities from residents at any time.

However, we are aware that there are circumstances when a resident has made a bequest in his/her will to an employee in recognition of the relationships that may have developed. If an employee knowingly or unknowingly is named and receives a bequest in a resident's will, the employee is required to inform the Executive Director within five days of notification. The Executive Director will be responsible for conducting a thorough review to ensure that undue influence was not exerted upon the resident and that there is no indication the bequest resulted from the solicitation of the resident by the employee.

If it is determined the bequest was not a result of undue influence or solicitation, the employee may accept the bequest. If it is substantiated that undue influence was exerted upon the resident or the bequest was solicited, the employee will be required to take immediate action to be removed from the will. Should the employee fail to take appropriate action to be removed from the will, the appropriate parties will be notified and may result in termination of employment.

The purchase of any article by an employee from a resident is forbidden by management, unless the transaction has prior written approval from the President of Turner Senior Solutions.

### **RESIDENT AND FAMILY RELATIONS**

At TSS/Rutland Place, customer satisfaction is the measure of our success. It is the responsibility of each employee, within reason, to interact with a prospect and or/ the resident and his/her family to achieve this goal.

Persons form their opinions of TSS/Rutland Place based on the attitudes and actions of employees therefore employees are expected to demonstrate a positive attitude and deal with residents, families, and the public in a helpful, respectful, and business-like manner.

Employees are expected to wear a smile and cheerfully interact with residents. Listen carefully to the resident's and/or family member's inquiries and complaints, and deal with them in a responsive, caring manner. Employees are expected to build goodwill. Redirect the resident and/or family member to the Executive Director if unable to answer inquiry.

Employees are to exercise courtesy and thoughtfulness in using the telephone. A positive telephone contact with anyone who calls TSS/Rutland Place builds goodwill while a negative experience can destroy a valuable relationship.

Calls from the media are referred to the Executive Director unless it is a sales call and should be referred to the Marketing Director.

## CONFIDENTIAL INFORMATION



As a condition of initial and continued employment, all current and former Employees are expected to conduct themselves in a manner that protects and preserves the Company's proprietary, confidential and trade secret information. "Trade secret" means information, including a formula, pattern, compilation, program, device, method, technique, or process, that:

- Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and
- Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

Employees may be required to enter into a written confidentiality agreement.

All information regarding the Company, customers, vendors, and the like is to be kept confidential and revealed only to those at the Company with a need to know and authorization to receive such confidential information. If a question arises whether information should be protected, please contact your manager.

All records and files maintained by the Company are confidential and remain the property of the Company. Records and files are not to be disclosed to any outside party without the express permission of an executive at the Company. Such confidential information includes, but is not limited to, business and strategic plans, financial records, customer, vendor and supplier information, inventions, programs, formulas, trade secrets as noted above, techniques, processes, sales and marketing information and all practices and processes (collectively "Confidential Information.") Confidential Information may not be removed from the worksite premises without the express authorization of an executive.

Confidential Information obtained during or through employment with the Company may not be used by any Employee for furthering current or future outside employment or activities or for obtaining personal gain or profit. The Company reserves the right to avail itself of all legal or equitable remedies to prevent impermissible use of Confidential Information or to recover damages incurred because of the improper use of the Confidential Information.

Nothing in the Company's confidentiality policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment. Employees have the right to engage in or refrain from such activities.

## INFORMATION TECHNOLOGY (I.T.)



### POLICY:

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This policy contains guidelines for the use, access, and disclosure of electronic communications (including, among other things, e-mail, voice mail, fax machines, computers, pagers, telephones, internet, and intranet) created, sent, received, transmitted, or stored by employees using any employer-provided communication system or equipment.

#### **Management's Right to Access Information**

Our computer, telephone, and communication hardware and software systems ("Systems") have been installed and are used to facilitate business communications. Although each employee may have an individual password to access these Systems, the Systems belong to the Company and the contents of the Systems and communications are accessible always by management for any business purpose. These Systems may be subject to periodic unannounced inspections and should be treated like other shared filing systems. All Systems messages are the Company's records. The contents of our Systems may be disclosed to the Company without your permission. Therefore, you should not assume that messages and communications are confidential. Backup copies of communications also may be maintained and referenced.

TSS and its managed properties incorporate mystery shopping from third-party vendors and utilizes the information from these calls and visits for training purposes. Not all employees will be exposed to these "shops" during their employment with us but should have the expectation that at any time they could be a party to a "shop." The information received in these calls and visits may reveal more than a training opportunity, which may result in an employee being terminated from employment.

To facilitate access to all computer equipment, all passwords and/or pass codes created to unlock computers must be forwarded to TSS to be maintained as part of the systems' management. Passwords and/or pass codes must be submitted utilizing the Employee Computer Security form to TSS by close of business the day the password was changed. Submit the TSS form directly to [ddooley@tssmgmt.com](mailto:ddooley@tssmgmt.com).

*Failure to submit your passwords, and any subsequent changes to the passwords may result in termination of employment.*

#### **Personal Use of Company Computer Systems, Copiers, Fax Machines, Printers**

Because we provide the Systems and machines to assist you in the performance of your job, you should use them only for official Company business. We reserve the right to access and disclose as necessary all communications on our Systems and machines without regard to content. Since your personal communications can be accessed without prior notice, you should not use our Systems and machines to transmit any messages or to access any information you would not want to be read by any third party.

You should also not use these Systems and machines for such purposes as soliciting for commercial ventures, religious or personal causes, outside organizations, or other similar, non-job-related solicitations. In addition, using the Company's electronic media and machines for the purposes of obtaining materials of a sexual nature is strictly prohibited.

Although incidental and occasional personal use of our systems and machines is permitted, these communications will be treated the same as other communication.

#### **E-mail, the Internet, and Other Technology**

Company-owned electronic and telephonic communications systems, and all communications and information transmitted by, received from, or stored in these systems, are the Company's property and as such are to be used solely for job-related purposes. No Employee should have any expectation of privacy in any communication, message, e-mail, text-message, file, image, or data sent, retrieved, or received by use of the Company's systems or access. The Company has the right to monitor all aspects of their systems including, but not limited to communications, e-mail, text-messages, instant messages, chat groups, blogging sites, news groups visited by employees, or material downloaded/uploaded by employees. Such monitoring may occur at any time and without notice as allowed by applicable law. Additionally, unless an Employee is given explicit permission from his/her manager, Employees are not authorized to speak on behalf of the Company, nor may employees represent that they have the authority to do so.

#### **Use for Business Purposes/Company Access, Review**

The Company provides furniture, desks, storage areas (e.g., drawers, lockers, files, and cabinets), work areas, other company-provided equipment/facilities and computers and communication systems (including land line telephones, electronic mail, Internet messaging systems, electronic bulletin boards, and other systems). Further, as part of the infrastructure, the Company acquires, develops, and maintains computers, computer systems and networks. These assets are referred to collectively as "Company Assets." These Company Assets are provided to Employees to assist you in carrying out Company business and are solely intended for the Company acquired business purposes. An Employee may only use Company Assets, including computers and the Company information accessible through their use, for purposes authorized by the Company acquires about the Employee's job duties.

The Company Assets belong to the Company and the Company reserves the right (at any time and without notice) to access, inspect, inventory, or search for any Company Asset. Items or information of a personal nature may be discovered during any such exercise of the Company's

acquires rights. You consent to such access by accepting and using the Company Assets. Therefore, Employees should not expect that such property would be treated as private and personal to the Employee.

*The Company does not allow the use of flash "thumb" drives to share data between devices. Data should be shared over a network, or through OneDrive, Teams, Dropbox® or email to prevent the spread of viruses or malware between devices. Users should back up data through Carbonite® or an external hard drive.*

*Users should not install software or allow software to be installed on Company-owned devices unless the software has an immediate value to the Company, and has been approved by your department manager, TSS executive, or I.T. manager. Games, search bars, coupon loaders, and other software of this type will slow down your device and may load other software without your knowledge.*

Likewise, the Company's e-mail, Internet messaging and electronic bulletin board systems are to be used for Company related purposes and only to transmit and receive business information. The Company treats all messages sent, received, or stored in its e-mail, Internet messaging and electronic bulletin board systems as business messages. The Company reserves the right to inspect, monitor and have access to Company computers, laptops, e-mail, voicemail, and Internet connections.

The Company has the capability to access, review, copy and delete any messages sent, received, or stored on the e-mail system, on other Company computer, electronic and Internet resources, and on the message recording and storage systems of Company-issued cell and smart phones. The Company reserves the right to access, review, copy or delete all such messages or to search any Company Assets for any purpose and to disclose them to any party (inside or outside the Company acquires) it deems appropriate. By using the Company Assets, you agree that you have no reasonable expectation of privacy in relation to such usage or any items or information stored in the Company Assets.

Should Employees make incidental use of the e-mail, Internet messaging or electronic bulletin board systems, or of Company-issued cell (smart) phones to transmit or receive personal messages, such messages will be treated no differently than other messages, i.e., the Company reserves the right to access, review, copy, delete or disclose them for any purpose. Accordingly, Employees should not use the computer or the e-mail system, or any other Company-owned or Company-issued electronic device (including voice and text message storage and retrieval systems), to send, receive or store any messages that they wish to keep private. Users should treat the computer and the e-mail, Internet messaging and electronic bulletin board systems, and the message storage and retrieval functions of the Company's cell phones and voice mail systems like a shared file system - with the expectation that messages sent, received, or stored in the system (including individual hard disks, chips and other memory storage devices) will be available for review by any authorized representative of the Company for any purpose.

Use of the e-mail system to copy and/or transmit any documents, software, or other information protected by copyright laws is prohibited and will result in disciplinary action.

Company-issued cellular telephones or cellular telephones completely paid for by the Company are issued or reimbursed for business-related purposes. To facilitate communication between the

Company and its Employees, any such cell phone must remain on during the Employee's scheduled working hours. The Company treats all voice mail and electronic messages received or stored in such cell phones as business messages in which Employees have no expectation of privacy. Further, Employees should have no expectation of privacy in their physical location during their scheduled working hours.

Excessive personal use of e-mail or other Company owned communications will subject an Employee to possible termination.

To use electronic communication tools effectively, Employees must follow these guidelines:

❖ *E-mails are to be limited to work related matters, and business etiquette is to be utilized in drafting messages.*

- Network security procedures are always to be followed.
- Never open attachments from an unknown source and always make sure anti-virus software is running and virus definitions are up to date.
- Do not send confidential, proprietary, or trade secret information via email.
- Do not send e-mails under another employee's login ID or access another's e-mails without authorization from your manager.
- Off-color humor, foul, inappropriate, offensive, abusive or discriminatory language and harassment of any kind are prohibited.
- Do not conduct unlawful activities.
- Do not interfere with another Employee's use of e-mail
- Do not forge e-mails, send "spams," chain letters, letter bombs or any other type of widespread distribution of unsolicited e-mail.
- Do not use Company e-mail for personal gain.
- Do not e-mail Confidential Information unless the attached document is password protected.
- Do maintain good housekeeping of your e-mails by regularly deleting unwanted messages and archiving those that are required to be kept.
- Again, Company e-mail is to be used for Company business only.

*Improper use or abuse of e-mail may result in termination of employment.*

In the event the Company issues or reimburses employees for a mobile communication device, such as a cellular telephone, Android, iPhone, etc., such devices must be used in accordance with this policy unless the Company has explicitly communicated an exception (such as permitting employees to engage in personal communications on the device while the employee is not working) to this policy.

Additionally, the use of any software and business equipment, including, but not limited to facsimiles, computers, and copy machines for personal purposes, is strictly prohibited. Further, Employees are not permitted to use a code, access a file, or retrieve any stored communication unless authorized to do so or unless they have received prior clearance from an appropriate manager. *All pass codes are the property of the Company. No Employee may use a pass code or voice-mail access code that has not been issued to that Employee or that is unknown to the*



*Company.* Moreover, improper use of the e-mail system (e.g., spreading offensive jokes or remarks) will not be tolerated.

The Company may provide access to the Internet. For purposes of this policy, the Internet includes any public electronic data communications network. Use of the Internet includes all restrictions that apply generally to the use of the Company's e-mail and other electronic and telephonic equipment as noted above. In addition, the following specific rules apply with respect to Internet usage:

1. No browsing of restricted content web sites. Web sites that contain pornographic or offensive material may not be accessed or viewed.
2. No downloading or printing of non-business-related data. The Company may allow the downloading of files from the Internet; however, downloading or printing files should be limited to those that are related directly to the Company's business.
3. No blogging unless you have been specifically directed by your manager to do so for a business-related purpose.
4. No downloading or installation of application programs from the Internet. Such software may not only contain embedded viruses, but also may be untested and may interfere with the functioning of standard Company applications.
5. No participation in Web-based surveys without authorization. When using the Internet, the user implicitly involves the Company in his/her expression. Therefore, users should not participate in Web or e-mail surveys or interviews without authorization.
6. No use of subscription-based services without prior approval. Users may not subscribe to such services without the express approval of their manager.
7. No violation of copyright laws. Many of the materials on the Internet are protected by copyright. Even though they may seem to be freely accessible, many of the intellectual property laws which apply to print media still apply to software and material published on the Internet. Employees are permitted to print out Web pages and to download material from the Internet for informational purposes if it falls into the category of "fair use." Do not copy or disseminate material that is copyrighted. If you have a question regarding this policy, please contact your manager.

*Employees who violate this policy are subject to discharge.*

The Company respects your right to express personal opinions and communicate concerning the terms and conditions of employment. Nothing in this Email, the Internet and other Technologies policy is intended to interfere with your rights under federal and state laws, including the National Labor Relations Act.

#### **Personal Phone Calls & Text Messaging**

Employees are not permitted to make and/or receive personal phone calls or text messages on company-provided cellular phones or company-provided telephones or on personal phones during working hours. Emergency phone calls can be received via your supervisor's phone.

Personal phone calls are only permitted in the designated employee break room and may only be made during break. Your immediate supervisor must approve all personal calls not made during your designated break time.

**Forbidden Content of Communications**

You may not use our Systems in any way that could be insulting, disruptive, offensive, or harmful to morale. Examples of forbidden transmissions include sexually explicit messages, cartoons, or jokes; propositions or love letters; ethnic or racial slurs; or any other message that can be construed to be harassment. **The use of electronic media for the transmission of offensive comments, discriminatory language, vulgarities, and/or obscenities is strictly prohibited.**

## SOCIAL NETWORKING



### POLICY:

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#### Social Media Policy

At TSS/Rutland Place, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends, and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

This policy applies to all associates who work for the Company, or one of its subsidiary companies.

#### Guidelines

In the rapidly expanding world of electronic communication, “social media” can mean many things. “Social media” includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, if associated or affiliated with the Company, as well as any other form of electronic communication.

The same principles and guidelines found in the Company’s policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow associates or otherwise adversely affects members, customers, suppliers, people who work on behalf of the Company or the Company’s legitimate business interests may result in termination.

#### Know and follow the rules

Carefully read these guidelines, the Company’s Statement of Ethics Policy, the Company’s Email, the Internet and Technology policy and the Discrimination & Harassment Prevention Policy, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to termination of employment.

**Be respectful**

Always be fair and courteous to fellow associates, customers, members, suppliers, or people who work on behalf of the Company. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open-Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, members, associates, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment based on race, sex, disability, religion, or any other status protected by law or company policy.

**Be honest and accurate**

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered.

Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the Company, fellow associates, members, customers, suppliers, people working on behalf of the Company or competitors.

**Post only appropriate and respectful content**

- Maintain the confidentiality of Company trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how, and technology. Do not post internal reports, policies, procedures, or other internal business-related confidential communications.
- Respect financial disclosure laws. It is illegal to communicate or give a "tip" on inside information to others so that they may buy or sell stocks or securities. Such online conduct may also violate the Insider Trading Policy.
- Do not create a link from your blog, website, or other social networking site to a Company website without identifying yourself as a Company employee.
- Express only your personal opinions. Never represent yourself as a spokesperson for the Company. If the Company is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the Company, members, customers, suppliers, or people working on behalf of the Company. If you do publish a blog or post online related to the work you do or subjects associated with the Company, make it clear that you are not speaking on behalf of the Company. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of [Employer]."

**Using social media at work**

Refrain from using social media while on work time or on equipment we provide unless it is work-related as authorized by your manager or consistent with Company policy.

Do not use Company email addresses to register on social networks, blogs or other online tools utilized for personal use.

**Retaliation is prohibited**

The Company prohibits taking negative action against any associate for reporting a possible deviation from this policy or for cooperating in an investigation. Any associate who retaliates against another associate for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to termination of employment.

**Media contacts**

Associates should not speak to the media on the Company's behalf without contacting the Executive Director. All media inquiries should be directed to the Executive Director.

*The Company respects your right to express personal opinions, and to communicate concerns about the terms and conditions of your employment. Nothing in this Social Media policy is intended to interfere with your rights under federal and state laws, including the National Labor Relations Act (NLRA).*

## BUSINESS RECORDS

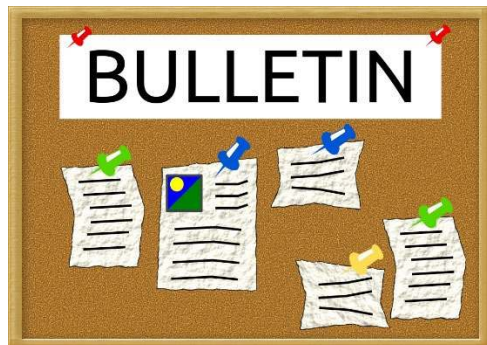


The Company and our employees maintain various types of written and electronic records related to the Company's business. All such records maintained on the Company's premises and in the Company's systems, are Company property and, thus, are subject to review or inspection by the Company, its employees, or agents **at any time** without notice. For these and other reasons, please do not use our computer systems or other business systems for personal matters or those that are not related to the Company's business.

### **PERSONNEL FILES**

The Company maintains up-to-date personnel files on all employees. Additionally, please notify your supervisor or manager concerning any changes in your name, address, phone number, or emergency notification so that your file will remain current.

## **BULLETIN BOARDS**



The Company maintains bulletin boards at various locations throughout our facilities as an important information source. These bulletin boards are to be used solely to post information approved by the Company regarding their policies, governmental regulations, and other matters of concern to all employees that are related to the employees' employment by the Company. Please check the bulletin boards daily so that you will be familiar with the information posted there. No information may be placed on these bulletin boards without the Business Office Manager's approval.

## SAFETY



### POLICY:

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It is the policy of Company to achieve the greatest practical degree of freedom from accidents and to ensure that every employee is provided safe and healthful working conditions free from recognized hazards.

Employees are expected to obey safety rules, follow established safe work practices and exercise caution in all their work activities. Failure to abide by established safety procedures can result in termination.

All employees are to immediately report any unsafe conditions to **their supervisor or manager**. Working together, we can succeed in having a safe, healthful workplace from which we all will benefit. The Company maintains an illness and injury prevention program, which will be provided to you by your supervisor. You are obligated to abide by the conditions of this program, so please carefully read and refer to it often. As a reminder, what follows are some general safety guidelines:

- Learn and understand every aspect of your job
- Know the location of fire alarm boxes at your workplace
- Promptly record and bring to the attention of your supervisor unsafe areas (such as slippery floors, things left in hallways, etc.)
- Do not attempt to work with defective equipment, and bring such a matter to the attention of your supervisor immediately
- Please note all proper methods for lifting, and adhere to them strictly

Please wear all proper safety equipment (i.e., safety glasses, safety shoes, masks, gloves, etc.).



## COMPANY PROPERTY & VEHICLES



### **POLICY:**

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Only authorized employees may use Company vehicles and equipment. If a company vehicle incurs any damage while under the charge of an employee, that employee will be responsible for reporting the damage immediately.

Any employee whose duties include the operation of company vehicles and who is cited for D.U.I., D.W.I., or for any other serious driving violation will be considered to have an unacceptable driving record and his or her continued employment will be subject to review.

If an employee receives a citation for any violation while operating a company vehicle, he will be subject to immediate termination. Likewise, employees required to operate any vehicles while performing work for the Company may be subject to discipline, including immediate termination if he or she is involved in off-duty D.U.I.s, traffic citations, or accidents that may indicate unfitness to safely operate a vehicle.

Delivery vehicles can never be used to carry passengers.

Smoking or drinking alcoholic beverages is prohibited in a company-owned vehicle or while operating a personal vehicle for company business.

### **SEATBELTS**

All employees must wear a seatbelt while driving or riding in any vehicle, either personal or company-owned, while going to or from work, and always while performing the Company's business. Furthermore, the Company encourages all its employees to wear seatbelts always, as required by state law.

We expect all employees to be courteous to their co-workers. Personal use of cellular phones can be very disruptive at work. Therefore, we request that you keep use of the cell phone for personal reasons to a minimum. Please keep your cell phone silent as ringing cell phones can be disruptive.

Employees whose job responsibilities include regular or occasional driving are expected to refrain from using their personal or business cell phones while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are

strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options, refrain from discussion of complicated or emotional issues and keep their eyes on the road.



### **CELLPHONES**

Employees, while operating a company vehicle or operating a personal vehicle for company business, are prohibited from texting, making use of electronic mail functions, or talking on a cellular phone without a hands-free headset, while the vehicle is in motion. This prohibition includes the time waiting for a traffic signal to change or while sitting in traffic.

Special care should be taken in situations where there is traffic; inclement weather or the employee is driving in an unfamiliar area. In situations where job responsibilities include regular driving and accepting of business calls, hands-free equipment must be used.

Under no circumstances are employees allowed to place themselves at risk to fulfil business needs. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. Violations of this policy will be subject to the highest forms of discipline, including termination.

### **MOTOR VEHICLE RECORD CHECKS**

To ensure that employees who drive vehicles during their job duties maintain valid driver's licenses, we will check motor vehicle records ("MVR") of all driver applicants prior to making them offers of employment, and annually thereafter. As part of the hiring process, applicants will be required to sign a written consent form allowing the Company to check their MVR **at any time** prior to or during their employment. All employees whose job requires the operation of a motor vehicle must have a valid driver's license. Additionally, all drivers over the age of 70 must undergo a DOT physical annually. All drivers must also maintain their driver's license always while driving any vehicle owned, leased, or borrowed by TSS/Rutland Place. If an employee's license is misplaced or revoked, the employee must notify his or her supervisor immediately.

### **REPORTING OF TRAFFIC INCIDENTS**

Employees who drive vehicles as any part of their job with the Company are required to report to their supervisor any citations, D.U.I.s, or accidents ("incidents") that they receive at any time after they become employed. **Failure to report such incidents within 48 hours of occurrence (e.g., accident or receipt of citation, not conviction on the charges) may result in immediate discharge.**

### **REPORTING OF WORK-RELATED ACCIDENTS AND HAZARDS**

All accidents—including those that do not involve serious injury and those involving customers—must be reported immediately to your supervisor. Only through a full knowledge of accidents can Company's facilities become a safer, healthier place to work for everyone.

Please be sure to report any unsafe conditions, defective tools or equipment, or other hazards to your supervisor. Each employee is expected to assist the Company in maintaining safe working

conditions. Safety is a state of mind and requires constant vigilance and common sense. Safety is everyone's responsibility.



## **COMPANY PARKING LOTS & ROADWAYS**

We ask that all our employees park their vehicles in the area designated for employee parking. If you have any questions as to where you should park, please ask your supervisor.

Speeding or operating a motor vehicle in a reckless manner on Company property or the Company's time is strictly forbidden. Speeds on Company property must not exceed 10 miles per hour. Company roadways and parking lots are considered as much a part of the Company complex as the inside of a building, and you are subject to all the Company rules in these areas.

## **ACCIDENT REPORTING POLICY**

### **POLICY**

Our accident reporting company policy is designed to outline the purpose and procedure for reporting any on-the-job accidents. Turner Senior Solutions and Rutland Place are committed to enforce all health and safety guidelines to avoid such occurrences and expect employees to comply. However, accidents are sometimes inevitable. Our provision in this case is to ensure all accidents are reported timely so they can be investigated properly, and preventative measures can be reviewed and reinforced. This accident report policy affects all employees and independent contractors.

### **POLICY ELEMENTS**

On-the-job accidents that must be reported include any incidents that may cause minor or severe injuries or incidents that are results of negligence or inadequate safety precautions. The victims may be employees who were injured while performing their duties or other people that were on company premises or vehicles.

Accidents must be reported as soon as possible to expedite investigation and increase the likelihood of important findings. The sooner the cause or details of the accident are identified, the sooner the company can establish preventative measures for the future.

### **What should be reported under the Accident Reporting Policy?**

The company encourages employees to report all accidents no matter how minor. Accidents that involve very minor injuries like small cuts, non-extensive bruises etc. and would not normally require any action on behalf of the company (e.g., the breaking of a drinking glass) do not have to be reported (although employees could report them if they want). On the other hand, accidents that involve (or could have involved) more severe injuries and require investigation and action from the company must be dutifully reported. Employees are obliged to report any of the following:

- Fatalities
- Damage to the head, skull, and face

- Damage to any of the senses (e.g., partial or complete loss of hearing, sight etc.)
- Incapacitation or dislocation of limbs that hinder functionality and movement (including paralysis and amputation)
- Damage to the skin (e.g., extensive burns, bruises, or cuts)
- Blows or injuries to the spine, back and ribs
- Harm to the nervous system or loss of consciousness through electrocution, hypothermia, etc.
- Poisoning
- Contamination from hazardous substances or transmission of diseases
- Any other injury that requires hospitalization or medical care

Especially when an employee needs medical coverage, the accident must be reported immediately since insurance benefits may have to be approved after the investigation.

Employees are also required to report occurrences that may not have involved injuries or victims but could be potentially dangerous in that respect if repeated. These include but are not limited to:

- Explosions
- Slippery surfaces
- Water or gas leaks
- Inadequate insulation of circuits
- Collapses of walls, ceilings etc.
- Breaking window glasses or frames

## **PROCEDURE**

When an employee witnesses or is involved in an incident they must report it to their immediate supervisor, the Administrative Services Director (personally, in writing or by phone if the accident occurred remotely), Executive Director, or Turner Senior Solutions within one week. If the employee anticipates an accident due to perceived negligence or inadequate safety, they must notify their supervisors or the Administrative Services Director as soon as possible so the accident can be prevented.

Depending on the incident, official forms may have to be completed and submitted.

The accident and any sustained injuries must be recorded to an accident database or file.

The officials responsible must initiate an investigation or request an investigation from the authorities if appropriate.

The employee who reported the accident must cooperate if called for questioning to provide details needed. Generally, the employee must provide information in the incident report as accurately as possible on the following:

- The place of the accident
- The date and time of the accident

- The people involved or injured
- Their position or involvement in the accident
- Their actions immediately after the accident

#### **DISCIPLINARY CONSEQUENCES**

The company places great importance on this policy. All employees are obliged to comply. Any employee that is discovered to have been aware of a serious accident and failed to report it will face appropriate disciplinary consequences. When employees are the cause of an accident, they must report it immediately to minimize legal repercussions.



# LAW ENFORCEMENT INTERACTIONS

## SCOPE

This policy covers steps to be taken if a deputy sheriff arrives in the lobby with a subpoena to serve a TSS employee, a detective calls for information about an employee, or a police officer arrives with an arrest warrant.

## POLICY

The following guidelines have been developed to assist our staff when confronted with a visit or call from a police officer or agent:

- **CHECK IDENTIFICATION.** Greet the police officer or legal agent and request to see their department or agency photo ID. Even a police officer in uniform will be happy to show their photo ID and will not be offended if asked.
- **BE CORDIAL.** Even if you disagree with what the officer is trying to achieve, you don't want to get aggressive with the officer. Stay calm, speak clearly and be pleasant.
- **INFORM THE OFFICER OR AGENT THAT YOU WILL NOTIFY THE POINT PERSON.** Your point person will always be the Executive Director. If the Executive Director is not available, your next contact will be the Director of Administrative Services. Should neither of these people be available, contact one of the Department Directors or TSS Management for assistance. Do not get into a big argument with law enforcement. Please be cooperative and responsive and let the law enforcement officer know that a designated person is going to come and represent the company. Most law enforcement officers expect that. They want to be cooperative and discreet in most situations.
- **DON'T PLACE YOURSELF IN A SITUATION THAT COULD SEND YOU TO JAIL.** A warrant is needed before officers can access confidential information. While protecting confidential information about our employees is important, please cooperate, if they are insistent.
- **NOTIFY THE POINT PERSON OF THE OFFICER'S OR AGENT'S PRESENCE.**

## GUIDELINES FOR POINT PERSON:

- Greet the officer or agent and confirm the agent's identity and the reason for the visit. If the officer or agent is telephoning, request their full name and badge number. Ask them to allow you time to confirm their identity with the police department or agency. You can do this by contacting the non-emergency information number for the police department or calling the agency's contact number generally provided on their website.

- If the officer or agent has no warrant and is seeking basic employee information, you may share some basic data related to their employment (i.e., dates of employment, position, wage).
- Requests to VERIFY information can be observed, but only to verify you have the same information. DO NOT VOLUNTEER new information. Inform the officer or agent that what you have on file is different from theirs. You may explain the category which differs, but do not inform them of new information. Direct the officer or agent back to the need for a warrant to obtain the different information found in the employee file. *Police officers and agents are trained in various methods for obtaining information. If they press the matter, please call TSS Management for further direction. If they state the information we can share could be a matter of life or death, don't allow this tactic to sway you from following company policy and procedure; the keyword is "could".*
- If the officer or agent asks for confidential information, such as medical documents, Social Security number, or date of birth, inform the officer or agent that you need to talk to management or legal counsel before complying.
- If the visit is to serve a subpoena in a matter unrelated to the company, you can typically ask the officer or agent to serve the papers during nonwork hours. If you wish, you can verify that the employee works for you and his or her hours of work. Papers served tend to contain bad news and may affect the employee's productivity. If you elect to allow service of the subpoena, service should take place in a private room. Try to minimize any workplace disruption.
- If you're uncomfortable with a request—because it seems broader than necessary, may result in disruption of the workplace, or is suspicious—suspend the visit by asking the officer to allow you time to seek professional advice.
- Sometimes the legal agent may ask for the company's assistance in an investigation. Review identification and any authorization the representative may possess that gives permission to conduct the investigation. The company's obligation to assist with the investigation depends on the facts. Sharing surveillance or security films should be reviewed with legal counsel.
- If the legal agent needs to see an employee, the main contact can arrange for this to occur in a private office.
- The Point Person should try to control the situation as much as possible. For instance, the contact should ensure that the visit doesn't drag out too long and hence becomes exacerbated. The contact should accompany the legal agent when he or she is touring the building or while the agent is reviewing any company documents.
- Allow for the serving of legal documents, arrests, or investigations to be conducted privately, minimizing, or even preventing, explosive, confusing, or embarrassing scenes.
- Be prepared for almost anything. Each segment of the law enforcement system may have a different procedure for executing warrants and other activities. Some will notify

the employer in advance of their arrival, but many do not. Be cooperative when the officer or agent needs to handle an issue immediately.

- After a visit, point person should provide employees with reassurance and very limited information as to what transpired. Avoid identifying the employee involved or the nature of the problem. There may be a temptation to say nothing at all to employees, however that may make the situation seem worse than it is, and the rumor mill will take over. For assistance in issuing any written notices, contact TSS Management for assistance.

When working with visitors from the legal system, remaining calm and flexible while following these guidelines should result in a positive outcome for TSS and any employees involved.



## WORKPLACE SECURITY



### **POLICY:**

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To provide a safe workplace for our employees and to provide a comfortable and secure atmosphere for our customers and others with whom we do business, the Company has a zero-tolerance policy for workplace violence, verbal and nonverbal threats and related actions. This prohibition includes bullying, which is defined 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 during employment.”

#### **On Company premises**

Any employee who commits or threatens to commit any violent act against any person while on Company’s premises will be subject to immediate discharge. The Company’s premises include our roadways and parking lots.

#### **Off Company premises**

Any employee who, while engaged in Company’s business off the premises, commits or threatens to commit any violent act against any person will be subject to immediate discharge. Even when off the premises and not involved in company business, an employee who commits or threatens to commit a violent act against another person will be subject to immediate discharge if that threat or violence could adversely affect the Company or its reputation in the community.

#### **Reporting / investigation procedure**

Any employee who is threatened with or subjected to violence, or who becomes aware that another individual has been threatened with or subjected to violence, should immediately notify his or her supervisor or someone else in management. Employees are urged to take all threats seriously. Reports of threats or violence will be carefully investigated; employee confidentiality will be fully maintained as possible; and, if necessary, appropriate action taken to ensure the continued safety of our employees and the public.

## Workplace Violence



TSS/Rutland Place is committed to preventing workplace violence and to maintaining a safe work environment. The Company has adopted the following guidelines to deal with intimidation, harassment, or other threats of or actual violence that may occur onsite or offsite during work-related activities.

### **Prohibited Conduct**

All employees, customers, vendors, and business associates should be treated with courtesy and respect always. Employees are expected to refrain from fighting, “horseplay” or other conduct that may be dangerous to others. Conduct that threatens, intimidates, or coerces another employee, customer, vendor or business associate will not be tolerated. The Company’s resources may not be used to threaten, stalk, or harass anyone at or outside the workplace. TSS/Rutland Place 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, security personnel, human resources (HR), member of the TSS/Rutland Place threat management team or any member of senior management. 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 the HR department 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 regarding intimate partner violence. TSS/Rutland Place will not retaliate against employees making good-faith reports. The Company is committed to supporting victims of intimate partner violence by providing referrals to the company’s employee assistance program and/or community resources and providing time off for reasons related to intimate partner violence.

### **Investigations and Enforcement**

TSS/Rutland Place 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. TSS/Rutland Place will not retaliate against employees making good faith reports of violence, threats or suspicious individuals or activities. To maintain workplace safety and the integrity of its investigation, the Company 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 immediate termination of employment.

TSS/Rutland Place encourages employees to bring their disputes to the attention of their supervisors or the HR department before the situation escalates. The Company will not discipline employees for raising such concerns.

## FIREARMS & WEAPONS



### POLICY:

The Community strives to promote safety by maintaining an environment that is safe for all people, including residents, staff, and visitors.

It is the Community's policy to maintain a firearm- and weapons-free environment for our staff, residents, guests, and visitors, as well as prohibit the possession of firearms and weapons, including those belonging to individuals who may have a license or permit that may otherwise authorize these individuals to carry a firearm or weapon. (The only exception is for authorized law enforcement officers.)

### DEFINITIONS

Firearm is a weapon (e.g., pistol, revolver, or rifle), whether loaded or unloaded, capable of firing a projectile using an explosive as a propellant.

Weapon refers to any instrument designed or used for inflicting bodily harm or physical damage.

*Exception: Powder-actuated tools that are manufactured for the use of fastening building materials are not considered to be firearms or weapons.*

### PROCEDURES

#### Signage

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- At each Community entrance, a sign is posted in a conspicuous location and notifies all who could enter that no firearms or weapons are allowed on the property.
  - Signs include a pictogram and wording that prohibits firearms and weapons. Sample language: NOTICE – NO FIREARMS OR WEAPONS ALLOWED ON THIS PROPERTY.

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*Note: Depending on the location of the Community, consideration should be given to having signage in additional languages.*

## Acknowledgement of Policy

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- Each employee and resident of the Community receives a copy of this policy at the time of his/her hire or move-in and signs a copy of the acknowledgement form. Employees and residents who were employed or in residence prior to the effective date of this policy also receive a copy and sign the acknowledgment form. A copy of the acknowledgement form is maintained in each employee's and resident's file.
  - A copy of this policy is provided to each agency staff member, subcontractor, temporary employee, and volunteer. Associates sign an acknowledgement form that is retained along with the associated contract or agreement.
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## Prohibited Conduct


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- The transportation of firearms or weapons in company vehicles is prohibited.
  - The carrying of permitted and non-permitted firearms and weapons while at company offices, parking lots, sponsored events, and job locations is prohibited.
  - If a person is observed to be carrying a weapon or firearm, promptly notify the Executive Director and/or a member of the Leadership Team.
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- If the situation is emergent, follow the procedures as outlined in the emergency management plan.
  - If the situation is non-emergent, the Leadership Team member(s) will evaluate the situation and determine the appropriate course of action.
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## Note:

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 *There may be law enforcement professionals who are authorized to possess a firearm, including while wearing civilian clothing.*

 *Personnel who are involved in security-related fields but are not law enforcement officials are managed in the same manner as civilian personnel.*

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## Search

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- The Community reserves the right to conduct reasonable searches of company premises and personal searches of employees, residents, guests, and others entering or leaving the Community's premises, including, but not limited to personal effects, vehicles, lockers, desks, tools, boxes, clothing, meal containers, and baggage.
  - Individuals refusing to allow an inspection will not be forced to submit to the inspection. However, employee refusal may constitute a violation of company policy (addressed under the Human Resources policy and process, if applicable). Non-employees who refuse to allow an inspection may not be permitted on the Community's premises. Residents who refuse to allow an inspection may be subject to eviction procedures.
  - If a firearm or weapon is found in a resident's room, a member of the Leadership Team is promptly notified as is the Executive Director.
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*Law enforcement is to be notified when a firearm or weapon is found in a resident's room for appropriate disposition of the item.*

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## Policy Adherence

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- Non-compliance with this policy by employees is addressed by the Human Resources policies and processes, and results in termination of employment.
  - Noncompliance with this policy by non-employee associates constitutes a violation of the Agreement, and results in termination of the Agreement, including prohibiting the individual from accessing the Community's premises.
  - The Leadership Team addresses resident infractions of this policy as they relate to the Residency Agreement.
  - Noncompliance with the posted signage by visitors constitutes a violation of this policy and will result in steps taken for the protection of personnel; this may include notification of law enforcement and can result in prohibiting the individual from accessing the Community's premises.
  - Personnel who refuse to comply with this policy will be addressed by the Leadership Team.
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*Law enforcement is to be notified when a person is not adhering to this policy and is in possession of a firearm or weapon.*

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I acknowledge that I have received a copy of the Firearms & Weapons policy, a signed copy of which will be maintained in the Community's files. I further agree to abide by this policy and understand the consequences of violating this policy.

☐ Employee

☐ Non-Employee Associate

Name (Printed): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## INCLEMENT WEATHER, NATURAL DISASTER OR UNFORESEEN EVENTS



### **POLICY:**

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Under certain weather conditions or emergency situations (e.g., power outages or flooding), TSS/Rutland Place offices and/or services may have to close for partial or whole day(s). This policy addresses both how employees will be paid in these circumstances as well as what will be expected of employees if mobilized to respond to a natural disaster.

### **Communication of Closing:**

Closings will be communicated to employees in any or all the following ways: via face-to-face meetings, emails, text messages, and the phone tree. Under these conditions, the Executive Director or designee will determine when the provisions of the Disaster Preparedness and Recovery Plan are to be activated. Once notified of the facility or services closing due to situations that may require us to respond, employees are to ensure they have their name badge and a form of identification on their person. Responsibility for these items always rests with the employee.

### **Advance Planning and Preparing for Emergencies:**

TSS/Rutland Place strongly encourages all employees to have a personal disaster/evacuation plan in place in the event of an emergency such as a tornado or flood. This plan should include provisions for the care of children and/or dependent adults and include back up care plans in the event schools or other facilities are closed.

Employees are also strongly encouraged to purchase a landline and have it in their homes for their own protection. Remember, cordless phones may not work after a tornado or flood, but the old-fashioned stationary phones have a better chance of operating.



## Pay Policies during Inclement Weather, Natural Disasters or Facility closing:

Regarding the issue of paying employees for time spent out of the building due to any of the above reasons, TSS/Rutland Place follows the provisions of the Fair Labor Standards Act (FLSA), which spells out how employees are to be paid at a minimum in accordance with the law.

### Paying for whole day absences under the FLSA:

If it is determined to close the offices, services, or to cease operations due to inclement weather or other emergencies prior to the start of the normal workday, the FLSA has determined the following:

*(Note: employees who are not sure of their exemption status should consult with the Executive Director.)*

- *Non-exempt* employees paid on a salaried basis (those paid on a fixed salary for a fixed number of hours), and *non-exempt employees* paid on an hourly basis, will not be paid for the days missed. If an employee has vacation or sick time benefits available, this leave can be taken so the employee will be paid for weather-related closures.

**Non-closures** – If Rutland Place remains open, but the employer refuses the employee's willingness to bear the elements to appear for work, the employee will be paid the hours of that shift they normally would have worked.

• *Exempt* employees, who can report to work, but cannot because Rutland Place is closed or there is nowhere to report, will be paid for day(s) the community is closed. In addition, if an employee misses a full day because of personal auto or road damage due to the inclement weather and cannot get to their assigned work location, they will be paid.

• If Rutland Place and/or the assigned work department is open and an *Exempt* employee cannot report to work due to family reasons, or loss of electricity at home and chooses not to report, they will not be paid unless they elect to take vacation or sick leave time. Those employees who do not have any paid time off available will not be paid. As with any absence, it is the employees' responsibility to inform his/her immediate supervisor, or any supervisor, or as a last resort, a fellow employee, as quickly as possible (if land line or cell phones are in service) if they are delayed or prevented from reporting to work.

**Note:** *All Employees who are out of work for more than one full week due to storm-related issues affecting their place of business may be eligible to apply for FEMA-related unemployment compensation.*

### Partial Day Absences:

*Non-exempt* salaried or hourly employees will only be paid for actual hours worked, however, as noted above, they may elect to take vacation or sick time to make up for the unpaid hours. For *non-exempt* employees, the lost time can be made up during the balance of the workweek in which

the closing occurred, with supervisory pre-approval, if the employee does not work more than 40 hours in total for that week.

*Exempt* employees who miss part of a workday will be paid as if they worked a complete day, however, time missed will be charged to available vacation or sick time benefits.

If an *Exempt* employee does not have any vacation or sick time available, under the FLSA the employee's pay will not be deducted for a partial day absence, however, a negative balance will be applied to their vacation or sick time accounts.

### **When communication is not possible due to inoperable landlines or cell phones:**

If employees cannot contact their supervisors due to inclement weather, and the roads are dangerous or impassable to travel, employees are encouraged to stay home for their safety. Once communication has been re-established, employees will work with management to determine how missed days are to be handled within the above parameters. Employees should maintain documentation regarding unsuccessful communication attempts.

### **What if an employee does not want to report to their assigned work location after an emergency has been declared?**

- An employee may request vacation or sick time if hours are available. It is up to his/her supervisor, or a member of their chain of command if the supervisor is not available, to approve or disprove the leave. If approved, the approver will ensure that information is communicated to the next level in the chain of command. As with any absence, it is the employees' responsibility to inform his/her immediate supervisor, or any supervisor, or as a last resort, a fellow employee, as quickly as possible (if land line or cell phones are in service) if they want to request paid time off.
- Employees who are not granted leave in advance or who do not request leave and do not report will be subject to the Agency's progressive discipline policy.

### **What if an employee cannot report because they are stranded out of the area after a storm?**

Employees are encouraged to take what precautions they believe to be in the best interests of their family. If that entails evacuating out of the area and they cannot return due to the aftermath of the storm, employees may request the use of annual leave as noted above. If they have no leave time available, and if they notify their supervisor in a timely manner regarding the circumstances of their absence, the absence may be considered excused, but unpaid.

### **Taking Work Home During a Disaster:**

While the Company appreciates employee dedication and commitment to their work, especially during disasters, the recommendation is that no work should be taken home during a disaster, especially if the information is of a proprietary or confidential nature. Should an employee's home be damaged, Agency property may be compromised. Unless specifically instructed by Senior

Management to take materials out of the office for safekeeping during a disaster, employees should not remove materials during such conditions.

### **Issue of Overtime and Non-Exempt Employees during disaster relief efforts:**

Non-exempt employees may not work overtime (more than forty hours in a workweek at any time) and it is the supervisors' responsibility to ensure this does not occur. During disaster relief efforts, being mindful of this is especially important.

If a non-exempt employee inadvertently works overtime, the Company is responsible for paying the employee time and one half for any hours more than the above. If we permit employees to work overtime, we are obligated to pay them for this overtime under federal law. Because our budgets do not have the money to pay overtime, under no circumstances should non-exempt employees be assigned to work more than 40 hours.

### **Workers Compensation during disaster efforts:**

Should an employee be hurt in the performance of disaster relief efforts, they are covered under the Agency's Workers Compensation Policy. The phone number for our carrier is listed on the Phone Tree sheet. If employees are injured, they must report it immediately. If the situation is a medical emergency, 911 should be called first. The health and safety of our employees are paramount, so please exercise caution and common sense in the aftermath of a storm.

- Employees are encouraged to wear appropriate footwear and clothing when performing disaster relief work. In addition, the use of sunscreen gloves, back belts and other safety devices are strongly encouraged and will be provided as appropriate. When delivering relief supplies to individual homes or communities, under no circumstances should employees attempt this without having a buddy or team member with them.
- If traffic lights are out and/or standing water remains on the roadways, employees are reminded to use extreme care and caution when driving in these conditions.

Should an employee be out of work due to an injury sustained in Rutland Place relief efforts, Workers Compensation covers lost time wages. If appropriate, the Company provided short-term disability may also apply. (See Paid Time Off policy)

## DISCLAIMER

### POLICY:

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**This Handbook highlights your opportunities and responsibilities as an employee of TSS/Rutland Place.** It is intended to give you a general overview of the Company employment policies and procedures and benefits. Because we operate in a dynamic industry, some policies and benefit programs currently in effect may be revised, suspended, or eliminated by Company in response to business needs or changing legal requirements. Please don't hesitate to contact your supervisor or manager with any questions.

Once again, welcome to TSS/Rutland Place; we look forward to working with you.

## Acknowledgment and Receipt

1. I have received a copy of The Employee Handbook: ☐ Hard Copy ☐ E-Link  
☐ Email (Initial all that apply)
2. The employee handbook describes important information about Turner Senior Solutions/Rutland Place, and I understand that I should consult the President or Human Resources regarding any questions not answered in the handbook. I have entered my employment relationship with Turner Senior Solutions/Rutland Place voluntarily and acknowledge that there is no specified length of employment. **Accordingly, either I or Turner Senior Solutions/Rutland Place can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.**
3. I understand and agree that other than the President of Turner Senior Solutions or designated representative of the company, no manager, supervisor, or representative of Turner Senior Solutions or Rutland Place has any authority to enter into any agreement for employment other than at-will; only the President of the company has the authority to make any such agreement and then only in writing signed by the President of Turner Senior Solutions.
4. This manual and the policies and procedures contained herein supersede all prior practices, oral or written representations, or statements regarding the terms and conditions of your employment with Turner Senior Solutions/Rutland Place. By distributing this handbook, Turner Senior Solutions expressly revokes all previous policies and procedures which are inconsistent with those contained herein.
5. I understand that, except for employment at-will status, all policies and practices may be changed at any time by Turner Senior Solutions/Rutland Place, and the company reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the President of Turner Senior Solutions has the authority to adopt any revisions to the policies in this handbook.
6. **I understand and agree that nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment and that employment at Turner Senior Solutions/Rutland Place is employment at-will, which may be terminated at the will of either Turner Senior Solutions or myself. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document.** I understand and agree that employment and compensation may be terminated with or without cause and with or without notice at any time by Turner Senior Solutions or myself.
7. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

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Employee's Signature

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Date

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Employee's Name (Print)