



# Core Employee Handbook

---

**Lifeworks Services, Inc.**

**Contents**

..... 1

LIFEWORKS SERVICES, INC. .... 1

**A MESSAGE FROM PRESIDENT AND CEO, GERTRUDE MATEMBA-MUTASA..... 5**

**ABOUT LIFEWORKS..... 6**

WHO WE ARE..... 6

MISSION & VISION..... 6

VALUES ..... 6

EQUITY STATEMENT..... 6

WHAT WE DO..... 7

SERVICE OVERVIEW..... 7

DIVERSITY AND INCLUSION ..... 9

BOARD OF DIRECTORS..... 9

LOCATION CONTACT INFORMATION ..... 10

EMPLOYEE DIRECTORY ..... 10

**PAY AND BENEFITS ..... 11**

TYPES OF POSITIONS ..... 11

WORK ATTENDANCE ..... 11

BUSINESS HOURS..... 11

WORK WEEK ..... 11

TIMECARD RULES ..... 11

MEALS AND REST PERIODS ..... 12

PAYCHECKS..... 12

DISCUSSION OF WAGES ..... 13

HOLIDAY PAY..... 14

PAID TIME OFF (PTO) ..... 14

EARNED SICK & SAFE TIME (ESST) ..... 16

BEREAVEMENT LEAVE ..... 17

VOLUNTEER LEAVE ..... 17

BANKED SICK LEAVE..... 18

FAMILY AND MEDICAL LEAVE ACT (FMLA) ..... 18

PREGNANCY AND PARENTAL LEAVE ..... 21

UNPAID LEAVES OF ABSENCE ..... 22

MILITARY LEAVE ..... 23

VOTING LEAVE..... 23

SCHOOL ACTIVITIES AND CONFERENCE LEAVE ..... 24

OTHER LEAVES..... 24

JURY DUTY AND COURT APPEARANCES ..... 24

INCLEMENT WEATHER ..... 24

INSURANCE..... 24

BENEFITS ..... 24

RETIREMENT PLAN..... 24

TUITION REIMBURSEMENT POLICY ..... 25

EMPLOYEE ASSISTANCE PROGRAM (EAP) ..... 25

**ACCOMMODATIONS ..... 26**

WORKPLACE ACCOMMODATIONS ..... 26

DISABILITY ACCOMMODATIONS ..... 26

RELIGIOUS ACCOMMODATIONS ..... 26

NURSING MOTHERS, LACTATING EMPLOYEES, AND PREGNANCY ACCOMMODATIONS ..... 26

REQUESTING AN ACCOMMODATION..... 26

**HEALTH AND SAFETY ..... 27**

EMPLOYEE INJURIES .....	27
NON-WORK-RELATED INJURY .....	27
PHYSICAL EXAMINATION POLICY .....	27
COMMUNICABLE DISEASE POLICY .....	27
TOBACCO FREE .....	27
AUTOMATIC EXTERNAL DEFIBRILLATOR USE POLICY.....	27
<b>RESOURCES .....</b>	<b>28</b>
CODE OF CONDUCT .....	28
WHISTLEBLOWER POLICY .....	29
EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION .....	32
GENETIC INFORMATION NONDISCRIMINATION ACT .....	32
HARASSMENT AND DISCRIMINATION .....	33
ANTI-BULLYING POLICY .....	34
PRIVACY POLICY.....	35
HIPAA SECURITY POLICY .....	35
CONFLICT OF INTEREST POLICY.....	35
CORPORATE COMPLIANCE AND ETHICS POLICY.....	35
FRAUD, WASTE AND ABUSE POLICY.....	35
DRUG AND ALCOHOL-FREE WORKPLACE POLICY .....	35
INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY .....	35
<b>EMPLOYEE GUIDELINES .....</b>	<b>36</b>
HYBRID WORK MODEL POLICY .....	36
MANAGERS WILL DECIDE IF EMPLOYEES NEED TO WORK ONSITE OR CAN WORK REMOTELY BASED ON THEIR JOB DUTIES. SOME JOBS REQUIRE EMPLOYEES TO BE ONSITE ALL THE TIME, WHILE OTHERS MAY NEED THEM ONSITE OCCASIONALLY. MANAGER MUST INFORM HUMAN RESOURCES ABOUT ANY CHANGES TO JOB DUTIES BEFORE MAKING THEM. ....	36
DISCIPLINARY ACTION .....	37
EMPLOYEE TERMINATION .....	37
IMAGE AND RECORDING MANAGEMENT POLICY .....	38
MEDIA RELATIONS POLICY .....	38
CRISIS COMMUNICATION POLICY .....	39
WORKPLACE VIOLENCE PREVENTION.....	39
EMPLOYEE GUIDELINES.....	40
PERSONNEL RECORDS.....	40
FEDERAL I-9 FORMS .....	41
APPLICANT BACKGROUND CHECK.....	41
UPDATING INFORMATION .....	41
EMPLOYEE REFERRAL.....	41
EMPLOYMENT OF RELATIVES AND SIGNIFICANT OTHERS .....	42
EMPLOYEE REFERENCES .....	42
STAFF ORIENTATION AND TRAINING .....	42
PERFORMANCE REVIEWS .....	43
INTELLECTUAL PROPERTY .....	43
TRANSPORTATION.....	44
PROFESSIONAL CONDUCT .....	45
DRESS CODE.....	45
COMMUNICATING ON SOCIAL MEDIA.....	46
LIFEWORCS OFFICES AND WORKSPACES .....	46
<b>ADMINISTRATIVE .....</b>	<b>48</b>
PROCUREMENT AUTHORITY AND POLICY .....	48
LIFEWORCS CREDIT CARD.....	48
EXPENSE REIMBURSEMENT .....	49
MILEAGE REIMBURSEMENT.....	49
TRAVEL EXPENSES .....	50

BUSINESS MEETINGS .....	51
ENTERTAINMENT .....	51
EXPENSE ACCOUNT AND SUB ACCOUNT NUMBERS.....	52
USE OF EQUIPMENT .....	52
RECYCLING .....	53
DONATIONS TO LIFEWORKS .....	53
<b>ADDENDUM A - LIFEWORKS PRIVACY POLICIES .....</b>	<b>55</b>
<b>ADDENDUM B - LIFEWORKS HIPAA SECURITY RULE POLICIES .....</b>	<b>72</b>
<b>ADDENDUM C – CONFLICT OF INTEREST POLICY .....</b>	<b>81</b>
PURPOSE .....	81
SCOPE .....	81
POLICY .....	81
PROCEDURE .....	84
RIGHTS & RESPONSIBILITIES .....	87
RESOURCES .....	87
<b>ADDENDUM D - CORPORATE COMPLIANCE AND ETHICS POLICY .....</b>	<b>88</b>
PURPOSE .....	88
SCOPE .....	88
POLICY .....	88
COMPLIANCE AND ETHICS PROGRAM OVERVIEW .....	88
RIGHTS & RESPONSIBILITIES .....	89
REPORTING .....	90
RESOURCES .....	90
<b>ADDENDUM E - FRAUD, WASTE AND ABUSE POLICY .....</b>	<b>92</b>
PURPOSE .....	92
SCOPE .....	92
POLICY .....	92
RIGHTS & RESPONSIBILITIES .....	93
<b>ADDENDUM F - DRUG AND ALCOHOL-FREE WORKPLACE POLICY .....</b>	<b>95</b>
<b>ADDENDUM G - INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY .....</b>	<b>102</b>
<b>ADDENDUM H - RESPONSE TO GOVERNMENT REQUESTS, INVESTIGATIONS, SEARCH WARRANTS, AND SUBPOENAS POLICY .....</b>	<b>106</b>
<b>ADDENDUM I - LIFEWORKS IMAGE AND RECORDING MANAGEMENT POLICY .....</b>	<b>111</b>
<b>ADDENDUM J - LIFEWORKS FUNDRAISING POLICY .....</b>	<b>114</b>
<b>ADDENDUM K - AUTOMATIC EXTERNAL DEFIBRILLATOR USE POLICY .....</b>	<b>118</b>

This Lifeworks Services, Inc. Employee Handbook is not a contractual agreement. The policies in this handbook and any other policies, procedures, rules or guidelines that are distributed or communicated to employees of Lifeworks are intended to serve only as guides for employment. This handbook can be amended at any time.

# A Message from President and CEO, Gertrude Matemba-Mutasa

Welcome to Lifeworks Services!

Thank you for being a part of our team. Whether you are a new employee or have been with us for many years, we appreciate your commitment to our mission and vision.

The Lifeworks Employee Handbook is your comprehensive guide to our organization and includes important information about pay and benefits, health and safety, accessibility and diversity, and so much more. Please take the time to read this essential information, which is updated annually.

I can't say enough how important our employees are to our mission. The talent, innovation, and dedication you bring to Lifeworks move us forward in advancing disability inclusion. In return, we aim to provide competitive pay, a comprehensive benefits package, and an inclusive, accessible, and equitable work environment.

The latest news, information, and updates for staff are posted on Lifeworks Today, our official internal communications resource that can be accessed through your web browser or the SharePoint app on your Lifeworks phone. I encourage you to check Lifeworks Today often to stay up to date with what's new and exciting at Lifeworks.

Welcome again to Lifeworks. Together, we're creating a world where disability inclusion is the standard. My door is always open if you have any questions, comments, or suggestions.

With appreciation,



Gertrude Matemba-Mutasa, President & CEO  
gmatemba-mutasa@lifeworks.org | 651-802-3080

# About Lifeworks

## Who We Are

Lifeworks was founded in 1965 through the spirit of innovation and has since evolved alongside people with disabilities and their families across Minnesota. Today we partner with over 5,000 people annually.

Together, we reimagine what's possible through innovative solutions for careers, daily activities, community engagement, and in-home services. We collaborate with employers, communities, and government agencies to co-create expanded opportunities that build more accessible, equitable, and diverse communities.

## Mission & Vision

Our mission is to be the partner of choice in advancing disability inclusion.

We envision a world where disability inclusion is the standard.

## Values

At Lifeworks, our values are the foundation of who we are. They tell us what's important and guide our decision making.

- **You Lead the Way – We Listen:** We honor choice and pursue opportunities with community at the heart of our work.
- **Together, We Break Down Barriers:** We seek diverse perspectives, advance accessibility, and encourage a sense of belonging for all.
- **We Focus on Impact:** We hold ourselves to the highest standards. We share expertise and collaborate to find solutions that address the whole picture.
- **We Reinvent What's Possible:** We take chances and welcome the unknown. We learn from the past and lean into the future.

## Equity Statement

Lifeworks strives to be radically accessible, diverse, equitable, and inclusive. We appreciate the vibrancy of differences, center the voices of silenced and marginalized people, and champion universal rights.

We welcome change and work to reverse historic oppression. We promise to educate ourselves to end the dominant cultural practices of White supremacy, ableism, racism, sexism, homophobia, transphobia, xenophobia, anti-Indigenous practices, religious oppression, and all other obstacles to personal authenticity and achievement. We support our partners and members of our community who are marginalized to restore justice and dignity.

At Lifeworks, we expect accountability from all employees and our Board of Directors. We know that we cannot be truly person-centered unless we celebrate all identities - emphasizing authenticity over conformity.

At Lifeworks, we partner with complete human beings with intersectional identities, recognizing that disability exists in every race, religion, gender, culture, and class and that most of us will experience disability at some point in our lives. We recognize we have made mistakes and will continue to evolve with humility and openness, placing psychological safety, equity, and belonging over comfort. Lifeworks recognizes that in the best interests of our community, we must approach disability through the lens of diverse perspectives.

We call upon our diverse community to hold us accountable.

## What We Do

Disability inclusion is our true north and creating communities where everyone thrives takes all of us. Our core services are an expression of disability inclusion. In every service, Lifeworks is partnering with businesses, communities, and people with disabilities to advance disability inclusion.

Lifeworks offers in-home services, community-based services, disability inclusion training and consulting, and resource navigation to more than 3,000 people annually.

## Service Overview

### In-Home Services

Lifeworks provides self-directed In-Home Services, which help people maintain their independence at home and in their community. Participants are empowered to decide how, when, and from whom their services and support will be delivered.

Lifeworks is an approved Financial Management Service provider for the state of Minnesota. As an FMS we assist the Participant who is self-directing their service through Consumer Directed Community Supports, Community First Services and Supports, and the Consumer Support Grant to manage the employer-related responsibilities and financial management service tasks.

- **Consumer Directed Community Supports (CDCS).** CDCS is authorized funding through a HCBS waiver that covers staffing, goods, and services for people who want to manage their own support. Participants decide how to utilize their budget and can employ people they know such as family and friends as support staff. The Participant is responsible for hiring and scheduling the support staff as well as securing any additional supports such as specialized therapies, assistive technology, or home modifications.
- **Community First Services and Supports (CFSS).** CFSS is a service introduced in Minnesota in October 2024. It will replace CSG and PCA Choice over the course of 24 months. CFSS is a Minnesota Health Care Program that offers flexible options to meet the unique needs of people. It allows people greater independence

in their homes and communities. Participants decide how to utilize their budget and can employ people they know such as family and friends as support staff. The Participant is responsible for hiring and scheduling the support staff as well as securing any additional supports such as approved goods and services.

- **Personal Care Assistance (PCA) Choice Services.** PCA services provide support to a participant through ADL's/IADL's in the participant's home. PCA Choice is self-directed, allowing the participant to hire, schedule, and manage their personal care staff and their needs. PCA Choice is being replaced by CFSS.
- **Consumer Support Grant (CSG).** CSG is authorized funding through a state grant that covers staffing, goods, and services for people who want to manage their own support. Participants decide how to spend their budget and can employ people they know such as family and friends as support staff. The Participant is responsible for hiring and scheduling the support staff as well as securing any additional supports such as specialized therapies, assistive technology, or home modifications.
- **245D Licensed Services**
  - **Individualized Home Supports, without training (IHS).** IHS is a one-to-one service providing opportunities for people living in their own home or family home to increase their independence and connect with their community. Support can include assistance with activities of daily living and participating in local events and building relationships with friends. Family and friends can be hired to provide this service.
  - **Respite Services.** Respite is intended to provide short-term relief for a Participant's primary caregiver in or outside of the participant's home.
  - **Night Supervision.** Night Supervision is one-to-one support that takes place in the participant's home. Staff remain available overnight and assist with following a participant's plan, encouraging skill development, and helping with activities of daily living. Family and friends can be hired as support staff, providing relief for primary caregivers.

## Community-Based Services

Community-Based Services provide people with disabilities opportunities for meaningful engagement through day support and employment. We foster inclusion by connecting individuals to their communities, empowering personal growth, and supporting employment paths in welcoming, supportive environments.

- **Employment Services**
  - **Pre-Employment Transition Services.** For students to explore employment, post-secondary education preparation, workplace readiness, and self-advocacy development.
  - **Employment Exploration/Engage.** An introduction to careers, this service offers activities to learn about occupations in the community.
  - **Employment Plan.** Setting preliminary employment goals and preparing for working with vocational rehab services find their next job.
  - **Employment Development/Find.** Assists with finding a job, including résumé writing, interview preparation, community mapping, and more.
  - **Employment Support/Keep.** Assesses individual needs and goals to provide the desired level of support, tools for accessibility, and self-advocacy strategies.

- **Day Support Services.** Self-directed activities to build skills through hands-on learning that take place virtually, at facilities, and in the community. Examples of learning activities include creative arts, technology sessions, self-advocacy, volunteering, and exploring local resources.

## **Disability Inclusion Training and Consulting**

Disability inclusion guides everything we do at Lifeworks because we believe in radically inclusive communities where people with disabilities are leaders, decision-makers, and equal participants in every aspect. We are committed to breaking down barriers, transforming systems, and elevating voices of people with lived experience. Through our training and consulting, we are building a world where people with disabilities can thrive.

## **Resource Navigation**

Resource Navigation supports people with disabilities in understanding and accessing essential services. Through free navigation sessions, benefits coaching, and person-centered planning, we empower individuals to navigate systems, make informed choices, and achieve their personal goals.

## **Diversity and Inclusion**

We appreciate that each person, team, business, and community we serve is unique. We acknowledge, respect, and support differences across lifestyle or values, resources or abilities, ethnicities or culture, perspectives or beliefs, and appreciate that together they are the source of our collective strength. Areas where we can amplify diversity include:

- **Services** - Understand and effectively respond to the diverse values, backgrounds, experiences, interests, and choices of the people we serve.
- **Community Partnerships** - Seek collaborative activities which give Lifeworks an opportunity to exchange skills and ideas with others, as well as give employees and people we serve experiences with diverse populations.
- **Governance** - Develop a diverse board of directors.
- **Business and Administration** - Ensure that our business practices are respectful and accessible to individuals from diverse backgrounds and that we are welcoming to everyone in every environment where we deliver services.
- **Human Resources** – Ensure our appreciation for diversity in recruiting, selection, orientation, and on-going support of employees. Promote diversity, equity, and inclusion awareness and provide training to support informed and respectful interactions.

## **Board of Directors**

Lifeworks is governed by a volunteer Board of Directors. They are listed in our annual report, on our external website: [lifeworks.org](http://lifeworks.org), and on our internal SharePoint site on the “About Us” page. The President and CEO of Lifeworks reports to Lifeworks Board of Directors.

## **Location Contact Information**

Lifeworks serves people throughout Minnesota. Our main office and other locations are listed on Lifeworks internal website under “About Us.”

## **Employee Directory**

The employee directory can be found on Lifeworks Today under Employee Search.

# Pay and Benefits

## Types of Positions

### Full Time

Employees scheduled to work 30 to 40 hours per week on a continuous basis.

### Part Time

Employees scheduled to work, 20-30 hours per week on a continuous basis.

### Casual

Employees schedule less than 20 hours per week on a continuous basis.

### Temporary

Employees scheduled for a limited duration with defined start and end dates.

### On-call

Employees who substitute for other employees on an as needed basis with no guarantee of hours.

## Work Attendance

All employees must show up to work on time and regularly. This is true whether you work in the office or from home. Employees must start work at their scheduled time and be ready to work. The same rules apply no matter where you work. During work hours, employees must be available and able to respond when needed. Any changes to work schedule must follow time off request procedures.

This policy does not apply to time off that is protected by law, like: the Family Medical Leave Act (FMLA), Minnesota Earned Sick and Safe Time (ESST) law, and accommodations under the Americans with Disabilities Act (ADA) or the Minnesota Human Rights Act (MHRA).

## Business Hours

The Administrative Office is open Monday–Friday, 8:00 AM to 4:30 PM.

Hours may vary at our Centers for Disability Inclusion and Day Services locations. Please check with your local site for details.

## Work Week

The work week, for payroll purposes, begins on Sunday at 12:00 a.m. and ends on Saturday at 11:59:59 p.m.

## Timecard Rules

Hourly employees must use a Lifeworks desktop, iPad, or phone app to record their daily work hours or requested leave. Employees cannot clock in for another employee unless directed by a supervisor and with the other employee's knowledge.

Updated 7/28/2025

Timecards must be submitted by Friday or the last workday of the week by the end of the workday. By approving a timecard, employees certify that:

- The hours accurately reflect the actual times worked.
- All unpaid hours are included.
- Hours were approved in advance by their supervisor.
- Hours for working with clients are consistent with care plans and do not include time when the client was in a hospital, care facility, incarcerated, or when the employee was not with the client in person. Non-face-to-face time for employment services is included.

### **Overtime**

When required due to business needs, employees may be asked to work overtime. Overtime means working more than 40 in one week. If you are not a salaried employee, you will be paid extra money for overtime. You will earn 1.5 times your regular pay for each hour you work over 40 hours in a week. Time off like holidays, paid time off (PTO), bereavement (time off for a death in the family), or jury duty, does not count as work time for overtime. All overtime work must be approved in advance by a supervisor or manager. Unauthorized overtime may result in warnings or discipline.

### **Weekend Hours**

Hourly employees who work on a weekend must adjust their schedule (with supervisor approval), so their total work week time is not more than their normal work week schedule. The adjustment should be made within the same work week.

## **Meals and Rest Periods**

### **Rest Periods**

Employees are allowed paid time to use the restroom within each four-hour work period, as per Minnesota state law

### **Meal Breaks**

Employees who work eight or more consecutive hours are entitled to a reasonable unpaid meal break.

## **Paychecks**

### **Payroll Period**

Employees are paid every other Friday for 26 pay periods each year. If Friday is a bank holiday, payday is the previous business day. Each paycheck covers the hours worked in the two weeks before payday.

### **Paycheck Distribution**

Pay is directly deposited into the employee's chosen bank account(s) or through a Lifeworks pay card if no bank account is provided. Employees can access their pay stubs online through the Paylocity portal.

## **Change Direct Deposit Information**

Employees can update their direct deposit details through the Paylocity portal. A voided check or proof of account information must be submitted to the payroll department for validation. A Direct Deposit Authorization form is available on the Payroll SharePoint.

## **Payroll Deductions**

Standard deductions include Social Security, Medicare, and state and federal taxes. Other deductions, including benefits, retirement contributions, etc., may be made with an employee authorization.

## **Wage Attachments**

A wage attachment (garnishment) is the deduction of money from an employee's pay due to a court order or agency action. Lifeworks will withhold the required amount as required by law. Employees will receive notification of any issued wage attachment received.

## **Over Payments**

The payroll department will work with the employee to correct overpayments through payroll deductions or other arrangements. All overpayments must be resolved by the end of the calendar year.

## **Pay Structure**

At Lifeworks our goal is to offer fair and competitive pay to all employees.

## **Annual Pay Review**

Every year, Human Resources looks at how much employees are paid. They use special reports that compare our jobs to similar jobs at other non-profit groups in Minnesota. Your pay within your wage range depends on your qualifications and job performance

## **Wage Increases**

Wage increases for employees are dependent upon performance and the market.

## **Discussion of Wages**

Lifeworks does not prohibit employees from discussing wages, nor does it require employees to sign a waiver or other documents that take away their right to disclose their wages. Lifeworks will not take any adverse employment action against an employee for disclosing their own wages or discussing another employee's wages that have been disclosed voluntarily. Equally so, employees are free to refrain from such discussions and may not be subject to retaliation of any kind for choosing not to discuss their wages.

Nothing in this policy is intended to diminish any existing employee rights under the National Labor Relations Act or other applicable law.

Employees may bring a civil action against Lifeworks for violation of the rights set forth in Minn. Stat. § 181.172. Lifeworks will not retaliate against any employee for asserting their rights or remedies under Minn. Stat. § 181.172.

## **Holiday Pay**

Lifeworks observes 10 paid holidays each year and 1 personal holiday. Annual observed holidays are established by the executive team and the calendar is posted on SharePoint.

Lifeworks holidays include:

- New Years Day
- MLK Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day
- Personal Holiday with supervisor's approval

Regular full-time and regular part-time employees working an average of 20 hours or more per week receive holiday pay. Part-time employees are paid based on scheduled daily work hours.

To honor the many holidays people celebrate, each employee gets one personal holiday every year. If you start working on or before January 1, you get your personal holiday on January 1. If you start after January 1, you get your personal holiday 60 days after your first day. To use your personal holiday, ask for time off the same way you normally do in your department. Your supervisor can help you with this. You must take your personal holiday as one full day. You must use it in the same year you get it. It does not carry over to the next year.

Hourly employees who are required to work on a Lifeworks holiday will receive double time pay in addition to their holiday pay for the hours worked that day. Holidays worked must be pre-approved by the supervisor. To receive double-time pay, the employee must submit worked time through the timekeeping system.

### **Holiday Pay for Employees on Unpaid Leaves**

Employees on unpaid leave are not eligible for holiday pay. Employees must either work or be on paid leave (PTO or banked sick) on the first scheduled workday before and after the holiday to receive holiday pay.

## **Paid Time off (PTO)**

PTO is intended to provide employees with a bank of days employees earn. Employees can draw on their bank to compensate for time off needed for events such as vacation, illnesses, personal emergencies, and holidays that are not recognized as official Lifeworks holidays.

Lifeworks PTO policy meets and exceeds the Minnesota Earned Sick and Safe Time (“ESST”) law for regular employees scheduled to work 20 hours or more per week. All other employees, including temporary and on call employees, are covered by ESST.

### **Eligibility**

- Regular full-time and regular part-time employees are eligible to earn PTO.
- Temporary, seasonal, and on-call employees are not eligible for PTO

### **PTO Accrual**

- Employees begin accruing PTO at a rate of 18 days per year on their first day of employment.
- For each completed year of service, employees will earn one additional PTO day per year, up to a maximum of 32 days per year.
- PTO accrual is prorated based on the employees’ average number of regularly scheduled hours per week but will be accrued at a minimum rate of one hour for every 30 hours worked.
- Employees do not accrue PTO when they are absent from work for any reason for 10 or more working days.
- Employees who are re-hired at Lifeworks 6 months or less after their employment was terminated will be reinstated with up to 80 hours of previously accrued but unused earned PTO.

### **Use of PTO**

- Employees must exhaust all available PTO before taking time off unpaid unless time off is covered under the ESST policy.
- Non-exempt employees: PTO must be used in 15-minutes increments.
- Exempt employees: PTO must be used in half-day increments.
- Employees must have the earned PTO time to cover their leave requests unless the absence qualifies under FMLA or Minnesota Safe and Sick Time.
- Employees can request approval from Human Resources to go into a negative PTO balance, not to exceed 40 hours, for approved FMLA cases.

### **PTO Planning and Approval**

- Employees are expected to plan PTO in advance and obtain prior approval from their supervisor before taking time off.
- PTO requests must be submitted through our timekeeping system.
- In the case of emergencies, unexpected illnesses, or other ESST eligible uses, employees must notify their supervisor as soon as possible and follow the supervisor’s protocol.
- Lifeworks will try to approve all requests, while considering the business needs first. Lifeworks has the right to deny PTO requests that do not qualify for ESST.

### **PTO Carry-over**

- The maximum number of PTO days that an employee may carry over to the next calendar year is 35 days.

- Any PTO balance exceeding 35 days will be paid out on the last paycheck of each calendar year. For example, an employee with a PTO balance of 45 days at the end of the year will be paid out for 10 of those days. The remaining days will be carried over.

### **PTO Cash Out**

- Employees may cash out up to 12 days of unused earned PTO days each year.
- PTO cash-out is available on any of the four designated cash-out pay dates.
- A PTO Cash-Out form will be sent to employees each year in October.
- Employees must complete the annual PTO cash-out election form prior to December 31 of each year to receive payment on the following year's designated cash-out pay dates.
- Once employees have submitted their election to payroll, they may not change their election.

### **PTO Reimbursement upon termination**

Upon termination of employment, Lifeworks will pay an employee for unused earned PTO at their regular rate of pay. A deduction is made from the final paycheck for the amount by which PTO used has exceeded PTO accrued.

## **Earned Sick & Safe Time (ESST)**

### **Eligibility**

- All temporary, seasonal, and on-call employees who Lifeworks anticipates will work at least 80 hours per year are eligible for ESST.
- Regular full- and part-time employees have ESST as part of the PTO policy described above and do not accrue additional ESST.

### **Accrual of ESST**

- Employees earn one hour of ESST for every 30 hours worked, up to a maximum of 48 hours per year, beginning on an employee's start date.
- Unused ESST may be carried over to the following year, the maximum balance available for use at any time is 80 hours.
- Employees who are re-hired at Lifeworks 6 months or less after their employment was terminated will be reinstated with up to 80 hours of previously accrued but unused earned ESST.

### **Use of ESST**

Employees may use ESST for the following reasons:

- Personal mental or physical illness, injury, or health condition, including preventative care or medical appointments.
- Care for a family member with a mental or physical illness, injury, or health conditions, including preventative care or medical appointments.
- Absence related to domestic abuse, sexual assault, or stalking of the employee or the employee's family member, including seeking medical attention, counseling, relocation, or legal services.
- Closure of the employee's workplace or a family member's school or care facility due to weather or public emergency.

- When prohibited from working by Lifeworks due to concerns regarding the transmission of a communicable disease related to a public emergency, or when seeking or awaiting a test or diagnosis of a such a disease after the employee has been exposed or Lifeworks has required a test or diagnosis.
- When determined by a health authority or health care professional that the employee or a 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

### **Family Member Definition**

ESST may be used to care for a broad range of family members, including children, parents, spouses, siblings, grandparents, grandchildren—including “step” and “in-laws” of those categories—and any individual with a close association equivalent to a family relationship.

### **Notice and Documentation**

- Employee must provide a 7-day advanced notice of their need for ESST whenever possible.
- In unforeseeable circumstances, employees should notify their supervisor as soon as reasonably possible.
- For absences of three or more consecutive days, Lifeworks may request reasonable documentation to verify an employee’s need for ESST.

### **Separation**

- Unused ESST is not paid out upon termination of employment.

### **Employee Rights**

Lifeworks will not retaliate against any employee for requesting or using ESST. Employees have the right to file a complaint or bring a civil action against Lifeworks if their request for ESST is denied or the rights set forth in Minn. Stat. § 181.9447.

### **Bereavement Leave**

Full and part time employees can take up to three days off with pay due to the critical illness immediately preceding death or death of any immediate family member or household member. If additional time is needed PTO time may be used. Immediate family includes:

- Your child, spouse, partner, parent, sibling, grandparent, great-grandparent, and grandchild.
- Your spouse or partner’s child, parent, sibling, grandparent, great-grandparent and grandchild.

### **Volunteer Leave**

Employees can take up to two days (16 hours) per year with pay to volunteer with nonprofit organizations or community groups they choose.

- Volunteer leave must be taken in at least of four-hour or half-day increments.

- Requests for volunteer leave must be approved by the employee's supervisor to ensure coverage.
- If work requirements make the leave request impossible, supervisors can deny the request and help schedule another time.
- Employees must tell their supervisor the name of the organization or the community activity they will volunteer with.
- Employees must have worked for one month and be in good standing (i.e., good attendance, good work performance, etc.).
- Volunteer leave does not carry over to the next year and it is not paid out if it is not used.

## **Banked Sick Leave**

Lifeworks previously offered a sick leave benefit, which ended in August 2014. If you have banked sick hours, they will carry over and can be used until they are all used or until their employment with Lifeworks ends.

For those employees who have a sick leave balance, banked sick time can be used for illness (self or family), or Family Medical Leave (FMLA). Employees must designate the use of either when submitting their request in the timekeeping system.

### **Banked Sick Leave Upon Termination**

Half of your banked sick leave, up to 80 hours, will be paid out if:

- You retire at age 55 or older and give at least 30 days' notice.
- You resign due to disability that is expected to last 12 months or more.
- Employees who are laid off due to a workforce reduction.

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

Lifeworks complies with the federal FMLA, which requires employers to grant unpaid leaves of absence to qualified workers for certain medical and family-related reasons. Lifeworks also abides by any state and local leave laws. The more generous of the laws will apply to the employee if the employee is eligible under both federal and state laws.

Employees should note there are many requirements, qualifications, and exceptions under these laws, and each employee's situation is different. Employees should contact the HR department to discuss options for leave.

### **Employee Eligibility Criteria**

To be eligible for FMLA leave, an employee must be:

- Employed by Lifeworks at least 12 months prior to the commencement of the leave ***and***
- Worked at least 1,250 hours during the 12-month period prior to the commencement of the leave.

### **Basic Leave Entitlement**

Eligible employees may take leave for the following reasons:

- Birth of a child, or placement of a child for adoption or foster care. Leave must commence within 12 months of the birth or placement.
- To care for a spouse, child or parent with a serious health condition.
- The serious health condition (described below) of the employee.

### **Military Family Leave Entitlement**

Eligible employees with a spouse, child, or parent on active duty or called to active-duty status in the National Guard or reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include addressing issues that arise from (1) short notice of deployment (limited to up to 7 days of leave); (2) attending certain military events and related activity; (3) arranging child care and school activities; (4) addressing certain financial and legal arrangements; (5) attending certain counseling sessions; (6) spending time with covered military family members on short-term temporary rest and recuperation leave (limited to up to 5 days of leave); (7) attending post-deployment reintegration briefings; (8) arranging care for or providing care to a parent who is incapable of self-care; and (9) any additional activities agreed upon by the employer and employee that arise out of the military member's active duty or call to active duty.

Eligible employees also may take up to 26 weeks of leave to care for a covered servicemember or covered veteran during a single 12-month period. A covered servicemember is a current member of the armed forces, including a member of the National Guard or reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of the servicemember's office, grade, rank, or rating and for which the servicemember is undergoing medical treatment, recuperation, or therapy; is in outpatient status; or is on the temporary disability retired list. A covered veteran is a prior member of the armed forces, including a prior member of the National Guard or reserves, who has honorably discharged or released from service at any time during the 5-year period prior to the FMLA leave, and is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves at least one of the following:

- Inpatient care in a hospital, hospice, or residential medical care facility.
- A condition that requires continued care, or the supervision of a healthcare provider, including treatment for substance abuse, usually more than three consecutive calendar days.
- Any period of incapacity or treatment of incapacity, whether sustained or periodic, due to pregnancy, or for prenatal care.

In the absence of complications, routine treatments and short-term conditions ordinarily do not constitute a serious health condition.

## **Use of Leave**

- FMLA provides for 12 work weeks of unpaid leave during a 12-month period (except that an eligible employee caring for a covered service member may be entitled to a combined total of 26 work weeks of leave during a 12-month period to care for the service member.) Lifeworks will notify the employee of the first day considered to be leave under this policy and will measure the 12-month period from this date.
- An employee is required to use PTO before FMLA on an unpaid basis.
- Any disability absences will be counted as a FMLA.

## **Reduced Schedule or Intermittent FMLA Leave**

An employee may work a reduced schedule or take intermittent FMLA when medically necessary. Lifeworks may require a health care certification up to once every 30 days, which must include the dates and duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule.

- Exempt employees are encouraged to take time in four- or eight-hour blocks to ensure they have ample time to address the needs of their FMLA leave and to reduce disruption in the workday.
- Leave taken for the birth, adoption, or foster care placement of a child may be taken on an intermittent basis only if agreed to by the supervisor.

## **Procedures for Requesting Leave**

Except where leave is not foreseeable, employees requesting FMLA leave must submit the request to their supervisor 30 days before the leave is to commence using the time keeping system.

- If it is not possible to give 30 days' notice, the employee must give as much notice as is practical.
- An employee undergoing planned medical treatment must make a reasonable effort to schedule the treatment to minimize disruptions to Lifeworks operations.

## **Status of Position during and After Leave**

An employee who takes leave under this policy will be able to return to the same or an equivalent position with no loss in benefits accrued prior to the leave (unless the employee's position would have been eliminated regardless of whether the employee had taken the leave).

- While on leave, employees are requested to report periodically to their supervisor regarding their status and their intent to return to work.
- Lifeworks may request a written physician's statement indicating the employee's ability to return to their job.
- If the leave is intermittent, Lifeworks may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternate position would better accommodate the intermittent schedule.
- Employees must give Lifeworks a reasonable notice of their ability to return to work.

## **Benefits during Leave**

- Lifeworks will continue to pay the company portion of the employee's insurance benefit premium for up to 12 weeks of leave within a 12-month period (26 weeks of leave for eligible employees caring for a covered service member) at the same level and under the same conditions as if the employee continued to work.
- While on paid FMLA leave, Lifeworks will continue to make payroll deductions to collect the employee's payment for health and dental insurance and elected continuation of life insurance.
- Employees who exhaust PTO while on FMLA leave will be billed for their portion of the insurance benefit premium. Payment must be sent to Lifeworks by the date indicated on the invoice.
- Employees who are granted an extension for leave beyond 12 weeks may continue their participation in Lifeworks health and other insurance programs at their own expense through COBRA. The employee must make this payment, either in person or by mail to our third-party administrator per their schedule of payments. If the payment is more than 30 days late, the employees' health and other insurance coverage may be discontinued for the duration of the leave.
- Employees do not accrue paid leave while on unpaid leave.
- Employees are not eligible for pay increases while on unpaid leave.
- If an employee chooses not to return to work for reasons other than a continuation, recurrence or onset of a serious health condition that would entitle the employee to FMLA leave, the employee will be required to reimburse Lifeworks the amount it paid for the employee's health insurance premium during the FMLA leave period.

## **Pregnancy and Parental Leave**

At Lifeworks, we are committed to supporting employees through major life events, including the birth or adoption of a child. In accordance with Minnesota state law, employees are entitled to take leave for pregnancy, childbirth and bonding time.

### **Eligibility**

- All employees, regardless of their length or service, are eligible for pregnancy and parental leave.

### **Leave Duration**

- Employees may take up to 12 weeks of leave due to the birth or adoption of their child. This leave is unpaid unless employees choose to use earned PTO for all or part of the leave. In any event, the total leave taken due to the birth or adoption of a child may not exceed 12 weeks.
- Employees must take leave within 12 months of the birth or adoption of the child but may choose when during that 12 months to take the leave.
- Pregnancy leave may begin prior to the birth if medically necessary.
- Any leave taken for prenatal care will not reduce the 12-week allowance.
- Pregnancy and parental leave may run concurrently with FMLA leave.

## **Interaction of PTO with Short-Term Disability**

- PTO can be used to supplement short-term disability payments.

## **Requesting Leave**

- Employees must provide advanced notice to their supervisor and/or human resources of their intention to take leave, unless the leave is because of an emergency.

## **Job Protection**

- Employees returning from leave will be reinstated to their original position or an equivalent role with comparable pay, benefits, and working conditions.
- An employee who is returning from a leave of more than one month must notify Lifeworks at least two weeks before returning to work.
- A returning employee will receive any automatic adjustments to their pay scale that occurred during the leave and will retain all accrued benefits and seniority as if there had been no interruption in service. However, if during the leave the employee's position changed in such a way as would have affected that employee if the employee had not been on leave (e.g., there has been a lay-off or reduction of hours), the employee's right to reinstatement will be limited by the changed conditions.

For additional information about parental leave or FMLA, please contact Human Resources

## **Unpaid Leaves of Absence**

**Duration and Approval:** In exceptional circumstances, Lifeworks may offer an employee up to 30 days of unpaid leave, if the employee's supervisor approves and if the business needs of the organization allow. Any leave of absence of more than 30 days must be approved by Human Resources.

**Returning to Work:** Employees returning from a leave of 30 or fewer days will be reinstated to their original or a similar position, but for leaves longer than 30 days, employees may not be reinstated to the same position upon your return to work. Employees do not earn PTO during leave. Wage increases may be adjusted at Lifeworks' discretion. Employees may continue health insurance through COBRA at their own expense.

**Requesting Leave:** Submit a written request to your supervisor. For leaves over 30 days, approval from Human Resources is needed. Include the purpose, last day of work, and expected return date.

**Early Return:** Employees may return to work before the end of the leave if approved by Lifeworks.

## **Military Leave**

Lifeworks supports employees who serve in the uniformed services and complies with the Uniformed Services Employment and Reemployment Rights Act (USERRA) leave.

### **Types of Military Leave**

Employees can take time off for military reasons, including:

- Active-duty service or training
- Training while not on active duty
- Fitness-for-duty examinations
- Funeral honor duty
- Deployment for emergencies

### **Requesting a Military Leave**

Provide advanced written notice unless military necessity prevents it. Submit the request to your supervisor and Human Resources with supporting documentation.

### **Reinstatement Right**

Employees meeting USERRA requirements will be reinstated to their original position or a comparable role with the same seniority, status, and pay, if they:

- Provide timely notice of their intent to return to work
- Were honorably discharged or released
- Do not exceed the cumulative five-year service limit

### **Compensation and Benefits**

Lifeworks will pay the difference between regular pay and military compensation for up to two weeks (80 hours) per year. Health insurance coverage continues through the end of the month that the leave starts. Afterward, employees are eligible for COBRA for up to 24 months.

### **Protection from Discrimination and Retaliation**

Lifeworks prohibits discrimination or retaliation against employees who take military leave exercise their rights under USERRA.

For further information about military leave rights and responsibilities, please contact Human Resources.

## **Voting Leave**

Lifeworks encourages employees to vote. Minnesota state law allows employees to take time off to vote in elections. All employees who can vote are eligible for paid voting leave for local, state, or federal elections, including primaries.

Notify your supervisor in advance if you plan to take time off to vote. Schedule time off to minimize business disruption and if possible, vote outside of work hours. Employees can take a much time as needed to vote, including travel time.

## **School Activities and Conference Leave**

Each school year, you can take up to 16 hours of unpaid time off to go to your child's school activities—if they can't be scheduled outside of work hours. You can use PTO instead of taking unpaid leave. If you know about the activity in advance, you should request time off as soon as possible and try to schedule it in a way that doesn't seriously affect your work.

## **Other Leaves**

Employees may qualify for other types of leave as required by Minnesota law. If you have questions, please contact Human Resources.

## **Jury Duty and Court Appearances**

Employees summoned for jury duty or subpoenaed as a witness, except for self-incurred situations, shall be granted a leave of absence with pay. Employees are expected to return to work in the event they are not on call or not required to appear in court.

Employees summoned for jury duty must request leave through our timekeeping system and submit it to their supervisor for approval. Upon completion of jury duty, the employee must submit a copy of the jury duty subpoena notice to human resources.

## **Inclement Weather**

Lifeworks leaders will decide if it is safe to provide transportation, keep locations open for services, and for employees to report to work. If there are any changes, your supervisor or a designated staff member will let employees, clients, homes, and centers know what's happening.

## **Insurance**

Lifeworks has liability insurance to protect the organization, employees, and volunteers against lawsuits (not involving other employees) related to malpractice and negligence. Lifeworks carries bonding coverage in case employees causes financial loss to the organization.

## **Benefits**

Details about benefits, including what Lifeworks pays and what employees pay, are available in the Employee Benefits Guide. The guide is available on the Lifeworks Today Human Resources Department page in the Benefit section.

## **Retirement Plan**

All employees can join the Lifeworks Thrift Retirement Plan ("Plan") if they meet the eligibility rules in the in the Summary Plan Description. You can start or change your contributions after setting up an account at [www.retiresmart.com](http://www.retiresmart.com).

If you meet the requirements, you may also receive matching or discretionary contributions from Lifeworks. You become 50% vested after two years of working 1,000 hours each year, and fully vested after three years of service of working 1,000 hours each year.

For full details, see the Thrift Retirement Summary Plan Description which can be found on Lifeworks Today Human Resources page under Benefits.

## **Tuition Reimbursement Policy**

If you work full-time at Lifeworks, you may get help paying for school to improve your job skills or get ready for a future job at Lifeworks.

- You must get approval first.
- Lifeworks will pay back up to 50% of your tuition, with a limit of \$3,000 per year.
- To get the money back, you must get at least a B- grade or a “pass” in pass/fail classes.
- You must pay for the class first, then show your grade to get reimbursed.

If an employee receives other financial aid, such as scholarships or veterans’ benefits, those must be used first. Lifeworks will only reimburse the remaining eligible amount. Duplicate benefits are not allowed.

If an employee quits their job during the class or within 12 months after finishing, they must repay 50% of the money Lifeworks gave them. This amount will be deducted from their final paycheck. If Lifeworks ends the employee’s job for any reason other than cause, the employee will not have to repay the reimbursement. They will still be reimbursed for approved course they were already taking, but not for any new ones.

## **Employee Assistance Program (EAP)**

The EAP is a free and confidential service that offers counseling and referrals to employees, their families, and partners for help with personal or work-related issues. To use the Lifeworks EAP, please contact The Hartford at [www.guidanceresources.com](http://www.guidanceresources.com) or 1-800-964-3577. When asked for the company code, enter **HLF902**.

# Accommodations

## Workplace Accommodations

We are committed to providing reasonable accommodations to employees in accordance with Minnesota state law and the Americans with Disabilities Act (ADA)

## Disability Accommodations

Employees with a qualifying disability may request a reasonable accommodation that enable them to perform essential functions of their job.

Accommodations may include adjustments to work schedules, modified equipment, job restructuring, or other appropriate modifications

## Religious Accommodations

Lifeworks will provide reasonable accommodations for employees' religious practices unless doing so would impose an undue hardship on the business.

## Nursing Mothers, Lactating Employees, and Pregnancy Accommodations

Lifeworks is committed to supporting pregnant and lactating employees by providing a respectful, inclusive, and accommodation workplace in compliance with Minnesota law. Employees may request a reasonable accommodation related to pregnancy or related health conditions. These may include additional or longer breaks, seating or lifting restrictions, modified work schedules or duties, temporary leave, or job reassignment.

Lactating employees are entitled to reasonable paid break time to express milk, unless the time coincides with an unpaid break. A clean, private, non-bathroom space with an electrical outlet will be provided near the work area for this purpose.

Employees are not required to take leave or accept accommodations.

## Requesting an Accommodation

Lifeworks is committed to fostering an inclusive work environment. Employees that need an accommodation should submit their request to Human Resources. We will engage in an interactive process to assess the request and determine appropriate accommodations. Requests may require documentation from a medical provider.

Lifeworks strictly prohibits retaliation against anyone who requests accommodations or participates in related investigations.

# Health and Safety

## Employee Injuries

The health and safety of employees is a priority for Lifeworks. Our objective is to prevent and reduce the occurrence of injuries. All employees are an integral part of the health and safety program and need to understand and follow safety rules and procedures.

Employees who have a work-related injury or disease should report it immediately to their supervisor and human resources. A First Report of Injury form must also be filled out and sent to human resources.

## Non-Work-Related Injury

The supervisor may require an employee injured on non-work time to undergo a fitness-for-duty exam if the injury limits the employee's ability to perform the essential functions of their job. The exam would be limited to determining the employee's ability to perform the essential functions of their job.

## Physical Examination Policy

All individuals who have received a conditional job offer are required to pass a pre-placement drug screen at a Lifeworks designated provider. Employees that have received a job offer for a position that requires a DOT Certification are required to have a pre-placement physical exam including a drug screening at Lifeworks designated provider. The job offer is conditional on the medical recommendation by the medical provider, if required, and a negative drug test. The physical is scheduled by the employee and paid for by Lifeworks.

## Communicable Disease Policy

Employees who knowingly have a communicable disease may be required to provide a medical certificate or a certain period of symptom-free time before returning to work.

## Tobacco Free

Smoking, use of chewing tobacco or inhaling or exhaling of vapor from e-cigarettes or electronic delivery device are only permitted in designated areas and when it does not interfere with providing quality services and supervision to individuals being served. They are not allowed in company vehicles or in Lifeworks facilities, or whenever an employee is with a non-smoking Lifeworks client.

## Automatic External Defibrillator Use Policy

See Automatic External Defibrillator Use Policy Addendum K.

# Resources

## Code of Conduct

All Lifeworks employees must read, understand, and follow the Code of Conduct and related policies.

### Purpose

Ethics means knowing the difference between right and wrong and choosing to do what is right. This code helps guide how we act in ways that support Lifeworks' mission.

## Code of Ethics

### Responsibility to the Individuals We Serve

- I will treat everyone with respect and dignity.
- I will not use my role to benefit myself.
- I will respect each person's rights and humanity.
- I understand that people trust me, and I won't take advantage of that.
- I will follow all state and federal laws and rules about the services we provide.
- I will treat all individuals fairly, even if I normally don't work with them.
- I will show real care for the people I support and focus on their well-being.
- I will support safe opportunities for personal growth.
- I will not treat anyone differently or deny services based on race, gender, creed, color, religion, national origin, age, public assistance status, marital status, sexual orientation, veteran status, physical or mental disabilities, or any other protected status.

### Confidentiality (see Privacy Policy)

- I will respect people's privacy and keep all client information confidential.
- I will only share information if it is required by law, needed to prevent serious harm, or if the client has signed a written release.
- I understand that confidentiality also applies to coworkers who don't work directly with the client.
- I will store and dispose of records properly to protect privacy. I will always act professionally and keep information private even after I leave Lifeworks.

### Responsibility to Colleagues

- I will treat my coworkers with respect, fairness, and honesty.
- I won't take advantage of their trust or engage in harassment or discrimination.
- I will cooperate with others inside and outside the organization.
- If I supervise or evaluate others, I will do so fairly and support their growth.
- I will keep coworker information private.
- If I know a coworker has broken ethical or legal rules, I will take steps to stop it, including reporting it to a supervisor if needed.
- If someone tells me about a violation, I will make sure it is reported to the right person.

## **Professional Responsibility**

- I am committed to giving the best service possible.
- I will regularly reflect on my strengths and areas for improvement.
- I will keep learning and trying to understand others' perspectives.
- I will stay skilled in my job and act with honesty and integrity.
- If I face a problem outside my expertise, I will ask for help.
- I will use Lifeworks' open-door policy to give and receive feedback and resolve conflicts.

## **Responsibility to Lifeworks**

- I will work to make Lifeworks better and more efficient.
- I won't sign legal documents unless it is part of my job.
- I won't raise money for personal causes without HR approval.
- I will prevent discrimination in work and hiring practices.
- I will use Lifeworks resources properly and protect property of clients, visitors, coworkers, and the organization.
- I will keep my promises to Lifeworks and respect its policies and decisions.
- If I disagree with something, I will try to improve it in a respectful way.
- I will protect Lifeworks' reputation and keep business information private unless it is meant to be public.
- I understand I can talk about my wages and working conditions.
- If I can't follow Lifeworks' values and decisions, I will resign.

## **Violation of Policy**

If I break the Code of Ethics, I may face disciplinary action, which could include losing my job. See the disciplinary actions policy for more details.

## **Whistleblower Policy**

### **Purpose**

This policy encourages employees and other to speak up if they see something seriously wrong at Lifeworks. It also ensures they can report concerns safely and without fear of punishment.

Examples of a serious concern include:

- Breaking a law or rule
- Major mismanagement.
- Serious misuse of money.
- An abuse of power.
- Harm to public health or safety.

### **Scope**

This Policy applies to everyone at Lifeworks - board members, staff, and volunteers.

## **Our Standards**

Everyone at Lifeworks is expected to act honestly, follow the law, and follow Lifeworks policies. If someone sees or suspects a serious problem, they should report it using this policy.

## **Open-Door Policy**

Lifeworks encourages all employees, interns, volunteers, and board members to speak up about any concerns, questions, or problems -especially if they involve possible violations of laws, policies, or ethical standards. You can talk to your supervisor, manager, or someone else in leadership if you're unsure what to do.

## **Acting in Good Faith**

If you report a concern, you must believe it is true and serious. Making false or harmful claims on purpose is not allowed and may lead to discipline.

## **No Retaliation**

We are committed to maintaining a workplace where individuals feel safe to raise concerns, report misconduct, or participate in investigations without fear of retaliation. Retaliation against any employee, contractor, or stakeholder who, in good faith, reports a concern or participates in an investigation is strictly prohibited. Any act of retaliation will be treated as a serious violation of our policies and may result in disciplinary action, up to and including termination of employment.

## **How to Report a Concern**

### **Internal Reporting**

- Start by talking to your supervisor.
- If you're not comfortable talking to your supervisor, or if the issue isn't resolved, you can go to a director, Human Resources, the Compliance Officer, or another manager.
- Officers can report to the CEO, or if needed, the Board Chair.
- Board members and the CEO can report to the Board Chair or another board member or contact the organization's legal counsel.
- Anyone can report directly to the CEO, a board member, or legal counsel if needed.

### **Whistleblower Hotline**

You can also report concerns anonymously through the Lifeworks Whistleblower Hotline:

- **Call:** 1-877-767-7781 (you'll get a 5-digit case number- write it down).
- **Email:** [Lifeworks@getintouch.com](mailto:Lifeworks@getintouch.com) (your name and email will be removed before the message is shared). The Compliance Officer and team will review and respond to all reports.

## **Confidentiality and Protection of Personal Data**

Lifeworks will keep the identity of anyone involved in reporting or investigating an issue as private as possible. We follow all laws and company policies to protect personal information, while still making sure we can properly investigate and resolve the issue.

## **Timely Response**

Lifeworks is committed to looking into all reports quickly and fairly. If you report something in good faith, we will keep your information confidential as much as possible while still doing a full investigation.

## **Compliance Authorities**

The Corporate Compliance Officer is responsible for making sure this policy is followed. They report directly to the CEO and/or Board of Directors and make sure all issues are reviewed and resolved. Each year, they share a summary of compliance activities with the Audit and Investment Committee, which may also share updates with the board.

## **Handling of Reported Issues**

### **Process**

When someone reports an issue, the Corporate Compliance Officer or someone they assign will confirm they received the report, usually within one business day, if the person making the report is known. This confirmation does not mean Lifeworks admits to any wrongdoing.

### **Serious or Sensitive matters:**

If the issue involves serious concerns like illegal activities, fraud, harassment, discrimination, or anything that could harm Lifeworks' reputation or break the law, it will be reported to Legal Counsel right away. Legal Counsel will guide the investigation to make sure it is handled properly and legally. The team will work to resolve the issue in line with Lifeworks' values and policies, while respecting everyone involved. The results will be documented with Legal Counsel's help

### **Other Issues:**

For less serious matters, an investigation will begin within five business day. Other staff may be involved if needed, but confidentiality will be protected. The goal is to resolve the issue fairly and make any needed changes to prevent it from happening again. The investigation and resolution should be completed within 30 calendar days.

## **Who Handles the Investigation**

Usually, the Corporate Compliance Officer or their designee will leave the investigation. However:

- If the issue involves the CEO, the Board (excluding the CEO) will handle it.
- If it involves a Board Member, the rest of the Board will investigate.
- If it involves both the CEO and Board members, the remaining Board members will take responsibility.
- If the issue related to accounting, auditing, or internal controls (and is more than a minor concern), the Audit and Investment Committee will investigate.

## Resources

Grievance Policy  
In Touch  
Internal Investigations Procedures  
Minnesota Statutes 181.932  
Minnesota Council of Nonprofits  
CARF Accreditation Handbook  
Legal Counsel

Responsible Committee	Audit & Investment
Responsible Staff	Chief Financial Officer
Committee Approval Date	August 14, 2024

## Equal Employment Opportunity and Affirmative Action

At Lifeworks, we are committed to creating a diverse and inclusive workplace. We are proud to be an Equal Opportunity Employer and do not discriminate against any employee or applicant for employment based on race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age, disability, marital or family status, genetic information, military or veteran status, public assistance status, or any other protected status in accordance with applicable federal, state, and local laws.

We also take affirmative action to ensure equal opportunity in all aspects of employment, including recruitment, hiring, training, promotion, compensation, benefits, and other terms and conditions of employment. Our affirmative action efforts are designed to promote the full realization of equal employment opportunity for women, individuals from historically underrepresented groups, individuals with disabilities, and protected veterans.

Lifeworks takes steps to hire and support qualified individuals with disabilities at all levels, including leadership roles.

## Reporting Concerns

If you believe you have been treated unfairly or discriminated against, contact Michelle Hanrahan at 612-703-0456, visit 6636 Cedar Ave S., Richfield, MN 55423, or speak with any leader, including the Chief People Officer or President and CEO. We will investigate all concerns quickly and privately and act if needed.

## Genetic Information Nondiscrimination Act

Lifework follows the Genetic Information Nondiscrimination Act (GINA), which prohibits discrimination based on genetic information. We do not request or use genetic information in employment decisions. Employees and healthcare providers should not include genetic details, such as family medical history, when submitting medical documentation.

If you have questions or concerns, please contact Human Resources.

# Harassment and Discrimination

## Our Commitment

Lifeworks is committed to providing a workplace where everyone is treated with respect. We do not allow harassment or discrimination of any kind. Everyone deserves to work in a safe, professional, and supportive environment.

## What is Harassment?

Harassment is any unwanted behavior based on race, gender, age, disability, religion, sexual orientation, or other protected characteristics. This includes behavior that makes someone feel uncomfortable, unsafe or unable to do their job.

Examples of harassment include:

- Offensive jokes, comments, or slurs
- Sharing displaying inappropriate images or messages
- Making threats or unwanted demands
- Unwanted touching or personal attention
- Suggesting that someone's job depends on accepting inappropriate behavior

## Sexual Harassment

Sexual harassment is a specific type of harassment. It includes unwanted sexual advances, comments, or physical contact. It also includes making someone feel like they must accept this behavior to keep their job or get a promotion.

## Who This Policy Covers

This policy applies to everyone at Lifeworks - employees, clients, or volunteers. Harassment is not allowed from anyone, whether they are a coworker, supervisor, or someone outside the organization.

## Reporting Harassment

If you believe you or someone else is being harassed, report it right away to Human Resources. Lifeworks can only help if we know there is a problem. We will investigate all reports and take appropriate action. Anyone who breaks this policy may face discipline, including termination.

## Confidentiality

Lifeworks will keep reports as private as possible. Some information may need to be shared to properly investigate and resolve the issue.

## No Retaliation

You will not be punished for reporting harassment or helping with an investigation. If you feel you've been treated unfairly for speaking up, report it to Human Resources.

## Employee Responsibilities

All employees must keep our workplace free of harassment. This means:

- Following this policy
- Not engaging in or encouraging harassment
- Reporting any concerns
- Cooperating with investigations

- Keeping information private

If you have questions about this policy or need help, contact Human Resources.

## **Anti-Bullying Policy**

Lifeworks is committed to keeping our workplace safe, respectful, and free from bullying. Everyone is expected to treat each other with kindness and professionalism.

### **Definition of Bullying**

Bullying means repeated, unfair behavior that can harm someone's health, safety, or well-being. It can be verbal, physical, emotional, or psychological.

Examples of bullying include:

- Yelling, threatening, or acting aggressively
- Spreading lies or harmful rumors
- Leaving someone out on purpose
- Constant unfair criticism meant to hurt someone's confidence
- Making offensive jokes or gestures

### **Reporting Bullying**

If you feel bullied or see someone being bullied, report it as soon as possible. You can talk to your supervisor, manager, or Human Resources. Lifeworks will investigate all reports quickly and fairly. If bullying is confirmed, we will take appropriate actions, which may include discipline or even termination. You will not be punished for reporting bullying or helping with an investigation. Retaliation is not allowed.

Grievance Policy and Procedure

### **Our Commitment**

Lifeworks wants everyone – employees and people we serve -to feel heard and respected. If you have a concern, complaint, or misunderstanding, we want to help resolve it quickly and fairly.

### **How to Report a Grievance**

- People receiving services and their case managers will get a copy of this policy within five working days of starting services
- If you have a concern, talk to a staff member you trust. If the issue isn't resolved, you can let them know you want to file a formal grievance. Staff can help you with this.
- Staff can also give you contact information for outside agencies that can help you file a grievance if needed.
- Formal grievances can be sent to:  
**Compliance and Quality Assurance Director**  
Lifeworks Services, Inc.  
6636 Cedar Ave S. Ste. 250  
Richfield, MN 55423

## **What Happens Next**

- If the grievance involves health or safety, we will respond within 24 hours. All other grievances will get a response within 14 days.
- We aim to resolve all grievances and may ask Human Resources for help.

## **Review and Follow-Up**

- The Compliance Committee will review each grievance to see if policies were followed if training is needed, or if changes should be made.
- If needed, Lifeworks will create a plan to fix the issue and prevent it from happening again.
- A written summary of the grievance and the outcome will be shared with the person who filed it and their case manager (if applicable).
- We keep grievance records for at least 7 years.

## **If the Issue Isn't Resolved**

If the person who filed the grievance is not satisfied with the outcome, Lifeworks will arrange for a neutral third party to review the case.

## **No Retaliation**

You will not be punished for filing a grievance in good faith. Filing a grievance will not affect your services.

## **Privacy Policy**

See Lifeworks Privacy Policies Addendum A for the entire policy.

## **HIPAA Security Policy**

See Lifeworks HIPAA Security Rule Policies Addendum B for the entire policy.

## **Conflict of Interest Policy**

See Lifeworks Conflict of Interest Policy Addendum C for the entire policy.

## **Corporate Compliance and Ethics Policy**

See Lifeworks Corporate Compliance and Ethics Policy Addendum D for the entire policy.

## **Fraud, Waste and Abuse Policy**

See Lifeworks Fraud, Waste and Abuse Policy Addendum E for the entire policy.

## **Drug and Alcohol-Free Workplace Policy**

See Lifeworks Drug and Alcohol-Free Workplace Policy Addendum F for the entire policy.

## **Information Technology Acceptable Use Policy**

See Lifeworks Information Technology Acceptable Use Policy Addendum G for the entire policy.

# Employee Guidelines

## Hybrid Work Model Policy

Lifeworks Services wants to create a safe, productive, and collaborative work environment by using a hybrid work model.

### Work Arrangements

Managers will decide if employees need to work onsite or can work remotely based on their job duties. Some jobs require employees to be onsite all the time, while others may need them onsite occasionally. Manager must inform Human Resources about any changes to job duties before making them.

### In-Person Meetings

Teams meet in-person regularly at Lifeworks facilities or other locations to build relationships and collaborate. Employees must attend all scheduled meetings unless they have approval from their supervisor to miss the meeting. Exceptions to in-person meetings can be made if necessary for the job, but managers must inform Human Resources first.

### Remote Work Expectations

Employees working remotely must act professionally and work during business hours (8:00 AM -4:30 PM) or adjust hours with supervisor approval. Employees working outside the State of Minnesota need approval from their supervisor and Human Resource.

### Policies and Conduct

Employees must follow all company policies and the Code of Ethics, collaborate with team members, and complete work on time. They should arrange care for dependents during work hours and used PTO if they need to provide care during work hours. If care is needed for more than three days, employees must inform their supervisor.

### Privacy and Security

Employees must secure documents, lock their laptop when not in use, keep conversations confidential, and shred printed document at Lifeworks facilities.

### Virtual Meetings

Employees must attend all scheduled meetings unless they have approval from their supervisor to miss the meeting. Employee should be on time and participate in discussions, have cameras turned on, keep their background tidy, and avoid disruptive eating and drinking.

### Technology

Lifeworks provides technology equipment, and employees should take care of it and report any issues to IT. All equipment must be returned if an employee leaves the company

## Disciplinary Action

Lifeworks takes disciplinary action to prevent and deter workplace problems. This can include verbal and written warnings, performance improvement plans (PIP), suspension, or termination. Serious offenses may lead to immediate suspension or termination.

### Reasons for Disciplinary Action

- **Misconduct:** Behavior against regulations or norms expected by the organization.
- **Violation of Code of Ethics, Policies, or Procedures:** Breaking Lifeworks' code of ethics and policies.
- **Breach of Privacy Policies:** Improper use or disclosure of Protected Health Information.
- **Illegal Activities:** Actions that break federal, state, or local laws during Lifeworks business.
- **Endangering or Abusing Property or Threatening Well-being:** Unsafe, reckless, destructive, or violent actions harming employees or people served, or damaging property.
- **Falsification of Records:** Falsifying data on employment forms, timecards, medical records, expense reports, and other job-related documents.

### Types of Disciplinary Action

- **Verbal Warning.** The supervisor, with HR consultation, gives a verbal warning (documented in writing). It includes the date, statements made, observations, reason for the warning, review period, and consequences if standards are not met.
- **Written Warning.** The supervisor, with HR consultation, issues a written corrective action notice and discusses it with the employee. It includes observations, expected performance standards, reason for the action, consequences if standards are not met, and review period. Both verbal and written warnings are placed in the employee's personnel file.
- **Performance Improvement Plan (PIP).** The supervisor, with HR consultation, creates a PIP outlining specific goals and expectations for improving performance. The supervisor meets regularly with the employee during the PIP period. If the PIP terms are not met, employment may be terminated.
- **Suspension.** With HR approval, the supervisor can suspend an employee with or without pay for up to five working days. Suspension with pay may occur during an investigation. The suspension notice is given verbally and in writing. Suspension without pay includes details of inappropriate behavior, expected standards, reason for action, consequences if standards are not met, and review period. The written notice is placed in the employee's personnel file.
- **Termination.** With HR approval, the supervisor can terminate an employee. All termination notices for disciplinary action are given in writing.

## Employee Termination

Lifeworks handles both voluntary and involuntary terminations uniformly. The immediate supervisor must contact Human Resources to ensure proper procedures are followed and notify the next-level supervisor.

## **Voluntary Termination**

This occurs when an employee decides to leave the organization, including refusing recall offers or not returning from leave.

## **Employee Responsibilities for Voluntary Termination**

The employee must submit a resignation letter with the final workday to Human Resources. The last workday cannot be a PTO, holiday, or sick day. Salaried employees should give 20 working days' notice; hourly employees should give 10 working days' notice. Proper notice helps find a replacement and minimizes impact on services.

## **Involuntary Termination**

This includes discharge due to serious offenses or failed corrective discipline, and termination due to job function elimination, budget cuts, or program elimination.

## **Final Pay for Terminated Employees**

Terminated employees, whether voluntary or involuntary, will receive regular wages through their last workday. They will also be paid for unused earned PTO at their regular rate. If PTO used exceeds PTO accrued, the difference will be deducted from the final paycheck.

## **Lifeworks Equipment**

Employees must return all Lifeworks property on their last day of work. If an employee is involuntarily terminated, Lifeworks will send a courier to collect the equipment.

## **Image and Recording Management Policy**

See Image and Recording Management Policy Addendum I.

## **Media Relations Policy**

### **Purpose**

To protect Lifeworks' public image and brand, ensure policy consistency, maintain client confidentiality, and provide accurate and timely information to media outlets.

Approved Spokespersons: Staff members can speak with the media as Lifeworks representatives only if specifically authorized. Even if authorized, refer all media inquiries to the Marketing Team.

### **Media Inquiries**

Direct all unsolicited media inquiries (phone, email, postal) to the VP of Marketing or Senior Marketing and Communications Manager. If the Marketing Team is unavailable, record the journalist's name, media organization, phone number, and deadline, and relay this information urgently to the Senior Marketing and Communications Manager.

### **Response to Media Requests**

Lifeworks will respond to legitimate news sources within its capacity. All requests will be evaluated individually. Lifeworks may refuse to provide certain confidential information, issue statements, or make representatives available for interviews if it does not further the Lifeworks mission.

# **Crisis Communication Policy**

## **Purpose**

To manage situations that threaten Lifeworks' integrity or reputation, usually due to negative media attention.

## **Examples of Crisis Situations**

- Injury or death of a client or staff member
- Missing client
- Accusation of mistreatment or abuse
- Act of violence
- Accusation of mismanagement or embezzlement
- Natural disaster (e.g., tornado, fire)
- Disease outbreak
- Breach of unsecured Protected Health Information (PHI)

A crisis can also occur if Lifeworks is perceived to have reacted inappropriately to any of these situations by government partners, constituents, the public, or the media.

## **Employee Responsibility**

After ensuring the safety of clients and staff, employees must immediately notify their supervisor. The supervisor or staff should then inform the Crisis Communication Team by calling 651-365-3745.

Employees should not speak to the media during a crisis. If contacted by the media, employees should say: "I do not have that information, but I can connect you with the appropriate person. What is your deadline? Please give me your name and number, and a Lifeworks representative will contact you as soon as possible."

Employees should respect the media's deadline and keep a log of reporters who call, noting the media outlet, reporter's contact information, and deadline.

The full Crisis Communication Policy is available on Lifeworks Today, under Advancement.

## **Workplace Violence Prevention**

Lifeworks wants to keep everyone safe, take care of our customers, protect our property, and make sure people treat each other with respect. Because of this, no one is allowed to have guns or weapons on any Lifeworks property. This includes company buildings, vehicles, and even personal cars used to drive Lifeworks clients.

Employees are not allowed to carry or use weapons—including concealed weapons—on company property or in vehicles. This rule is always in place: during work, after work, on weekends, and on holidays.

This policy applies to:

- All employees
- Visitors, customers, vendors, and board members

Updated 7/28/2025

- Anyone on Lifeworks property or in company vehicles

If someone breaks this rule, Lifeworks will ask them to follow the policy. If the individual refuses, Lifeworks will notify authorities immediately. No one will be retaliated against for reporting violations in good faith. If an employee violates this policy, corrective actions or discipline may occur, depending on the situation.

## Employee Guidelines

Supervisors communicate team and organization goals, explain work expectations, observe and document employee performance, provide feedback, and coach employees.

Employees set and work toward individual goals based on team and organization goals, measure and report performance, complete work assignments, and inform their supervisor if expectations are unclear or if they need more resources.

### Seven Core Skills

All Lifeworks employees should develop these skills:

- **Self-Directed:** Assess your own performance, take action to improve, and set challenging goals.
- **Decision Maker:** Make practical decisions quickly, even with incomplete information, and use logic to support decisions.
- **Initiative:** Make work practices efficient, take responsibility for improving them, and maintain high standards.
- **Communicator:** Use clear language to describe situations and ideas, structure communication logically, listen, respond, and summarize.
- **Interpersonal Skills & Service Orientation:** Interact confidently, understand social situations, show empathy, and collaborate.
- **Adaptable:** Respond effectively to changes, adjust behavior to fit situations, and anticipate the impact of changes.
- **Person-Centered in-Service Delivery:** Treat people with dignity, identify their strengths and preferences, honor what is important to them, support their opportunities to express themselves, and advocate for their desired outcomes.

## Personnel Records

Minnesota law gives you the right to review your personnel record during and after your employment. To review your file, you must make a written request to Human Resources. Current employees can view their file at Lifeworks during normal business hours. Lifeworks can deny a request if it is not made in good faith.

If you disagree with something in your file, you can submit a written statement (up to five pages) to be added to your file. Lifeworks will not retaliate against anyone for asserting their rights. Penalties may apply for violating personnel records laws. Claims must be made within one year of discovering the violation.

Lifeworks keeps personnel records confidential. Only those who need to know can access these records, and access is monitored by Human Resources. Requests for information

from personnel records must be made in writing to Human Resources. Employee medical information is kept in a separate file.

## **Federal I-9 Forms**

Lifeworks follows all employment laws and does not hire unauthorized workers. Employment eligibility is verified through the Federal E-Verify system. For more details on your rights, see Minn. Stat. 181.960 – 965.

## **Applicant Background Check**

Lifeworks follows Minnesota law to conduct background checks to protect the health, safety, and rights of clients.

### **Verification**

As part of our commitment to safety and compliance, all employees and applicants undergo thorough screening. This includes Motor Vehicle Record (MVR) checks, DHS background studies, and Minnesota Level 3 Sex Offender Registry. In additions, all employees are verified, on a monthly basis, through the Office of Inspector General (OIG) to ensure they are not excluded from participating in Medicare, Medicaid, or other federal health care programs.

## **Updating Information**

Employees should quickly update any changes in their name, phone number, or address in Paylocity for HR approval. Lifeworks will contact your emergency contact if needed for safety.

## **Employee Referral**

Lifeworks believes our current employees are great at helping us find new team members!

If you refer someone and we hire them as a regular employee, and they say you referred them before or during their interview, you will get \$300. You'll get this money in your paycheck after the new employee works for 90 days.

If you refer someone and we hire them as a substitute or temporary employee, and they say you referred them before or during their interview, you will get \$100. You'll get this money in your paycheck after they work for 30 days.

If more than one person refers the same new hire, the money will be split evenly.

You can't get a referral award if:

- You are the hiring manager for the job.
- The person you referred already volunteered or interned at Lifeworks.

If you know someone who would be a great fit, tell them to contact Lifeworks Human Resources—and remind them to mention your name!

## **Employment of Relatives and Significant Others**

### **Co-Worker Relationships**

Romantic or family relationships between co-workers can affect objectivity and create bias. If this happens, management will review and may make changes, like moving someone to a different team.

### **Supervisor/Subordinate Relationships**

Romantic relationships between a supervisor and their direct reports are not allowed.

### **Concerns**

If an employee thinks a relationship is making their job harder or uncomfortable, they should talk to their supervisor or Human Resources.

## **Employee References**

### **Employment Verification**

Only Human Resources or the payroll department can provide employment verification. Phone references will include the employee's title, dates of employment, and job responsibilities.

### **Written Letters of Reference**

These may include the employee's job title, dates of employment, and job responsibilities.

### **Internal References**

When an employee requests a transfer within Lifeworks, the supervisor of the requested unit will ask the current supervisor for a reference. This will include job responsibilities and overall job performance.

### **Credit References**

Payroll handles credit information requests. They verify the employee's dates of employment, position, title, and whether they work full or part-time. Salary information is only verified in writing and upon the employee's written request. Lifeworks does not predict future employment.

## **Staff Orientation and Training**

All Lifeworks employee's complete orientation training for their job and the organization within the first six months. This includes training required by CARF, MN licensing statute 245D, MN Positive Supports Rule, Lifeworks policies, OSHA, and health and safety.

### **Direct Service Employees**

Within 60 days of hire, direct service employees must complete orientation, including supervised on-the-job training and instruction in job functions, incident reporting, safety practices, Lifeworks policies, data privacy, client rights, maltreatment of vulnerable adults and minors, person-centered service planning, positive support strategies, emergency manual restraint use, staff responsibilities, first aid, minimizing sexual violence risk, and other topics in client service plans. Administrative employees must complete workplace

health and safety training and mandated reporting and are encouraged to complete at least 10 hours of training each year.

### **Working Alone**

Direct service employees cannot work alone with clients until they complete training specific to the clients' needs and their competency is evaluated through observed skills. Training includes reviewing client service plans, on-the-job training, and observations with a designated coordinator or knowledgeable staff, and all required training within 60 days of hire.

### **Professional Development**

Lifeworks values learning opportunities for all employees to gain knowledge, improve skills, and develop new talents. Job openings are posted on Lifeworks SharePoint. Career development discussions with supervisors can happen anytime, not just during annual reviews or regular check-ins.

### **Training**

Training helps employees understand the people we serve, our teams, and our roles at Lifeworks. It includes mandatory requirements by CARF, MN Statute 245D, or Lifeworks policies. Training can be formal or informal, scheduled or self-paced, and includes in-services, conferences, workshops, and online content. It can be delivered by peers, supervisors, team members, mentors, internal trainers, consultants, or external organizations.

Employees must complete an External Training Event form and get pre-approval from their supervisors for external training. All training received during the year, beyond mandatory training, must be documented on an Individual Training Record and submitted to the supervisor at the end of the year. Direct service staff must document all training completed to support clients on both their employee training record and the client-specific training records throughout the year.

### **Performance Reviews**

Performance reviews are meetings between employees and supervisors to review accomplishments, job descriptions, expectations, goals, and objectives that support Lifeworks' mission.

The standard performance cycle includes setting goals before the new year, regular check-ins with supervisors throughout the year, and a year-end review in December. New employees and those promoted to new positions will set goals within the first 60 days of hire or promotion.

### **Intellectual Property**

Lifeworks hires employees to create new ideas, improve processes, and develop new services. Because Lifeworks funds these activities, it owns any intellectual property (like patents and copyrights) created by employees during their work. Employee wages include payment for these creative efforts, and employees must transfer these rights to Lifeworks.

Lifeworks does not claim ownership of intellectual property created by employees before they joined Lifeworks. Also, Lifeworks does not claim ownership of intellectual property developed by employees on their own time, without using Lifeworks resources, if it does not relate to Lifeworks' business or result from their work at Lifeworks.

## **Transportation**

### **Lifeworks Vehicles**

Lifeworks vans and buses are for transporting clients only. They have specific training and licensing requirements. Check the Transportation Module for details.

### **Driver's License**

Employees must have a valid driver's license if driving is part of their job. Lifeworks reviews driving records regularly. If an employee's record is bad or they are unsafe, they will be put on non-driving status. If the team can't manage without them driving, they may be terminated.

### **Insurance**

Employees must have the minimum vehicle insurance required by Minnesota. Check with your insurance for proper coverage. Mileage reimbursement covers extra premium costs. Lifeworks provides extra liability coverage for personal vehicles used for work. Send an up-to-date copy of your insurance to Human Resources.

### **Vehicle Accidents**

If an accident happens while working (not commuting), Lifeworks will reimburse up to \$500 for the collision deductible, unless another party's insurance covers it. Report accidents to your supervisor as soon as possible and provide a receipt for repairs.

### **Traffic Tickets**

Lifeworks does not pay for traffic tickets or moving violations. Report any tickets to your supervisor if you are driving a Lifeworks vehicle or your own car for work.

### **Damage by Clients**

Lifeworks may pay for repairs if a client damages your vehicle. Complete an Incident Report and send it to your supervisor for approval, then attach it to a Service Request for the transportation department.

### **Reporting Accidents**

If you have an accident while working, call your supervisor or the transportation department from the scene. If clients are in the vehicle, report the accident to caregivers and guardians, even if no one is hurt. Document the accident using the Illness/Injury Report form and the Driver's Report of Motor Vehicle Accident form from the transportation department. If you are injured, your supervisor must complete a First Report of Injury form, give you a copy, and send the original to Human Resources within 24 hours. You may also be tested under the Drug and Alcohol-Free Workplace policy.

# **Professional Conduct**

## **Representation**

Lifeworks employees should always present a professional image to the public. Employees should know how to describe Lifeworks, its mission, and services. Refer to the Lifeworks Brand Guide on the internal website for guidelines.

## **Professional Etiquette**

Lifeworks' image and reputation depend on the conduct of its staff. Use professional etiquette with clients, families, employers, donors, vendors, and others to enhance Lifeworks' brand and provide high-quality service.

## **Communication**

Follow the guidelines in the customer service and professionalism module on the internal website for communicating in person, writing, and on the phone.

## **Email Signatures**

Lifeworks IT will set up your official email signature when you are hired. Update your email signature if your name, title, or other information changes.

## **Dress Code**

Employees should dress neatly and professionally at work or when representing Lifeworks. Follow the employer's dress code if working at or visiting a business but adhere to Lifeworks guidelines if co-workers dress casually.

## **Zoom Calls**

Dress appropriately for your audience and business purpose within Lifeworks dress code guidelines.

## **Unacceptable Clothing**

Shirts or apparel with beer, cigarette, drug-related, offensive wording, or political campaign content are not allowed. Tops must cover the front and back torso and shoulders (no athletic tank tops, halter tops, or spaghetti straps). Hats or caps are not allowed in Lifeworks facilities unless for religious or medical reasons. Pants or shirts with holes, tears, or excessive wear are not allowed. No cut-offs or frayed ends. Open-toed shoes are not allowed when working with people who use wheelchairs.

## **Appropriate Clothing**

Employees in the Administrative Office are expected to wear business casual attire. This includes items such as slacks, khakis, blouses, button-down shirts, sweaters, and denim jeans in good condition.

Inappropriate clothing includes spandex, yoga pants, sweatpants, clothing with holes, rips or tares, shorts, skirts, or dresses that are not of professional length (generally no shorter than just above the knee).

Clothing should be neat, clean, and suitable for a professional environment. If you are unsure whether something is appropriate, it is best to choose a more conservative option or check with your supervisor.

### **Fragrance**

Due to allergies and sensitivities, employees should be free of body odor, smoke, and wear perfume or cologne sparingly or not at all.

## **Communicating on Social Media**

Lifeworks uses many social media channels, accessible through [www.lifeworks.org](http://www.lifeworks.org).

### **Standards for Social Media Use:**

- Get your supervisor's permission if engaging during work hours.
- Do not use personal social media while working with clients.
- If using Lifeworks social media through your personal accounts, and you list Lifeworks as your employer, your profile photo must follow the professionalism standards in the employee handbook.
- When posting about Lifeworks:
  - Stick to your expertise and share unique perspectives.
  - Post meaningful, respectful comments. No spam or offensive remarks.
  - Think before posting and reply to comments timely.
  - Respect proprietary information and confidentiality.
  - Be polite when disagreeing with others.
  - Do not mention Lifeworks customers by name.

Always follow the Lifeworks Social Media Guidelines in the Customer Service and Professionalism module when posting on behalf of Lifeworks.

### **Connecting as Friends on Social Media**

Be mindful that your profile and posts will be visible to colleagues. You may not want to "friend" your supervisor or vice versa. Respect other employees' decisions and boundaries when connecting. Refer to the Lifeworks Code of Ethics Policy.

### **Connecting with Clients**

If you connect with a client, remember they will see your personal profile and associate you with Lifeworks.

## **Lifeworks Offices and Workspaces**

Employees must keep Lifeworks facilities clean and tidy. This includes picking up items from the floor, keeping program rooms, break rooms, and shared spaces neat, maintaining clutter-free workspaces, and ensuring entrances and exits are always accessible.

Offices, cubicles, and computer workstations are Lifeworks property and are for work purposes. Management decides where employees work and can change it anytime.

Employees should not have personal items in shared or assigned workspaces at the Main Office. Personal items include food, pictures, inspirational sayings, lotions, blankets, and personal cleaning supplies. Lifeworks can ask employees to move or remove personal items.

Use covered cups and glasses and eat only in the café area or first-floor breakroom, not in open areas or free-address desks.

Keep office supplies in desk drawers, not on desktops. Keep the tops of file cabinets and other furniture clear to ensure clean sight lines across the Main Office.

### **Lockers**

Use lockers for personal items like coats, shoes, and bags at the Main Office.

### **Guidelines**

Lifeworks provides a module with facilities guidelines, best practices, and policies for CARF, OSHA, 245D, and Health and Safety. These are maintained by the facilities department.

# ADMINISTRATIVE

## Procurement Authority and Policy

All purchases or reimbursements must be pre-approved by authorized personnel. These personnel must have an approved budget with clear guidelines and ensure expenses are reasonable and necessary for Lifeworks business.

### Employee Responsibilities:

- Use discretion and good judgment for all expenses.
- Be cost-conscious and spend Lifeworks money carefully.
- Do not seek reimbursement for illegal expenses.
- Report expenses with required documentation as they are spent.
- Get pre-approval for any large purchases over \$5,000 not included in the annual budget.
- Notify the Controller of any purchases over \$25,000 included in the annual budget if the timing of the purchase changes.

Sales Tax Exemptions Lifeworks is a 501(c)(3) charitable organization and is exempt from most sales tax. The Sales Tax Exemption number is 9486594, found on your Lifeworks Staff ID Card. Present this card when making business-related purchases. If a business asks for Minnesota Department of Revenue Form ST-3: Certificate of Exemption, contact the Accounting Manager for help.

### Excluded Items

Lifeworks must pay sales tax on:

- Prepared food, soft drinks, candy, alcoholic beverages, and catered food
- Lodging
- Waste collection and disposal services
- Gambling equipment and supplies
- Contractors cannot use our exempt status for materials in a lump-sum contract
- Capital equipment (office furniture, computers, vehicles, leasehold improvements costing over \$5,000) must be pre-approved by the executive team. Refer to the Capital Purchase procedure and policy on the Lifeworks SharePoint site.

## Lifeworks Credit Card

A business credit card makes small purchases easier and reduces the need for employees to pay out-of-pocket and then get reimbursed.

### Getting a Card

If a supervisor approves the need, they submit a "Request for Credit Card" form and the employee signs a "Cardholder Agreement" form. These are sent to the Accounting Manager. The card is issued in the employee's name and is only for Lifeworks business transactions.

When using the card:

- Get a paper receipt from the retailer. For online purchases, save the confirmation showing the date, items, and amount.
- Attach the receipt to the purchase using Visa Spend Clarity, code it, and submit it to the supervisor for approval.
- The supervisor approves and sends it to accounts payable for processing.

Transactions without receipts must be approved by the supervisor and the accounting manager. Employees may have to pay for missing receipts.

If receipts and approvals are not submitted within 60 days, the card will be suspended.

Unauthorized use of the card can lead to immediate cancellation.

Report immediately to a supervisor and the Accounting Manager if the card is lost or stolen.

## **Expense Reimbursement**

### **Submitting Expenses:**

Use Lifeworks procurement credit cards, online mileage expense submission (Paylocity), or complete an expense report form available on Lifeworks Accounting SharePoint or from Accounts Payable. Submit proof of expenses within 30 days of purchase, or at least quarterly. Include:

- Employee name
- Amount of each expense with details about the nature and business purpose
- For travel, include the date, origin, destination, and purpose of the trip

### **Approval:**

All expenses must be approved by the employee's supervisor, who is the Lifeworks manager responsible for the budget. Submit approved expense reports to [accountspayable@lifeworks.org](mailto:accountspayable@lifeworks.org).

### **Receipts:**

Receipts are required for all expenses. Submit written receipts from each vendor (not credit card receipts or statements) showing the vendor's name, description of services or items, date, and total expenses, including tips if applicable.

### **Reimbursement:**

Lifeworks will pay expense reimbursements through direct deposit for employees who submit a Direct Deposit Authorization form. Employees will receive an email notification after each reimbursement transaction.

## **Mileage Reimbursement**

Lifeworks reimburses employees for business-related mileage using personal cars. This covers all costs related to owning and driving the car for work. The reimbursement rate is set by the IRS.

## **Commutes**

Driving between home and the main job site is considered personal and is not reimbursed. Lifeworks reimburses the extra mileage if you drive farther for work purposes.

## **Remote Work**

For remote workers, the first and last trip of the day is considered a commute. Trips between these are business-related and eligible for reimbursement.

## **Examples of Business Mileage**

- Travel between work sites
- Work-related errands
- Extra mileage for trips to temporary work sites beyond the normal commute

## **Non-Business Mileage**

- Commutes between home and the main job site
- Working during a commute is not eligible for reimbursement

## **Submitting Mileage**

Submit business-related mileage within 60 days through Paylocity for approval. Approved mileage is reimbursed at the IRS rate.

## **Parking/Tolls**

Lifeworks reimburses parking and toll expenses for business. Parking tickets, fines, car washes, and valet services are not reimbursed.

## **Travel Expenses**

Lifeworks covers reasonable expenses for employees attending meetings, trainings, and conventions. All out-of-town travel must be approved by a supervisor. Consider the benefits to Lifeworks and the costs of travel. Less expensive alternatives like phone or video conferencing should be considered.

## **Personal Travel**

Employees can combine personal travel with business trips but must use PTO for non-working time. Extra expenses for personal travel are not reimbursed. Travel expenses for spouses, family, or friends are not reimbursed.

## **Air Travel**

Book air travel in advance to get reduced fares. Lifeworks reimburses the cost of the lowest coach class fare for direct, non-stop flights. Employees can keep frequent flyer miles and compensation for denied boarding.

## **Ground Transportation**

Use the most economical transportation:

- Courtesy cars from hotels
- Airport shuttles or buses
- Taxis or ride-shares like Uber and Lyft

## **Lodging**

Lifeworks reimburses reasonable hotel costs at the single room rate. Consider convenience, cost, and proximity to other venues.

## **Meals**

Lifeworks reimburses reasonable meal costs (including tips) when working beyond regular hours, attending meetings, or traveling for work. Entertainment and alcohol expenses are not reimbursed.

## **Business Meetings**

Lifeworks will reimburse reasonable business-related meal and other expenses for business meetings if:

- The expenses are approved in advance by the supervisor.
- The expenses qualify as tax-deductible.

## **Alcohol**

Alcohol is not reimbursed.

## **Documentation**

Provide detailed documentation for reimbursement, including:

- Date and place of the meeting.
- Nature of the expense.
- Names, titles, and company of those in attendance.
- Description of the business purpose and topics discussed.
- Vendor receipts (not credit card receipts) showing the vendor's name, itemized services, date, and total expenses, including tips if applicable.

## **Entertainment**

**Non-Allowable Expenses:** Entertainment expenses are not exempt from income tax.

### **Exceptions include:**

- Entertainment treated as employee compensation or wages.
- Recreational expenses for employees, like holiday parties or summer picnics.
- Expenses for attending business meetings or conventions of certain exempt organizations (e.g., chambers of commerce, professional associations).

### **Examples of Unallowable Entertainment:**

- Entertaining guests at nightclubs, social, athletic, and sporting events, theaters, yachts, hunting, fishing, vacations, and similar trips.
- Club dues and membership fees for business, pleasure, recreation, or social purposes. Examples include:
  - Country clubs
  - Golf and athletic clubs
  - Airline clubs
  - Hotel clubs

## **Non-Reimbursable Expenses**

Lifeworks does not reimburse expenses that seem lavish or excessive. Examples include first-class tickets or upgrades, limousine travel, spa treatments, regular employee lunches, or expenses for spouses, friends, or relatives.

## **Guidance**

If unsure whether a purchase is reimbursable, ask your supervisor or a member of the executive leadership team before making the purchase.

## **Expense Account and Sub Account Numbers**

Lifeworks has a list of account numbers to track business expenses. You can find this list on the Lifeworks SharePoint site under Accounting. When you submit an approved invoice, statement, or expense report to Accounts Payable, make sure to include the right approval, account number, and sub account number (team/department) on the document. For example, an invoice for accounting team equipment would use the account number 8410 - 0994.

## **Use of Equipment**

### **Computers**

The IT staff will help with software and hardware issues on Lifeworks computers. If you work from home on your own computer, you can still ask for IT help. Lifeworks may reimburse part of your internet cost. The type of service and provider will be decided by Lifeworks. If you leave Lifeworks, return all company-owned computers and devices.

### **Liability for Computers**

Take care of Lifeworks equipment. You might have to pay for lost or damaged items if it's due to negligence.

### **Virus and Malware Protection**

Lifeworks computers have antivirus software. Report any virus or malware detections to IT immediately.

### **Mobile Phones and Text Messaging**

Lifeworks decides the type and provider of company phones. These phones remain Lifeworks property. Company iPhones must use a passcode or biometrics. iCloud is disabled. No mobile phone use while driving Lifeworks vehicles. Use hands-free options if driving your own car for work. Be careful where and when you use your phone for work-related calls or messages.

### **Lost, Stolen, or Missing Devices**

Report lost or stolen devices to IT immediately. Call Lifeworks Services IT immediately at 651-365-3786 IT will try to lock or wipe the device remotely. Use passwords, store data on approved drives, and never leave devices unattended.

## **Guidelines to Minimize Device and Data Loss**

- Use login passwords or PINs for all devices. Follow Lifeworks Password Construction Guidelines.
- Store sensitive data on approved Lifeworks network drives (I: drive folders, OneDrive).
- If you must store Lifeworks data on a device (like a laptop, iPhone, iPad, or external drive), ensure the device's storage is encrypted. Move or delete the data as soon as possible after use.
- Lifeworks IT will handle encryption for local storage.
- Don't let others, including family, use your Lifeworks devices or know your passwords.
- Don't store your username or passwords with your devices.
- Never leave Lifeworks devices unattended.
- Don't leave devices visible or easily accessible in a parked car.
- Don't walk away from your devices in public places, even briefly. Theft of unattended devices is common.

## **Recycling**

All paper at Lifeworks should be shredded or placed in an Iron Mountain shred box. No paper of any kind regardless of if it contains protected information or not should be put in the trash. This includes.

- White or pastel office paper
- Legal paper
- Computer paper
- Envelopes
- Junk mail

Materials listed below are general guidelines for acceptable materials to be recycled:

- Glass bottles
- Aluminum cans
- Cardboard

Hazardous Materials are recycled:

- Maintenance or janitorial services dispose of hazardous materials (ex: light bulbs).
- Toner is discarded in a recycling box provided by equipment vendor and returned to that vendor.

For more information see the Privacy and Security Policies.

## **Donations to Lifeworks**

All donations to Lifeworks are important and acknowledged. To record contributions correctly and thank donors for tax purposes, the Development and Accounting Departments must be notified of all gifts. See Addendum J for the full Fundraising Policy.

### **Cash Donations**

Donations can be made in cash, check, stock, or by credit card. Credit card donations must be made online through Lifeworks' website. Staff are not allowed to handle credit card information. If you receive a donation, send cash or checks in a secured envelope to the administration office, addressed to the front desk with "Donation" written on it.

### **In-Kind Donations**

In-kind donations are goods, equipment, or services (e.g., photography, meeting space). If your department receives an in-kind gift, contact the Development Department to ensure proper acknowledgment and documentation for tax purposes.

### **Receiving a Gift for Lifeworks**

When you receive a donation, complete a Donation Report from the Development page of the internal website and send it with the check or cash to the administration office, addressed to the front desk as soon as possible.

### **Requesting Gifts for Lifeworks**

All fundraising activities must be approved by the Development Department and follow Lifeworks' brand guidelines, fundraising policies, and legal requirements. Lifeworks solicits contributions that benefit its mission, services, and initiatives. Requesting discounts or pro-bono services is appropriate and should be considered as in-kind when suitable.

### **Solicitations**

Lifeworks will stop soliciting donations from anyone who requests it. Notify the Development Department immediately if you receive such a request.

### **Payroll Deduction**

Staff can donate to Lifeworks using the Donation by Payroll Deduction form. Your tax-deductible contribution supports Lifeworks' mission and demonstrates commitment to our services. Thank you for your support.

# Addendum A - Lifeworks Privacy Policies

## **Purpose**

Lifeworks Services is committed to conducting business in compliance with all applicable laws, regulations, and Lifeworks policies. These approved "**Lifeworks Privacy Policies**" have been developed to comply with the Health Insurance Portability and Accountability Act (as amended by the Health Information Technology for Economic and Clinical Health [HITECH] Act) (collectively called "**HIPAA**"), the Minnesota Government Data Practices Act ("**MGDPA**"), and the Minnesota Health Records Act ("**MHRA**"). These Lifeworks Privacy Policies cover the approach of Lifeworks to comply with state and federal privacy laws, including the HIPAA Privacy Regulations. Lifeworks may be subject to additional privacy laws and regulations on a contractual basis; such contractual requirements supplement these Lifeworks Privacy Policies.

## **Scope**

These Lifeworks Privacy Policies apply to protected health information created, received, or maintained by Lifeworks on behalf of its clients. All Lifeworks Personnel are responsible for being aware of, and complying with these laws, related regulations, these Lifeworks Privacy Policies and the Lifeworks Privacy Procedures, and additional contractual requirements, as appropriate. "**Lifeworks Personnel**" means paid and unpaid staff (including employees and contractors), volunteers, student interns and other persons who work for or on behalf of Lifeworks. "**Lifeworks Privacy Procedures**" means the various procedure documents referenced in these Lifeworks Privacy Policies.

## **Effective Date**

These Lifeworks Privacy Policies have been in effect as of April 14, 2003, the latest update is December 6, 2024.

## **Expiration Date**

These Lifeworks Privacy Policies have no expiration date. They will remain in effect until amended or replaced.

## **Policies Owner**

The Quality and Compliance Manager is assigned the responsibility of managing these Privacy Policies. Please direct questions regarding these Policies to:

Compliance & Quality Assurance Director  
Lifeworks Services  
6636 Cedar Ave S, Suite 250  
Richfield, MN 55423

## Introduction

Lifeworks is obligated to comply with data privacy laws and regulations issued under the federal Health Insurance Portability and Accountability Act (as amended by the Health Information Technology for Economic and Clinical Health [HITECH] Act) (collectively called "**HIPAA**"), the Minnesota Health Records Act ("**MHRA**"), and the Minnesota Government Data Practices Act ("**MGDPA**"). HIPAA laws and regulations and the MHRA apply to only health related information, whereas MGDPA applies to all individually identifiable information about an individual that is collected by a Minnesota state agency (or, in the case of Lifeworks, a non-profit organization that contracts with state agencies).

In situations when both the federal and the state laws apply, but appear to be conflicting, Lifeworks complies with the law that provides the greatest protection with regards to the particular use, disclosure, and/or type of protected health information. MGDPA, MHRA and HIPAA give individuals certain rights, such as to be informed about the information we maintain about them at Lifeworks, how we use that information, and to whom we disclose it.

All Lifeworks Personnel must comply with these Privacy Policies to maintain the privacy of the information Lifeworks processes and handles, and also to ensure that Lifeworks complies fully with all applicable federal and state privacy protection laws and regulations.

Protecting customer and client information is of utmost importance to Lifeworks. Personnel violating privacy policies are subject to disciplinary action including termination of employment. HIPAA regulations cover both security and privacy. Security and privacy are distinct, but related.

The **HIPAA Privacy Rule** focuses on the use and disclosure of individuals' health information, called "protected health information" or "PHI", by organizations subject to the Privacy Rule, such as Lifeworks. It also establishes rights of an individual to control the use of his or her personal information. The Privacy Rule covers the confidentiality of PHI in all formats including electronic, paper, and oral. Confidentiality is an assurance that the information will be safeguarded from unauthorized disclosure. Lifeworks' policies and procedures governing the use and disclosure of PHI are set forth in ***Lifeworks Privacy Policies***.

The **HIPAA Security Rule** focuses on administrative, technical, and physical safeguards specifically as they relate to electronic PHI (ePHI). Protection of ePHI data from unauthorized access, whether external or internal, stored or in transit, is essential to the Security Rule.

### References:

Minn. Stat. §13.02, subd. 7; §13.05, subd. 6  
Minn. Stat. §144.292; §144.293  
Preamble to HIPAA Regulations  
45 CFR §164.501

## **Protected Health Information**

MGDPA classifies certain individually identifiable information about an individual that is collected by a government entity as private. HIPAA further categorizes certain individually identifiable health information held or transmitted by a covered entity or its business associate as protected. Similarly, MHRA provides protections for patient health records. Lifeworks combines these classifications and defines "**Protected Health Information**" (or "**PHI**") as: health information about an individual (including clinical, financial, demographic, and lifestyle related information) which is accessed, created, modified, received or maintained by Lifeworks or Lifeworks Personnel (in any form or media, whether electronic, oral or paper) and which independently or collectively could be used to individually identify a person.

This includes a person's name and/or information such as:

- Dates: birth, admissions, discharge, death
- Gender
- Medical records number
- Health plan beneficiary numbers
- Geographical subdivision smaller than a state (address, zip code, etc.)
- Phone number, email address, fax number
- License numbers
- Vehicle identification numbers (such as license plate numbers)
- Full face photographic images (and any comparable images)
- Social Security Number
- Device identifiers (such as serial numbers)
- URLs (Internet Resource Locators)
- Internet Protocol (IP) address
- Biometric identifiers (such as fingerprints and voice prints)
- Other unique identifiers that can be attributed to a specific individual

The following are a few examples of information that may be considered or may contain PHI:

- Diagnosis of a certain condition
- Procedure codes on claim forms
- Explanation of Benefits (FOB)
- Enrollment/change of status data
- Past, present, or future payment for health care

References:

Minn. Stat. §13.02, subd 7, subd.12

Minn. Stat. §144.293

45 CFR § 160.103

## **Other Definitions**

Unless otherwise defined in these Policies, capitalized terms will be as defined in HIPAA, MHRA, and MGDPA.

## References:

Minn. Stat. §13.02  
Minn. Stat. §144.291  
45 CFR § 160.103

## **Policies**

Many of the following Lifeworks Privacy Policies have related Lifeworks Privacy Procedures and /or forms that give further detail to the implementation of the policy. Lifeworks Personnel shall comply with the then-current procedures and use the then-current versions of the referenced forms, all of which are incorporated into these policies by reference.

## **Disclosure of and Access to PHI**

Lifeworks will disclose or provide access to PHI only to:  
those Lifeworks Personnel who are either bound by law or written agreement to maintain the PHI in accordance with state and federal law and regulations and this Lifeworks Privacy Policy.

Those Business Associates which are party to a signed Business Associate Agreement approved as to form by Lifeworks' General Counsel; and/or others to whom it is authorized, required, or permitted to disclose PHI under the terms of these Lifeworks Privacy Policies.

Access to and disclosures of PHI allowed or required by these Lifeworks Privacy Policies will be made only by the Lifeworks Personnel designated in the applicable procedures, or in the absence of such designation, only with the prior approval of the Compliance and Quality Assurance Director.

## **Notice of Privacy Practices**

Lifeworks is legally obligated to inform the individual (or their legal representative) of the individual's privacy rights by supplying a copy of the **Notice of Privacy Practices** (sometimes called "**NPP**") at the earliest possible time. Lifeworks staff shall inform the legal representative (or the individual, if acting as their own guardian) of these rights at the time of a new referral by providing the Notice of Privacy Practices. In all cases, the NPP will be provided no later than the date of the first service delivery, or in the case of any emergency, as soon as reasonably practicable. Lifeworks will attempt to obtain the signature of the individual (or his/her legal representative) to acknowledge the NPP. If unable to obtain a signature, Lifeworks will document attempts to gain the signature. A legal representative who has signed on behalf of an individual has the responsibility to inform the individual of their privacy rights under the NPP. Lifeworks will also have copies of the NPP available at its facilities and will post the NPP in a clear and prominent location. Lifeworks will make the NPP available to an individual upon Lifeworks will comply with all documentation requirements, including the requirement to retain copies of the NPP and any written acknowledgments of receipt of the NPP.

Lifeworks Personnel shall only use and disclose PHI in accordance with the terms of these Lifeworks Privacy Policies and the Notice of Privacy Practices, or as otherwise required and permitted by law. Lifeworks may make future changes to the NPP in order to comply with any changes to privacy laws or to make improvements to internal privacy practices. If

Lifeworks' Privacy Policies change, including the need for access to, use of, or sharing of PHI, Lifeworks will provide individuals or their guardians with a revised NPP and information regarding privacy rights under the new policy.

Lifeworks is required under MGDPA to provide a Tennessean warning, which is very similar to the NPP. The contents of Lifeworks' NPP satisfy the Tennessean warning requirements. Please see the **Notice of Privacy Practices** form for further details.

References:

Minn. Stat. §13.04, subd. 2  
45 CFR § 164.520

### **Uses and Disclosures of PHI for Treatment, Payment, and Operations**

For treatment, payment, and operations, Lifeworks may use and disclose PHI of an individual (as detailed in the Notice of Privacy Practices) after the individual (or the individual's legal representative) has received and acknowledged the Notice of Privacy Practices, provided that Lifeworks obtains a signed and dated consent from the individual prior to any disclosure of PHI. This consent requirement may be satisfied by a signed and dated acknowledgement to the Notice of Privacy Practices. Please see the **Notice of Privacy Practices** form for further details. However, if the individual does not sign the Notice of Privacy Practices, Lifeworks must obtain a specific signed and dated consent prior to disclosing the individual's health records.

Although individual consent can remain valid for a period longer than one year, Lifeworks staff will attempt to obtain renewed client consent on an annual basis to the extent possible.

There are certain situations in which consent is not required prior to disclosure. Lifeworks Personnel should consult the Compliance and Quality Assurance Director to determine whether an exception may apply in a particular situation.

References:

Minn. Stat. §13.02, subd 12; §13.461, subd. 2; §245.467, subd. 4,5,6  
Minn. Stat. §144.293  
45 CFR § 164.506

### **Required Uses and Disclosures of PHI**

The following are situations when Lifeworks is required to disclose PHI according to federal or state law.

#### **Individual's Request**

Lifeworks must disclose an Individual's PHI to that Individual if he or she requests his or her own PHI.

#### **Department of Health and Human Services**

Lifeworks must disclose PHI to the Department of Health and Human Services if that agency requests it for compliance or enforcement purposes.

Please see the **Notice of Privacy Practices** form for further details.

References:

Minn. Stat. §13.04, subd. 3

Minn. Stat. §13.05, subd. 3, subd. 4

45 CFR §164.512

**Permitted Uses and Disclosures of PHI**

There are some situations when Lifeworks may, under certain circumstances, be permitted by federal and state law to disclose and/or use PHI without prior authorization from the individual. Prior to using or disclosing information, Lifeworks Personnel must discuss each situation at hand with the Compliance and Quality Assurance Director to ensure that such disclosure is permitted under applicable law and Lifeworks policies.

**Disclosures Required by Law**

Certain disclosures are required by law (meaning a mandate contained in law that compels an entity to make a use or disclosure of PHI and that is enforceable in a court of law.)

Lifeworks may disclose PHI where required by law, including but not limited to the following:

- Court orders and court-ordered warrants.
- Subpoenas or summons issued by a court, grand jury, a governmental or tribal inspector general, or an administrative body authorized to require the production of information.
- A civil or an authorized investigative demand.
- Mandatory reporter requirements.
- Medicare conditions of participation with respect to health care providers participating in the program; and
- Statutes or regulations that require the production of information, including those which require such information if payment is sought under a government program providing public benefits.
- 

**Public Health**

Lifeworks may disclose PHI to a public health authority that is permitted by law to collect or receive the information. The disclosure may be necessary to do the following:

- Prevent or control disease, injury, or disability
- Report births and deaths
- Report reactions to medications or problems with products
- Notify a person who may have been exposed to a communicable disease or may be at risk for contracting or spreading a disease or condition
- Notify the appropriate government authority if Lifeworks believes:
  - An individual has been the victim of abuse, neglect, or domestic violence; or
  - The use or disclosure of PHI is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public.

**Oversight**

Lifeworks may disclose PHI to an oversight agency for activities authorized by law, such as audits, investigations, and inspections. These oversight agencies include government

agencies that oversee the health care system, government benefit programs, other government regulatory programs, and civil rights laws.

### **Legal Proceedings**

Lifeworks may disclose PHI during any judicial or administrative proceeding in response to a court order or administrative tribunal (provided such a disclosure is consistent with the disclosure expressly authorized in the order), and in certain conditions in response to a subpoena, discovery request, or other lawful processes.

### **Law Enforcement**

Lifeworks may disclose PHI to a law enforcement official if required by law, including laws that require the reporting of certain types of wounds or other physical injuries, or in compliance with a court order, subpoena, or administrative request in certain situations. Lifeworks may also disclose PHI for law enforcement purposes, including the following, provided certain requirements are satisfied:

- To identify or locate a suspect, fugitive, material witness, or missing person, provided the information disclosed is limited to that permitted by HIPAA
- Information pertaining to victims of a crime
- Deaths suspected to be related to criminal conduct
- Crimes occurring at a Lifeworks sit
- Reporting crime in emergencies.

### **Research**

Lifeworks may, when authorized by law, use and/or disclose PHI for research purposes in accordance with HIPAA and MHRA.

### **Coroners, Medical Examiners and Funeral Directors**

Lifeworks may disclose PHI to coroners or medical examiners for the purpose of identifying the deceased or determining a cause of death, and to funeral directors to the extent necessary to carry out their duties with respect to the decedent. In these instances, Lifeworks will disclose to the extent allowed or required under state law.

### **Workers' Compensation**

Lifeworks may disclose PHI to comply with workers' compensation laws and other similar legally established programs.

### **Disclosures by Whistleblowers**

If a Lifeworks Personnel member or a Business Associate believes in good faith that the conduct of Lifeworks is unlawful or otherwise violates professional or clinical standards, or that the care, services, or conditions provided by Lifeworks potentially endangers one or more people or the public, then the Lifeworks Personnel or Business Associate may disclose relevant PHI to:

- A Health Oversight Agency or Public Health Authority that is authorized by law to investigate or oversee the conduct of Lifeworks
- An appropriate health care accreditation organization responsible for standards of professional conduct

- An attorney retained by or on behalf of the whistleblower for the purposes of determining the disclosing whistleblower's legal options.

This rule only applies to whistleblower actions against Lifeworks, not actions to expose alleged illegal or wrongful conduct of another person.

### **Disclosures by Crime Victims**

A Lifeworks Personnel member who is the victim of a criminal act may disclose limited PHI to a law enforcement official when such PHI relates to the suspected perpetrator of the criminal act. Please see the **Notice of Privacy Practices** form for further details.

References:

Minn. Stat. §13.04, subd. 3

Minn. Stat. §13.05, subd. 3, subd. 4

45 CFR §164.512

45 CFR § 164.502

### **Vendor for the State of Minnesota**

Lifeworks is a vendor of services for the State of Minnesota. In this role Lifeworks is responsible for providing services and administering and disbursing waiver payments for individuals enrolled in the State fiscal programs. As part of these services Lifeworks creates, receives, maintains, and transmits PHI on behalf of the State. Lifeworks is therefore the State's HIPAA business associate.

When disclosing PHI, Lifeworks Personnel must comply with the following:

### **Disclosures to the State**

Lifeworks is required to disclose certain information to the State as part of its business associate responsibilities. For example, Lifeworks must review a sample of timesheets and invoices for accuracy and timeliness and report its findings to the State. Lifeworks Personnel are permitted to disclose such information to the State provided there is a signed business associate agreement in place and such disclosure complies with the terms of the business associate agreement. For more information on business associate requirements applicable to State disclosures, Lifeworks Personnel should refer to the Business Associate section of this Policy.

### **Disclosures Authorized by the State**

Lifeworks is required by contract to disclose certain information about individuals in the programs. Pursuant to its contract with the State, Lifeworks is required to provide an individual's case manager or care coordinator, if applicable, with a quarterly written summary of an individual's service usage and must submit service utilization reports to a contracting entity. Prior to any such disclosure Lifeworks Personnel must verify that the individual has signed a consent form permitting such disclosure. A signed and dated acknowledgment to the Lifeworks Notice of Privacy Practices is also sufficient.

If Lifeworks Personnel have questions about whether disclosure is permitted, they should discuss the situation with the Compliance and Quality Assurance Director prior to releasing any PHI.

### **Disclosures to Other Third Parties**

If Lifeworks Personnel or Business Associates receive a request to disclose PHI of individuals in the State CSG, CDCS, or CFSS programs, Lifeworks must inform the State of the request and coordinate the appropriate response with the State. If Lifeworks and the State agree to such disclosure, Lifeworks Personnel must document the following in the individual's record:

- The authority used to authorize the disclosure
- The information disclosed
- The name of the receiving party
- The date of disclosure

### **State access to Lifeworks records**

Lifeworks must grant the State access to Lifeworks records during regular business hours so that the State can assess the services provided and the appropriateness of claims submitted for payment. Lifeworks is also required to make certain information available to the State so that the State can comply with applicable law. Should Lifeworks Personnel receive a request for access from the State, Lifeworks Personnel must report this request to the Quality and Compliance Manager. The Quality and Compliance Manager will grant and facilitate access to the State.

### **Authorization for Marketing, Fundraising, or Other Specific Uses or Disclosures of PHI**

Lifeworks will require a specific authorization from an individual or their legal guardian prior use of PHI for any purposes not listed above, including:

- Marketing
- Fundraising (more than demographic information, date of service, treating physician, outcome information, and health insurance status)
- Research (more than limited data sets);
- Psychotherapy Notes, unless ordered by a court
- Sale of PHI
- Disclosure to persons not involved in the individual's care
- Purposes not noted or covered by the NPP
- Any media access to Lifeworks facilities or clients
- Purposes not listed above as either required or permitted.

Lifeworks staff will use reasonable means to verify the authenticity of any authorization prior to using or disclosing PHI per such authorization. Lifeworks staff will also verify the identity and authority of a person requesting PHI as required by HIPAA and Lifeworks Privacy Policies.

References:

45 CFR § 164.508

Updated 7/28/2025

### **Minimum Necessary Use and Disclosure of PHI**

Lifeworks will make reasonable efforts to limit the use and disclosure of PHI to the minimum extent necessary to accomplish the applicable purpose. Lifeworks grants access to PHI to Lifeworks Personnel based on the assigned job responsibilities and recommendations from the Human Resources Department and Information Technology Department. Lifeworks grants access to PHI to Business Associates only to the extent required for the performance of their contracted duties. Access privileges will not exceed those necessary to accomplish the assigned tasks. Except for disclosures made for treatment purposes, all access to and uses and disclosures of PHI will be limited to the minimum extent necessary to accomplish the applicable purpose. If Lifeworks Personnel receive a unique or otherwise non-routine request for disclosure, they must review the request with the Quality and Compliance Manager to ensure Lifeworks discloses information in accordance with the minimum necessary standard.

#### References:

45 CFR § 164.502(b),  
45 CFR § 164.514(d)

### **Restriction of Uses or Disclosures of PHI**

Lifeworks will give serious consideration to all requests by the legal representative of an individual (or the individual, if acting as their own guardian) for restrictions on uses and disclosures of PHI and will respond to such requests in accordance with Lifeworks Privacy Procedures and applicable law. Lifeworks is not required to comply with such requests or agree to such restrictions, except that Lifeworks must abide by the requested restriction if:

- the disclosure is for the purpose of carrying out payment or health care operations and is not otherwise required by law, and
- the PHI pertains solely to a health care item or service for which Lifeworks has been paid in full, either by the individual or by a person (other than a health plan) on behalf of the individual.

All Lifeworks Personnel will observe and comply with any such restriction that has been reviewed and approved by the Lifeworks Compliance and Quality Assurance Director, who will communicate approved restrictions in accordance with the applicable Lifeworks Privacy Procedure. Individuals can request to end restrictions at any time by writing to the Lifeworks Compliance and Quality Assurance Director. Please see **Notice of Privacy Practices** form for further details. All requests regarding restrictions must be in writing and sent to:

Compliance & Quality Assurance Director  
Lifeworks Services  
6636 Cedar Ave S, Suite 250  
Richfield, MN 55423

#### References:

45 CFR § 164.522  
42 USC 17935(a)

### **Access by Individual to PHI**

Lifeworks will provide access for an individual to their PHI when requested, unless it has been determined by a competent medical authority that it would be harmful. Lifeworks will use all reasonable efforts to provide access promptly and in any event within the time frames established by applicable law. Lifeworks will inform the individual of the location of their PHI if Lifeworks does not physically possess the PHI but knows where it is located. Certain PHI (psychotherapy notes; information compiled in reasonable anticipation of, or use in, a civil, criminal, or administrative action or proceeding; and protected information that is subject to law that prohibits access to PHI) is restricted by law and, under certain circumstances, may not be accessed by the individual and/or Lifeworks. Lifeworks will promptly notify the individual of the decision to agree or deny the request. Lifeworks may charge the individual a reasonable per-page cost for copies of PHI it makes at the individual's request. Please see the **Notice of Privacy Practices** form.

References:

Minn. Stat. § 13.04, subd. 3  
45 CFR § 164.524

### **Access by Legal Representatives**

Lifeworks will allow the parent of a minor child, guardian, or other legal representative of an individual the same right to access PHI as the individual, except as provided by law (such as in cases of abuse, where granting access could endanger the individual or someone else). Lifeworks will observe the relevant state, local, and other applicable laws when disclosing information about minors to parents.

References:

Minn. Stat. § 13.04, subd. 3  
Minn. Stat. § 13.02, subd. 8  
45 CFR § 164.502(g)

### **Amendment of PHI**

An individual (and their legal representative) has the right to request amendments to the individual's PHI or a record about the individual in a designated record set that is maintained by Lifeworks. Lifeworks requires requests for amendments be in writing and provide a reason to support the requested amendment. The Lifeworks Compliance and Quality Assurance Director responds to all written requests for amendment of PHI in a timely manner in accordance with the requirements of state and federal law. Lifeworks complies with all record keeping requirements of HIPAA and appends or otherwise links an individual's request for an amendment with other information, such as Lifeworks' denial of the request and/or the individual's statement of disagreement, if any. Lifeworks complies with HIPAA rules pertaining to future disclosures.

If the request for amendment pertains to an individual in the State CSG, CDCS, of CFSS programs Lifeworks will forward such request to the State within ten (10) business days. The Lifeworks Compliance and Quality Assurance Director shall make amendments as directed or agreed to by the State.

When State approval is not required and Lifeworks independently determines that a requested amendment is appropriate, it will make the correction and document a corresponding amendment of the PHI within the timeframe required by the MGDPA.

For any amendments made, Lifeworks Personnel must:

- Document the titles of the people or offices responsible for receiving and processing request for amendments by individuals
- Document the amendment made
- Provide a notice of corrections to the individual and any persons or organization that was previously provided with the incomplete or incorrect PHI; and
- Retain documentation of the above in accordance with HIPAA.

If Lifeworks is informed by another organization of an amendment to an individual's PHI, Lifeworks must amend the PHI by, at a minimum, identifying the records in the designated record set that are affected by the amendment and appending or otherwise providing a link to the location of the amendment.

References:

Minn. Stat. § 13.04, subd. 4

45 CFR § 164.526

### **Confidential/Alternative Communications of PHI**

An individual (and/or their legal representative) has the right to request alternative and confidential forms of communications relative to their PHI. Lifeworks will accommodate reasonable written requests for such confidential communication. Please see **Notice of Privacy Practices** form for further details.

References:

45 CFR § 164.522(b)

### **Accounting for Disclosure of PHI**

An individual (and their legal representative) has the right to request an accounting of Lifeworks disclosures of the individual's PHI. Upon written request the Lifeworks Compliance and Quality Assurance Director will provide a timely accounting of all disclosures of PHI to the extent required by the HIPAA Privacy Rule and HITECH Act requirements. Lifeworks is not required by law to provide an accounting of disclosures: (1) that were authorized in writing by the individual; (2) to the individual; (3) made for the purpose of treatment, payment, or health care operations; (4) incidental to a use or disclosure that is otherwise permitted or required; (5) for Lifeworks' facility directory; (6) to law enforcement officials or correctional institutions having lawful custody of an inmate; (7) as part of a limited set of data; or (8) made for national security purposes. Likewise, Lifeworks is not required by law to provide an accounting of disclosures made more than six (6) years prior to the date of request. Please see the **Notice of Privacy Practices** form for further detail.

Upon request, Lifeworks must also provide the State with an accounting of disclosures for individuals in the State CSG, CDCS, or CFSS programs.

References:

Updated 7/28/2025

### **Marketing and Fundraising Activities**

Lifeworks will not use or disclose PHI for marketing activities without obtaining a valid authorization. "Marketing" is defined in the HITECH Act and generally means a communication about a product or service that encourages recipients of the communication to purchase or use the product or service, but excludes (among other things) communications for certain treatment and health care operations purposes, including case management or care coordination for an individual, or to direct or recommend alternative treatments, therapies, health care providers, or settings of care to the individual. Marketing in the form of a face-to-face communication or a promotional gift of nominal value does not require an authorization.

Lifeworks also considers as marketing the use of name and likeness (video, audio, image, and photograph) for publicity, education, and communications via the following delivery methods: video tape, DVD, and CD-ROM, broadcast and print media, advertising, the internet and business applicable social media channels.

Lifeworks may use limited PHI about individuals for the purpose of raising funds for its own benefit without prior authorization. This PHI is limited to the following: (1) demographic information; (2) dates of service; (3) department of service information; (4) treating physician; (5) outcome information; and (6) health insurance status. Lifeworks must include in all fundraising materials a description of how the individual may opt out of receiving any further fundraising communications and may not make fundraising communications to individuals who decide to opt out.

#### References:

45 CFR § 164.508(a)(3)  
45 CFR §164.514  
42 USC 17936

### **De-Identified Data and Limited Data Sets**

Lifeworks may use and disclose PHI without authorization for research, public health, or healthcare operations purposes if it has been properly de-identified (summary data). De-identified PHI means information that does not directly identify an individual, or that indirectly could be used to identify an individual. The Lifeworks Compliance and Quality Assurance Director will comply with HIPAA requirements when making a determination that health information is not individually identifiable health information.

#### References:

Minn. Stat. § 13.02, subd. 19  
Minn. Stat. § 13.05, subd. 7  
45 CFR §164.514

### **Privacy Complaints**

Lifeworks Quality and Compliance Manager will promptly (and in any event, within timeframes required by law) respond to all written complaints relating to compliance by

Lifeworks with federal and state privacy laws and with Lifeworks Privacy Policies. The Compliance and Quality Assurance Director will notify the individual in writing of the results of the complaint. Please see the **Notice of Privacy Practices** form for further details.  
References:

Minn. Stat. § 13.04, subd. 4

45 CFR § 164.530(d)

### **Prohibited Activities**

No Lifeworks Personnel or Business Associate may engage in any intimidating or retaliatory acts against persons who file complaints or otherwise exercise their privacy rights under state and federal regulations. No Lifeworks Personnel or Business Associate may require individuals to waive their privacy rights or condition treatment, payment, enrollment, or eligibility for benefits on the provision of an authorization to disclose PHI. Lifeworks employees and Business Associates may not receive direct or indirect compensation for disclosure of or access to PHI about an individual without his/her prior specific written authorization.

References:

45 CFR. § 164.530(g, h)

### **Verification of Identity and Authority**

Lifeworks will verify the identity of any person or organization requesting PHI and the authority of such person or organization to receive a disclosure of or access to the PHI before such disclosure or access is granted.

References:

45 CFR § 164.514(d)

### **Mitigation**

To the extent practicable, Lifeworks will mitigate any harmful effect known to Lifeworks of a use or disclosure (by Lifeworks Personnel or a Business Associate) of PHI in violation of applicable privacy laws or the Lifeworks Privacy Policies and related procedures.

References:

45 CFR § 164.530(f)

### **Safeguards**

Lifeworks will implement appropriate administrative, technical, and physical safeguards to protect the privacy of PHI in any form, and to protect against intentional or unintentional use or disclosure in violation of applicable privacy laws or the Lifeworks Privacy Policies and related procedures. Please see **Lifeworks HIPAA Security Rule Policies** for further details.

References:

Minn. Stat. § 13.05, subd. 5  
45 CFR § 164.530(c)

### **Business Associates**

Lifeworks may hire third parties to perform certain functions or activities on behalf of Lifeworks that involves access to client PHI. These individuals and entities are considered Lifeworks' "Business Associates" as the term is defined by HIPAA. Prior to disclosing or providing access to client PHI, Lifeworks and the Business Associate must enter into a signed Business Associate Agreement ("**BAA**") in a form approved by Lifeworks' General Counsel. Most importantly, Lifeworks must ensure that the potential Business Associate will appropriately safeguard client PHI. Any disclosures of PHI must comply with such BAA.

In other instances, Lifeworks may have access to third-party PHI as a Business Associate for a Covered Entity (defined by HIPAA). For example, Lifeworks acts as a Business Associate of the State when it provides vendor services for the State CSG, CDCS or CFSS programs. . Prior to providing business associate services, Lifeworks must enter into a BAA with the Covered Entity. Lifeworks will always offer its pre-approved form of BAA to the third party, and if such BAA is not agreed upon, Lifeworks will enter into a BAA approved by both Lifeworks General Counsel and the third party. Lifeworks will comply with the terms of any signed BAA and will ensure that Lifeworks' own contractors and agents agree to the same restrictions and conditions in the BAA, to the extent applicable.

Lifeworks will comply with all HIPAA and MGDPA requirements even in the absence of a signed Business Associate Agreement. Any BAA with a third party Covered Entity must be in a form approved by Lifeworks' General Counsel.

#### References:

Minn. Stat. § 13.05, subd. 6  
45 CFR. § 164.502(e)  
42 USC 17934  
42 USC 17938

### **Training and Awareness**

Lifeworks will train all Lifeworks Personnel who may have access to PHI on the Lifeworks Privacy Policies and related procedures. New Lifeworks Personnel who may have access to PHI will be trained within one week of their start date or prior to being given access to PHI. Existing Lifeworks Personnel who may have access to PHI will receive ongoing awareness training and will attend formal training at least annually. Lifeworks will document the training for which Lifeworks Personnel participate, including the date and topics of the training.

#### References:

45 CFR § 164.530(b)

### **Sanctions**

Lifeworks will take disciplinary action against any Lifeworks Personnel who violates Lifeworks Privacy Policies or any related procedures. Disciplinary actions may include termination of employment and reporting to law enforcement authorities. Disciplinary

actions are determined by the severity of each individual violation, potential violation and breach regarding PHI.

References:

Minn. Stat. § 13.09  
45 CFR § 164.530(e)  
42 USC 17939

### **Retention of Privacy Records**

Lifeworks retains all privacy records in accordance with the requirements of HIPAA, MGDPA and other applicable law, or such longer period specified by Lifeworks records retention policy.

References:

CFR § 164.530(j) & Minn. Statute § 13

### **Cooperate with Privacy Oversight Authorities**

Lifeworks will fully support and cooperate with oversight agencies such as the Office for Civil Rights of the Department of Health and Human Services during investigations and other efforts to ensure the protection of PHI. All Lifeworks Personnel are expected to cooperate fully with all such privacy compliance reviews and investigations.

References:

45 CFR § 164.512 (d)

### **Breach Notification**

Lifeworks will promptly address any actual or suspected privacy incident, security incident, or breach of unsecured PHI (collectively referred to as a "Potential Breach") in compliance with the HIPAA Breach Notification Rules and other applicable laws. All Lifeworks Personnel that become aware of a Potential Breach must report it to their direct supervisor and/or the Compliance and Quality Assurance Director. Direct supervisors who become aware of a Potential Breach will promptly notify the Compliance and Quality Assurance Director. If the Potential Breach pertains to the State CSG or CDCS programs, the Compliance and Quality Assurance Director will notify the State and will cooperate with requests and instructions received from the State regarding investigation, containment, mitigation, and eradication of conditions that led to, or resulted from, the Potential Breach. The Compliance and Quality Assurance Director will also notify the State of other suspected privacy violations, such as violations of a right to access.

The Quality and Compliance Director will then facilitate an investigation of the Potential Breach to:

- Determine the root cause of the incident and mitigate any harmful effects
- Identify individuals affected
- Determine the specific information impacted
- Comply with notification and reporting requirements

The Compliance and Quality Assurance Director will document the steps taken to investigate, mitigate, report and otherwise resolve the Potential Breach situation, and any conclusions that were reached during the investigation. When the Potential Breach involves

the State CSG or CDCS programs, the Quality and Compliance Director will report to the State such information required by the Grant Agreement.

In the event of a breach respecting PHI, Lifeworks will provide notification of the breach to the affected individuals, and, in certain circumstances, the Secretary of the Department of Health and Human Services and/or to the media in accordance with the requirements of HIPAA and MGDPA. All media communications relating to breaches of unsecured PHI must be in compliance with the Lifeworks Crisis Communication Plan as specified in the Employee Handbook.

#### References:

Minn. Stat. §13.055  
45 CFR § 164.400-414  
42 USC 17932

#### **Resources Used to Compile this Document**

The following sources are referenced within or were used as a resource to create this document.

Beaver, Kevin & Herold, Rebecca, (2004). The Practical Guide to HIPAA Privacy and Security Compliance. CRC Press LLC.

Minnesota Government Data Practices Act, Overview, Updated July 2010. Website: hhs.gov; HITECH updates, Summary of Privacy and Security Rules, etc.  
Website:<http://www.hhs.gov/ocr/privacv/hinaa/understandincilcoveredentities/hitechact.pdf>; HITECH Act

Website: <http://ecfr.cpoaccess.clov/ccii/t/text/text-idx?c=ecfr&sid=13b1d095dc07d04cee8de60554d44a26&rqn=div5&view=text&node=451.0.1.3.73&idno=45#45:1.0.1.3.73.5.27.6>; Electronic Code of Federal Regulations, Title 45, Part 164 (HIPAA).

Sibley County: HIPAA Policies and Procedures, Administrative Forms, 2004.

Washington University in St. Louis, HIPAA Privacy Policies, Procedures, and forms; updated 2003-2010; website and links:  
[https://secpriv.wusm.wustl.edu/privacv/HIPAA%20Privacv%20Policies/Forms/Allt\\_ems.aspx](https://secpriv.wusm.wustl.edu/privacv/HIPAA%20Privacv%20Policies/Forms/Allt_ems.aspx)

HIPAA Privacy Rule (45 CFR Part 160 and Subparts A and E of Part 164)

The Minnesota Government Data Practices Act

The Minnesota Health Records Act

# Addendum B - Lifeworks HIPAA Security Rule Policies

## **Purpose**

This Lifeworks HIPAA Security Rule Policy specifically focuses on protecting the confidentiality, integrity, and availability of electronic protected health information (ePHI).

Confidentiality is the assurance that ePHI data is shared only among authorized persons or organizations.

Integrity is the assurance that ePHI data is not changed in an unauthorized way. Most important to HIPAA, data integrity ensures that Lifeworks can rely on the accuracy of the data.

Availability is the assurance that systems responsible for delivering, storing, and processing ePHI data are accessible by authorized persons when needed under both routine and emergency circumstances.

## **Scope**

All Lifeworks Personnel are responsible for being aware of and complying with these policies. "**Lifeworks Personnel**" means paid and unpaid staff (including employees and contractors), volunteers, student interns, and other persons who work for or on behalf of Lifeworks. "**Lifeworks Security Procedures**" means the various procedure documents referenced in these Lifeworks HIPAA Security Rule Policies.

## **Effective Date**

Lifeworks Security responsibilities have been in effect since April 2003, the latest update is August 8<sup>th</sup>, 2022.

## **Expiration Date**

Lifeworks HIPAA Security Rule Policies has no expiration date. They will remain in effect until amended or replaced.

## **Policy Owner**

The Vice President of IT is assigned the responsibility of overseeing the Lifeworks HIPAA Security Rule Policies. Enforcement of these policies and subsequent procedures is managed by the Lifeworks Information Security Office (LISO). Please direct questions regarding these Policies to:

Vice President of IT  
Lifeworks Services  
6636 Cedar Ave S, Suite 250  
Richfield, MN 55423

## **Introduction**

HIPAA regulations cover both security and privacy. Security and privacy are distinct, but related.

- The **HIPAA Privacy Rule** focuses on the use and disclosure of individuals' health information, called "protected health information" or "PHI", by organizations subject to the Privacy Rule, such as Lifeworks. It also establishes rights of an individual to control the use of his or her personal information. The Privacy Rule covers the confidentiality of PHI in all formats including electronic, paper and oral. Confidentiality is an assurance that the information will be safeguarded from unauthorized disclosure. Lifeworks policies and procedures governing the use and disclosure of PHI are set forth in ***Lifeworks Privacy Policies***.
- The HIPAA Security Rule focuses on administrative, technical, and physical safeguards specifically as they relate to electronic PHI (ePHI). Protection of ePHI data from unauthorized access, whether external or internal, stored or in transit, is all essential to the Security Rule.

## **Policy Administrative Safeguards Security Management Process**

### **Risk Assessment**

The Lifeworks Compliance and Quality Assurance Director, in collaboration with the Director of Information Technology, shall establish procedures for and perform a Security Risk Assessment. The Security Risk Assessment shall include an accurate and thorough assessment of the potential risks and vulnerabilities to ePHI held by Lifeworks. The Risk Assessment shall be documented and identified risks mitigated by Lifeworks to the best of its abilities within the reasonable constraints of cost, staff, technical infrastructure, hardware, and software capabilities.

As part of the Security Risk Assessment, the Lifeworks Compliance and Quality Assurance Director, in collaboration with Lifeworks department managers, will perform system specific risk assessments of selected individual critical systems containing ePHI. These risk assessments shall be documented and shall provide a baseline for subsequent reviews.

Data owners will assist with the Security Risk Assessment. On a continuing basis, the Lifeworks Compliance and Quality Assurance Director will implement a procedure to identify ePHI systems or categories of systems that warrant assessment by data owners who store, access, transmit, or receive electronic Protected Health Information (ePHI). Data owners will review all systems and applications with ePHI for which they are responsible and evaluate their vulnerabilities to threats as outlined by Information Technology (IT). Analysis must be done to determine what technical, physical, and administrative safeguards are required and how best to implement those safeguards. In performing this analysis, data owners will utilize procedures developed by the Lifeworks Compliance and Quality Assurance Director.

### **Risk Management**

Risks identified in the risk assessment process will be added to the Lifeworks Enterprise Risk Management Plan. Threshold values will be determined that indicate the severity of the indicator based on the recorded value. These indicators will be updated periodically and audited by the Lifeworks Compliance and Quality Assurance Director.

Risks identified and added to the Lifeworks Enterprise Risk Management Plan will be reviewed by the Lifeworks Executive Team.

### **Sanctions**

Lifeworks will take disciplinary action against any Lifeworks Personnel who violates the Lifeworks Security Policy or any related procedures. Disciplinary action may include termination of employment and reports to the proper authorities. The sanctions are determined by the severity of each individual violation, potential violation, and breach regarding PHI.

### **Information System Activity Review**

The Lifeworks Information Security Office (LISO) has developed systems and procedures to identify, track, and periodically audit ePHI Systems for compliance with all applicable laws, regulations, and Lifeworks policies and procedures including all HIPAA regulations. In addition, LISO maintains criteria for use in reporting aimed at identifying activity that deviates from HIPAA requirements.

### **Activity Review Scope**

LISO will implement these procedures to review records of information system activity. LISO will work with system owners and administrators to ensure that compliance is achieved and will examine the procedures used to review system logs.

LISO's activity review process includes audits of system activity logs and reports. This process may include a review of the following types of system activity information either as a full review, as a spot check, or sampling:

- Review of Security Incidents Response reports
- System user privileges grants and changes logs
- User-level system access logs
- User level system activity logs
- User level transaction log reports
- Exception reports

### **Workforce Security**

Lifeworks has adopted access establishment and modification procedures to ensure that all members of the workforce, including Lifeworks Personnel, have appropriate access to ePHI and do not have unnecessary or inappropriate access. This includes procedures to ensure workforce members that work with, or have access to, ePHI are appropriately authorized and supervised. Lifeworks will use its **Minimum Necessary Use and Disclosure of PHI** policy, one of its HIPAA Privacy Policies, and other policies as appropriate, as the basis for the type and extent of authorized access to ePHI.

Lifeworks Personnel will not be allowed access to ePHI or to areas where ePHI might be accessed until proper authorization is granted. Only authorized Lifeworks Personnel, who have a need for specific information to fulfill their respective job responsibilities, will be authorized to access ePHI or areas where ePHI might be accessed.

To ensure that workforce access to ePHI is appropriate, each supervisor will review the access levels of his or her staff on a periodic basis and make revisions as necessary.

Lifeworks maintains procedures to terminate access to ePHI when access to ePHI is no longer appropriate, including when the employment or engagement of Lifeworks Personnel ends.

### **Information Access Management**

The Lifeworks IT department is responsible for systems that collect, maintain, use, or transmit ePHI and will grant access to system users following a formal request made by the supervisor of the specific user and/or data owner. Access to the system(s) will be limited to specific, defined, documented, and approved applications and levels of access rights.

### **Access Authorization**

Requests for granting workforce access to ePHI or systems that contain ePHI must be authorized by the supervisor of the specific user and/or data owner.

### **Access Establishment and Modification**

Once a supervisor has authorized and approved access of Lifeworks Personnel to ePHI or systems that contain ePHI, the supervisor will make a formal request to the Lifeworks IT department. The Lifeworks IT department will then grant access as authorized. Access to the system(s) will be limited to specific, defined, documented, and approved applications and levels of access rights.

When a Lifeworks Personnel member's access to ePHI or systems that contain ePHI must be modified (including increases, reductions, and terminations to access), the supervisor of the specific Lifeworks Personnel member and/or data owner must notify the Lifeworks IT department of such modification. The Lifeworks IT department will then modify the Lifeworks Personnel member's access rights as appropriate.

### **Security Awareness and Training**

Lifeworks will train all Lifeworks Personnel who may have access to PHI/ePHI on the Lifeworks Privacy and HIPAA Security Rule Policies and related procedures. New Lifeworks Personnel who may have access to PHI/ePHI will be trained within one week of their start date and will not be given access to PHI/ePHI until they have received such training. Existing Lifeworks Personnel who may have access to PHI/ePHI will receive ongoing awareness training and will attend formal training at least annually. Lifeworks will document the training for which Lifeworks Personnel participate, including the date and topics of the training. Training may be general or targeted where necessary in response to known or discovered risks or vulnerabilities.

### **Anti-Phishing Technologies**

Lifeworks will implement anti-phishing technologies, including examining and verifying that emails do not originate from known malicious sites, and blocking emails as appropriate. As part of Lifeworks ongoing assessment of risks and vulnerabilities it will also scan systems for potential threats and remove them if necessary.

### **Security Reminders**

Lifeworks will provide HIPAA training to all Lifeworks Personnel who have access to PHI and ePHI. Training will be conducted regularly and will include regular security reminders.

Staff will be updated regarding changes to Lifeworks Privacy and HIPAA Security Rule Policies, and new or updated state and federal regulations.

### **Security Incident**

A "Security Incident" is defined as an attempted or successful unauthorized access, use, disclosure, modification, or destruction of information or interference with a Lifeworks system (including but not limited to hardware, software, and data applications). (45 CFR 164.304) All incidents, threats, or violations that affect or may affect the confidentiality, integrity, or availability of ePHI are considered Security Incidents.

Security Incidents must be reported to the Lifeworks Information Security Office (LISO) as soon as discovered. Lifeworks maintains procedures for the reporting, processing, and responding to suspected or known Security Incidents so that Lifeworks may investigate, mitigate, and report such Security Incidents as appropriate. All Lifeworks Personnel will be trained on these Security Incident policies.

### **Contingency Plan**

LISO will establish (and implement as needed) procedures for responding to an emergency or other occurrence (for example, fire, vandalism, system failure, and natural disaster) that damages systems that contain ePHI. The Contingency Plan policies and procedures will include a Data Backup Plan, a Disaster Recovery Plan, an Emergency Mode Operation Plan, a Testing and Revision Procedure, and an Applications and Data Criticality Analysis. specifications for ensuring access for authorized users including Unique User Identification.

### **Evaluation**

Lifeworks will evaluate the technical and non-technical implementations of its HIPAA Security Rule Policies and procedures. This evaluation will be completed annually and on an "as needed" basis. The purpose of this evaluation will be to determine the effectiveness of the policies as well as to ensure compliance with state and federal regulations such as HIPAA.

In addition, an evaluation will be commenced when any of the following events occur:

- There is a change to any state or federal regulation that may affect the HIPAA Security Rule Policies
- There is a new state or federal regulation that may affect the HIPAA Security Rule Policies
- Lifeworks experiences an environmental or operational change that may affect the security of ePHI
- There has been a significant breach of security or other security incidents within Lifeworks
- Any other time the Compliance and Quality Assurance Director determines there is a need to evaluate the HIPAA Security Rule Policies

### **Business Associates Agreements**

Lifeworks shall enter into a written agreement with any person or entity ("Business Associate") that performs functions or activities on behalf of, or provides certain services

to, Lifeworks that involves access to PHI. These written agreements ("Business Associate Agreements") will ensure that the Business Associate will appropriately safeguard PHI and shall clarify and limit, as appropriate, the permissible uses and disclosures of PHI by the Business Associate. Lifeworks requires all Business Associate Agreements to be modified with Addendums or revised for compliance with the HIPAA Security Rule.

## **Physical Safeguards**

### **Facility Access Controls**

Lifeworks maintains policies and procedures to limit the physical access to its electronic information systems and the facilities in which they are housed, while ensuring that properly authorized access is allowed.

Lifeworks will allow authorized facility access in support of restoration of lost data under the Disaster Recovery Plan, Emergency Plan, and Contingency Operations Plan in the event of an emergency.

### **Facility Security Plan**

Lifeworks safeguards the facilities (including the equipment present in all such facilities) and premises that house systems that maintain ePHI from unauthorized physical access, tampering and theft.

Lifeworks controls and validates a person's access to facilities based on their role or function, including visitor control and control of access to software programs for testing and revision.

### **Maintenance Record**

The Director of Information Technology identifies the physical components that are essential to security. The Director of Information technology must oversee any security-relevant physical repair or modifications. A maintenance record must be created for each repair or modification made to the physical site, facility, or building. Such information must be securely stored.

### **Workstation Use**

Lifeworks is committed to maintaining high workstation security standards for all workstation locations. All users of Lifeworks information resources are expected to utilize such resources in a responsible, ethical, and legal manner consistent with Lifeworks policies. Lifeworks electronic resources may not be used to damage, impair, disrupt, or in any way purposefully, recklessly, or negligently damage Lifeworks networks or computers or external networks or computers.

Emails and databases that include ePHI may be accessed only by authorized Lifeworks Personnel. Lifeworks Personnel are permitted to access Lifeworks systems using remote access. Lifeworks Personnel are permitted to use personally owned technology personal computers to access Lifeworks systems that contain ePHI, including email, through a secure remote access gateway. Lifeworks Personnel are not permitted to use personally owned smartphones or tablets to access Lifeworks systems that contain ePHI, including email.

Lifeworks requires reasonable physical safeguards be implemented for all workstations and other electronic devices that access, collect, maintain, use or transmit ePHI, including personal computers. Physical safeguards should reasonably prevent the theft of or unauthorized access to electronic devices that access, store, or transmit ePHI. Physical safeguards required for all electronic devices include:

- Unique user identification that requires users log-in with unique passwords
- Automatically logging users off when they leave a computer for an extended period of time
- Using and continuously updating antivirus software
- Utilizing encryption and decryption; and
- Identifying all the workstations that may be used to access ePHI (laptops, desktop computers, personal devices) and tracking usage.

### **Device and Media Controls**

Lifeworks will monitor and track the receipt and removal of hardware and electronic media that contain ePHI into and out of a facility, and the movement of these items within a facility.

### **Media Reuse and Disposal**

Prior to disposal of hardware or media that contains or previously contained ePHI, the IT department will securely overwrite all of the data, or the device and/or media will be physically destroyed.

Prior to reuse of hardware or media that contains or previously contained ePHI, the IT department will take appropriate steps to erase all data. For example, when a Lifeworks Personnel member leaves Lifeworks, their computer must be re-imaged before being assigned to a new employee.

The IT department will document the steps taken in compliance with this media reuse and disposal policy.

### **Technical Safeguards**

#### **Access Controls**

The IT department will grant access to system users following a formal request made by the supervisor of the specific user and/or data owner. Access to the system(s) will be limited to specific, defined, documented, and approved applications and levels of access rights.

Every user of systems holding or using ePHI will have a unique username and password to allow Lifeworks to identify and track user access. When an electronic session has become inactive for a designated period of time, the session is automatically terminated. To restart a session, users are required to sign in using their username and password.

Lifeworks maintains policies and procedures to ensure that ePHI is accessible by approved Lifeworks Personnel in an emergency situation in which normal access to systems and ePHI is not available. Emergency situations include, but are not limited to, fire, vandalism, terrorism, system failure, natural disaster, or other situations in which there is a loss of or damage to data and systems containing ePHI.

## **Audit Controls**

Lifeworks will identify critical systems that require event auditing capabilities and will implement auditing mechanisms on such systems. At a minimum, event auditing capabilities will be enabled on all systems that process, transmit, and/or store ePHI. Events to be audited may include, and are not limited to, logins, logouts, and file accesses, deletions, and modifications.

## **Integrity Controls**

Lifeworks requires that critical ePHI be protected against unauthorized alteration or destruction. Lifeworks will maintain integrity controls to ensure the validity of information used, stored, and disclosed by Lifeworks.

## **Authentication**

To ensure that all individuals or entities that access ePHI have been appropriately authenticated, procedures must be implemented that address the following:

- Lifeworks Personnel seeking access to any network, system, or application that contains ePHI must satisfy a user authentication mechanism such as unique user identification and password, biometric input, or a user identification smart card to verify their authenticity
- Lifeworks Personnel seeking access to any network, system, or application must not misrepresent themselves by using another person's User ID and Password, smart card, or other authentication information
- Lifeworks Personnel are not permitted to allow other persons or entities to use their unique User ID and password, smart card, or other authentication Information
- A reasonable effort must be made to verify the authenticity of the receiving person or entity prior to transmitting ePHI

## **Transmission Controls**

### **Transmission Integrity**

Lifeworks will maintain integrity controls to ensure the validity of information transmitted over the network infrastructure.

Lifeworks determines the types of information that require technical security measures to guard against unauthorized access when such information is being transmitted over open and other networks. This information includes but is not limited to ePHI. Lifeworks will determine the types of integrity controls to implement to secure ePHI transmitted over open and other networks. The IT department shall be responsible for implementing such controls.

### **Transmission Encryption**

Lifeworks will:

- Use encryption and decryption as much as possible to protect data
- Encrypt all outbound emails containing a Social Security Number
- Use next-generation firewall(s) to secure the corporate network
- Deploy Intrusion Prevention Systems (IPS)

## **Rights and Responsibilities**

All Lifeworks Personnel, as defined in Scope, are responsible for being aware of and complying with these policies. Specific duties for implementing these policies can be found in the corresponding Security Processes and Procedures. Non-compliance with these policies will result in disciplinary actions as detailed in the Disciplinary Actions Policy. There are both civil and criminal penalties for failure to comply with HIPAA regulations.

Lifeworks retains any policies, procedures, and other security program documentation for six (6) years from the date when it was last in effect. Lifeworks will make this policy available to anyone who is responsible for implementation and will review and update it periodically and in response to environmental or operational changes affecting the security of ePHI.

## **Resources**

Beaver, Kevin and Herold, Rebecca, (2004). The Practical Guide to HIPAA Privacy and Security Compliance. CRC Press LLC.

<http://www.hhs.gov/ocr/privacy/hipaa/understanding/srsu/summary.html>

<http://www.craighton.edu/doit/policies/hipaa/index.php>

<http://policies.georgetown.edu/hipaa/sections/security/62953.html>

<http://hipaa.yale.edu/security/index.html#policyandguidelines>

# Addendum C – Conflict of Interest Policy

## Purpose

Lifeworks encourages the active involvement of its Board Members, Board committee members, officers, members of the Executive Leadership Team (the “ELT”, made up of the President/CEO and executive members appointed by the President/CEO), employees and any other person acting on behalf of Lifeworks in any capacity (each a “Lifeworks Representative” or “Representative”) in the community. In order to deal openly and fairly with actual and potential conflicts of interest that may arise as a consequence of this involvement, Lifeworks adopts the following Conflict of Interest Policy (the “Policy”). This Policy is intended to provide practical guidance to all Lifeworks Representatives and a basis for prompt identification and resolution of any potential and actual conflicts of interest they may have with Lifeworks.

## Scope

This Policy is intended to comply with the procedure prescribed in Minnesota Statutes, Section 317A.255, governing conflicts of interest for directors of nonprofit corporations. It is intended to supplement but not replace any applicable state laws governing conflicts of interest applicable to Lifeworks. In the event there is an inconsistency between the requirements and procedures prescribed herein and those in section 317A.255, the statute shall control.

## Policy

1. **Conflicts Prohibited Unless Approved.** No Lifeworks Representative shall engage in any activity that constitutes a Conflict of Interest (defined below) except to the extent the Conflict of Interest has been duly disclosed, reviewed, and allowed in accordance with the Procedures specified in this Policy.
2. **Conflict of Interest.** A conflict of interest (a “Conflict” or “Conflict of Interest”) exists whenever (a) the loyalties or actions of a Representative with respect to a matter are (or could appear to be) divided between the interests of Lifeworks and the interests of the Representative or (b) the Representative stands to derive personal benefit from actions or decisions they make on behalf of Lifeworks. An actual or apparent Conflict will exist under any of the following circumstances:
  - i. Outside Interests.
    - A Contract or Transaction between Lifeworks and a Lifeworks Representative or a family member (spouse, domestic partner, parent, child or spouse or domestic partner of a child, brother, or sister) of the Representative (each a “Family Member”).

- A Contract or Transaction between Lifeworks and an entity in which a Representative or their Family Member has a Material Financial Interest or of which such person is a director, officer, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator, or other legal representative. A **"Material Financial Interest"** means a financial interest of any kind in such entity, which, in view of all the circumstances, is substantial enough that it would, or reasonably could, affect the Representative's or their Family Member's judgment with respect to transactions involving the entity. This includes all forms of compensation. A **"Contract or Transaction"** is any agreement or relationship involving the sale or purchase of goods, services, or rights of any kind, the providing or receipt of a loan or grant, the establishment of any other type of pecuniary relationship, or review of a charitable organization by Lifeworks. The making of a gift to Lifeworks is not a Contract or Transaction.
- ii. Outside Activities.
    - i. A Representative competing with Lifeworks in the rendering of services or in any other contract or transaction with a third party.
    - ii. Representative's having a Material Financial Interest (defined above) in; or serving as a director, officer, employee, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator, or other legal representative of, or consultant to; an entity or individual that competes with Lifeworks in the provision of services or in any other Contract or Transaction with a third party.
  - iii. Gifts, Gratuities, Entertainment and Favors.
    - i. Except as permitted under the Gift Exceptions section below, a Representative accepting or offering gifts, entertainment, gratuities or other favors having value of more than \$100 in connection with any actual or potential business relationships involving Lifeworks, including relationships with vendors, customers, competitors, lenders, borrowers and grantors.  
*Prohibited Gifts:* The following gifts are inherent Conflicts that are never acceptable:
      - iv. Gifts of any kind, regardless of value, to government employees, or gifts that are offered in situations involving government contracting or subcontracting;
      - v. Gifts that are solicited or offered in exchange for personal gain or unfair business advantage;
      - vi. Gifts in cash or cash equivalents such as stocks, bonds, stock options, loans, or certificates redeemable for cash;

- vii. Gifts that would reflect negatively on Lifeworks or violate Lifeworks Policies or its commitment to mutual respect, such as entertainment or gifts that are illegal, sexually oriented, or exploit anyone's race, religion, ethnic identify, gender or sexual orientation;
  - viii. Personal discounts not made generally available to all within the organization; or
  - ix. Lavish or extravagant gifts.
- ii. *Gift Exceptions:* This Policy does not prohibit the acceptance or offering of the following types of gifts (excluding Prohibited Gifts) having value greater than \$100, but only if the gift is approved in writing by the appropriate Exception Authority (defined below):
- Meals and Events: meals and tickets or admission to sporting, entertainment or cultural events and facilities may be allowed if the host or provider is in attendance, the entertainment is reasonable and customary with respect to frequency and cost, and it is business-related. Business-related activities are directly related to the role of attendee(s) who is representing Lifeworks while in attendance;
  - Travel and Lodging: gifts of commercial transportation, lodging or other living and travel expenses may be allowed, if the host or provider is present, the same gift is made available to others in a group, and the trip is business-related. Business-related activities are directly related to the role of attendee(s) who is representing Lifeworks while in attendance;
  - Prizes: a prize won in connection with a random drawing or competition where the drawing or competition is open to all participants and the value of the prize is not more than \$250; or
  - Recognition Gifts: a gift item presented in recognition of a special event or milestone. Examples of special events or milestones include recognition of an employee milestone work anniversary, employee retirement, welcoming a new child. Gifts should not be valued more than \$250.

For the purposes of this subsection, the term "Exception Authority" means":

- for all staff other than those listed immediately below: the Chief Financial Officer and/or Corporate Compliance Officer;
- for members of the ELT: the President/CEO;
- for the President/CEO: the Board Chair or the Chair of the Audit & Investment Committee;

- for Board Members other than the Chair: the Board Chair; and
- for the Board Chair: the Chair of the Audit & Investment Committee.

In responding to a request for an Approved Exception, the Exception Authority should give due consideration to whether acceptance of the gift would seem to:

- Avoid the appearance of unethical or illegal conduct, preferential treatment, or any undue influence on the decision-making of the recipient;
- Be reasonable under the circumstances and consistent with the legitimate business interests and reputation of Lifeworks.

Conflicts associated with gifts approved under this Gift Exceptions Subsection. are deemed duly approved and do not need to be otherwise reported as Conflicts under this Policy.

## **Procedure**

### **1. Duty of Disclosure**

Each Representative shall promptly and in accordance with this Policy disclose any Conflict they have with respect to a Contract or Transaction..

The disclosure shall be made as soon as the Conflict is known to the Representative. Unless permitted by the resolution of the Conflict (per section 3 of this Procedure), the Representative shall refrain from any action that may affect Lifeworks participation in the relevant Contract or Transaction.

In the event it is not entirely clear that a Conflict of Interest exists, the Representative should error on the side of full disclosure. All disclosures shall be sufficiently complete so that those responsible for resolving a Conflict will have access to all relevant facts.

### **2. For Conflicts of Interest involving any Lifeworks Representative**

a. If the actual or potential Conflict involves:

1) any Lifeworks Representative (other than the President/CEO or a member of the (ELT), or the Board):

a. the disclosure should be made to the Corporate Compliance Officer and/or the Chief Financial Officer, who shall review the disclosure with the ELT along with a recommendation for resolution of the Conflict.

- b. the ELT will be deemed to have resolved the Conflict in accordance with such recommendation unless within ten (10) business day after disclosure of the Conflict and recommendation, at least one member of the ELT makes a request for the Chief Financial Officer to refer the Conflict to the Audit & Investment Committee for further consideration and resolution.
- 2) a member of the ELT (other than the President/CEO):
  - a. the disclosure should be made to the President/CEO, who shall promptly report the matter to the Audit and Investment Committee along with a recommendation for resolution of the Conflict.
  - b. the Audit and Investment Committee will be deemed to have resolved the Conflict in accordance with such recommendation unless within ten (10) business day after disclosure of the Conflict and recommendation, at least one member of such committee notifies the President/CEO of a desire for the committee to take up further consideration of the matter.
- 3) the President/CEO or a Board member:
 

the disclosure should be promptly made to the Audit and Investment Committee, which shall review the Conflict and make a recommendation for resolution to the Board of Directors. The Board will be responsible for final resolution of the Conflict. The President/CEO or Board Member (as the case may be) will be recused from any vote by either the Audit and Investment Committee or the Board of Directors respecting the subject Conflict.

### 3. Resolution of Conflicts

- a. The authority described above as having responsibility for resolution of a Conflict (the ELT, the Audit and Investment Committee, or the full Board, as the case may be – herein called the “**Conflicts Authority**”) shall determine whether the subject Contract or Transaction may be authorized as just, fair, and reasonable for Lifeworks. Such determination shall be in writing and, if made by the Board or the Audit and Investment Committee, shall be by an adopted resolution of the Conflicts Authority.
- b. The decision of the Conflicts Authority on these matters will rest in its sole discretion and shall be based on concern for the welfare of Lifeworks and the advancement of its mission. Decisions will be documented and retained by the Conflict Authority. .
- c. The Representative shall, unless otherwise permitted in writing by the Conflicts Authority, refrain from engagement in the Contract or Transaction giving rise to the Conflict of Interest.
- d. A Representative may appeal a Conflict Authority’s resolution to the next level of Conflict Authority. The Board of Directors have final resolution authority.

#### **4. Disciplinary and Corrective Action**

If the Conflicts Authority has reasonable cause to believe that a Representative has failed to disclose actual or possible Conflicts of Interest or is otherwise in violation of this Policy, it shall inform the Representative of the basis for such belief and afford the Representative an opportunity to explain the alleged failure to disclose the violation. If, after hearing the response of the Representative and making such further investigation as

may be warranted in the circumstances, the Conflicts Authority determines that the Representative has in fact failed to disclose an actual or possible Conflict of interest or has otherwise violated this policy, it shall take (or request that Lifeworks management take) appropriate disciplinary and corrective action.

#### **5. Annual Statements**

a. Each Board Director, Board committee member, officer, member of the ELT, or any other person, group or team member designated by the President/CEO shall annually sign an acknowledgement and disclosure form that:

- 1) Affirms that such person has received and reviewed a copy of this Conflict-of-Interest Policy and has agreed to comply with its terms.
- 2) Identifies any relationships, positions, or circumstances in which the Representative is involved that they believe could contribute to a Conflict of Interest.
- 3) Requires that such person disclose any potential Conflict involving any entity that such person expects may enter into a proposed Contract or Transaction with Lifeworks in the upcoming year.

b. Lifeworks will maintain documentation that upon employment and annually thereafter, staff will attest to reviewing and understanding the Conflict-of-Interest policy as provided in the Employee Handbook.

#### **6. Periodic Reviews**

To ensure that Lifeworks complies with this Policy and operates in a manner consistent with its charitable purposes and that it does not engage in activities that could jeopardize its status as an organization exempt from federal income tax, the Corporate Compliance Officer or their delegate shall conduct annual (or more frequent) compliance reviews of Lifeworks operations with respect to this Policy and shall promptly report any actual or suspected non-compliance to the Audit and Investment Committee.

Routine reviews, of actual or potential conflicts previously disclosed, shall be conducted by the Corporate Compliance Officer or their delegate to determine if any previous resolved matter should be revisited or modified.

# Rights & Responsibilities

Each Representative shall exercise care not to disclose confidential information acquired in connection with their status as a Lifeworks Representative or any other information the disclosure of which might be averse to the interests of Lifeworks. Furthermore, a Representative shall not disclose or use information relating to the business of Lifeworks for the personal profit or advantage of the Representative or a Family Member.

Any Representative who has reason to believe a Conflict has not been duly reported in accordance with this Policy is encouraged to report the situation in accordance with the Lifeworks Whistleblower Policy.

This Policy shall be reviewed annually by the Board of Directors.

Any changes to the Policy shall be communicated promptly to all Representatives.

# Resources

- Lifeworks Board of Directors – Board Manual – Audit and Investment Committee – Conflict of Interest Procedure
- MN Statute 317A.255
- Conflict of Interest Information Form
- Minnesota Charities Review Council

Responsible Committee:	Audit and Investment Committee
Responsible Management Officers:	Chief Financial Officer
Committee Approval:	April 9, 2025
Board Approval:	April 24, 2025

# Addendum D - Corporate Compliance and Ethics Policy

## Purpose

The successful business operation and reputation of Lifeworks is built upon principles of lawful behavior, fair dealing, and ethical conduct. Education, awareness, and transparency is key to the success of the Corporate Compliance and Ethics program. This policy is intended to reflect the commitment of Lifeworks to comply with all applicable laws, rules, regulations, and standards; to conduct business in an ethical manner, in accordance with the letter, spirit, and intent of the law; and to refrain from any illegal, dishonest, or unethical conduct. By including the components outlined in this policy, Lifeworks can effectively promote a culture of integrity, accountability, and legal compliance within the organization.

## Scope

This policy applies to all employees, officers, Board members, contractors, volunteers, business associates, student interns and other stakeholders ("Personnel").

## Policy

Lifeworks is dedicated to the delivery of services to individuals with disabilities using the highest standards of accountability in service delivery, administrative policies, health and safety, data security, and financial management. In order to achieve these goals and to be a good corporate citizen, maintain and enhance its reputation, satisfy the requirements of certifying agencies, be a good business partner and avoid exposure to liabilities, Lifeworks and its Personnel will, in good faith and to the greatest extent possible, conduct Lifeworks business so as to:

- meet or exceed high standards of business ethics;
- comply with all applicable federal, state, and local laws, rules, and regulations;
- comply with all contractual requirements to which it has agreed;
- meet or exceed all standards and best practice guidelines applicable to its business; and
- prevent and detect fraud, financial mismanagement, and misappropriation of funds.

## Compliance and Ethics Program Overview

In furtherance of the above objectives, Lifeworks will maintain (and devote sufficient resources to implement, promote, and enforce) a Corporate Compliance and Ethics Program reasonably intended to:

- reinforce the commitment of Lifeworks to comply with the Requirements and the expectation that all Personnel will operate in an environment of honesty, integrity, and high ethical standards.
- identify and understand the requirements of laws, rules, regulations, contracts, and standards applicable to the business of Lifeworks and relevant jurisdictions (the "Requirements");

- document standards of conduct, internal controls, plans, and mechanisms reasonably calculated to comply with (and prevent and detect violations of) the Requirements;
- assign responsibility for overseeing compliance and ethics matters consistent with this Policy;
- effectively and regularly communicate (through practical and clear communications) Lifeworks ethics and compliance policies, disciplinary standards, and procedures to all affected Personnel;
- provide all notifications of policies and policy changes required by law;
- provide training, as appropriate, to all affected Personnel on corporate compliance, including the role of the Compliance Officer and the organization's procedures for addressing allegations of fraud, waste, abuse, and other wrongdoing;
- prevent delegation of substantial discretionary authority to individuals with a history of engaging in illegal activities or other conduct inconsistent with an effective compliance and ethics program;
- prevent fraud, waste, and abuse;
- utilize ongoing monitoring, internal auditing, and reporting procedures to detect misconduct and periodically evaluate effectiveness of the Compliance and Ethics Program;
- mitigate potential violations and civil and criminal liability;
- provide means for immediate reporting and investigation of questionable activities and practices without consequence to the reporting party;
- provide prompt, effective, and appropriate responses to inappropriate business practices, misconduct, and non-compliance (both specific instances and systemic shortcomings), take steps to prevent recurrence and correct any situations which put individuals served, the organization, its staff, or funding sources at risk;
- provide a structure to maximize the right of confidentiality under the attorney-client privilege;
- regularly review compliance of policies and procedures to identify and address any issues proactively;
- consistently enforce disciplinary measures and provide incentives to perform in accordance with the Compliance and Ethics Program;

## **Rights & Responsibilities**

The penalties for violating the Requirements and this Policy, even unintentionally, can be extremely high for Lifeworks, the individuals we serve, and potentially for those involved in the violation. Accordingly, compliance with this Policy and the Compliance and Ethics Program will be the responsibility of all employees, as well as all directors, Board members, officers, volunteers, student interns and contractors.

The Board will be responsible to understand the content and operation of the Compliance and Ethics Program and to exercise reasonable oversight as to both its implementation and its effectiveness.

The Chief Executive Officer (CEO) will have overall responsibility for enterprise-wide compliance, ethics, and business practices. The CEO has designated the Director of

Compliance and Quality Assurance to serve as the Corporate Compliance Officer and to coordinate management of the Compliance and Ethics Program, monitor matters pertaining to corporate compliance, conduct corporate compliance risk assessments, and report on matters pertaining to corporate compliance.

The members of the Executive Leadership Team will be responsible for assuring the implementation of the Compliance and Ethics Program in their respective management areas.

The Corporate Compliance Officer will provide and coordinate training of personnel relative to corporate compliance, and the organization's procedures for:

- addressing allegations of wrongdoing;
- cooperating with internal and external audit functions to facilitate corporate compliance; and
- reporting misconduct of the CEO or other high-level managers directly to the Board of Directors.

Disregarding or failing to comply with this Policy and the Compliance and Ethics Program could lead to disciplinary action, up to and including, possible termination.

## **Reporting**

At least once per year, the Corporate Compliance Officer will report on the implementation and effectiveness of the Compliance and Ethics Program to the Board. To promote open lines of communication between the Corporate Compliance Officer and others responsible for governance and management of the organization, the Corporate Compliance Officer will:

1. Schedule regular meetings (at least semi-annually) with the Chair of the Audit and Investment Committee;
2. Schedule regular meetings (at least quarterly) with the President and CEO;
3. Prepare and provide to the executive leadership team a quarterly report detailing the implementation and effectiveness of the Compliance and Ethics Program and recommendations for improvements to that program; and
4. Raise issues involving non-compliance for discussion and resolution by management, with authority to escalate such issues to the Chair of the Audit and Investment Committee and ultimately to the Chair of the Board, as reasonably necessary to achieve compliance with this Policy.

## **Resources**

- CARF Accreditation Handbook
- Fraud, Waste and Abuse Policy from the State of Minnesota
- Deficit Reduction Act of 2005
- Lifeworks Corporate Compliance and Ethics Program
- Lifeworks Whistleblower Policy
- Lifeworks Employee Handbook
- Lifeworks Emergency Preparedness Plan Process
- Lifeworks Internal Review Procedure

Responsible Committee:	Audit and Investment Committee
Responsible Management Officers:	Chief Financial Officer
Committee Approval:	April 9, 2025
Board Approval:	April 24, 2025

# Addendum E - Fraud, Waste and Abuse Policy

## Purpose

The purpose of this Policy is to prevent Lifeworks and its Personnel from violating applicable fraud and abuse laws, including the federal and state False Claims Act, as well as section 1902(a)(68)(A) of the Social Security Act. These laws help prevent and detect fraud, waste, and abuse in the public health care programs that support services and benefit the public and the people Lifeworks serves by ensuring public programs pay for legitimate and quality health and social services.

## Scope

This policy applies to all employees, officers, Board members, contractors, volunteers, business associates, student interns, and other stakeholders ("Personnel").

## Policy

It is the Policy of Lifeworks that all Personnel will comply with applicable laws and best practice respecting the prevention, detection and reporting of fraud, waste, and abuse in connection with Lifeworks programs and the provision of services to people served by Lifeworks. Various laws define these terms differently; however, fraud, waste and abuse have been generally described as:

- **Fraud** – an intentional deception or misrepresentation by a person with the knowledge that the deception could result in some unauthorized benefit to themselves or to some other person.
- **Waste** – Means an over-utilization of services or misuse of resources not caused by criminally negligent actions yet result in the expenditure of resources in excess of program needs and unnecessary costs.
- **Abuse** – practices inconsistent with sound fiscal, business or program practices that result in unnecessary costs, the reimbursement for services unnecessary or that fail to meet professionally recognized standards for care.

Lifeworks Personnel shall not engage in (or assist others to engage in) any of the following prohibited practices:

- Knowingly submit false or misleading claims to the government or to a third party or another payer. This would include submitting claims for services that were not actually provided, claims which characterize the service differently than the service provided, or claims which do not otherwise comply with applicable billing rules.
- Making false representations to any person or entity to obtain payment for any service or to gain or retain participation in a program. All communication with government and third party or their payers must be truthful and accurate. Lifeworks receives government money – all timecards, time studies, attendance records, and other applicable documentation must be filled out accurately.
- Failing to properly document service provided or billing for a service not provided.

- Offering anything, in cash or in kind, to obtain or encourage referrals. Any arrangement, contract, gift, or social engagement with anyone who may be a referral source (such as a case manager) must be approved by the CEO of Lifeworks or Corporate Compliance Officer.
- Offering anything, in cash or in kind, to any potential or current individual we serve to influence the individual to attend a program or otherwise receive services from Lifeworks.
- Knowingly and willfully execute, or attempt to execute, a scheme or lie in connection with the delivery of, or payment for, health care benefits, items, or services to defraud any health care program. (*Criminal Health Care Fraud Statute 18 U.S.C. Section 1347*)
- Allowing excluded providers (those providers excluded from participation in the Federal health care programs by the OIG) to participate in any of Lifeworks Medicare or Medicaid programs. (*Exclusion Statute 42 U.S.C. Section 1320a-7 OIG Exclusions*)

In addition, all Personnel shall promptly report any suspected violations of these prohibitions to the Corporate Compliance Officer and shall cooperate with any investigations of such matters by the Corporate Compliance Officer and legal counsel. Any person who in good faith reports fraud, waste, or abuse will be handled with confidentiality and protected from retaliation.

## **Rights & Responsibilities**

The penalties for violating this Policy, even unintentionally, can be extremely high, including, but not limited to criminal charges for those involved in the violation and Lifeworks. Accordingly, compliance with this Policy will be the responsibility of all employees, as well as all directors, Board members, officers, volunteers, student interns, and contractors.

The Board will be responsible to understand the content of this Policy and exercise reasonable oversight.

The Corporate Compliance Officer (as designated in the Corporate Compliance and Ethics Policy) will have overall responsibility for the implementation and administration of this Policy and who will have direct reporting to the CEO and/or Board of Directors (as described below) with respect to matters relating to this Policy.

The members of the Executive Leadership Team will be responsible for assuring the implementation of this policy in their respective management areas.

The Corporate Compliance Officer will: (1) provide and coordinate training of personnel relative to the organization's procedures for addressing allegations of fraud, waste, abuse and other wrongdoing; (2) investigate all reports of violations of this Policy; (3) as required by law (and with advice of counsel, as appropriate) report any violations of this Policy to appropriate authorities; and (4) have authority and ability to report violations of this Policy by the CEO or other high-level managers directly to the Board of Directors.

At least once per year, the Corporate Compliance Officer will report to the Board any substantiated fraud, waste, or abuse situations and prepare and submit reports to the DHS Office of the Inspector General (OIG) as required by law.

In accordance with Minnesota Statutes 256B.4912, subd. 11, Lifeworks will maintain documentation that upon employment and annually thereafter, staff providing a service have attested to reviewing and understanding the following statement: “It is a federal crime to provide materially false information on service billings for medical assistance or services provided under a federally approved waiver plan as authorized under Minnesota Statutes, sections 256B.0913, Section 256B.092 and 256B.49. Disregard or failure to comply with this Policy could lead to disciplinary action, up to and including, possible termination.

**Resources**

- CARF Accreditation Handbook
- Fraud, Waste and Abuse Policy from the State of Minnesota
- Deficit Reduction Act of 2005
- Employee Handbook
- Internal Review Procedure

Responsible Committee	Audit and Investment
Responsible Staff	Chief Financial Officer
Committee Approval Date	April 5, 2024
Board Approval Date	April 18, 2024

# Addendum F - Drug and Alcohol-Free Workplace Policy

## **Purpose and Scope of Coverage**

Lifeworks values its employees and people served and recognizes the need for a safe, productive and healthful work environment. Employees who abuse drugs and/or alcohol are less productive, less dependable and pose a potential threat to the safety, security and welfare of the Company and its employees, people served and vendors as well as the general public. The establishment of a Drug and Alcohol-Free Workplace Policy is consistent with the organization's desire to provide a safe and productive work environment for our employees.

It is the policy of Lifeworks to maintain a workplace free from the use and abuse of drugs and alcohol. Lifeworks will require that all employees and applicants participate in, consent to, and comply with the terms of this Policy as a condition of employment and continued employment. If questions arise regarding this policy, please direct them to the human resources department. This policy is effective as of June 1, 2006.

This policy covers all employees of Lifeworks. This policy, by its terms, also covers applicants insofar as such applicants, after a conditional offer of employment has been made, are required to consent, and submit to a pre-employment drug test. Applicants, however, are not entitled to participate in any benefit program that may be offered by Lifeworks to its employees.

## **Definitions**

**“Drug” or “Chemical”** means a controlled substance as defined in applicable state and federal law. The term “drug” includes but is not limited to cocaine, opiates, amphetamines, and phencyclidine (PCP). The term "drug" does not include the use of a drug obtained and taken under supervision by and in accordance with prescriptions or other instructions issued by a licensed health care professional and other drugs otherwise authorized to be used under applicable state and federal law.

**“Under the influence of alcohol”** means (1) the presence of alcohol in the individual's system which equals or exceeds a blood alcohol content (BAC) of .04; or (2) behavior, appearance, speech, or bodily odors that lead a supervisor or manager to reasonably suspect that the employee is impaired by alcohol during working time or on Lifeworks premises.

**“Under the influence of drugs or chemical's”** means (1) the presence of any detectable amount of an illegal drug or its metabolites demonstrated by a confirmed positive drug test result, or (2) behavior, appearance, speech, or bodily odors that lead a supervisor or manager to reasonably suspect that the employee is impaired by illegal drugs or is using illegal drugs during working time or on Lifeworks property.

**“During working time”** means time during which the employee is being paid to work for or represent Lifeworks or the employee is in fact representing the Lifeworks interests. The term also includes all paid break and meal periods.

## **Testing**

Lifeworks reserves the right, within the limits of federal and state laws, to examine and test for the presence of drugs and/or alcohol. Under the conditions of this policy, applicants or employees may be asked to submit to a medical examination and/or submit to urine, saliva, breath and/or blood testing for drugs and/or alcohol. Testing of employees will normally occur immediately before, during, or immediately after the person's regular work period. Lifeworks may test for drugs and/or alcohol in the following circumstances:

### **Job Applicant Testing**

Lifeworks makes all offers of employment subject to and conditioned on the applicant's:

1. consent to taking a drug test; and
2. a negative test result.

Applicants will be required to voluntarily submit to drug testing and sign an Acknowledgement and Consent to Test form. Applicants are not tested for marijuana unless required for federal Department of Transportation certifications. If the tests are positive or if the applicant refuses to undergo testing (including an adulterated or substituted test result), the conditional offer of employment will be withdrawn.

Lifeworks will not withdraw a conditional offer of employment based on a positive test result from an initial screening test that has not been verified by a confirmatory test. If the job offer is withdrawn Lifeworks will inform the job applicant of the reason for its action.

### **Reasonable Suspicion Testing**

Lifeworks will test an employee for drugs and/or alcohol when a supervisor and/or manager has reasonable suspicion that the employee:

1. Is under the influence of drugs or alcohol
2. Has violated Lifeworks written work rules prohibiting the use, possession, sale or transfer of drugs or alcohol while employees are working or while employees are on Lifeworks premises or operating Lifeworks vehicles, machinery or equipment
3. Has sustained a personal injury, or has caused another employee to sustain a personal injury that requires medical treatment by a healthcare professional or results in lost work time, and such injuries are arising out of and in the course of employment
4. Has caused a work-related accident or was operating or helping to operate machinery, equipment or vehicles involved in a work-related accident (covered vehicles include both Lifeworks owned/leased vehicles as well as personal vehicles used for work purposes, such as transporting people served and/or trips eligible for mileage reimbursement from the Lifeworks).

Reasonable suspicion means a basis for forming a belief based on specific facts and rational inferences drawn from those facts. Reasonable suspicion will be documented and will not be based on rumor or speculation.

### **Treatment Program Testing**

All employees referred by Lifeworks for substance abuse treatment or evaluation will be required to sign a Return-to-Work Agreement and be subject to unannounced follow-up testing. Specifically, all referred employees will be subject to unannounced testing for the use of drugs and/or to testing for alcohol use provided such alcohol testing is job-related and consistent with business necessity. Follow-up testing applies during the evaluation or treatment period and for up to two (2) years following the completion of any prescribed treatment program. Follow-up testing may include a return-to-duty test on which the employee must provide a negative test result before returning to their job duties.

### **Procedural Requirements**

#### **Notice of Testing Policy**

Before requesting a drug and/or alcohol test, Lifeworks will provide the employee or applicant with an “Acknowledgment of Receipt of Policy and Consent to Testing” form on which the employee or applicant can acknowledge that he or she has received and seen the Lifeworks Drug and Alcohol-Free Workplace Policy.

#### **Test Refusal**

An employee or applicant has the right to refuse testing. However, a refusal to test will be treated as a failure to comply with Lifeworks Policy and may result in withdrawal of a conditional job offer or disciplinary action up to and including termination of employment.

#### **Notice of Negative Test Results**

**Within three (3) working days** after receipt of a negative test result from the testing laboratory, Lifeworks will inform an applicant or employee, in writing, of:

- the negative test result on the initial screening test or the confirmatory test; and
- the right to request and receive a copy of the test result report.

The Notification of Negative Drug and/or Alcohol Test Result form should be used for this purpose.

#### **Notice of Positive Test Results**

**Within three (3) working days** after receipt of a confirmed positive test result from the testing laboratory, Lifeworks will inform an applicant or employee, in writing, of:

- The positive test result on the confirmatory test
- The right to request and receive a copy of the test result report
- The right to explain the positive result (described below in “Explaining Positive Test Results”)
- The right to request a confirmatory retest of the original sample, at their own expense
- The applicable adverse employment action.

The Notification of Confirmed Positive Drug and/or Alcohol Test Result form should be used for this purpose.

### **Explaining Positive Test Results**

Within **three (3) working days** after notice of a positive drug or alcohol test result on a confirmatory test, the employee or applicant may submit information to Medical, request the lab conduct a confirmatory retest or arrange for transfer of the sample to the laboratory selected by the individual to perform the confirmatory retest, provided that the laboratory selected must be licensed in accordance with applicable state law. Lifeworks may request the employee or applicant indicate any over the counter or prescription medication he or she is currently taking, or has recently taken, as well as any other information relevant to the reliability of, or explanation for, the positive test result.

### **Confirmatory Retest**

In the event of a confirmed positive test for drugs or alcohol, an employee or job applicant may request a confirmatory retest of the original sample, at their own expense. Within **five (5) working days** of receiving notice of a confirmed positive test result, the employee or applicant must make this request and notify Lifeworks, in writing, of the intention to obtain a confirmatory retest.

Upon receipt of the individual's written request for a confirmatory retest, Lifeworks will notify the original testing laboratory that the employee or applicant has requested that the lab conduct a confirmatory retest or arrange for transfer of the sample to the laboratory selected by the individual to perform the confirmatory retest, provided that the laboratory selected must be licensed in accordance with applicable state law. If the confirmatory retest does not confirm the original positive test, Lifeworks will not take adverse personnel action based on the original test.

### **Policy Prohibitions**

All employees of Lifeworks are strictly prohibited from engaging in the following conduct during work time or on Lifeworks premises or property:

- Bringing and/or storing (including in a desk, locker, automobile, or other repository) illegal drugs, drug paraphernalia or alcohol on Lifeworks premises or property, including Lifeworks owned or leased vehicles, in vehicles used for business purposes or a customer's premises.
- Having possession of, being under the influence of, reporting to work under the influence of, or testing positive for illegal drugs or alcohol.
- Using, consuming, transporting, distributing or attempting to distribute, manufacturing, selling or dispensing illegal drugs or alcohol.
- Abusing prescription drugs, which includes exceeding the recommended prescribed dosage or using medications prescribed to someone else.
- Substituting, adulterating or otherwise tampering with any specimen or sample collected under this Policy, or attempting to do so.
- Refusing to submit to a drug or alcohol test or related medical/physical examination as requested by Lifeworks or its designee, or otherwise refusing to cooperate with the terms of this Policy. A refusal to test includes conduct that obstructs the testing process such as adulterating, substituting or otherwise tampering with a specimen

(or attempting to do so) as well as failing to sign necessary paperwork, failing to report to the collection site at the appointed time and failing to be available for a Reasonable Suspicion or other required test.

- Failing to consent to, participate in and abide by the terms and recommendations of any evaluation, treatment or rehabilitation program to which Lifeworks makes a referral, including but not limited to, failure to follow recommendations, if any, regarding behavior modification and abstinence as well as any failure to be available for any prescribed continuing or follow-up sessions.
- Failing to advise a supervisor or manager of the use of any prescription or over-the-counter medication that may impair or adversely affect the employee's ability to perform the essential functions of his or her job.
- Failing to notify their supervisor before going to work if they believe that they are under the influence of drugs or alcohol.
- The CEO or Board of Directors can grant permission for alcohol to be brought on premises to a Lifeworks sponsored event or board meeting that takes place outside of regular work hours.

### **Consequences for Policy Violations**

Employees who engage in any of the prohibited conduct listed above are in violation of this Policy and are subject to discipline, up to and including termination, at the Company's sole discretion. The Company will not discharge an employee if the employee tests positive on a confirmatory test and the confirmed positive is the first such result under this Policy (i.e., a first-time positive). Instead, the Company will give the employee with a first-time positive an opportunity to participate in, at the employee's expense or pursuant to any coverage under an employee benefit plan, counseling, or rehabilitation.

The Company may discharge an employee who refuses to participate in counseling or rehabilitation or has failed to successfully complete the program as evidenced by withdrawal from the program before its completion or has a positive test result on a confirmatory test after completing the rehabilitation program.

The Company may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest; where the Company believes it is necessary to protect the health or safety of the employee, co-employees, or the public. All positive initial tests *must* be verified by a confirmatory test before discipline is imposed or a conditional job offer is withdrawn.

### **Employee Assistance Program**

The Company offers an Employee Assistance Program (EAP) for employees and their dependents. The EAP provides confidential assessment, referral, and short-term counseling for employees who need or request it. Any employee, through self-referral or through a referral source, can access the EAP. These EAP services are available to employees provided the Company's disciplinary rules have not been violated. Employees may not escape discipline, however, by first requesting EAP services after being selected for testing or violating the Company's policies and rules of conduct.

Nor will such requests or utilization of EAP services excuse employees from compliance with normal standards of performance or conduct. Information provided when accessing and utilizing EAP services will be kept confidential in accordance with any applicable federal and/or state law requirements.

Costs associated with this benefit may be covered by the employee's medical insurance plan; however, any costs not covered by the employee's medical insurance plan, and which are not otherwise required to be paid by any applicable plan are entirely the employee's sole responsibility.

### **Confidentiality and Privacy**

All drug test results are reported to the Company and will remain and be considered confidential. Results will only be disclosed within the Company on a need-to-know basis and as allowed by law and retained in a secure location with controlled access.

Information about an individual's medical condition or history obtained in connection with a drug or alcohol test will be kept in a file separate and apart from any personnel file. The release of an individual's drug test results and other information gained in the testing process will only be otherwise disclosed in accordance with an individual's written authorization or as otherwise required by applicable law.

A laboratory will only disclose to the Company the test result data regarding the presence or absence of drugs.

The Company will not disclose test result reports and other information acquired in the testing process to another employer, to a third-party individual, governmental agency or private organization without written consent of the individual tested, except that evidence of a positive test result on a confirmatory test may be used in relevant judicial, administrative, or arbitration proceedings; as required by federal law, regulation, or order; for the purpose of evaluation or treatment of the individual to a substance abuse treatment facility; or as otherwise authorized by law. Positive test results cannot be used as evidence in a criminal action against the individual tested.

The Company will attempt to ensure that all aspects of the testing process, including specimen or sample collection, are as private and confidential as reasonably practical. Employees or applicants will not be observed while providing a urine specimen unless there is reason to believe the individual has tampered with, adulterated, switched or attempted to tamper with, adulterate or switch a urine specimen.

### **Inspections**

The Company reserves the right to inspect Company premises and property (including offices, desks, lockers and other repositories) where there is reasonable cause to believe that an employee has violated this Policy. This Policy will extinguish and eliminate any continuing expectation of privacy where reasonable cause exists to believe that there has been a Policy violation. Where reasonably practical, inspections will be conducted in the presence of the employee implicated in the potential Policy violation.

**Acknowledgement**

As a condition of employment, applicants and employees must sign an Acknowledgement form.

**Reservation of Rights**

This Policy supersedes and revokes any other the Company practice or policy relating to the use of drugs and alcohol in the workplace and drug and/or alcohol testing. The Company reserves the right to interpret and administer this Policy, and at any time and at its sole discretion, amend, supplement, modify, revoke, rescind or change this Policy, in whole or in part, with or without notice and with or without consideration. This Policy is not an express or implied contract of employment nor is it to be interpreted as such.

Additionally, this Policy does not in any way affect or change the status of any at-will employee. At-will employees continue to be free to terminate their employment or resign from employment at any time and the Company continues to be free to terminate employee, with or without cause, with or without notice, for any lawful reason or for no reason at all. Nothing in this Policy is a promise or guarantee or should be construed as a promise or guarantee that the Company will follow in any circumstances any particular course of action, disciplinary, rehabilitative or otherwise.

# Addendum G - Information Technology Acceptable Use Policy

## **Purpose**

The purpose of this policy is to define the general acceptable use of all Lifeworks information technology resources. Unacceptable use of information technology resources may expose Lifeworks, Lifeworks employees, and Lifeworks resources to risks such as legal issues, virus, and malware attacks, compromised data and systems, and service unavailability. This document outlines the overall policy required to protect Lifeworks from risks and maintain the confidentiality, integrity, and availability of all information technology resources.

## **Scope**

The covered Lifeworks information technology resources include, but are not limited to: servers, desktop computers, laptops, tablets, networks, data storage, telephones, cell phones, smartphones, voicemail, PDAs, hotspots, air cards, wireless access, printers, scanners, fax machines, copiers, and all other Lifeworks provided information systems and devices. This document supports and supplements other existing Lifeworks policies, standards, and guidelines.

## **Policy**

It is Lifeworks policy to grant Lifeworks employees the use of Lifeworks information technology resources for the express purpose of supporting the organization's mission and the administrative functions of the organization. Lifeworks employees are advised that all communications, documents, software, and data created using Lifeworks resources are the property of Lifeworks.

## **Lifeworks Information Technology Resources**

- Lifeworks reserves the right to regulate the usage of Lifeworks information technology resources to promote efficient system performance and to ensure continuity and security of critical business functions.
- Lifeworks reserves the right to log system activities, scan for anomalies and threats, and monitor equipment, systems, electronic communications, and network traffic for security and network maintenance purposes.
- Lifeworks reserves the right to monitor and audit Lifeworks information technology resources at any time to ensure compliance with all Lifeworks policies and applicable laws. By using such resources, Lifeworks employee consent to such monitoring and auditing and acknowledge that they have no expectation of privacy in connection with their use of such resources.

## **Acceptable Use**

Acceptable use of Lifeworks information technology resources complies with all applicable laws, regulations, and Lifeworks policies. Acceptable use shows respect for the privacy, rights, and property of others. Acceptable personal use shows respect for the value of information technology resources and does not interfere with performance of duties or

significantly consume resources. Lifeworks executives, managers, and supervisors determine permissible personal use of Lifeworks systems for accessing the Internet and using email. If there is any uncertainty, employees should consult their supervisors or managers.

### **Unacceptable Use**

- Use of Lifeworks information technology resources that is illegal under local, state, or federal statutes is unacceptable.
- Use of Lifeworks information technology resources that violates any Lifeworks policies is unacceptable.
- Use that is disrespectful, harassing, threatening, obscene, or invasive of privacy is unacceptable.
- Personal use that unreasonably interferes with the performance of duties or the business activities of other users is unacceptable.

### **Email Standards**

Email communications on all Lifeworks Information Technology resources is owned by Lifeworks, therefore:

- Email is archived and purged according to Lifeworks Information Technology standards and procedures.
- Email messages that are records or contain records must follow the Record Retention Policy.
- Use of Lifeworks email systems to create or transmit email messages that include harassing, obscene, or derogatory statements about Lifeworks employees, people served, or others is unacceptable.
- Use of Lifeworks email systems to create or transmit email messages that contain any improper or offensive materials on such topics as race, gender, creed, color, religion, national origin, age, public assistance status, sexual orientation, veteran status, physical or mental disabilities, or any other category protected by law is unacceptable.

### **Internet Access Standards**

- Lifeworks provides wired and wireless Internet access as a means to obtain information that will assist employees in the performance of job duties. Personal use of Lifeworks Internet access that is disruptive to the performance of Internet connections, interferes with performance of job duties, or impedes the business use of other employees is unacceptable.
- Use of Internet access to download or install anything onto a Lifeworks information technology resource is unacceptable. If you believe you need to use software or applications available on the Internet, you will need to formally request the software from Information Technology.
- All employees should be responsible when using Internet resources and should avoid using sites with high media content whenever possible.
- Use of Internet access to download or attach any documents or files with a personal email account onto or from a Lifeworks information technology resource is unacceptable.

- Use of Internet instant messaging sites or programs is unacceptable.
- Lifeworks reserves the right to use content blocking software to restrict access to potentially harmful or disruptive websites, including video and music streaming sites and instant messaging sites.
- Please see Network Standards section for further details about Wireless Internet access.

### **Social Media Standards**

The Lifeworks Social Media standards found in this handbook must be followed at all times when engaging with social media websites on behalf of Lifeworks Services.

### **Network Standards**

- Lifeworks information technology wireless access devices (hotspots, air cards, etc.) are intended for business use. Personal use of these devices is governed by Lifeworks policies.
- Connection of personal laptops, USB flash drives, portable drives, floppy disks, data CDs or DVDs, or any other personal device to the Lifeworks physical network is unacceptable use.
- Use of personal devices (computers and laptops) to connect to the Lifeworks Citrix XenApp network using the Internet is not acceptable. Please see the Lifeworks Telework Policy for more details.
- Lifeworks employees may use the Lifeworks guest wireless Internet access (where available) for personal use if the personal use has been approved by a supervisor and Lifeworks IT and the personal use does not interfere with performance of job duties.

### **Citrix XenApp Standards**

Citrix XenApp is a centralized and secure access gateway to Lifeworks systems shared by many users.

Use of Citrix XenApp for non-work-related purposes unnecessarily consumes Lifeworks resources and is unacceptable.

Use of the Lifeworks Internet connections outside of Citrix XenApp for viewing business related video, sound, or other website media content is acceptable.

### **Enforcement**

Employees found to have violated this policy may be subject to disciplinary action in accordance with the Lifeworks Disciplinary Action policy, up to and possibly including termination of employment. All employees are advised that they should review Lifeworks Privacy Policies and HIPAA Security Rule Policies. These policies may provide further restrictions regarding acceptable use as it pertains to Lifeworks information technology resources.

**Rights & Responsibilities**

This policy applies to all Lifeworks employees, including employees, contractors, vendors, interns, volunteers, and all other persons who work for or on behalf of Lifeworks, who use Lifeworks information technology resources.

# Addendum H - RESPONSE TO GOVERNMENT REQUESTS, INVESTIGATIONS, SEARCH WARRANTS, AND SUBPOENAS POLICY

## Purpose

To assist Lifeworks staff in appropriately responding to requests from law enforcement agencies and government investigators and agents, including but not limited to information requests, search warrants and subpoenas.

## Scope

This policy applies to Lifeworks and its affiliated entities and all Lifeworks staff.

This policy does not apply to subpoenas or court orders in civil court matters, nor does it apply to surveys conducted by state or federal employees related to licensing, accreditation, or certification matters, or in response to client complaints. Additionally, this policy does not apply to situations where law enforcement officials seek to serve an arrest warrant; in those circumstances the Chief People Officer should be notified immediately.

## Definitions

**Agent** means a law enforcement or governmental agent or representative acting pursuant to a Search Warrant or Subpoena.

**Search Warrant** means a written court order that entitles law enforcement to search a defined area and seize property that is described in the search warrant or located in an area specifically identified as covered by the search warrant.

**Subpoena** means a court or administrative order issued by a government agency requiring a person to appear and testify in court or to an agency. Depending upon the issuing agency, it may be delivered personally, by mail, or by leaving it at the person's home or place of business.

**Subpoena *Duces Tecum*** means a Subpoena that directs a person to bring certain documents, such as medical records or business records, to court or to a government agency. In some cases, the person may be required to accompany the records and testify as a witness.

## Policy

Lifeworks will cooperate with all law enforcement or government requests and investigations, while protecting the legal and privacy rights of the organization, its staff and clients. In order to ensure those protections and the proper conduct of any investigation, the Compliance and Quality Assurance Director (with the advice and

counsel of the General Counsel) will oversee and direct, to the extent possible, the response to all government investigations, including but not limited to Search Warrants, Subpoenas, and Subpoenas *Duces Tecum* involving an investigation related to business conducted at Lifeworks.

Lifeworks will not consent to a search unless a Search Warrant is presented and appears, on its face, to be valid. Lifeworks staff should not verbally or otherwise agree to a search in the absence of a Search Warrant.

Documents, computer files/media, etc. related to the investigation shall not be destroyed, hidden, or altered. The CEO, Compliance and Quality Assurance Director or General Counsel should promptly issue a “records hold order” on such materials and keep such hold order in effect as long as the investigation is pending.

Any staff member who has knowledge that a Search Warrant or Subpoena relating to Lifeworks business has been served should keep the subject matter confidential and refrain from discussing the order or any related events with the press, other staff members, or any other individuals except those authorized by the Compliance and Quality Assurance Director, the CEO or the General Counsel.

## **Procedure**

### **Response to a Search Warrant**

To the greatest extent practical under the circumstances, the following steps shall be taken by Lifeworks staff when presented with a Search Warrant at a Lifeworks facility:

1. Escort the Agent(s) presenting the Search Warrant to a conference room or private office in order to minimize disruption to clients and/or staff members.
2. Identify the Agent in charge. Ask for the following:
  - a. A badge or other reliable identification. If there is reason to doubt the individual or the authenticity of the identification, call the relevant agency to confirm.
  - b. A business card. (If a business card is not available, ask for the name, title, agency, and telephone number of the Agent)
  - c. A copy of the Search Warrant.
  - d. A copy of the affidavit submitted to the court to obtain the Search Warrant. The Agent may refuse to provide the affidavit.
  - e. The name and phone number of the prosecutor, if not indicated on the documents provided.
3. Immediately try to contact one of following Lifeworks officials (in order): Compliance and Quality Assurance Director, CEO, General Counsel, any Vice President. Do not leave a voice mail or message. Rather make every possible effort to reach these officials. Provide the official you reach with all the information you collected in step # 2.

4. Notify the responsible manager or administrator for the entity or department to which the search warrant has been presented that Agents are on the premises and that you have contacted the above official(s). The above official(s) and the responsible manager or administrator should make every effort to be present at the site when the search warrant is executed.
5. Inform the Agents that appropriate Lifeworks officials have been contacted and one or more is on the way. Politely ask the Agent in charge not to proceed until one of the above Lifeworks officials arrives. Do not consent to the search unless instructed to do so by the Compliance and Quality Assurance Director CEO or General Counsel.
6. If the Agent in charge is not willing to wait for one of the Lifeworks officials to arrive, document the refusal and the Agent's name. Reiterate to the Agent that Lifeworks is willing to cooperate with the search, but that you are prevented by policy from consenting to the search unless instructed to do so by the Quality & Compliance Manager, CEO or General Counsel. Then take the following steps to monitor the search:
  - a. Carefully read the Search Warrant.
  - b. Confirm that the Search Warrant is signed by a judge. If there is a discrepancy, notify the Agent in charge.
  - c. Determine the area to be searched as noted in the Search Warrant, the type of evidence to be seized, and the time period/expiration. If there is any discrepancy between the scope of the Search Warrant and the search conducted by the Agents, notify the Agent in charge. Assist the Agents in retrieving only those documents that are the subject of the search.
  - d. Identify the essential Lifeworks staff members that are knowledgeable and can assist in retrieving the documents, computer information, etc. Notify the Agent in charge that key employees will assist in order to minimize disruption of business.
  - e. Advise essential staff members that the Agents may question them. Advise the staff that it is their choice whether they want to speak with an Agent and that they are not required to do so.
  - f. Monitor the search, but do not impede or obstruct it.
  - g. Assist the Agents in locating documents or other property as identified in the Search Warrant, but do not volunteer any documentation or information that is not specified in the Search Warrant.
  - h. Attempt to record in detail all items that are seized, including the location where the items were found.
  - i. If the Agents assign numbers to the rooms they search, record the numbering scheme.

- j. Request back-up copies of all documents, computer media, computer hard drives, etc. before the Agents seize them.
- k. If the Agents attempt to seize documents marked as “Attorney-Client Privileged” or “Attorney-Client Work Product” or other documents that appear to be outside the scope of the Search Warrant, notify the Agent in charge. Ask that the privileged materials be segregated and marked as “privileged.”
- l. The Agent in charge will prepare an inventory of the items seized. Ask for a copy of the inventory before the Agent leaves. DO NOT sign anything verifying the content or accuracy of the inventory.
- m. Ask staff members not to discuss the Search Warrant or any related events with the press or with other staff members.

### **Response to a Subpoena or Contact by An Agent**

It is possible that an Agent may arrive unannounced at a Lifeworks facility or at the homes of Lifeworks staff members to seek interviews or documents. If served with a Subpoena or otherwise requested to participate in an interview with an Agent that relates to business conducted at Lifeworks:

- 1. Immediately contact the Compliance and Quality Assurance Director, the CEO and the General Counsel. Do not leave a voice mail or message.
  - 2. Review your rights as provided in Addendum A.
  - 3. The General Counsel or designated counsel will, with the support of the Compliance and Quality Assurance Director, direct the response to the Subpoena *Duces Tecum* or other information request.
- C. Response to a Subpoena *Duces Tecum*/Other Information Requests
- a. If a Subpoena *Duces Tecum* or a request for information is received and it relates to business conducted at a Lifeworks facility, immediately contact the Compliance and Quality Assurance Director, the CEO, and the General Counsel.
  - b. The General Counsel or designated counsel will, with the support of the Compliance and Quality Assurance Director, direct the response to the Subpoena *Duces Tecum* or other information request.
- c.

Cross References                      None

**Owner**                      Compliance & Quality Assurance Director (subject to advice and consent of General Counsel)

## Your Rights If Contacted by A Government Investigator

A government investigator has the right to contact any employee of a health care organization to request an interview. The investigator has the right to contact you either at home or work.

- If contacted, you may choose to speak to the investigator, or you may refuse. You are not under any obligation to speak to the investigator.
- If you agree to speak to the investigator, you have the right to end the interview at any time.
- If you are subpoenaed to speak with a government investigator, this does not give the investigator the legal authority to require you to speak *at the time you are given the subpoena*. An appointment for an interview can be scheduled for a different date.
- If you agree to speak to an investigator, no matter who else is present, you must tell the truth. You should state only facts that you know, not rumors, guesses, or speculation.
- Any statements you make to an investigator may be considered legal admissions, which can later be used against you and/or Lifeworks in an administrative, civil, or criminal legal proceeding.
- If you agree to speak to an investigator, you have the right to confer with an attorney first, and to have an attorney present during the interview. Depending upon the circumstances, you may choose to retain private counsel, or the matter may be handled by Lifeworks legal counsel.
- You have the legal right to tell your supervisor or Lifeworks legal counsel about the government contact. The investigator may suggest that you keep the contact confidential, but there is no law that would prevent you from disclosing any detail of your discussion with the investigator to Lifeworks or its representatives.

# Addendum I - LIFEWORKS IMAGE AND RECORDING MANAGEMENT POLICY

## Purpose

To manage and protect visual images, videos and audio recordings captured by or submitted to Lifeworks (in any form or format) of affected Individuals (“**Recordings**”); provide guidelines and rules for obtaining required consents from or on behalf of affected Individuals; provide guidelines and rules for the use of Recordings by Lifeworks; preserve the confidentiality of personal information associated with Recordings; and comply with copyright, privacy and other applicable laws relating to Recordings; all while enhancing and shaping the Lifeworks brand through the use of Recordings.

The term “**Individuals**” refers to Lifeworks staff members, volunteers, clients, and others whose name, image or likeness will be used by Lifeworks for promotional, educational, communications, marketing or other business purposes, but does not include members of the public who incidentally happen to be captured in Recordings.

## Scope

The policy applies to all staff, contractors and volunteers (“**Lifeworks Personnel**”) and to the capture, receipt, retention and use of all Recordings, including but not limited to those on social media, the Lifeworks web site, Lifeworks email campaigns, fundraising campaigns, printed brochures and advertisements.

This Policy will apply to Recordings made by or on behalf of Lifeworks by Lifeworks Sales & Marketing Personnel (“**Lifeworks Recordings**”) as well as to Recordings submitted by Lifeworks staff and others (“**Submitted Recordings**”).

## Policy

It is the policy of Lifeworks to capture, receive, retain and use Recordings only in ways consistent with applicable laws, including copyright and data privacy laws, and consistent with required authorizations duly obtained from (or on behalf of) Individuals relative to the Recordings.

## Authorizations

Lifeworks will request that everyone who may be in a Lifeworks Recording (or their duly authorized representative) sign the then-current Lifeworks Publicity Release Form authorizing Lifeworks to use images, audio and video including the Individual for stated purposes (an “**Authorization**”).

Lifeworks will keep signed Authorizations on file and maintain a system for readily determining the Authorization status of Individuals and the rights granted for use of Submitted Recordings. To the greatest extent practical, the Marketing Team will use metadata to identify Individuals in Recordings for later retrieval and for compliance with this Policy.

An Individual may revoke or reduce the scope of an Authorization at any time by written notice to the Lifeworks Marketing Team. Authorizations will specify that Lifeworks may continue to use the subject Recordings after revocation to the extent the Recordings were published prior to revocation.

## **Lifeworks Recordings**

For Lifeworks Recordings planned in advance of the event, the Lifeworks representative making the Recording (the “**Recorder**”) will consult with the Sales & Marketing Team before making the Recording to determine the current Authorization status for the Individuals expected to be in it. To the greatest extent practical, the Recorder will endeavor to exclude from the Recording any Individual who does not have a current Authorization.

Recorders who are not members of the Marketing Team (i.e. staff, contractors, and volunteers) will promptly forward to the Marketing Team any Recordings they have made on behalf of Lifeworks. The Recorder will provide the Marketing Team with information about such Recordings (e.g. place, time, event, Individuals shown, etc.) as may be requested by the Marketing Team.

All Lifeworks Recordings will be the property of Lifeworks and Lifeworks will own all copyrights in the Recordings. At the request of the Marketing Team, the Recorder will delete submitted Recording(s) from their device and any personal storage medium.

## **Submitted Recordings**

All Submitted Recordings, regardless of subject, should be directed to the Marketing Team for acceptance. The Marketing Team will only accept Submitted Recordings which include:

- The following information about the Recording:
- Name of Individual who created the Recording
- Date, location, subject matter
- Name of subjects (people)
- A grant of rights to use the Submitted Recording for purposes consistent with this Policy.

## **Retention of Recordings**

All Recordings (both Lifeworks Recordings and Submitted Recordings) will be saved only on Lifeworks secure media and published only on Lifeworks’ approved media formats.

The Marketing Team will maintain a system designed to save such Recordings in a secure fashion that allows for deletion of Recordings in accordance with the then-current Retention Policy and Schedule.

## **Use of Recordings**

The Marketing Team will have responsibility for the use, reproduction, sharing and publication of Recordings, which will be subject to this Policy and other Lifeworks policies respecting data privacy. No other person, may use, reproduce, publish or share any Recordings except at the direction of the Marketing Team.

Lifeworks will use a Recording of an Individual only for educational, communications, informational, marketing, or promotional purposes consistent with then-current Authorization for such Individual, with the Lifeworks Notice of Privacy Practices, and with applicable data privacy laws. Lifeworks may use that portion of a Recording containing visual images, video, or audio of an Individual only to the extent such use has been authorized by or on behalf of the Individual in an Authorization. Marketing and promotional usages may be any medium,

including video tape, DVD, and CD-ROM, broadcast and print media, advertising, the Internet, and business applicable social media channels.

Following the revocation of an Authorization, Lifeworks will not use any portion of a Recording no longer covered by a signed Authorization. If the subject Recording has previously been published, Lifeworks may continue to use such Recording as permitted by the Authorization in effect at the time the Recording was published.

Lifeworks will treat a Recording as protected health information (PHI) or electronic protected health information (ePHI), as applicable, if the Recording reveals that an Individual is a client or a person with a disability. Lifeworks will manage all such Recordings in accordance with HIPAA, HITECH, and other applicable data privacy laws and in accordance with Lifeworks data security policies and its Notice of Privacy Practices.

The Marketing team will only use a Submitted Recording in accordance with the rights duly granted for its use and with this Policy.

The Marketing team has the right to remove published Recordings and ask Individuals to delete Recordings from devices.

Individuals will not publish Recordings with the Lifeworks name and/or logo or identify subjects of Recordings as people served by Lifeworks without the prior review and permission from Lifeworks Marketing team.

### **Personal Recordings**

All Lifeworks Personnel who make personal recordings (not the Lifeworks Recordings or Submitted Recordings described above) of visual images, videos and/or audio of Lifeworks staff members, volunteers and clients at Lifeworks events or in Lifeworks facilities (“**Personal Recordings**”) will respect the privacy of those whose images and identities are so recorded (“**Subjects**”) and will comply with all laws respecting such recordings, including copyright and data privacy laws. Lifeworks Personnel will be duly respectful of the dignity and privacy of Subjects in any publication (on social media or otherwise) of Personal Recordings.

### **Rights & Responsibilities**

All Lifeworks Personnel are responsible to follow this Policy to comply with applicable laws and to enhance the public image and brand of Lifeworks. Violations of this Policy will be subject to review by Marketing leadership, Director of Compliance and Quality Assurance, and the applicable supervisor (for staff) or contract manager (for contractor), subject to the advice and counsel of the General Counsel. Violations may be subject to discipline, including possible termination.

### **Resources:**

Publicity Release Authorization  
Lifeworks HIPAA Privacy Policy  
Lifeworks Security Rule Policies  
Notice of Privacy Practices  
Lifeworks Record Retention Policy  
Lifeworks Record Retention Schedule

# Addendum J - LIFEWORKS FUNDRAISING POLICY

## **Purpose**

This Fundraising Policy is intended to ensure that all fundraising activities support the mission, goals, and programs of Lifeworks Services, Inc. (“Lifeworks”). This policy recognizes that philanthropy merits the respect and trust of the general public and that donors and prospective donors can have full confidence in their support of our mission.

## **Scope**

This policy applies to all Lifeworks Directors, Board committee members, employees, and volunteers (collectively “Lifeworks Personnel”).

## **Policy**

### **Gift Acceptance**

Unless a specific contract is established and approved by the Board, Lifeworks will not pay a commission for funds raised.

Lifeworks will not accept a contribution if one or more of the following circumstances exists:

- The gift would have a negative impact on Lifeworks’ reputation.
- Acceptance of the gift would result in additional and unacceptable expense.
- Lifeworks could not honor the donor's expectations.

Lifeworks will seek advice from legal counsel in relation to gift acceptance when appropriate, including:

- Administration of any estate in which Lifeworks Services is named as beneficiary
- Any transactions with potential conflict of interest, including the use of Board Members as sales agents in transactions, leases of gift property to staff or Board, etc.
- Any gifts of patents or intellectual property
- Certain gifts that are subject to restrictions or buy-sell agreements
- Other circumstances in which use of counsel is deemed appropriate by the President & CEO and/or the Lifeworks Board of Directors

Lifeworks encourages donors to seek their own tax or legal counsel before making a gift.

Lifeworks does not provide personal legal, financial, or other professional advice to donors or prospective donors. Donors and prospective donors are strongly urged to seek the assistance of their own professional advisors in matters relating to their gifts and the resulting tax and estate planning consequences.

### **Donor Privacy and Acknowledgement**

Lifeworks holds all communications with donors and information concerning donors and prospective donors in strict confidence, subject to legally authorized and enforceable requests for information by government agencies and courts. All other requests for, or releases of, information concerning a donor, or a prospective donor will be granted only if permission is first obtained from the donor.

See Lifeworks Donor Privacy Policy.

All gifts made to Lifeworks will receive an acknowledgement from the Lifeworks Development Department within a reasonable time after receipt of the gift. An acknowledgement letter including a formal tax receipt for monetary donations will be sent to each donor when their gift is accepted.

Lifeworks uses their annual report as their primary donor recognition tool. All donors will be recognized in the Lifeworks annual report. Donor requests for anonymity will be honored.

### **Restrictions on Gifts**

Lifeworks reserves the right to refuse any gift that it deems too restrictive in purpose, or not in the organization's best interest. The acceptance of a questionable gift or any decision to fulfill a questionable request from a donor will be brought in front of the Development Committee of the Lifeworks Board of Directors and/or the appropriate legal counsel. Decisions to accept such gifts will be guided by consistency with the Lifeworks mission.

In addition, the following gifts will not be accepted by Lifeworks:

- Any gifts that violate federal, state, or local law, statute, or ordinance
- Any gifts that contain unreasonable conditions or partial interest in property
- Any gifts that are made with conditions that state the proceeds will be spent by Lifeworks for the personal benefit of the named individual
- Any gifts that could expose Lifeworks to liability

### **Acceptable Gifts**

The following gifts may be considered for acceptance by Lifeworks:

- Cash (check, credit/debit card, ACH, online payment processing, cash, other)
- Professional services used in the normal course of business
- Planned Gifts and Endowment Funds, see details below
- Tangible personal property, including in-kind gifts
- Publicly traded and closely held securities

### **Planned Gifts**

The policy for planned gifts (as well as other gifts) is designed to protect the donor, the representatives of Lifeworks, including its Board, staff, and volunteers, and the welfare of the organization itself.

Prospective donors shall be advised to consult their attorney or other advisors in all matters related to planned-gift instruments such as drafting of wills, trusts, contracts, or other agreements. Lifeworks shall consult with legal counsel in matters pertaining to its planned-gift program and shall execute no agreement, contract, trust, or other legal document with any donor without the advice of legal counsel representing Lifeworks interests.

Only the personnel approved by the President and CEO shall be authorized to negotiate on behalf of Lifeworks with any donor with respect to gift annuities, trusts, life-income agreements, and other formal planned-gift instruments. Any real estate, real property, or hard-to-value assets exchanged for an agreement of any kind must have appropriate appraisals as required by Internal Revenue Service regulations and be approved by the Board.

Lifeworks will accept the following planned gifts:

- Bequests
- Charitable Gift Annuity
- Deferred Charitable Gift Annuity (DCGA)
- Charitable Remainder Unitrusts (CRUT)
- Charitable Remainder Annuity Trusts (CRAT)
- Pooled-income fund (subject to Lifeworks participation in a common fund)
- Trusts
- Life insurance arrangements

No gift annuity shall be issued in exchange for an amount of less than ten thousand dollars (\$10,000) or for the life of any person less than sixty (60) years of age on the date of the agreement. Gift-annuity agreements shall not be issued for more than two (2) lives and, in a case involving more than one life, a twenty- thousand-dollar (\$20,000) minimum shall apply. No agreement shall be negotiated covering more than three (3) lives.

No unitrust or annuity trust shall be written for less than one-hundred-thousand dollars (\$100,000). Agreements for a term of years shall not be for more than twenty (20) years.

Any exception to these limitations shall require Board approval.

Funds received in exchange for a gift annuity, or a life-income contract shall be placed with the Lifeworks designated fund at the selected management organization.

Payments on life-income obligations shall be made as agreed to by Lifeworks and the donor. Payments shall be made and reported to the donor in the manner prescribed by Internal Revenue Service regulations.

### **Endowment Funds**

Endowment funds support the general purposes of the organization. The principal is to be invested in a prudent manner in accordance with the Lifeworks Investment Policy as prescribed from time to time by the Board, and the income (defined as total return income) is to be used to support the organization's general purposes.

### **Donor Restricted Endowment**

Donors may choose to restrict gifts for endowment. A Named Endowment Fund may be established at Lifeworks through an outright gift, a bequest, or other form of planned gift. The minimum amount necessary to establish a Named Endowment Fund is \$25,000. Endowed funds shall be invested in the same manner as Board-designated reserves and paid out according to the terms of the endowment. The principal of endowed funds shall remain intact with the distribution of income for designated uses. The Board reserves the right to use the principal for general purposes or for the restricted purposes contained in each endowment when, in the Board's discretion, the purposes of the endowment can no longer be met, or the organization's needs may so require.

### **Board Designated Endowment**

From time to time, the Board may designate funds to be set aside for endowment. The Board, or its designated committee, shall retain the right to dissolve Board designated endowment funds.

**Rights & Responsibilities**

All Lifeworks Personnel are responsible for adhering to this Policy when conducting fundraising activities on behalf of Lifeworks. Disregarding or failing to comply with this Policy could lead to disciplinary action, up to and in including, possible termination.

**Resources**

Association of Fundraising Professionals

Boomerang

Minnesota Council of Nonprofits

The Fundraising School, University of Indiana Lilly School of Philanthropy

Lifeworks Donor Privacy Policy

Lifeworks Investment Policy

Responsible Board Committee	Advancement
Responsible Vice President	Fund Development
Committee Approval	November 16, 2023
Board Approval	December 5, 2023

# Addendum K - AUTOMATIC EXTERNAL DEFIBRILLATOR USE POLICY

## Purpose

The purpose of this policy is to establish a safe and prepared work environment by providing guidelines for the proper use of Automated External Defibrillators (AEDs) in case of sudden cardiac arrest (SCA).

## Scope

This policy applies to all employees and contractors within Lifeworks Services, Inc.

## Definitions

**Automated External Defibrillator (AED):** An Automated External Defibrillator (AED) is used to treat person who experience sudden cardiac arrest (SCA). It is only to be applied to people who are unconscious and not breathing normally. The AED will analyze the heart rhythm and advise the operator if a shockable heart rhythm is detected. If a shockable rhythm is detected, the AED will charge to the appropriate energy level and advise the operator to deliver a shock.

**Sudden Cardiac Arrest (SCA):** Sudden cardiac arrest (SCA) is a condition that occurs when the electrical impulses of the human heart malfunction causing a disturbance in the heart's electrical heart rhythms called ventricular fibrillation (VF). This erratic and ineffective electrical heart rhythm causes complete cessation of the heart's normal function of pumping blood, effective treatment for this condition is the administration of an electrical current to the heart by a defibrillator, delivered within a short time of the onset of VF resulting in sudden death.

## Policy

In congruence with best practices set forth by the American Red Cross and Zoll, the manufacturer of the AED device, Lifeworks will take the following steps to ensure proper use of the AED device:

1. AED Placement
  - AEDs will be strategically placed in easily accessible locations at all Lifeworks locations.
  - Placement will be communicated to all employees through initial announcement and regular updates.
2. Maintenance and Inspection
  - AEDs will be inspected annually and maintained by the Facilities Manager to ensure functionality including unexpired electrodes and a working battery.
  - Any malfunctions or damage should be reported immediately to the Facilities Manager.
  - All maintenance will be documented and kept on record by the Facilities Manager.
3. Training
  - All employees will be required to view an AED training video annually in the LMS.
4. Response Action Plan
  - Call 9-1-1

- If AED is not immediate available, send someone to get it and bring it to authorized user
- Apply the AED electrode pads to the persons bare chest as shown on the diagrams on pads
- Follow the voice and visual prompts

### **Resources**

The American Red Cross offers certification training for AED use

<https://www.redcross.org/take-a-class/organizations/purchase-aeds>

AED Manufactured provided video

<https://www.youtube.com/watch?v=9l94i1cRRFE>

### **Rights & Responsibilities**

Employees using the AED in good faith during an emergency are protected by applicable Good Samaritan Laws.

<https://www.revisor.mn.gov/statutes/cite/604a.01>