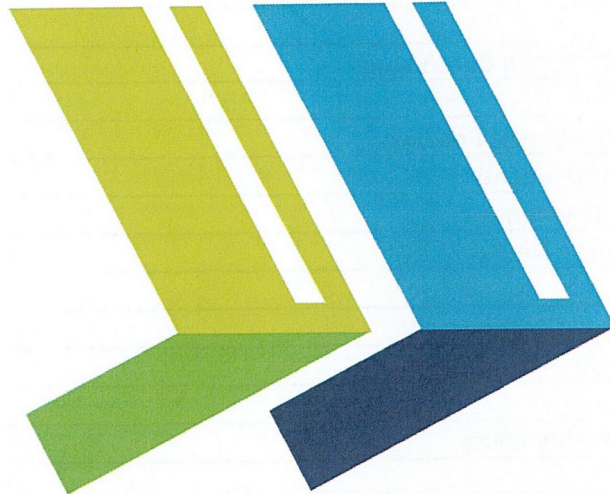




**Focused Living, Inc.**  
Stability Success

**Employee Handbook**

**June \_\_, 2025**

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## **ABOUT FOCUSED LIVING INC'S HANDBOOK**

Focused Living Inc wants to welcome you to our team, we are excited to have you join us in our mission, culture, and core values; helping us focus on changing and enhancing the lives of those we serve. We are here to support you and provide you with the necessary resources and tools you will need to be successful in your role at Focused Living Inc.

This handbook is created to act as a guide for our policies and procedures in relation to your employment at Focused Living Inc. Not every situation that may arise is outlined in this handbook, however, we use this as a guide to keep consistency with our employees.

Focused Living Inc. employment is "at will." Both Focused Living and employees have the right to terminate the employment relationship with or without cause, and with or without notice. The Employee Handbook is not a contract of employment and does not change, limit or modify this employment-at-will relationship. Focused Living Inc also has the right to hire, transfer, demote, promote, reclassify, lay off, terminate, or change the conditions of employment with or without notice unless otherwise required by law.

Focused Living Inc, has the discretion at any time to modify or vary anything stated in this handbook, except as required by law and except for the parties to terminate at will, which may only be modified on an individual bases, by an express written agreement signed by the CEO or COO of Focused Living Inc.

Any violation of the policies and procedures outlined in this handbook may result in disciplinary action, up to and including termination of employment.

This version of the Employee Handbook replaces all previous versions.

## **OUR MISSION, CULTURE, AND CORE VALUES**

We believe in thinking "outside the box" when providing services to those who need it most. We are committed to providing services with awareness, knowledge, and skills necessary to meet people where they are at. We effectively serve diverse abilities and work hard to provide services that help bridge the gap and provide community living options that support people and help them thrive in their communities. We believe, through an active approach and partnership, we can make a difference. To our employees, we couldn't do this without you; we promise to go the extra mile, be humble, and always try our best to do the right thing. Stability and success is the foundation at Focused Living Inc., we live and breathe it for those we serve and our employees.

### **Continuous improvement**

We will continuously strive to improve the services we provide and the support we give to our employees.

### **Commitment**

We have commitment to those we serve by helping them achieve their goals and to provide a safe environment where they can thrive. We have commitment to our employees, this is a partnership and we are here to support you, give you honest feedback, and help you grow.

### **Community**

It is our promise to get those we serve into their communities. This is important, not only for those we serve, but to spread awareness and education to the communities in which those we serve live. We want our communities to see beyond a disability.

## **Humility**

We believe in being humble. Life is a matter of choices, and every choice you make, makes you. Fail early, fail often, but always fail forward.

## **CONDITIONS OF EMPLOYMENT**

### **Minimum Age Requirements**

In compliance with Federal and State Laws and Organizational license requirements, the Organization shall not employ any individual under the age of 16, unless explicitly permitted by law and license requirements per specific Organizational site or program. Employees under the age of 21 cannot be employed at specific organizational sites and programs due to license minimum age requirements.

Employees under the age of 18 must follow all labor law guidelines and restrictions under the licensing requirements for working at Focused Living, Inc.

### **Conditions of Employment**

At Focused Living, Inc. your employment is "at will". Both Focused Living and employees have the right to terminate the employment relationship with or without cause, and with or without notice. The Employee Handbook is not a contract of employment and does not change, limit or modify this employment-at-will relationship. Focused Living, Inc. has the right to manage its employees, this includes the right to hire, transfer, promote, demote, lay off, reclassify, terminate or change the conditions of your employment at any time with or without reason or notice, unless required by law. No one other than the CEO or the COO can enter into an agreement of employment. A signed offer letter must be executed on date of hire. The offer letter will outline the employee's position, hours hired for, and wage, but does not constitute a contract of employment.

To obtain or continue employment with Focused Living, Inc., applicants and employees must satisfy the specific conditions below that are required for the position currently held or applying for.

- Initial and continuing County, Federal and State law, licensing, and other education and training requirements.
- Obtaining and maintaining an acceptable or qualified status for employment as issued under Minnesota Department of Human Services.
- Initially and continually, if required, provide proof of employment eligibility in the United States.
- Meet age requirements per site program.
- Not be listed on the "Excluded Provider List" as issued and maintained by the Officer of Inspector General.
- Initially and thereafter be considered an acceptable driver per Focused Living's automobile insurance carrier guidelines based on the position within the company.
- Receive and maintain certifications, licensures, or other qualifications required for the position. {CPR, First Aid, Med Distribution}
- Agree to have photos taken for identification and public social media purposes.
- If you are under the age of 18, comply with the following requirements: No medication passing, no working past 11 pm or prior to 6 am. No driving of Focused Living's vehicles and no use of DME life equipment for individuals served.

## **Background Studies - Netstudy 2.0**

All individuals who will be working with vulnerable adults or children must complete a background check, as required by State and Federal licensing requirements. Reasons you may be disqualified from work include but are not limited to: any convictions related to sexual misconduct, theft or assault. If, as a result of the background check, the applicant is disqualified or becomes disqualified as outlined in Chapter 245C of MN Statutes, the employee may be subject to immediate termination.

If fingerprints are required, employee will complete the fingerprinting process within the required timeframe provided by Netstudy 2.0. Failure to schedule and complete the fingerprinting process may result in termination of employment.

If a background study requires more time needed with continuous direct supervision, employee may be subject to immediate termination of employment, based on site or program requirements. If a background study comes back as disqualified but the employee is eligible for reconsideration, if employee chooses to request reconsideration, they will be placed on an immediate unpaid leave. If employee chooses not to complete a request for reconsideration, employee will be considered to have voluntarily resigned their position with Focused Living, Inc.

## **GENERAL EMPLOYMENT POLICIES**

### **EEOC and Human Rights**

Focused Living promotes equal opportunity for all employees regardless of their race, color, sex, religion, age, creed, national origin, disability, sexual orientation, status with regard to public assistance, military status, marital status, familial status, ancestry, gender identity, genetic information, pregnancy (including childbirth and related conditions), membership or activity in a local human rights commission, or other legally protected status. In all aspects of employment, Focused Living recruits, hires, trains, pays, and promotes without regard to legally protected traits. The objective is to hire and promote individuals best qualified and/or trainable for the position, by virtue of job-related standards of education, interest, training, experience, and personal qualifications.

In addition, Focused Living does not tolerate prohibited discrimination or harassment on the legally protected traits listed above, and follows the anti-harassment policy, below. If an employee believes that he/she has been discriminated against, please follow the reporting procedure outlined in the anti-harassment policy.

### **ADA Disability Accommodation Policy**

Focused Living, Inc. is committed to providing equal employment opportunities to all employees, including qualified individuals with disabilities. This includes providing reasonable accommodations that will allow qualified individuals with disabilities to successfully perform the essential functions of their positions, unless doing so would cause undue hardship. In general, it is your responsibility to notify Human Resources in writing if you have a need for an accommodation. Upon doing so, Human Resources may ask you for your input, the type of accommodation you believe is necessary, or the functional limitations caused by the disability. Also, when appropriate, Focused Living, Inc. may need written permission to obtain additional information from your physician or other medical or rehabilitation professional. Any information obtained is kept in a confidential employee file

All requests for reasonable accommodations will be considered consistent with the business needs of the Organization in accordance with state and federal law. All questions should be discussed with Human Resources.

### **Sincerely Held Religious Beliefs/Practices**

Focused Living will try to reasonably accommodate the sincerely held religious beliefs and practices of employees, unless doing so would cause an undue hardship. Employees who have questions or who would like to request an accommodation of a religious belief or practice should present any request to Human Resources. An employee seeking an accommodation is expected to engage in an interactive dialogue to determine whether an accommodation exists which will allow the employee to perform the essential functions of the job and which will not create an undue hardship on Focused Living.

### **HIPAA and Confidentiality Policy**

Our clients lives are private and we have a duty to protect their confidential information. Employees are prohibited from sharing clients' information (work or non-work related) for any reason, unless it is necessary to fulfill their job duties.

**\*\*\*\* It is important that you do not discuss any aspect of a client's life with any other person served, acquaintance, family member or friend.**

HIPAA regulations define the clients' Protected Health Information (PHI). PHI includes the client's name, address, phone number, social security number, and any identifiable personal information. A Client's PHI is not to be disclosed for any reason other than for means of Treatment, Payment or health care operations.

Moreover, as a part of your responsibilities at Focused Living, you may learn of or be entrusted with sensitive, confidential organizational information, including, but not limited to, organization strategies, plans, employees' personal identifiable information, financial figures or projections, intellectual property, procedures and marketing plans and strategies. During and after employment, no individual shall disclose confidential information to any firm, individual, or institution without permission from the CEO or COO.

Your failure to comply with the confidentiality policy will result in disciplinary action or termination.

DEFINITION- Breach of confidentiality is defined as unauthorized use, discussion or release of confidential information regarding clients or employees, their identity, and/or their retrieval of records on the computer, any other data without a need to do so, and conversations and discussions that may be overheard by unauthorized persons.

INFORMATION PROTECTED- "Personally identifiable information" means information about any individual, including other employees that could reasonably be used to identify that individual, including, but not limited to, first and last name, residence or any other physical address, electronic mail address, telephone number, birth date, credit card information, and social security number. Medical information, disability and accommodation requests, time and attendance records, leave requests are also protected. Various federal and state laws may require additional protection of certain personal information.

However, "personally identifiable information" does not include information collected as part of any regulatory, investigative, or criminal justice purpose, information collected as part of litigation in which the state is a party, or information that is required to be collected pursuant to any state or federal statute or regulation.

LIMITED ACCESS AND DISCLOSURE- Employees shall not access nor disclose personally identifiable

information regarding other employees unless it is necessary to fulfill their job responsibilities. Employees shall not seek or access protected information out of curiosity, out of malice, for personal gain, or for any other impermissible purpose, even if they are otherwise authorized in the ordinary course of business.

Employees shall hold in confidence and refrain from disclosing protected information to any person, including federal, state or local governments, unless the requestor has a demonstrated official business reason for the information, or the person to whom the information pertains has authorized its release. Requests from persons outside state and government must be handled in accordance with the appropriate state's data privacy and protection laws. All personally identifiable information is governed by these laws including the protection of personnel files and other confidential information.

Precautions: Employees have the responsibility to ensure that all information is properly protected and secured. Materials containing personally identifiable information should not be left unattended or in plain view. Email addresses and fax numbers should be verified, and authorized persons should be available to receive faxes containing personally identifiable information. If an employee receives an email or fax in error, he or she should promptly notify the sender.

**AUTHORIZED PERSONNEL ONLY-** Only appointed personnel will have access to client and employee files and access will be solely provided on a need-to-know basis. Furthermore, such access shall be granted only in accordance with applicable laws. Medical information, including leave requests and approvals, must be secured and only those with a business need should have access.

### **Job Posting Policy**

Job openings are posted internally on the organization's communication system and on the organizations website. At Focused Living Inc's sole discretion, we may choose not to post job vacancies if a possible candidate is already available for the position. The Organization may take the liberty to promote internal employees for a position without going through the formal interview process. If an employee is interested in a job that is posted, he or she should complete an application and may contact Human Resources regarding the position and its requirements.

### **Personnel File Review Policy**

You have the right under Minnesota law to review your personnel file once every 6 months while you are employed with us and once a year upon termination. If you choose to exercise this right, you must give your request in writing.

Within seven working days of receiving your request we will make your file available for your review. We may require that this review take place in the presence of an organization representative. After you review and upon your written request, we will provide you with a no charge copy of items in your file.

What is contained in the personnel file is carefully defined under Minnesota law. The law does not require that we allow you to review and copy information that is not contained in your personnel file.

After reviewing your file, if you dispute specific information it contains, we may agree to remove or revise the disputed information. If we cannot reach an agreement, you are entitled to submit a written statement of five pages or less explaining your position. This position statement will be included in your file along with the disputed information.

### **Employee Orientation Policy**

Each new employee will complete the required trainings (Maltreatment of Vulnerable Adults, Maltreatment of Minors, Sexual Violence, and Positive Supports Rule Core) before providing direct contact services with persons served. Failure to complete

may result in corrective action, up to and including termination of employment.

As part of the orientation process, employees will have their picture taken and it will be posted on the organization's website.

## **Policy Against Discrimination and Harassment**

It is the policy of Focused Living to provide a work environment free of harassment and discrimination. Focused Living will not tolerate any form of illegal harassment or discrimination based upon an individual's race, color, sex, religion, age, creed, national origin, disability, sexual orientation, status with regard to public assistance, military status, marital status, familial status, ancestry, gender identity, genetic information, pregnancy (including childbirth and related conditions), membership on a local human rights commission, or other legally protected status in accordance with the requirements of federal, state and local law.

**HARASSMENT DEFINED-** Harassment is defined in this policy as any unwelcome verbal, visual or physical conduct, based on an individual's protected characteristic, creating an intimidating, offensive, or hostile work environment that interferes with work performance. Harassment can be verbal (including jokes, slurs, insults, epithets, gestures or teasing), graphic (including offensive posters, drawing symbols, cartoons, computer displays or emails) or physical conduct (including physically threatening another, blocking one's way) that designates or shows hostility or aversion towards an individual because of any protected characteristic. Such conduct violates this policy, even if it is lawful. Because it is difficult to define unlawful harassment, employees are expected to behave in a professional and respectful manner. You as an employee have the right to make the harasser aware of any conduct listed above and ask them to stop.

**SEXUAL HARASSMENT DEFINED-** Sexual harassment is one form of harassment; it is specifically defined as unwelcome or unsolicited sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to the conduct is either an explicit or implicit term or condition of employment;
- Submission to or rejection of the conduct is used as a basis for employment decisions affecting the person doing the submitting or rejecting; or,
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Examples of behavior which could be construed as sexual harassment include, but are not limited to:

- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment.
- Obscene or vulgar sexual gestures, images or comments.
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies.
- Propositions, or suggestive insulting comments of a sexual nature.
- Derogatory cartoons, posters and drawings.
- Sexually explicit emails or voicemails.
- Uninvited touching of sexual nature.
- Unwelcomed sexually related comments.
- Conversation about one's own or someone else's sex life.

**REPORTING PROCEDURES-** The following steps have been put in place to ensure the work environment at Focused Living is free from harassment. If an employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of their supervisor and/or Human Resources. If the alleged source of the harassment is the supervisor or

Human Resources, immediate contact should be made to the next person in the chain of command, this would include CEO and COO. Employees are strongly encouraged to make their report on the objectionable conduct in writing.

**NO RETALIATION-** No employee will be subject to, and Focused Living prohibits, any form of discipline or retaliation for reporting perceived violations of this policy in good faith, pursuing any such claim, or cooperating in any way in the investigation of such claims in good faith. If an employee believes someone has violated the no-retaliation policy the employee should bring the matter to their supervisor or Human Resources. If the alleged source of the harassment is the supervisor or Human Resources, immediate contact should be made to the next person in the chain of command, this would include CEO and COO. Regardless of the position or title, anyone who Focused Living determines has violated the No Retaliation policy will be subject to discipline, up to and including termination.

We cannot remedy claimed discrimination, harassment, or retaliation unless you bring these claims to the attention of management. Failure to report claims of harassment and/or retaliation prevents us from making steps to remedy the problem.

It is imperative that all managers of people at Focused Living comply with the Equal Employment Opportunity Policy and enforce it. Each department lead, manager, supervisor is responsible for ensuring that all employees comply with this policy. Focused Living will enforce this policy against any individual engaging in prohibited or unlawful harassment or discriminatory conduct, and against management personnel who knowingly allows such behavior to continue.

Managers must take timely and appropriate action when they know or have reason to suspect a behavior might amount to prohibited or illegal harassment, discrimination or retaliation.

**INVESTIGATION PROCEDURES-** All complaints of sexual harassment, or harassment of any kind, will be investigated promptly and where necessary, prompt and appropriate action will be taken to stop and remedy the conduct. Reports of harassment and discrimination will be handled as confidentially as possible. However, Focused Living cannot promise confidentiality because of its need to investigate the conduct and take appropriate action.

Any supervisor, agent or employee found in violation will be subject to disciplinary action, up to and including termination.

### **Drug, Cannabis, and Alcohol Free Workplace Policy**

Focused Living is required by law to provide a safe and healthy environment for employees and clients. To achieve these goals, Focused Living has the following rules about the use, possession and sale of drugs, cannabis, and alcohol to employees.

Focused Living prohibits:

- Any possession, sale, transfer, or use of alcohol, cannabis, drugs on Company property.
- Any employee from working under the influence of alcohol, cannabis, drugs; and
- The illegal use of prescription drugs.

Any possession on work premises of alcohol, cannabis, or drugs or prescription drugs that aren't prescribed to the employee will be subject to immediate termination pending a complete investigation. However, alcohol may be consumed on Focused Living properties at authorized social functions sponsored by Focused Living, in which case consumption must be reasonable and responsible, and the use of alcohol during work hours or reporting to work under the influence of alcohol is still strictly prohibited.

Consistent with the requirements of state law, team members may be tested for cannabis, drugs, or being under the influence of alcohol in cases of work-related accidents, damage to Company property or upon reasonable suspicion. A refusal to take a cannabis, drug, or alcohol test will result in disciplinary action, up to and including termination of employment.

Any team member who voluntarily seeks assistance with a self-perceived cannabis, drug, or alcohol problem will not be subject to discipline or retaliation for the act of seeking assistance. Team members desiring assistance should speak to a member of the Human Resource Team to arrange for Company assistance. If a violation of this policy is discovered by means other than by a team member's own admission, the team member will be subject to discipline in accordance with the policies in this Handbook. Depending on the circumstances involved, Bayer Built Woodworks will require the team member to undergo assessment and successfully complete the course of treatment recommended by such assessment.

The illegal or unauthorized use, being under the influence of, sale, distribution, or possession of narcotics, drugs, or controlled substances while on the job (on or off Focused Living property) or on Focused Living property will result in immediate disciplinary action, up to and including termination.

Employees need to notify their supervisor immediately if they suspect an employee is in violation of this policy.

The use of controlled substances as prescribed to you by a licensed physician or are available over the counter is not prohibited in this policy. However, if a physician has prescribed medication that requires any accommodation, or poses safety concerns, please notify your supervisor and or Human Resources to discuss what accommodations are necessary. While taking prescription medications, employees are required to stay within the dose that was originally prescribed by the physician. Violation of this policy will result in disciplinary action, up to and including termination.

Focused Living maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation.

The use of cannabis or any cannabis related products is prohibited during working hours by employees. Focused Living does not permit the following with regard to cannabis: use, possession, impairment, sale, or transfer while employees are working on Focused Living properties or operating Focused Living vehicles, machinery, or equipment.

Furthermore, employees may be subject to cannabis, drug, and/or alcohol testing when reasonable suspicion exists to believe that the employee:

1. Is under the influence of cannabis, drugs, or alcohol; or
2. Has violated written work rules prohibiting the use, possession, sale or transfer of cannabis, drugs, or alcohol while working, while on work premises, or while operating Company vehicles, machinery or any other type of equipment; or
3. Has sustained a personal injury or has caused another employee to sustain an injury; or
4. Has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

Reasonable suspicion may be based upon, but it not limited to, facts regarding appearance, behavior, speech, breath, odor, possession, proximity to or use of alcohol, drugs, or cannabis or containers or paraphernalia, poor safety record, excessive absenteeism, impairment of job performance, or any other circumstances that would cause a reasonable employer to believe that a violation of Company's policies concerning cannabis, drugs, or alcohol may have occurred.

### **The Result of a Positive Test**

An employee may refuse to consent to requested cannabis, drug, or alcohol testing. Refusal, however, may be grounds for. An employee who, on religious grounds, refuses to undergo drug and/or alcohol testing, including cannabis testing, of a blood sample will not be considered to have refused testing, unless the employee also refuses to undergo drug, alcohol, or cannabis testing of a urine sample.

If an employee tests positive, the employee will be provided the opportunity (i.e., unpaid leave of absence) to participate in a cannabis, drug, or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by Focused Living, after consultation with a counselor or physician trained in the diagnosis and treatment of chemical dependency, at the employee's expense. An employee may be allowed to return to work prior to the completion of counseling or rehabilitation as long as they are actively engaged in the process of obtaining an appointment, counseling, or rehabilitation. The employee will not be allowed to return to work until a negative test result is obtained on a follow up test. If the employee refuses to attend a cannabis, drug, or alcohol counseling or rehabilitation program or fails to successfully complete a cannabis, drug, or alcohol counseling or rehabilitation program, the employee's employment will end by voluntary resignation.

### **The Right to Explain a Positive Test Result**

An employee who tests positive on a cannabis, drug and/or alcohol test, has the opportunity to explain the positive test result. The explanation must be in writing and must be submitted within three working days of receiving the result. In offering an explanation, the employee shall provide a list of all over the counter or prescription medications and any other relevant information to the reliability of or explanation of the positive test result. The employee also has the right to request a confirmatory retest on the original sample at the employee's own expense. A request for a confirmatory retest must be in writing and submitted within five working days of receiving the test results.

An employee may be suspended without pay or transferred to another position at the same rate of pay pending the outcome of a confirmatory test or confirmatory retest, if reasonably necessary to protect the health or safety of the employee, other employees, Focused Living clients, or the public. An employee who has been suspended without pay will be reinstated with back pay if the outcome of the confirmatory test (or confirmatory retest, if requested) is negative.

Employees have the right to request and receive from Focused Living a copy of the test result report on any drug or alcohol test.

### **Confidentiality**

The confidentiality of any information received by Focused Living through this cannabis, drug and alcohol testing procedure shall be maintained, except as otherwise provided by law.

### **Business Ethics Policy**

Employees must immediately report to the CEO or COO any offer of gift, gratuity, service, or product from any Focused Living client, client family member, or any other person we do business with. Items such as pens, coffee mugs, calendars, or

any other gifts under \$50 are acceptable as long as they are not received twice a year.

### **Reasonable Accommodations of Impairments and Disabilities**

Focused Living tries to provide reasonable accommodations for all impairments a person may have, regardless of whether they amount to a disability. Focused Living will make reasonable accommodations, as required by applicable federal, state, or local laws, for otherwise qualified employees who have or develop a disability that affects their ability to perform the essential functions of the job, where this can be done without causing undue hardship on Focused Living's operation.

Focused Living reviews questions of reasonable accommodation on a case-by-case basis, through an interactive dialog with the employee involved. Focused Living may request input from knowledgeable health care providers as applicable. The purpose of the dialog is to help us identify and evaluate any options that may be an effective accommodation, and to assess whether a particular option would cause undue hardship.

An employee who believes that he or she needs a reasonable accommodation should inform their supervisor and/or Human Resources. Focused Living abides by the applicable laws requiring employers to treat medical information with appropriate confidentiality.

### **Reasonable Accommodation for Religious Beliefs**

Focused Living will provide reasonable accommodation, consistent with federal and state law, for employees who request accommodations or reasonable changes to normal work conditions based on religious beliefs.

Focused Living reviews questions of reasonable accommodation on a case-by-case basis, through an interactive dialog with the employee involved. An employee who believes that he or she needs a reasonable accommodation should inform their supervisor and/or the Human Resources Department.

### **Whistleblower Protection & False Claims Act Policy**

It is Focused Living's policy to provide health care services in a manner that complies with applicable state and federal laws and also meets Focused Living's high standards of business and professional ethics. Accordingly, Focused Living educates its employees about how to identify False Claims (as defined below) in order to prevent abuse, fraud and waste. Focused Living also advises employees on the whistleblower protections available for good faith reports of false claims.

The federal and state False Claims Act protect government health care programs against fraud that results from the submission of a False Claim (as identified below). The FCA applies to all state and federally funded contracts and programs relating to health care.

\*\*\* A False Claim is more broadly defined and includes, among other things the following:

- Knowingly presenting for payment a false or fraudulent claim.
- Knowingly making, using, or causing to be made or used a false record, statement or claim.
- A "claim" includes any request or demand for money or property made for which federal or state health care funding is provided, in whole or in part.
- Examples of false claims may include up-coding or over-coding, providing services that are not medically necessary, or billing for services that are not provided.

## FRAUD AND ABUSE

**ABUSE:** Abuse generally refers to incidents or practices that are inconsistent with accepted, sound business, and fiscal or medical administrative practices. Abuse may, directly or indirectly, result in unnecessary costs, improper payment, or payment for services that fail to meet professional standards of care that are medically unnecessary. Abuse often takes the form of claims for services not medically necessary or not medically necessary to the extent provided.

**FRAUD:** An intentional deception or misrepresentation made by an entity or person, including but not limited to a subcontractor, vendor, provider, client or other customer with the knowledge that the deception could result in some unauthorized benefit to himself/herself or to some other entity or person. Fraud includes any attempt to obtain, by means of false or fraudulent pretenses, representations or promises, funds of any healthcare benefit program. It also includes any act that constitutes fraud under applicable state and federal laws.

**REPORTING COMPLIANCE CONCERNS:** In addition to complying with Focused Living policies requiring compliance with all applicable laws and with agency policies, an employee must report any suspected misconduct, including suspected violations of Focused Living policies or procedures or federal or state laws.

Employees must report potential improper activities to the CEO or COO. You can also use <http://www.stopmedicarefraud.gov/> or call 1-800-447-8477.

Depending upon the nature of the violation, investigators of integrity or compliance issues may be performed by Focused Living's CEO, COO, Human Resources, Legal Counsel, or other appropriate staff or consultants.

**WHISTLEBLOWER/ANTI-RETALIATION PROTECTIONS:** Focused Living expressly prohibits retaliation against an employee who, in good faith, reports or participates in the investigation of any compliance matter, or who, in good faith, files or participates in a whistleblower action as permitted by the federal or state laws.

Employees who observe activities or behavior that may violate the law in some manner and who report their observations either to management or to governmental agencies are provided certain protections under the law.

### Focused Living will not:

Terminate, discipline, threaten, otherwise discriminate against, or penalize an employee regarding the employee's compensation terms, condition, location, or privileges of employment because:

- a. Employee or a person acting on behalf of an employee, in good faith, reports a violation or suspected violation of any federal or state law or rule adopted pursuant to law to an employer or to any government body or law enforcement official;
- b. The employee is requested by a public body or office to participate in an investigation, hearing or inquiry;
- c. The employee refuses an employer's order to perform an act that the employee has an objective basis in fact to believe violates any state or federal law or rule or regulation adopted pursuant to law, and the employee informs the employer that the order is being refused for that reason; or
- d. The employee, in good faith reports a situation in which the quality of health care services provided by a healthcare facility, organization, or health care provider violates a standard established by federal or state law or a professional recognized national clinical or ethical standard and potentially places the public at risk of harm.

Focused Living will do its best to keep confidential the individual who is reporting the complaint or violation.

### **Nursing Mothers and Lactating Employees Policy**

Focused Living will provide reasonable break times each day to an employee who needs to express milk. The break times may run concurrently with any break times already provided to the employee. Focused Living will not reduce an employee's compensation for time used for the purpose of expressing milk. Reasonable efforts will be made to provide a clean, private, and secure room or other location, in close proximity to the work area, other than a bathroom or a toilet stall, that is shielded from view and free from intrusion from coworkers and the public and that includes access to an electrical outlet, where the employee can express milk in privacy. Focused Living will not discharge, discipline, penalize, interfere with, threaten, restrain, coerce, or otherwise retaliate or discriminate against an employee for asserting rights or remedies under this policy.

### **Use of Organization Keys, Badges, or Passwords Policy**

If issued a key, identification card, badge, password or other access device, the employee understands that they may use such only for the purposes of employment. The employee will not allow anyone to use these devices or to duplicate them. The employee will notify the CEO of the loss of any device or if they believe it has been improperly used and will surrender any device immediately upon discharge.

Employees who access organizational technology or use organization keys or badges without permission to access private and confidential information will receive corrective action up to and including termination of employment.

### **Online Training Policy**

Employees may receive online training assignments that meet established standards set by the organization, applicable laws & rules or by licensing. These training programs enable employees to get that information, skills and competencies needed to succeed as a member of this organization's team.

Employees may be assigned online training as is appropriate from their Human Resources Department, Supervisor, or other delegated person. Employees are responsible to complete the online training during the assigned time period which should occur during scheduled shifts. Employees must verify that they are the person taking the training and are responsible to complete the training independently.

Employees are also responsible for tracking their online training time in a manner that is consistent with the organization's payroll and time tracking process.

Employees will be paid for online training time in accordance with wage and hour laws. Payment will be issued at the same hourly rate that classroom or live training is paid in. Employees must be paid for the time it takes them to complete the training. You will be paid for the time that is allotted to complete the course. If it is a 30 min course, you will be paid for 30 min if it's outside your scheduled work time at a location. Hours and verification of completion will be needed for verification. If you fail the course, a retake may be issued until you have successfully passed the course. If you need extra time to complete the course for some reason you must notify your supervisor to obtain approval.

## **Working at Focused Living Inc**

### **Wage and Hour Policies**

## **Work Week and Pay Date Policy**

Payroll dates are Wednesday at 12:00am through Tuesday 11:59pm; pay day will be every Friday. Employees have the option to receive their paychecks via live check or direct deposit, direct deposit is encouraged to ensure there is no delay in pay. Live checks will be mailed by end of business day on Wednesday. Employees will indicate if they would like direct deposit or live check at their new hire orientation, this can be changed at any time. If employees need to change their selection, they will need to contact Human Resources.

## **Overtime & Overtime Pay Policy**

In accordance with state and federal laws, all hours worked over 40 hours per week by non-exempt (hourly employees) are considered overtime hours. Overtime is paid at 1.5 times the employee's regular rate of pay. All overtime must be approved by the employee's supervisor before it is taken. Failure to obtain prior approval for overtime may result in disciplinary action, up to and including termination.

Paid leave and holiday pay do not count in overtime calculations.

## **Break Periods Policy**

A 15-minute break period is granted for every four consecutive hours worked or as the schedule permits. Break periods cannot be taken in connection with meal periods, other break periods, and at the beginning or end of the workday. Employees may not take their break periods at the same time as another employee if doing so would result in a lack of required supervision for the individual served.

Employees on break shall stay on Focused Living property.

## **Meal Periods Policy**

Non-exempt ratio employees are required to remain at the site to assist the individual served at mealtimes. Based on this requirement, all non-exempt ratio employees working an 8 or more-hour shift are entitled to 30 minutes for meals with pay. Meal periods shall be taken as assigned by the supervisor and may not be taken at the beginning or end of their workday. The employee must maintain the individual served, Individual Abuse Prevention Plan (IAPP), Coordinated Service and Support Plan (CSSP), Service and Support Plan (SPA), and Self-Management Assessments (SMA); supervise the individual served, and remain on Organizational property.

All non-exempt ratio employees working an 8-hour shift or more, who are not required to assist individuals served, are required to take a 30 minute break for meals without pay.

## **Recording Hours of Work**

As required by law, a record of hours worked per work day and work week must be maintained. Employees will use their login information to clock in or out using the organization timekeeping system. Each employee is required to record his/her actual start and stop times for each work shift. If an employee forgets to clock in or out, the employee should complete a shift edit request within the timekeeping system and notify the Administrative Support Specialist. It is the responsibility of each employee to ensure that hours worked are correct in the timekeeping system. If there are adjustments that need to be made in the timekeeping system, employees will contact their Supervisor or Administrative Support Specialist immediately to correct. If hours are missed on your paycheck, the missed hours will be retro-paid (added) to your next paycheck. Supervisors will be responsible for approving employees' timesheets at the end of

each pay period. Under no circumstances is it permitted to allow another employee to clock in or out for you or use another employee's login information.

### **Employment Classifications Policy**

Every employee of Focused Living is classified as either exempt or non-exempt in compliance with the Fair Labor Standards Act (FLSA). In order for an employee to be exempt from the provisions of the FLSA, the employee must meet certain minimum qualifications. All employees who do not meet the exemption requirements shall be classified as non-exempt.

Exempt employees are exempt from an "hourly wage", rather they are salaried. They do not qualify for overtime. Please refer to the Safe Harbor Policy for exempt Employees for a description of when an exempt employee's salary may be reduced. Non-exempt employees are eligible for overtime and minimum wage.

Employment classifications also include a position status; temporary, part-time, or full time based upon the positions regular scheduled hours.

- Temporary: Part-time, non-exempt
- Temporary: Full-time, non-exempt
- Part-time, non-exempt
- Full-time, non-exempt
- Full-time, exempt

### **Safe Harbor for Exempt Employees**

It is Focused Living's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure you are paid properly and no improper deductions are made, you must review your pay stubs promptly to identify and report any errors.

If you believe a mistake has occurred or if you have any questions, please use the reporting procedure outlined below.

- As an exempt salaried employee, you receive a salary which is intended to compensate you for all hours you work for Focused Living. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.
- Under federal and state law, your salary is subject to certain deductions. For example, absent contrary state law requirements, your salary can be reduced for the following reasons:
  - o Full-day absences for personal reasons.
  - o Full-day absences for sickness or disability if you have exhausted the paid leave available to you.
  - o Intermittent absences, including partial-day absences, covered by the federal Family Medical Leave Act (FMLA), if you have exhausted other leave available to you.
  - o Full day disciplinary suspensions for infractions of our written policies and procedures.

- o To offset amounts received as payment for jury and witness fees or military pay.
- o During the first or last week of employment in the event you work less than a full week.
- o Any work week in which you perform no work for Focused Living.

Your salary may also be reduced for certain types of deductions, such as your portion for state, federal or local taxes, social security, health, dental or life insurance or voluntary contribution to 401K or pension plan.

In any work week in which you performed any work, your salary will not be reduced for any of the following reasons:

- Partial day absences for personal reasons, sickness or disability.
- Your absence on a holiday when a facility is closed, or because the facility is closed on a scheduled workday.
- Absences for jury duty, attendance as a witness or military leave in any week in which you have performed any work.
- Any other deductions prohibited by state or federal law.

If you believe you have been subject to any improper deductions, you should immediately report the matter to the CEO or COO.

### **Attendance Policy**

The success of Focused Living depends upon the cooperation and commitment of each member on our team. Your attendance and punctuality are extremely important. The individuals served and your fellow teammates will bear the burden of your absence or tardiness. Good attendance is required. We ask that you please be at your workplace 5 minutes early to prepare and begin shift/work at your starting time.

Ratio employees must remain at their worksite or program until the next ratio employee arrives. Employees are not allowed to leave their work site early unless approved. Employees who walk off the job or leave with no notice during a scheduled shift will be considered to have voluntarily resigned from their employment with Focused Living.

Employees, who miss three consecutively scheduled shifts will be required to provide a Physician's order/note indicating they are/were unable to work due to a sickness or medical condition. Physicians notes/orders must be submitted directly to Human Resources immediately upon receipt. This needs to be done no longer than 2 business days or the Monday following a weekend, whichever is less. Failure to provide a Physician's note may result in corrective action up to and including termination of employment.

Focused Living does not permit any unapproved, unexcused absences or tardiness from work. Unapproved or unexcused absence or tardiness may result in disciplinary action, including up to termination. Human Resources will consult with the supervisor of the location and unapproved tardiness, absences and unexcused absences will be addressed by Human Resources.

Employees without an approved, excused absence or tardiness as listed below will be held to the following disciplinary actions:

- Employee calls/does not call or show up for a shift or workday without any available leave time available to cover the absence.
- Employees who are tardy beyond 1 hour from the start of the shift or workday without any available leave time available to cover the absence.
- If any employee has any combination of the above infractions that equates to 3 occurrences within a 6-month period, the employee will be considered to have voluntarily resigned from their employment with Focused Living.
- Employees that have tardiness less than 1 hour, whether they call or not, for 5 shifts or workdays without available leave time to cover the absence within a 6-month period of time will be considered to have voluntarily resigned from the employment with Focused Living.
- Full time employees who fail to maintain full time hours (40 hours each week) without available leave time to cover their absences may receive a demotion in their position; a decrease in their pay; and corrective action up to and including termination of employment.

### **Full Time & Part Time Hours Worked Policy**

Full Time hourly employees of the organization will be required to work 40 hours within each pay period. Part Time employees of the organization will be required to work 20 or more hours within each pay period. Each hourly employee, either Part Time or Full Time, are required to work 4 weekend shifts per month.

Full Time and Part Time employees who fail to work their required hours within the pay period and do not have available leave time available to be added to their timesheet to bring them to their required hours, may receive corrective action up to and including termination of employment. If employee hours are short due to a person served leaving the program site, no corrective action will be taken.

### **Person Served Leave Policy**

Employee hours may be temporarily reduced when a person served leaves a program site and when the organization doesn't receive payment for services; this may include Part Time and Full Time Employees. Person served leave days will be coordinated ahead of time so employee work schedules can be adjusted and employees who are cross trained at other sites can be scheduled. There will be times when a person served leave days, such as emergency hospitalizations or unscheduled home visits. When this happens, employee schedules and hours will be temporarily reduced. When employees' hours are temporarily reduced, Part Time and Full Time employees can choose to use PTO or Leave Time to cover the reduction in their hours. If the employee has no PTO or Leave Time or chooses to take the reduction in their hours, no corrective action will be taken against the employee by the organization.

### **Deductions from Paychecks Policy**

Deductions from employee payroll checks are made for payroll taxes and Focused Living sponsored benefit programs {i.e., health insurance, retirement, etc.}.

Deductions may also be made pursuant to a court order, including garnishments, and child support withholdings.

Deductions for Focused Living approved programs and any other deductions can take place only with written authorization from the employee or the court.

## **Expense Reimbursement Policy**

Occasionally, during the course of business, employees will incur expenses on behalf of Focused Living. Focused Living will reimburse employees for the cost of these expenses if they are properly authorized and documented. All employees must use the Reimbursement Form to record expenses they want to be reimbursed.

The following expenses may be authorized prior to approval:

### **Meal Expenses**

Meal expenses incurred by an employee while attending a required Focused Living function shall be paid as follows:

|                 |                                 |
|-----------------|---------------------------------|
| Meal Allowance: | Breakfast: not more than \$5.00 |
|                 | Lunch: not more than \$15.00    |
|                 | Dinner: not more than \$15.00   |

### **Lodging Expenses**

Lodging expenses of a reasonable amount will be paid when an employee is required to stay overnight at a Focused Living approved function. Lodging stays will need to be approved prior to making the reservation. Lodging should be booked as close as possible to where the function is occurring.

### **Seminars**

Over the course of employment, employees might find certain seminars relating to their position or to Focused Living that are beneficial. Under certain situations, seminars qualify to be reimbursed with prior approval and proof of attendance.

### **Personal Property**

Focused Living will reimburse the loss of personal property when it has been caused by an individual served, and if the personal property was required to complete the job responsibilities, reimbursement rates are as follows:

|                             |                |
|-----------------------------|----------------|
| Shirts up to:               | \$15.00        |
| Sweatshirts up to:          | \$20.00        |
| Jackets up to:              | \$40.00        |
| Undergarments up to:        | \$15.00        |
| Pants up to:                | \$20.00        |
| Prescription Frames up to:  | Cost of frames |
| Jewelry is not reimbursable |                |

Requests for reimbursement must be accompanied by a supervisor's signature and receipt. Expenses should be submitted to the CEO or COO as soon as possible to be reimbursed in a timely manner, within 5-10 days.

Focused Living Inc. will not provide employees reimbursement for meals, lodging, or seminars without a receipt. Reimbursements will be added to employee paycheck deduction free.

Focused Living is not responsible for personal property if lost, stolen or damaged (excluding by a person served) on grounds and in Focused Living vehicles. It is strongly advised that employees not bring anything of value or unnecessary amounts of cash to work with them. In addition do not leave anything of value unlocked or in plain view in your vehicle. If a personal property item is found, it

should be returned to the rightful owner if known or submitted to the corporate office.

### **Mileage Reimbursement Policy**

The organization reimburses employees who use their personal vehicles while working. The use of company vehicles is highly encouraged. The organization will reimburse employees at the IRS business mileage rate. Employees will record their mileage on the Mileage Reimbursement Form either in paper form or digitally. Employees should turn in their mileage at the end of each pay period for reimbursement.

### **On Call Reimbursement Policy**

The organization has an on call person who is available after 4pm Monday - Friday and on weekends to answer any person served or program related questions. Hourly employees participating in the on call rotation will receive a \$100.00 stipend after completing the on call payout form.

### **Wage Disclosure Protection**

Focused Living does not: (1) require nondisclosure by an employee of his or her wages as a condition of employment; (2) require an employee to sign a waiver or other document that purports to deny an employee the right to disclose the employee's wages; or (3) take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages that have been disclosed voluntarily. Employees are not permitted to disclose proprietary information, trade secret information or information otherwise protected by law or legal privilege without consent from Focused Living. Employees are also prohibited from disclosing other employees' wage information to an employer's competitor.

Focused Living will not discharge, discipline, penalize, interfere with, threaten, restrain, coerce, or otherwise retaliate or discriminate against an employee for asserting rights or remedies discussed above.

## **Employee Conduct Policies**

### **Awake Direct Care Hours Policy**

Each program site at Focused Living Inc has awake staffing, including some overnight positions. Employees are required to stay awake during their shift and engage with the person(s) served. Employees who fall asleep during their awake shift will receive corrective action up to and including termination of employment. In some situations, if the safety of the person(s) served is jeopardized, the organization may make a maltreatment report.

### **Personal Appearance Policy**

Focused Living shall require employees to dress appropriately while working or representing the organization according to dress code standards (listed below). Employees are not permitted to bring on to premise, wear while working or representing Focused Living any article of clothing that displays insignia, pictures, or words that are offensive, harassing, vulgar, or derogatory, as those terms are defined at Focused Living's sole discretion. Employees are required to dress according to their position and responsibilities with regards to professional

representation within the organization and community.

- Shirts, sweatshirts or sweaters: Shall not be transparent and shall cover the entire chest area while performing job responsibilities, including movements that would reveal an employee's stomach or upper chest, excluding movements caused by a client.
- Pants or shorts: Shall not be transparent and shall cover up to more than half of an employee's thigh and shall cover employee's buttocks.
- Shoes: Shall cover an employee's entire foot where an employee faces a substantial possibility of a heavy object falling on their feet. Flip flops are not acceptable while employees are working direct care with person(s) served.

The organization shall also expect all employees, while working or representing the organization to maintain appropriate hygiene and appearance.

### **Personal Phone Call Policy**

All Focused Living phones (cell phone and landline) are to be utilized for business purposes only. The organization does understand that there are times where an employee may need to use an organization phone for personal reasons due to an emergency. Employees are urged to use discretion when placing personal phone calls. Long distance calls are discouraged, however, if this should become necessary the employee shall reimburse Focused Living the cost of the call. The organization retains the right to monitor all communication devices, such as cell phones owned by Focused Living at its discretion.

Furthermore, the organizations cell phones or cellular providers offer a host of additional functions and/or services, including text messaging and digital photography. It is not possible to list all of the services that are now or will become available. Whether enumerated or not, employees are strictly prohibited from using any of the services on the cell phones, unless such use has been specifically authorized. Using such services could be grounds for termination for violation of the phone policy, confidentiality, and other policies.

Any organizational cell phones that have the capability to capture photographs or videos shall only be used when the employee or client gives permission and has completed an organizational photo release form.

### **Personal Use of Electronic Devices at Work Policy**

The use of a personal cell phone while working is prohibited. Personal phones may be used to take pictures and videos of person(s) served if allowed but must be sent immediately to a Supervisor. Also, the use of earbuds, smart watches, tablets, iPads, laptops, or other electronic devices at Focused Living sites are not allowed during work hours.

### **Cell Phone Use While Driving**

An employee may not use organizational cell phones or personal cell phones while driving an organization's vehicle, driving a personal vehicle on organization time or doing organization business-with the exception of using a cell phone for voice command directions. In addition, these directions need to be loaded into the phone and the phone turned on to voice command for directions prior to operating the vehicle and should never be adjusted or changed while driving the vehicle. Should an employee need to make a business or emergency call, email or text while driving, he or she should locate a lawfully designated area to pull over, park and make the call, text or email. Employees must adhere to all state, federal or local rules and

regulations regarding the use of cell phones while driving. Accordingly, employees must not use cell phones if such conduct is prohibited by law, regulation or other ordinance.

### **Organizational Cell Phone Use Policy**

Organization provided cell phones are to be used for business purposes only unless authorized by the CEO or COO.

### **Employee Grievance Policy**

If an employee has a concern affecting their employment, the employee is able to bring that concern to the attention of Focused Living through the following grievance process:

- Discuss problems or concerns with the supervisor and document this in writing so both parties are aware of the problem and concern and then can be addressed.
- If the problem persists, a written appeal may be made to the supervisor within 10 days.
- If concern cannot be resolved, an employee should forward all written copies and transactions up to the CEO or COO.

### **Tobacco Policy**

It is the organization's policy that no smoking or use of tobacco/smoking products (including but not limited to: cigarettes, pipes, cigars, sniff, chew, electronic cigarettes/vaping) is permitted inside any of the Focused Living sites or organization vehicles. There shall be no sale of tobacco products in organizational buildings or on the grounds.

Employees are required to use designated areas at each site and main office for smoking or use of tobacco products, which are typically in the rear of the facility. Smoking is prohibited inside of any Focused Living garage or other areas not designated as smoking areas.

Employees of the organization are not permitted to smoke in front of or with a person(s) served.

### **Non-Fraternization Policy**

The individuals served by the organization have special needs and are regarded as vulnerable. Therefore, the interactions between the organization staff and individuals served require the application of the highest ethical and professional standards.

For these reasons staff must refrain from:

- Borrowing or lending money to individuals served.
- Selling or buying from individuals served.
- Accepting gifts from individuals served (other than gifts of nominal value, i.e., greeting cards)
- Employing individuals served.

In addition, it is strongly recommended that staff members refrain from:

- Socializing with individuals served outside of work and/or
- Any similar activities which may subject a staff member or the organization to criticism or liability associated with that activity.

Failure to comply with the provisions of this policy may result in disciplinary action, up to and including termination.

### **Organization Computer, iPad, and Other Electronic Devices Policy**

Each site is equipped with a computer, laptop, iPad, or other electronic device(s) and access to the server and it is to be used for business purposes only. Non-supervisory staff are not permitted to access secured server, profiles, email accounts, or other confidential information. If employees are discovered to have accessed the secured server, profiles, email accounts, or other confidential information; they will receive corrective action up to and including termination of employment.

Employees will be required to acknowledge and follow the conditions governing the use and care of the Organization's iPad, laptop, computer, software assigned to it and to abide by the organizations internet policies in relation to the iPad, computer, software.

- Computer/iPad will be stored and secured when not in use.

### **Electronic Communications Policy**

Focused Living's electronic communication systems include but are not limited to internet systems, telephone, voice mail, chat features and email systems provided to employees by Focused Living and are intended primarily for business use. Access is intended for approved purposes. Users have no legitimate expectation of privacy in regard to usage systems.

Focused Living may access its electronic communications systems and obtain the communications within the systems, without the notice to the users of the system, in the ordinary course of business when Focused Living deems it appropriate to do so. Focused Living also has the right to inspect or monitor without advanced notice any Focused Living devices employees use to access Focused Living electronic communication systems, including but not limited to laptops, iPads, computers, cell phones and landlines.

The reason for which Focused Living may obtain such access include, but is not limited to: maintaining the system, preventing or investigating allegations of system abuse or misuse, assuring compliance with software copyright laws, complying with legal and regulatory requests for information, protecting proprietary information, and insuring that Focused Living's operations continue appropriately during an employee's absence.

Acceptable use of electronic communications benefits Focused Living's operations and is not detrimental to each user's job duties and responsibilities. The system may also not be used at any time to solicit others for commercial purposes, for political or religious causes, or for any other non-job-related solicitors.

Focused Living's policy prohibiting all types of harassment applies to the use of Focused Living's electronic communications systems, including internet access.

Employees are prohibited from using Focused Living's electronic communication systems to display, communicate or access sexually explicit images or messages. Obscene, profane, or offensive materials may not be transmitted over Focused Living's communication system. Such communications should be reported immediately to Human Resources or a supervisor. Electronic communication systems should not be used in any way that would be disruptive or offensive to others or harmful to morale.

Employees may not install or remove software on Focused Living's computer systems without prior management approval. Personal computers and other electronic devices (cell phones, etc.) may not be connected directly to Focused Living's computer systems without prior management approval.

All employees, upon request, must inform management of any private access codes or passwords on Focused Living devices or Focused Living programs.

Violators of the Electronic Communications policy may be subject to discipline, up to and including termination.

## **Social Media Policy**

Social media are forums that encourage the sharing of conversations, text, images, slides, and videos, including, but not limited to blogs, Facebook, Instagram, YouTube, Flickr, and Twitter.

Although Focused Living feels this is an acceptable medium to share and promote the company's service and brand, it is the policy that all employees must remain respectful and professional in their use of these communications. Employees are prohibited from 1) engaging in any discussion that pertains to discrimination, sexual harassment and disclosure of confidential company or client information, 2) from participating in any discussion that belittles or ridicules the value of Focused Living's services and/or its clients and/or 3) from any discussions that involve name-calling or negative behavior that damages the reputation of Focused Living, its employees and/or its clients.

Internet usage while on work time should be used for work purposes only. Personal usage is prohibited unless okayed by management. Inappropriate or vulgar behavior is against Focused Living policy.

Please be aware that violation or abuse of this policy, both online and offline, may lead to disciplinary action up to and including termination.

Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment.

## **Health and Safety Policies**

### **Worker's Compensation and Return to Work Policy**

Focused Living provides a comprehensive workers' compensation insurance program at no cost to employees. Subject to applicable requirements, workers' compensation insurance may provide benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. A First Report of Injury form will need to be completed and turned into Human Resources within 72 hours of the injury/illness.

Neither Focused Living nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by Focused Living.

Failure to report work related injuries immediately after they occur may result in

corrective action up to and including termination of employment.

### **Vehicle Operation Policy**

Focused Living vehicles shall be used for business only. No personal use of vehicle. When driving a Focused Living vehicle, you will need to obey all traffic laws and drive safely. Based on your position employees will have a Motor Vehicle Record (MVR) run on them and all designated primary drivers of Focused Living will have yearly MVRs run. Any employee convicted of violating a state or local law relating to motor vehicle traffic control during time of employment MUST notify Focused Living of such conviction within 5 days of being convicted. Employees need to notify Supervisor and Human Resources. If driving is a requirement of the position as outlined in the job description, you may need to transfer to a different site and/or position if available and qualified. Employees in non-driving positions are not allowed to operate Focused Living vehicles.

### **Employee Privileges and Benefits Policies**

#### **Benefits Policy**

It is the policy of Focused Living to provide its employees a benefit program, which is designed to compensate employees for their contributions and promote commitment. This benefit program shall be administered in a non-discriminatory fashion without regard to an employee's race, color, creed, age, religion, gender, gender identity, national origin, status with regard to public assistance, disability, marital status, or membership on a public commission.

It is the policy of the organization that we will not substitute additional compensation in exchange for participation, or lack thereof, in the benefit programs we offer. We recognize that not all employees who are offered benefits will be interested in participating in our benefit programs; however the organization will not offer benefit payout for non-participation.

#### **Earned Sick and Safe Time (ESST) Leave Policy**

Focused Living Inc. provides employees both part time and full time employees with Paid Time Off (PTO) which meets the requirements of Minnesota's earned sick and safe time law effective January 1, 2024. An employee is anyone who works at least 80 hours in a year for Focused Living Inc. and does not include independent contractors. Temporary and part time employees are covered under the earned sick and safe time law.

Focused Living believes that employees will benefit mentally and physically by periods of rest and relaxation away from the duties and responsibilities of their jobs.

Focused Living provides PTO to all employees that may be used for personal or for any of the following reasons:

- An employee's mental or physical illness, treatment or preventative care,
- The mental or physical illness, treatment or preventative care of an employee's family member;
- Absence due to domestic abuse, sexual assault or stalking of an employee or their family member;
- Closure of an employee's workplace due to weather or public emergency or closure of their family member's school or care facility due to weather or public emergency;
- When determined by a health authority or health care professional that an employee or their

- family member is at risk of infecting others with a communicable disease; and
- To make funeral arrangements, attend a funeral service or memorial or address financial or legal matters that arise after the death of a family member.

#### *Accrual and Eligibility*

All employees will accrue ESST at the rate of one (1) hour for every thirty (30) hours worked, up to a maximum of forty-eight (48) hours accrued annually.

“Employee” means any person who is employed by Focused Living and who is anticipated to perform work for at least 80 hours in a year for Focused Living.

An employee who is exempt from the overtime provisions of the Fair Labor Standards Act is assumed to work 40 hours per week.

#### *Guidelines*

Employees are eligible to carry over accrued but unused ESST hours into the following year, but the total of ESST carryover hours shall not exceed 80 hours. When the 80-hour overall limit is reached, accrual immediately stops until usage occurs, at which time accrual restarts (until either the yearly or overall limit is reached). When the 48-hour yearly limit is reached, accrual does not restart until the following year.

For purposes of this policy, the calendar year begins on January 1 and ends on December 31. All employees begin accruing hours on the first day of work.

Employees will be paid for their ESST days at their base rate of pay.

ESST may be used in the same increment of time for which employees are paid, and Focused Living is not required to provide leave in less than 15-minute increments. At no time should employees use ESST leave before it has accrued. Any time off taken in excess of an employee's accrual balance will be considered unpaid time off.

If the need for ESST is foreseeable, Focused Living requires seven days' advance notice. However, if the need is unforeseeable, employees must provide notice of the need for ESST time as soon as practicable.

When an employee uses ESST for more than three consecutive scheduled workdays, Focused Living may require reasonable supporting documentation (such as medical documentation supporting medical leave, court records or related documentation to support safety leave). However, if the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee is using, or used, ESST for a qualifying purpose. Focused Living will not require an employee to disclose details related to domestic abuse, sexual assault, or stalking or the details of the employee's or the employee's family member's medical condition. In accordance with state law, Focused Living will not require an employee using ESST to find a replacement worker to cover the hours the employee will be absent.

An employee who has been unable to work for a period of time under this policy may be required before being permitted to return to work, to provide medical evidence that he/she is again able to perform all essential duties of his/her position.

Any accrued but unused ESST will not be paid out to an employee in any circumstance, including upon separation and/or termination of employment.

Focused Living shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting ESST leave rights under this policy, requesting an ESST leave of absence, or pursuing remedies. It is unlawful to report or threaten to report a person or a family member's immigration status for exercising a right under the ESST law.

## **Holiday Policy**

Focused Living Inc will recognize the following paid holidays:

|                                |               |
|--------------------------------|---------------|
| New Year's Day                 | Memorial Day  |
| 4th of July (Independence Day) | Labor Day     |
| Thanksgiving Day               | Christmas Day |

Regular full-time employees (non-exempt) if scheduled to work on a recognized holiday, shall receive holiday pay at 1 ½ times for hours worked. Full-time employees not working on a recognized holiday shall receive holiday pay at their regular rate of pay up to 8 hours.

Part time employees will receive a rate of 1 ½ times pay for hours worked on a paid holiday.

## **Other Leaves**

### **Jury Duty Leave Policy**

Focused Living recognizes the responsibility of its employees to the community and urges all employees to fulfill their civic responsibilities. Jury duty is one such responsibility that all employees have. The organization shall assist the employee to fulfill this responsibility by granting the employee an unpaid leave of absence for the duration of jury duty. The employee shall inform their supervisor of upcoming jury duty within 48 hours of receipt of the jury summons. If an employee is excused or released early on a day for jury duty the employee must communicate this to their supervisor. The supervisor will determine if there is a need for the employee to return that day or on their next scheduled shift.

Focused Living will not discharge, threaten, or otherwise coerce employees because they receive a summons to respond, serve as juror or attend court for prospective jury duty.

### **Bereavement Leave Policy**

Regular full-time employees are eligible for bereavement leave as outlined below. Bereavement leave shall be paid based on 8 hours per day.

|                                             |        |
|---------------------------------------------|--------|
| Death of spouse/significant other or child: | 5 days |
| Death of mother/father:                     | 5 days |
| Sister/brother (step):                      | 3 days |
| Foster parents:                             | 2 days |
| Father/mother in law:                       | 2 days |

|                             |        |
|-----------------------------|--------|
| Sister/brother in law:      | 2 days |
| Death of Grandparent:       | 2 days |
| Death of Great Grandparent: | 1 day  |
| Death of Grandchild:        | 3 days |

While the Leadership of Focused Living would support staff and will try to help figure out a way for the staff to attend the funeral for another staff or staff's family member, staff may not get paid for attending the funeral.

### **School Conference and Activities Leave Policy**

Employees may be granted up to 16 hours of unpaid leave during any 12 month period to attend conferences or classroom related activities to the employees child; provided the conferences or classroom activities cannot be scheduled during non-working hours. Leave may also be used to observe and monitor daycare, prekindergarten, regular or special education programs. Employees must provide reasonable notice of the leave and make a reasonable effort to schedule a leave so as not to disrupt Focused Living operations. Employees may use Paid Leave for this purpose.

### **Voting Leave Policy**

If you need time off to vote in a primary or general election, an election to fill a vacancy in the United States Senator or United States Representative, or an election to fill a vacancy in the Office of State Senator or State Representative, because your work schedule would otherwise prevent you from being able to vote, inform your supervisor prior to the election day and you will be provided reasonable time to vote. Please try to vote at the beginning or end of your shift. Time for this purpose is paid time off.

### **Family Medical Leave Act (FMLA) Policy**

Employees may be entitled to a leave of absence under the Family Medical Leave Act (FMLA). This policy provides information regarding the FMLA entitlements and obligations employees may have in regard to the leave. If employees have questions in regard to FMLA leave they should contact Human Resources.

#### Employees eligible for FMLA Leave:

FMLA Leave is available to "eligible employees". To be an "eligible employee", an employee must, as of the date FMLA leave is to start: (1) Have been employed by Focused Living for at least 12 months (which need not be consecutive); (2) Have worked for Focused Living for at least 1250 hours of service during the 12 month period immediately preceding the commencement of the leave; and (3) Be employed at a worksite where 50 or more employees are employed within 75 miles of the worksite.

#### Employee Entitlement:

As described below, the FMLA provides eligible employees with a right to leave, continued health insurance benefits, and, with some limited exceptions, job restoration.

#### Basic FMLA Entitlement:

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave in a 12 month period to eligible employees for certain family and medical reasons. The 12 month period is determined on a "rolling" 12 month basis dating back from the time the employee requests leave. Leave may be taken for any of the reason or combination of the reasons listed below:

1. To care for an employee's child after birth, or placement for adoption or foster care.
2. To care for the employee's spouse, son, daughter, parent (not in-law) who has a serious health condition.
3. For the employee's own serious health condition (including any period of incapacity due to pregnancy, parental medical care, or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents that employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least 2 visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

#### Military Family Leave Entitlements:

Eligible employees with a spouse, son, daughter, or parent on covered active duty or called to covered active-duty status (or has been notified of an impending call or order to covered active duty) in the Reserve component of the Armed Forces for deployment to a foreign country may use their 12 week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement which permits eligible employees to take up to 26 weeks of leave to care for a covered service member with a serious injury or illness during a single 12 month period (one time basis only). A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." Covered service members also includes a veteran who is discharged or released from the military services under condition other than dishonorable at any time during 5 year period preceding the date the eligible the eligible employee takes FMLA leave to care for the covered Veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

The FMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA definition of "serious

health condition" applicable to FMLA leave to care for a covered family member.

#### **Minnesota Family Military Leave Entitlements:**

A Minnesota employee who is the spouse, parent, or child of a member of the military is entitled to a reasonable amount of unpaid leave not to exceed 2 consecutive days or 6 days in a calendar year for attending military events such as deployment, return ceremonies, family training or military integration events.

Minnesota employees are also eligible for up to 10 days unpaid leave of absence when an immediate family member (employee's parent, child, grandparents, siblings, or spouse) is a member of the United States armed forces, has been injured or killed while engaged in active service. Employees must give as much notice to Focused Living as practicable of the employee's intent to exercise the leave.

#### **Intermittent Leave and Reduced Leave Schedules:**

FMLA Leave usually will be taken for a period of consecutive days, weeks, or months. However, employees are also entitled to take FMLA leave intermittently, or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury of a covered service member. Qualifying exigencies leave also may be taken on an intermittent basis. Employees must take reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt Focused Living operations.

#### **Substitution of Paid Leave for Unpaid Leave:**

Employees must use any accrued paid time while taking FMLA unpaid leave. The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with an employee's FMLA entitlement except that employees on leaves due to birth or adoption need not use their accrued Paid Leave during the first 6 weeks of their leave if they choose not to.

Leaves of absence taken in connection with a disability leave plan or workers compensation injury/illness shall run concurrently with any FMLA leave entitlement.

#### **Protection of Group Health Insurance Benefits:**

If applicable during FMLA leave, Focused Living must maintain health coverage under any "group health plan" employee had continued to work. If paid time off is substituted for unpaid leave, Focused Living will deduct the employee's portion of any applicable health plan premium as a regular payroll deduction. The employee must make arrangements with Human Resources prior to taking leave to come in and pay monthly, their portion of any applicable health insurance premiums each month. If the employee's premium is more than 30 days late, the applicable coverage may cease without notice.

#### **Restoration of Employment and Benefits:**

At the end of FMLA leave, subject to some exceptions, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. In certain situations, Focused Living may be unable to allow a "key employee" to return to his or her position after FMLA leave. Focused Living will notify those employees who qualify as "key employees." Should Focused Living decide that returning a "key employee" to his or her position would cause

Focused Living substantial and grievous economic injury, Focused Living will notify the employee of that determination as soon as practicable. Employees will be informed of their rights in such instances. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the state of an eligible employee's FMLA leave.

#### Notice of Eligibility for, and Designation of, FMLA Leave:

Focused Living will inform employees requesting leave whether they are eligible under FMLA. If they are, Focused Living will specify any additional information required and provide notice of the employees' rights and responsibilities. If they are not eligible, Focused Living will provide a reason for ineligibility.

Focused Living will also inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If Focused Living determines that the leave is not FMLA-protected, Focused Living will notify the employee.

Focused Living may retroactively designate leave as FMLA leave with appropriate written notice to employees provided Focused Living's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, Focused Living and employees can mutually agree that leave will be retroactively designated as FMLA leave.

#### Employee FMLA Leave Obligations:

##### A. Provide Notice of the Need for Leave

Employees who take FMLA leave must timely notify Focused Living of their need for FMLA leave. The following describes the content and timing of such employee notices.

##### B. Content of Employee Notice

To trigger FMLA leave protections, employees must inform their supervisor and/or the Human Resources Department of Focused Living of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically or explaining the reasons for leave so as to allow Focused Living to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- A medical condition renders them unable to perform the functions of their job
- They are pregnant or have been hospitalized overnight
- They or a covered family member are under the continuing care of a healthcare provider.
- The leave is due to a qualifying exigency caused by a military member being on covered active duty, or called to covered active-duty status to a foreign country or
- If the leave is for a family member, that the condition renders the family member unable to perform daily activities, or that the family member is a covered service member with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to Focused Living's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for leave, the leave may be denied. When employees seek a leave due to FMLA-qualifying reasons for which Focused Living has previously provided FMLA-protected leave, the employee must specifically reference the qualifying reason for the leave or the need for FMLA leave.

A. Timing of Employee Notice:

Employees must provide a 30-day advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide Focused Living notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

B. Cooperate in the Scheduling of Planned Medical Treatment, Intermittent

Leave or Reduced Leave Schedules:

When planning medical treatment, employees must consult with Focused Living and make a reasonable effort to schedule treatment so as not to unduly disrupt Focused Living's operations, subject to the approval of an employees' health care provider. Employees must consult with Focused Living prior to the scheduling of treatment to work out a treatment schedule which best suits the needs of both Focused Living and the employees, subject to the approval of an employee's health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, Focused Living may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employees or a family member, including during a period of recovery from a serious health condition or to care for a covered service member. Focused Living may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise Focused Living of the reason why such leave is medically necessary. In such instances, Focused Living and employees shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting Focused Living's operations, subject to the approval of the employee's health care provider.

A. Submit Certifications Supporting Need for FMLA Leave

Depending on the nature of FMLA leave sought, employees may be asked to submit certifications supporting their need for FMLA-qualifying leave. If an employee chooses not to submit a certification upon request, they may not be entitled to FMLA leave.

It is the employee's responsibility to provide Focused Living with timely, complete and sufficient certifications in order to qualify for leave. Whenever Focused Living requests employees to provide FMLA certifications, employees must provide the requested certifications within 15 calendar days after the request, unless it is not practicable to do so despite an employee's diligent, good faith efforts.

Focused Living will inform employees if submitted certifications are incomplete or

insufficient and provide employees at least 7 calendar days to cure deficiencies. Focused Living will deny FMLA leave to employees who fail to timely cure for deficiencies or otherwise fail to timely submit requested certifications.

#### **Certifications for Serious Health Condition Leave (Self or Family Member)**

As described below, there generally are 3 types of FMLA medical certifications; an initial certification, a recertification, and return to work/fitness for duty certification.

With the employee's permission, Focused Living (through individuals other than an employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide Focused Living with authorization allowing it to clarify or authenticate certifications with health care providers, Focused Living may deny FMLA leave if certifications are unclear.

**Initial Medical Certifications:** Employees requesting leave because of their own, or a covered family member's serious health condition, or to care for a covered service member, must supply a medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider id their covered family or service member. If employees provide at least 30 days' notice of medical leave they should submit the medical certification before the leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If Focused Living has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at Focused Living's expense. If the opinions of the initial and second health care provider differ, Focused Living, at its expense obtains a 3rd and final binding certification from a health care provider designated or jointly approved by Focused Living and the employee.

**Medical Recertification:** Depending on the circumstance and duration of FMLA leave, Focused Living may require employees to provide recertification of medical conditions giving rise to the need for leave. Focused Living will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

#### **Certifications Supporting Need for Military Family Leave**

Upon request, the first time employee seeks a leave due to qualifying exigencies arising out of the covered active duty or call covered active duty status of a military member, Focused Living may require employees to provide: 1. A copy of the military's member active duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to active duty status and the dates of the military member's covered active duty service; 2. A certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising active duty or call to covered active duty status of the same or a different military member.

When leave is taken to care for a covered service member with a serious injury or illness, Focused Living may require employees to obtain certifications completed by an authorized health care provider of the covered service member. In addition, and in accordance with the FMLA regulations, Focused Living may

request that the certification submitted by employees set forth additional information provided by the employee and/or the covered service member confirming entitlement to such leave.

A. Pay Employee's Share of Health Insurance Premiums

As noted above, during FMLA leave, employees are entitled to continue group health plan coverage under the same conditions as if they had continued to work. Unless Focused Living notifies employees of other arrangements, whenever employees are receiving pay from Focused Living during FMLA leave, Focused Living will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working. If the employee's leave is unpaid, the employee must make arrangements with Human Resources prior to taking leave to pay their portion of any applicable health insurance premiums each month.

Focused Living's obligation to maintain health care coverage ceases if an employee's premium payment is more than 30 days late. If an employee's payment is more than 15 days late, Focused Living will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of serious health condition or other circumstances beyond their control) they will be required to reimburse Focused Living for the cost of the premiums Focused Living paid for maintaining coverage during their unpaid FMLA leave.

A. Report Periodically Concerning Intent to Return to Work:

Employees must contact Focused Living periodically regarding their status and intention to return to work at the end of FMLA leave period. If an employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide Focused Living with reasonable notice (within 2 business days) of the employee's changed circumstances and new return to work date. If employees give Focused Living unequivocal notice of their intent not to return to work, Focused Living's obligation to maintain health benefits (subject to COBRA requirements), and to restore their positions cease.

Coordination of FMLA Leave with Other Leave Policies:

The FMLA does not affect any federal, state, or local law prohibiting discrimination, or supersede any state or local law which provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult Focused Living's other leave policies or contact Human Resources.

Questions and/or Complaints about FMLA Leave:

If you have any questions regarding this FMLA policy, please contact Human Resources. Focused Living is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

FMLA makes it unlawful for employers to: 1} interfere with, restrain, or deny the exercise of any right provided under FMLA; or 2} discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any

proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact the Human Resources Department immediately. Focused Living will investigate any FMLA complaints and take prompt and appropriate action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

### **Military Leave Policy**

If you are called to active military duty or enlist in the uniformed services, you are eligible for unpaid military leave of absence in accordance with state and federal laws. Present your supervisor with a copy of your service papers as soon as you are able. To be eligible for military leave, you must provide management with advance notice of your service obligations unless you are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable for you to provide such notice.

During your absence, your length of service accumulates, and your benefits will continue as required by applicable law. Provided your absence doesn't exceed applicable statutory limitations, you will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws.

If you are required to attend yearly Reserves or National Guard duty, you may apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law, (including travel). However, if you prefer, you may use your accrued PTO time for this purpose. You should give your supervisor as much advance notice as possible so we can ensure proper coverage while you are away.

Please ask Human Resources for further information.

### **Civil Air Patrol Duty Leave Policy**

Employees who are members of the civil air patrol, who are rendering services as a member of the civil air patrol at the request and under the authority of the state or any political subdivision, shall be entitled to a leave of absence without pay for this time. Leave will be granted, unless it would unduly disrupt the operations of Focused Living.

### **Relatives of Armed Service Members Leave Policy**

Relatives of armed service members shall be granted up to 10 days of unpaid leave if the family member is injured or killed during action. A relative is a grandparent, parent, legal guardian, sibling, child, grandchild, spouse, fiancé or fiancée. The employee has the option of substituted paid leave (if applicable) for this unpaid leave. A relative may also be granted one day of unpaid leave to attend a send-off or homecoming ceremony. For this leave, the employee must give as much notice as possible.

### **Personal Leave of Absence Policy**

Relatives or armed service members shall be granted up to 10 days of unpaid leave if the family member is injured. A relative is a grandparent, parent, legal guardian, sibling, child, grandchild, spouse, or fiancée. The employee has the option of substituted paid leave for this unpaid leave. A relative may also be granted 1 day of unpaid leave to attend a send off or homecoming ceremony. For this leave, the employee must give as much notice as possible.

### Personal Leave of Absence Policy

Employees requesting a personal leave of absence from Focused Living may be required to change status. This request must be reviewed and approved by leadership.

#### Employees on Personal Leave of Absence for 1-30 days:

Employer paid benefits will continue as they were immediately before the leave began for the 30 days.

Employees on Personal Leave of Absence of greater than 30 days, or employees whose regular schedules are reduced and no longer qualify for benefits.

Employer paid benefits, other than for employees on FMLA, will no longer be paid by the employer, the employee may be eligible for benefit continuation under COBRA.

A fitness for duty statement may be required prior to return for leaves related to personal illness or injury.

### **Parental Leave Policy**

All employees are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. Female employees for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions as well as a biological or adoptive parent in conjunction with the birth or adoption of a child, are eligible for up to 12 weeks of unpaid leave. Any paid or unpaid leave taken for prenatal care medical appointments will not count toward the 12-week leave.

Additionally, leave under this section must begin within twelve months of the birth or adoption of the child. In the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital. Employees should provide reasonable notice, which is at least 30 days. If the leave must be taken in less than three days, the employee should give as much notice as practicable. Leave taken pursuant to the MPLA will run concurrently with any leave entitlement under the FMLA.

### **Crime Victims Leave Policy**

Minnesota Employees who are victims of a violent crime and are subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony may be granted reasonable time off from work without pay to attend criminal proceedings related to the victim's case. Employees who are a victim's spouse or immediate family member may be granted reasonable time off from work without pay to attend criminal proceedings related to the victim's case.

Employees must give 48 hours advanced notice of the request for time off pursuant to this policy, unless impracticable or an emergency prevents the employee from doing so. This leave will be unpaid, unless otherwise required by law or covered by the PTO policy.

### **Time Off for Party Officer/Delegates**

Minnesota Employees may take paid time off from work to attend any meeting of the State Central Committee or Executive Committee of a major political party if the employee is a member of the committee. The employee may attend any convention

of a major political party delegate, including meetings of official convention committees if the employee is a delegate or an alternate delegate to that convention.

Employees who require such leave must provide their supervisor with at least 10 days advance written notice. Time away from work for this purpose will be considered unpaid unless the employee chooses to use PTO leave during their absence.

### **Bone Marrow/Organ Donation Leave**

Employees working an average of 20 or more hours per week may take paid leave, not to exceed 40 hours, unless agreed to by Focused Living, to undergo medical procedures to donate bone marrow or an organ. The 40 hours is over and above the amount of accrued time the employee has earned.

Focused Living may require a physician's verification of the purpose and length of the leave requested to donate bone marrow or an organ. If there is a medical determination that the employee does not qualify as a bone marrow or organ donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

An employer shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting bone marrow or organ donation leave rights or remedies.

### **Extended Leave**

Focused Living may, at its discretion, grant an employee a leave of absence, without pay, when sufficient personal reasons necessitate such a leave. However, employees are not eligible for a leave of absence until they have been continuously employed for 12 months and all accrued PTO has been exhausted.

Focused Living may require an employee to provide documentation, such as a doctor's certification of illness or disability, supporting the employee's need for a leave of absence, and Focused Living may periodically require the employee to provide such supporting documentation on a regular basis during the leave of absence. Prior to, or upon an employee's return to work from a leave of absence, Focused Living may also require the employee to provide documentation establishing the employee's ability to return to work.

Focused Living reserves the right to determine the duration of the leave of absence. If the employee fails to return to work immediately after his or her leave of absence expires, the employee will be considered to have voluntarily resigned his or her position with Focused Living.

Employees with health benefits may continue their health insurance benefits while on a leave of absence by paying the full cost of the employee portion of their premium to remain covered each month during the leave. Employees who wish to continue their insurance coverage should so advise the CEO before beginning their leave.

Because operations sometimes require that vacant positions be filled, a leave of absence does not guarantee the job will be available when the employee returns from a leave. Focused Living will, however, make an effort to place you in your previous position or a comparable job which you are qualified to perform. If no such position is available, you may be eligible for rehire as a new employee if you apply for an available position for which you are qualified and if your prior work history warrants your rehire.

## **Unpaid Non-Family Medical Leave Act Medical Leave**

This leave category applies to Full time employees that have been employed with Focused Living for at least 90 days, less than 1 year. Focused Living understands that there are some circumstances in which an employee may need a medical leave during their first year of employment and prior to qualifying for FMLA. The circumstances that are considered for this leave category are needs that cannot be postponed until qualifying for the leave. Examples are but not limited to, the birth of a child, or a non-elective surgery that cannot wait. The employee is responsible for initiating a meeting with Human Resources as far in advance of the leave as possible.

The employee will make a written request for leave and paperwork will be completed to include an expected return date. The maximum amount of time that may be granted for Unpaid Non-FMLA Medical Leave is 4 weeks. For non-FMLA leave, the same position and pay are not guaranteed to be available upon return from leave. However, Focused Living will make efforts to provide Full Time work upon the employee's return. The employee would be required to use all accrued paid leave time prior to taking unpaid time and must pay in advance the full benefits premium amount that will be missed while out (employee and employer portions). During this leave, the employee does not return upon the agreed upon return date, it will be considered a voluntary resignation of employment.

## **Separation of Employment Policies**

### **Resignation Policy**

Focused Living is an at-will employer. Therefore, for any reason or at any time, an employee may resign from their position. Focused Living asks that employees submit their voluntary resignation in writing utilizing the Change of Status Form. This needs to be provided to your supervisor. Employees accepting a different position, a secondary position, or that are promoted should meet with Human Resources to complete the Change of Status Form.

An employee's voluntary resignation period begins when their direct supervisor receives the written resignation and ends once the required resignation period is satisfied. If advanced notice is provided beyond the required resignation period, the resignation period begins when the required resignation period requirement is satisfied prior to the employee's given date of resignation.

Focused Living requests the following resignations period:

Non-exempt employees: 14 days (2 weeks)

Exempt employees: 30 days (1 month)

Employees who resign after working at least 6 months and who work for the requested resignation period at Focused Living's sole discretion, may receive payment for their unused PTO in their final paycheck. Employees terminated for misconduct are not eligible for payout of any accrued and unused benefits.