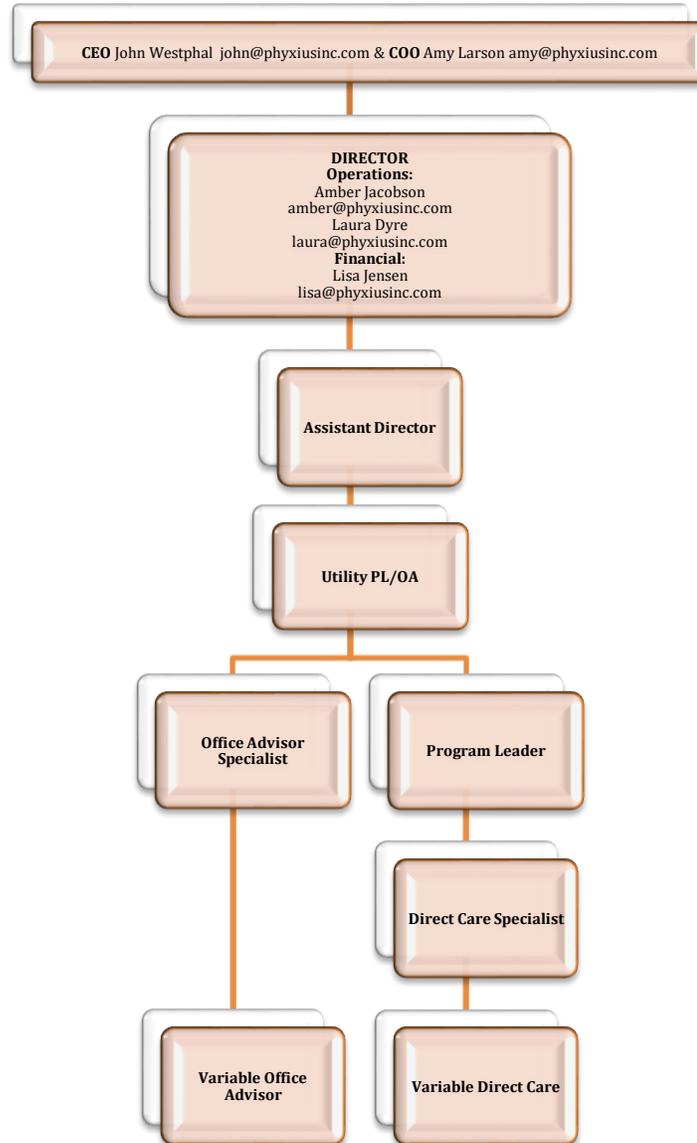


# PHYXIUS

## ORGANIZATIONAL CHART



**PHYXIUS INC.**  
**EMPLOYEE POLICY & PROCEDURES HANDBOOK**  
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## I. INTRODUCTION

### A. **Handbook Disclaimer**

This personnel policy is intended as a general reference and is not a full statement of Phyxius policies and procedures. This manual is intended to replace and revoke all prior manuals. The company reserves the right to make changes to these policies and procedures at any time, with or without notice to employees, and to interpret these policies and procedures at the discretion of the company. No provision of this Handbook shall be deemed to create a contract between the company and its employees or limit the rights of the company and its employees to terminate the employment relationship at any time with or without cause.

### B. **Employment Statement**

Your employment with Phyxius is at will. Employees have the right to terminate their employment with the company for any reason at any time; likewise, the company has the right to terminate employees for any non-discriminatory reason at any time.

### C. **Employability Policy**

In an effort to comply with the provisions of the Immigration Reform and Control Act, the company shall request and document the eligibility of potential employees to be lawfully employed in the U.S. and refrain from hiring anyone who is not eligible.

Upon accepting an offer of employment from the company, and prior to actually beginning work, all individuals must provide documentation of their eligibility to be lawfully employed in the U.S. The individual will then complete and sign the Employment Verification I9 form.

Any offer of employment is contingent upon the candidate's ability to prove his/her eligibility to be employed lawfully in the U.S.

**D. Equal Employment Opportunity Policy**

It is the policy of the company to grant equal employment opportunity to all qualified persons without regard to race, color, creed, sex, age, religion, national origin, status with regard to public assistance, disability, marital status, family responsibilities, sexual orientation, or membership on a local human rights commission. It is the intent and desire of the company that equal opportunity be provided in employment, promotions, wages, benefits, and all other privileges, terms, and conditions of employment.

Phyxius will comply with all aspects of the Americans with Disabilities Act as well as Minnesota Law. We will not discriminate against any person on the basis of a disability, and we will provide reasonable accommodation for qualified individuals with disabilities.

Any employee who believes they have been subject to a discriminatory action should immediately report the action to their Program Leader, Assistant Director, Director, COO/CEO. A prompt, thorough, and complete investigation will be completed, and any appropriate disciplinary action will be taken based on the results of the investigation. Retaliation, in any form, against the person or persons reporting instances of discrimination is prohibited and will be dealt with severely.

Furthermore, it should be understood, that employment with the company is at will. This means that employees have the right to terminate their employment at will whenever they choose, for any reason. Likewise, the company has the right to terminate employees whenever it chooses for any non-discriminatory reason.

## **E. DEFINITIONS**

1. Variable Direct Care Staff (V-DCS)- Hourly  
Variable Direct Care Staff are intended to be scheduled less than 30 hours per week. They are required to work weekends and holidays. They directly report to the Program Leader/Assistant Director. They are not entitled to health insurance, HSA, dental insurance, life insurance or paid time off. However, depending on their hours of service during the ACA look-back period, they may be eligible for health insurance.
2. Direct Care Specialist (DCS)-Hourly  
Direct Care Specialists are select individuals designated by the Program Leader to have more responsibilities than a Variable Direct Care Staff. They are scheduled to regularly work 30-40 hours per week. They are required to work weekends and holidays. They directly report to the Program Leader/Assistant Director. They are entitled to health insurance, HSA, dental insurance, life insurance, & paid time off.
3. Variable Office Advisor (V-OA) -Hourly  
Variable Office Advisors are intended to be scheduled less than 30 hours per week. They are generally not required to work weekends and holidays. They are designated by the Financial Director to complete day-to-day administrative activities of the company which may include hiring. They directly report to the Financial Director. They are not entitled to health insurance, HSA, dental insurance, life insurance, or paid time off. However, depending on their hours of service during the ACA look-back period, they may be eligible for health insurance.
4. Office Advisor Specialist (OAS) -Hourly  
Office Advisors are select individuals designated by the Financial Director to have more responsibilities than a Variable Office Advisor. They are designated by the Financial Director to complete day-to-day administrative activities of the company which may include hiring. They directly report to the Financial Director. They are scheduled to regularly work 30-40 hours a week. They are generally not required to regularly work weekends or holidays. They are entitled to health insurance, HSA, dental insurance, life insurance, & paid time off.
5. Program Leader -Hourly  
Program Leaders are select individuals designated by the Assistant Director/Director that have more responsibilities than a Direct Care Specialist. They have the ability to hire/fire employees. They directly report to the Assistant Director/Director. They are scheduled to regularly work Direct Care and Non-Direct Care 30-40 hours a week. They are generally not required to regularly work weekends or holidays. They are entitled to health insurance, HSA, dental insurance, life insurance, & paid time off.

6. Assistant Directors -Hourly  
Assistant Directors are select individuals designated by the Directors to have more responsibilities than Program Leaders. They have the ability to hire/fire employees. They directly report to the Directors. They are scheduled to regularly work Mon-Fri 30-40 hours a week. They are generally not required to regularly work weekends or holidays. They are entitled to health insurance, HSA, dental insurance, life insurance, & paid time off.
  
7. Directors-Salary Exempt  
Directors are select individuals designated by the COO/CEO to oversee all fiscal, and operational activities of the company. They have the ability to hire/fire employees, and directly report to the COO/CEO. They are scheduled to regularly work 80 hours a pay period. They are generally not required to regularly work weekends or holidays. They are entitled to health insurance, HSA, dental insurance, life insurance, & paid time off.
  
8. Officers-Salary Exempt  
The CEO and COO are owners of the company that oversee all operations of the company.
  
9. Utility  
Utility tasks are given to select individuals designated by the Director, COO/CEO. A Utility task is an ongoing set of expectations and duties that are assigned to an employee that is determined to exceed the generally accepted set of expectations for the position description and is ongoing. Yet does not require a separate position for those duties. That employee may be considered for an increase in compensation based on an analysis of the employees' workload.
  
10. Promotion  
A promotion is defined as the assumption of the duties of a job, which involved greater responsibility and a higher salary range and/or company benefits.
  
11. Transfer  
A transfer is defined as the assumption of the duties of a job, which involves the same responsibility and is in the same salary range.
  
12. Demotion  
A demotion is defined as the assumption of duties of a job, which involves lesser responsibility and is in a lower salary range and/or company benefits.

13. Hire (or Rehire) Date  
The hire or rehire date is defined as the date the employee began working for the company.
14. Termination Date  
The termination date is defined as the last date the employee worked for the company.
15. New Employee Evaluation Period  
The new employee evaluation period is the first six months of employment.
16. The Work Week  
The workweek shall begin at 12:01 a.m. each Wednesday and continue until and including 12:00 midnight each Tuesday.
17. Overtime Hours  
In compliance with the Fair Labor Standards Act, all hours worked by non-exempt employees in excess of 40 in a workweek shall be considered overtime hours. When calculating overtime hours in a particular workweek, Paid Time Off, holiday pay, sick, and funeral leave hours taken shall not be included in the overtime calculation. Overtime hours need to be approved PRIOR to occurring by the Director.
18. Rest Period  
A rest period is defined as the length of time between periods of work that an employee is entitled to have for rest.
19. Meal Period  
A meal period is defined as the time an employee is sitting down to eat a meal with the clients.
20. Cross Trained Staff  
Staff who have completed Cross Training Orientation and are fully trained at more than one location in the company.
21. Home House  
Your home house is the location where you are regularly scheduled to work your weekend shift.

22. Sleep Overnight Staff

Staff who are allowed to sleep in a separate bed/area/couch during their overnight shift at the house. Staff are required to wake up and respond to emergencies if needed and assist clients with some tasks.

## II. WAGE AND SALARY POLICIES

### A. Recording Hours of Work

The law requires that a record be kept of hours worked in each workday and each workweek by non-exempt employees. Any method of keeping time records may be used so long as it is accurate and shows all hours worked. Online time clocks (Deputy) is a accepted method for recording hours worked and are the means the company has selected. Employees shall be required to “start shift” and “end shift” via Deputy when they begin and end work, or leave company grounds for personal reasons, or by notifying their Program Leader/Assistant Director if Deputy time clock is not accessible. In the event an employee forgets to punch in or out, they shall notify their Program Leader/ Assistant Director as soon as possible and include the name/s of staff who were on shift.

Employees will be required to “start shift” and “end shift” on Deputy as close to their scheduled shift start and end times as possible. We pay minute for minute.

If, at any time, you start work early or leave late because you were required to help with a behavior, etc., you must notify your Program Leader/Assistant Director.

All timecards must be approved by a Program Leader/Assistant Director.

Falsifying timecards, buddy punching, etc. shall be subject to disciplinary action and/or termination. Please use Deputy whenever possible to notify/communicate with your Program Leader/Assistant Director.

### B. Determination of Wages and Salaries Policy

In an effort to attract, retain, and motivate employees, Phyxius strives to pay each employee in a consistent and equitable fashion for the relative worth of his/her contribution to the overall operations of the company. In keeping with this effort, all wage ranges will be evaluated annually to assure they are competitive and appropriate.

### C. Salary Actions

All salary actions will be determined by the dollars available for funding our program by the Minnesota Department of Human Services.

### D. Employee Wage Increase Policy

Wage increase shall be conducted per the General Guidelines below. Pay adjustments will be instituted in the following manner: If the employee’s wage increase falls on the first day of the pay period, the pay change will be effective that pay period. If it falls

anywhere after the first day of the pay period, it will be effective at the beginning of the next pay period.

**E. General Guidelines For Wage Increases**

The following is a general outline of the pay ranges at Phyxius.

*\*Wages Effective 3/16/22*

**Variable Direct Care Staff/Direct Care Specialists/ILS/Educational:**

Starting Wage: 16.00/hr.

Hours Worked:

500 hours your wage increases to \$17.00/hr.

1,000 hours your wage increases to \$17.56/hr.

4,000 hours your wage increases to \$18.12/hr.

7,000 hours your wage increases to \$18.70/hr.

**Program Leader:**

Starting Wage: see chart below based on your hours worked at time of promotion.

Hours Worked:

1,000 hours your wage increases to \$21.50/hr.

4,000 hours your wage increases to \$22.50/hr.

7,000 hours your wage increases to \$23.00/hr.

Additional raises based on hours served as a Program Leader. Every 2,000 hours worked as a PL earns a raise of \$0.50/hr. up to \$25.50/hr.

**Tarasso Variable Direct Care Staff/Direct Care Specialists:**

Starting Wage: 19.00/hr.

Hours Worked:

500 hours your wage increases to \$20.00/hr.

1,000 hours your wage increases to \$20.56/hr.

4,000 hours your wage increases to \$21.12/hr.

7,000 hours your wage increases to \$21.70/hr.

Tarasso specifically client (MB) requires a higher level of verbal and physical de-escalation skills. The higher staff wages are reflected above. These wages apply only to hours worked (not training) at Tarasso. Only approved staff will be allowed to work hours at Tarasso.

**Kalimera, Kalinychta, Spiti & Delta/Crisis Variable Direct Care Staff/Direct Care Specialists:**

Starting Wage: 18.00/hr.

Hours Worked:

500 hours your wage increases to \$19.00/hr.

1,000 hours your wage increases to \$19.56/hr.

4,000 hours your wage increases to \$20.12/hr.

7,000 hours your wage increases to \$20.70/hr.

Kalimera, Kalinychta, Spiti & Delta/Crisis specifically clients (RL), (MF), (EC), (TC), (TBD Delta/Crisis) require a higher level of verbal and physical de-escalation skills. The higher staff wages are reflected above. These wages apply only to hours worked (not training) at Kalimera, Kalinychta, Spiti and/or Delta/Crisis. Only approved staff will be allowed to work hours at Kalimera, Kalinychta, Spiti and/or Delta/Crisis.

**Theta & Zeta Variable Direct Care Staff/Direct Care Specialists:**

Starting Wage: 17.00/hr.

Hours Worked:

500 hours your wage increases to \$18.00/hr.

1,000 hours your wage increases to \$18.56/hr.

4,000 hours your wage increases to \$19.12/hr.

7,000 hours your wage increases to \$19.70/hr.

Theta and Zeta specifically clients (KJ) and (BK) require a higher level of verbal and physical de-escalation skills. The higher staff wages are reflected above. These wages apply only to hours worked (not training) at Theta and/or Zeta. Only approved staff will be allowed to work hours at Theta and/or Zeta.

**Utility Task:** Additional Compensation: Determined by COO/CEO.

**Office Advisor:**

Wage: DOQ

Each year = \$1.00 raise up to: \$25.50/hr.

**Assistant Director:**

Start: DOQ

Additional compensation to be determined. Financial benefits/additional compensation based off company growth & employee performance.

**Director:**

Wage: DOQ

Additional compensation to be determined. Financial benefits/additional compensation based off company growth & employee performance.

**Sleep Overnight Shift:** Sleep staff will be paid \$11.36/hr for the hours they are working a designated sleep shift.

**F. Promotion Pay Policy**

When an employee is promoted to a position of greater responsibility, his/her pay rate may increase. If promoted to a different class and the employee is currently making less than the starting wage of the new class, the employee will start out at the starting wage of the new class. If promoted to a different class and the employee is currently making more than the starting wage, the employee will retain their current wage and be eligible for their wage increase per the outline above. The date that promotion pay increases go into effect shall be consistent with the wage increase policy outlined in this manual.

**G. Transfer Pay Policy**

When an employee transfers from one house to another or to a position equivalent to his/her current position, his/her rate of pay shall remain the same. The employee will retain the original anniversary date.

**H. Cross Training Policy**

When an employee has been selected to cross train to another location his/her rate of pay shall remain the same. The employee will retain the original anniversary date. The employee may be required to complete additional training at the cross trained location and is encouraged to attend Staff Meetings for the houses they are Cross Trained at. The location where the cross trained employee works their scheduled weekend shift, will be their home house.

**I. Demotion Pay Policy**

When an employee is assigned to a job requiring less skill, knowledge, etc. than his/her present job (whether this new assignment is by his/her choice or by the management), the pay rate of his/her new job will decrease to the step they are on in the new position. The employee will retain the original anniversary date.

**J. Overtime Pay**

All hourly employees who work more than 40 hours per work week (Wednesday through Tuesday) will be paid overtime pay for each hour over 40 hours. The overtime wage rate is one-and-a-half (1½) times your current wage rate. See above Overtime Hours definition for terms and exclusions. Overtime must be approved prior to being incurred. Unapproved overtime will be paid per the above; however, the employee may be subject to disciplinary action up to and including termination. Overtime hours are generally discouraged and must be authorized by the Directors/COO/CEO. Unapproved overtime may result in disciplinary action up to and including termination.

**J. Pay Days**

Direct Deposit/Paper checks are issued every other Friday for all employees. Direct Deposit is offered free of charge. Staff electing Direct Deposit need to complete the paperwork and provide necessary banking information before we can submit it to our payroll company for processing. It may take 2-3 pay periods before going into effect. You will receive a paper check during the processing period. Paper checks may be picked up at your regular place of employment or at the office on payday Friday. The pay period is a two-week period starting on Wednesday and ending on Tuesday. In the event you are absent on a payday, your check will be mailed to the address we have on file for you or disbursed according to your instructions. Employees should examine their check stubs regularly to ensure accuracy. In the event a regular payday falls on a holiday, employees will be paid on the last business day before the regularly scheduled payday. If for any reason you require a replacement check, you may be subject to processing fees.

**K. Pay Days/Staff Meetings**

Direct Deposit/Paper checks/Pay Cards are issued every other Friday for all employees. Direct Deposit is offered free of charge. Staff electing Direct Deposit need to complete the paperwork and provide necessary banking information before we can submit it to our payroll company for processing. It may take 2-3 pay periods before going into effect. You will receive a paper check or pay card during the processing period. Paper checks may be picked up at your regular place of employment or at the office on payday Friday. Pay Cards will be reloaded on payday Friday. The pay period is a two-week period starting on Wednesday and ending on Tuesday. In the event you are absent on a payday, your check will be mailed to the address we have on file for you or disbursed according to your instructions. Employees should examine their check stubs regularly to ensure accuracy. In the event a regular payday falls on a holiday, employees will be paid on the last business day before the regularly scheduled payday. If for any reason you require a replacement check, you may be subject to processing fees.

Staff Meetings are monthly, and staff is notified of the date in advance. Staff meetings are encouraged, paid trainings for all our staff. Punch in/out on Deputy. Please keep privacy in mind during Zoom/virtual meetings and use headphones if you are unable to be in a private location.

If you are unable to attend the Staff Meeting due to school, another job, or Paid Time Off it is your responsibility to let your Program Leader/Assistant Director know in advance.

**L. Paycheck Deductions**

All employees are subject to the following mandatory deductions:

1. Federal and State Income Taxes
2. Social Security and Medicare Taxes

Phyxius will comply with all garnishments, tax levies, child support, spousal maintenance payments, and any other court-ordered deduction required. The amount prescribed by law will be deducted beginning with the first paycheck following receipt of the court order. There may be charges for required court-ordered deductions. Phyxius also requires all insurance benefit premiums be processed through automatic payroll deduction. Other payroll deductions may be allowed with the approval of the employee and the owners.

**M. Extra Hours**

It is Phyxius policy that employees must first obtain approval from their Program Leader/Assistant Director to work extra hours for other employees, and only if they are “cross-trained” to qualify to provide services at the particular facility.

**N. Hire/Rehire Date**

It is Phyxius policy that the date an employee begins working for the company is their hire date. If the employee terminated previous employment with the company and was

subsequently rehired, the first day of work in the most recent tenure with the company will be the rehire date.

**O. Termination Date**

It is Phyxius policy that the last date an employee works for the company is their termination date. Regardless, if the employee provided notice, the last date hours were worked will be their termination date.

**P. New Employee Evaluation Period**

It is Phyxius policy that all new employees of the company will be under evaluation for the first six months of their employment. The purpose of the evaluation period is to provide the employee and the company with a period of time to evaluate one another. Should the employee or the company have reason for termination during the evaluation period that termination may be made without prior notification to one another. It should be noted that successful completion of the evaluation period does not guarantee continued employment.

**Q. Work Week**

It is Phyxius policy to promote efficient operations of the company and to comply with law. Therefore, it is necessary that a well-defined workweek be established. This period is necessary for the calculation of overtime. Scheduling work hours shall be done by Program Leaders, Assistant Directors & Directors.

**R. Rest Period**

It is Phyxius policy that all employees will be granted a 20-minute paid rest period for every four hours of work. Due to the nature of our business, it may not be possible to take the 20 minutes all at once; however, it is expected that during times that would be considered "idle or down time" employees can take all or some of their break. Employees may not leave the premises during a rest period. Rest periods are not guaranteed and if not taken are forfeited. Rest periods may not be combined with each other, lunch periods, or banked to be used for future time off. If an employee wishes to leave their designated work area when there are no clients in their care, they need to obtain prior approval from their Program Leader and will need to punch out during this break.

**S. Meal Period**

Due to the nature of our business, it is Phyxius policy that all employees working eight or more hours during a shift or during meal times are entitled to eat meals with the clients and will be paid during this time. If an employee wishes to leave their designated

work area, they need to obtain prior approval from their Program Leader and will need to punch out during this break. Delivered food will not be permitted unless the clients and other employees will be eating it as well. You are asked to eat the food on the menu/at the house. If your diet prevents that, you may bring food with you at the start of your shift if it's discrete and concealed in a lunchbox.

## **T. Daylight Savings Time**

Those employees working the overnight shift when Daylight Savings Time begins (spring) work one hour less because the clocks are set ahead one hour. Those employees working the overnight shift when Daylight Savings Time ends (fall) work an extra hour because the clocks are set back one hour at 2 am

Example:

The scheduled shift starts at 11pm and ends at 8am the next day, your employee works a nine hour shift. On the Sunday that Daylight Savings Time starts at 2 am, the employee does not work the hour from 2 am to 3 am because at 2 am all of the clocks are turned forward to 3am Thus, on this day the employee only worked 7 hours, even though the schedule was for 8 hours. On the Sunday that Daylight Savings Time ends at 2 am, the employee works the hour from 1 am to 2 am twice because at 2 am all of the clocks are turned back to 1 am Thus, on this day the employee worked 9 hours, even though the schedule only reflected 8 hours.

The FLSA requires that employees must be credited with all of the hours actually worked. Therefore, if the employee is in a work situation similar to that described in the above example, he or she worked 7 hours on the day that Daylight Savings Time begins and 9 hours on the day that Daylight Savings Time ends. This assumes, of course, that the employee actually worked the scheduled shift as in our example.

## **U. Schedule / Deputy**

Phyxius uses online scheduling (Deputy). There is also an App you can download on your phone to better assist you navigating the Deputy program. The Program Leader/Assistant Director/Director completes the schedule. You are responsible to attend your scheduled shifts on time. You are responsible to stay punched in and onsite until the next scheduled staff (your replacement) arrives. In the event the next staff doesn't arrive you will be expected to stay until a replacement can be found. Leaving a shift without your replacement onsite can be a safety concern for the clients and other staff. It is subject to disciplinary action including termination as well as the potential for a MN-DHS neglect investigation. Once the schedule is posted or changed you will be notified via email/text/notification and you can see the posted schedule online or in the phone app. Employees are responsible for entering their unavailability into Deputy. We will do the best we can to accommodate to your availability however due to the nature of our business we aren't always able to do so. You have the ability to switch shifts, pick up shifts, and offer up shifts all on the online portal. Some shift changes will require the Program Leader/Assistant Director/Director permission prior to occurring. Short notice changes and requests when the Program Leader/Assistant Director/Director is not clocked in may not be approved. Employees enter their time off requests through

Deputy as well. These will be reviewed and approved/denied in a timely fashion. You can also use Deputy to communicate throughout the company as well.

### III. BENEFITS POLICIES

#### A. Policy Statement

It shall be the policy of Phyxius to provide for its employees a comprehensive benefit program, which is designed to equitably compensate the employee for his/her contributions to this organization and to provide for the well being of those employees. This benefit program shall be administered in an equitable and non-discriminatory fashion without regard to an employee's race, color, sex, age, religion, national origin, status with regard to public assistance, disability, marital status, sexual orientation, or membership on a local human rights commission. The company reserves the right to change or eliminate the benefits it offers to its employees at any time at the company's discretion. If any conflicts arise between this manual, the summary plan descriptions, and the actual policies or plan documents, the policies or plan documents will prevail.

#### B. Insurances

Variable Direct Care Staff, Variable Office Advisor -Hourly: depending on their hours of service during the ACA look-back period, may be eligible for health insurance offered by the company. Coverage becomes effective on the first of the month following 30 days of eligibility provided the employee has forwarded the completed enrollment materials to the Office Advisor or Financial Director.

Direct Care Specialist, Program Leader, Office Advisor Specialist, Assistant Director, Directors, Officers-Hourly: working 60 or more hours per pay period, Salary: working 80 or more hours per pay period are eligible to enroll in the group health, life, dental, insurance plans offered by the company. Coverage becomes effective on the first of the month following 30 days of employment provided the employee has forwarded the completed enrollment materials to the Office Advisor or Financial Director.

#### **HEALTH:**

The company shall pay 69% of the cost of individual health coverage for eligible Variable Direct Care Staff (V-DCS), Direct Care Specialists (DCS), Variable Office Advisor (V-OA)

The company shall pay 100% of the cost of individual health coverage for Program Leaders, Office Advisor Specialist (OAS), Assistant Directors, Directors & Officers.

#### **LIFE & DENTAL:**

The company shall pay 100% of the cost of individual life and dental insurance coverage for Direct Care Specialists (DCS), Program Leader, Office Advisor Specialist (OAS), Assistant Directors, Directors & Officers.

**DEPENDENTS:**

Direct Care Specialists (DCS). Employees may elect health/dental coverage for spouse and dependents; however, they will be responsible for 100% of the cost.

Program Leaders, Office Advisor Specialist (OAS), Assistant Directors, Directors. Employees may elect health/dental coverage for spouse and dependents; however, they will be responsible for 50% of the cost.

Officers. Employees may elect health/dental coverage for spouse and dependents. They will be responsible for 0% of the cost.

When an employee terminates his/her employment with the company, he/she may be eligible to continue the plan coverage through COBRA. The terminated employee must pay the entire COBRA monthly premium amount prior to the 1st of the desired month of coverage, or the coverage will be terminated.

HSA- when the company is participating in a HSA Health Insurance plan, Phyxius will contribute \$50/month for eligible Direct Care Specialists. Phyxius will contribute \$125/month for eligible Program Leaders, Office Advisor Specialists, Assistant Directors, and Directors. This money is deposited directly into the employees HSA bank account and the employee is able to use it for medical related purchases.

**C. Holiday Pay**

As a Variable DCS, or Direct Care Specialist of Phyxius, you will be required to work on various holidays. V-DCS and DCS working a designated holiday will be paid time and a half for working on these days specified below. Program Leader, Office Advisor Variable, Office Advisor Specialist, Assistant Director and Director will not be required to regularly work on these holidays. They will be paid for 6 hours for each holiday and will get the holiday off with the exception of \* since those positions are not regularly scheduled after 6pm. Salaried employees will have the holiday off and will be credited for 8 hours towards their benefit requirements. Holidays are defined as the 24-hour period from midnight through midnight on the designated day, unless otherwise noted\*. Training is not approved on a holiday. If you choose to come in to train on a holiday you will be paid your regular wage and will be subject to disciplinary action.

Phyxius recognizes the following as holidays:

\*\*Your Birthday

Easter

Memorial Day

July 4th

Labor Day

Thanksgiving

\*Christmas Eve from 6 p.m. to Midnight

Christmas Day

\*New Year's Eve from 6 p.m. to Midnight

New Year's Day

Thanksgiving, Christmas Eve, Christmas Day, New Years Eve and New Years Day holiday shifts will be selected based on seniority. All Variable Direct Care and Direct Care Specialists will be numbered based on seniority with the company (DOH). A worksheet with the Holiday Shifts will be passed out for each employee to “Rank” their selections, “1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, etc. The Program Leader/Assistant Director will collect all worksheets by Oct 1<sup>st</sup> and assign shifts based on seniority. The schedule will be posted by Oct 31<sup>st</sup>. Shifts may be exchanged or picked up with the approval of your Program Leader. Cross trained employees will work their shifts at their home house.

\*\*You will be paid at a rate of time and a half for hours worked on your birthday up to six hours. Any hours over six will be paid at your regular wage rate.

**D. Paid Time Off Policy**

It is the intent of the company to provide Direct Care Specialists (DCS), Program Leaders, Office Advisor Specialists, Assistant Directors, Directors and Officers -with the Paid Time Off schedule he/she desires; however, due to the nature of our business, it is not always possible. Requests for Paid Time Off must be submitted prior to the Paid Time Off day/s requested to receive proper consideration.

All Direct Care Specialists (DCS), Program Leaders, Office Advisor Specialist, Assistant Directors, Directors and Officers -are eligible for Paid Time Off. Paid Time Off time starts accruing on the first paycheck that includes the 30<sup>th</sup> day at the above status. Employees will be allowed to accrue a total of Paid Time Off up to and including 100 hours. Employees will stop accruing PTO until their balance falls below the max of 100 hours.

Hourly staff need to be scheduled the minimum of 30 hours/ pay period to maintain their status and qualify for benefits. Paid Time Off hours may be used as needed and approved; however, if at the end of a pay period you fall short of your required number of hours (60 hours hourly staff, and 80 hours for salary staff) Paid Time Off may be used to get you to your required hours so you earn your benefits.

Paid Time Off days accrue based on the number of direct care hours the employee has worked as shown on the table below, or based on their job title:

**Direct Care Specialists & Program Leaders Paid Time Off Schedule**

| <b>Hours Worked</b> | <b>Accrual Per Pay period</b>    |
|---------------------|----------------------------------|
| 1                   | 1.50 hours                       |
| 1,000               | 2.25 hours (2.50 Program Leader) |
| 4,000               | 3.0 hours (3.25 Program Leader)  |
| 7,000               | 3.75 hours (4.0 Program Leader)  |

**Office Advisor Specialist Paid Time Off Schedule**

Accrual: 4.0 hrs./pay period

### **Assistant Directors Paid Time Off Schedule**

Accrual: 5.25 hrs./pay period

### **Directors Paid Time Off Schedule**

Accrual: 7.50 hrs./pay period

#### **E. Time Off Requests**

Hourly employees requesting time off are requested to do so prior to the schedule being posted. Time off requests occur via our online scheduling program Deputy. We will do our best to accommodate all requests; however, due to the hours we are open, it may not be possible to approve every request. You can't request time off for your scheduled weekend shifts, or holidays. The Program Leader will assist you to switch weekends/holidays or find another staff to cover your weekend/holiday. If attempts are unsuccessful, you are ultimately responsible to work the shifts.

#### **F. Hourly Employee Schedule Changes**

Shift changes/exchanges may need to be approved by the individual you report directly to (Program Leaders, Assistant Directors). Schedule changes/exchanges occur via our online scheduling program Deputy. Schedule changes/exchanges may only be approved Mon-Fri 9a-4p.

#### **G. Salary Employee Schedule Deviations**

All schedule deviations need to be pre-approved by the CEO/COO.

#### **H. Emergency After Hours On-Call**

Staff working at the home are empowered to make independent decisions to act in the best interest of the clients and the company. You are encouraged to work together as a team to problem solve and execute plans even in emergency situations. However, we recognize there are times when additional expertise may be required for emergency situations. In an effort to assist staff with emergency questions or concerns Emergency After Hours On-Call will be available. The Emergency After Hours On-Call is comprised of your co-workers, Program Leader, Assistant Directors, or Directors. While the Emergency After Hours On-Call may not physically respond to the house to assist with situations, they are available to answer questions and provide guidance. If an emergency occurs the staff/co-workers cannot assist with, staff should call the Program Leader first. If the Program Leader needs further assistance, they may contact on call Assistant Director/Director for that month. Also, guidance for handling many emergency situations can be found in the Client Policy book.

**I. 401K Policies**

The company provides for the benefit of the employees a 401k plan. The purpose of this plan is to provide employees a mechanism by which they can put away money for the future.

An employee becomes eligible to participate in this plan by satisfying all of the following requirements prior to the entry date (every July 1 and January 1):

1. The employee has been employed for one year.
2. The employee has completed and forwarded the appropriate enrollment forms to the Financial Director no later than seven days prior to the enrollment date.

401 K contributions made by the participant and safe harbor contributions made by the employer as well as any gains/losses attributed to these contributions are always retained 100% by the participant.

Phyxius has a 401K Plan with John Hancock. Phyxius matches 4% on your first 4%, 4.5% on your 5% contribution, and then 5% if you contribute 6% or more.

**J. Transportation**

The company provides a vehicle for each house for the transportation of clients, and to run other house errands that are necessary. Our insurance company may designate employees who are not allowed to drive based on your driving record. You will be notified by us if you are a “non-driver”. In the event of an emergency, a non-driver may drive so long as they aren’t in violation of state laws or call 911 for transport. **CLIENTS MUST NEVER BE TRANSPORTED IN YOUR PERSONAL VEHICLE WITHOUT PRIOR APPROVAL FROM Directors, COO/CEO and confirmation of insurance coverage.** Unapproved transportation of clients will lead to disciplinary action and/or immediate termination.

# EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

## Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

## Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

**\*The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

## Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

## Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months\*, and if at least 50 employees are employed by the employer within 75 miles.

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

## Definition of Serious Health Condition

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

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of

continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

## Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

## Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

## Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

## Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

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

## Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

## Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.**



For additional information:  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
**WWW.WAGEHOUR.DOL.GOV**

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



## IV. TERMINATION POLICY

### A. Employment Statement

Your employment with Phyxius is at will. Employees have the right to terminate their employment with the company for any reason at any time; likewise, the company has the right to terminate employees for any non-discriminatory reason at any time.

### B. Benefits Administration Upon Termination

It is the policy of the company to offer benefits to terminated employees on the following basis: Upon termination of employment for dismissal or resignation, the following benefits will be made available to him/her:

1. The terminated employee may continue that group insurance coverage as outlined in COBRA (Consolidated Omnibus Budget Reconciliation Act) at the employee's expense. During this period, the employee must pay the entire premium amount, and the company must receive the payment by the 1st of the month in which coverage is desired, or coverage will lapse.
2. The terminated employee is entitled to receive their 401K Plan according to the provisions of the plan.
3. Remaining Paid Time Off balances will be paid out on the last paycheck.
4. Employees resigning due to military service will be able to continue benefits as outlined under USERRA guidelines.

## V. EMPLOYEE RELATIONS POLICIES

### A. Smoking in the Workplace

Phyxius Inc. recognizes the hazards posed by exposure to second-hand tobacco smoke and strives to provide a healthful, safe, and comfortable work and living environment for all employees, visitors, and clients. Smoking is prohibited in all company-owned or leased homes, buildings, and vehicles.

Employees, visitors, and clients who wish to smoke must leave the buildings and use only designated areas outside which have appropriate smoking waste disposal receptacles. Employees are permitted to leave the building to smoke, one employee at a time, only during appropriate break times.

## **B. Harassment Policy**

Phyxius is dedicated to promoting a workplace, which is free from discrimination, harassment, and abusive behavior. Relationships within the organization are based on mutual respect and trust. Harassment and discrimination of employees in any form is prohibited. Sexual harassment is also against the law and will not be tolerated. While we make every effort to eliminate abusive and harassing behavior from our clients, this policy does not apply to them.

Specifically, no employee shall threaten or insinuate, either explicitly or implicitly, that another employee's refusal to submit to sexual advances will adversely affect that employee's employment, evaluation, wages, advancement, assigned duties, shift, or any other condition of employment or career development.

Other harassing conduct in the workplace, whether committed by supervisor or non-supervisory personnel, is prohibited. Such conduct may include, but is not limited to:

1. Unwelcome sexual remarks, jokes, advances, or propositions;
2. Verbal abuse, sexual in nature or otherwise;
3. Graphic verbal comments about an individual's body;
4. Sexually degrading words used to describe an individual;
5. The display in the workplace of sexually explicit objects or pictures;
6. Objectionable physical proximity or physical contact;
7. The deliberate or careless creation of an atmosphere of harassment or intimidation, sexual or otherwise.

Any employee who believes he/she has been the subject of harassment should:

1. Say clearly the first time the situation occurs, "I find your behavior offensive, stop it immediately," and
2. Report incidents of harassment without delay to one of the following individuals: the Program Leader, Assistant Director, Director, COO/CEO.

All complaints will be investigated promptly by the Assistant Directors/Directors, COO/CEO or their designee. Results of this investigation will be reported to the owners, along with a recommendation from the investigator. The Assistant Directors/Directors, COO/CEO will take whatever action is necessary and appropriate, up to and including termination. Retaliation, in any form, against the person or persons reporting instances of harassment is prohibited and will be dealt with severely.

Charges of harassment are serious, and Phyxius will treat such charges seriously.

**HARASSMENT OF EMPLOYEES WILL NOT BE TOLERATED.** This policy applies to all employees and visitors to Phyxius regardless of position and regardless of whether they are full- or part-time employees.

The full cooperation and assistance of all employees is expected. All employees should be careful to treat co-workers, subordinates, and supervisors with respect at all times. Any employee with questions regarding this policy should discuss the matter with the Program Leaders, Assistant Directors, Directors, COO or CEO.

### **C. Personal Relationship Agreement & Acknowledgment**

The purpose of this policy is to provide guidance to Phyxius staff regarding personal relationships within the company in order to avoid any actual or potential conflicts of interest or misuse of authority when the relationship occurs within a different job classification ex. (DCS, Program Leaders, Office Advisors, Assistant Directors, Directors, Officers). Personal relationships within same job classifications do not have any special agreements or acknowledgements. Contact your Program Leader, Assistant Directors, Director, COO/CEO to obtain a copy of the agreement if you have/will have a personal relationship outside of your job classification.

### **D. Health/Safety Policy**

Phyxius is committed to providing employees with the safest working conditions possible. The COVID-19 Preparedness, Response, Prevention Plan is updated as needed and located in OSHA book.

Internal safety will be continually monitored and evaluated to ensure the home/work environment is safe. Use Deputy to send details/pictures of any house safety concerns you find so they can be promptly addressed. Safety concerns will also be addressed for each location monthly at our staff meetings which are attended by all levels of employees/management.

First aid kits and emergency phone numbers will be readily available at each location.

1. Personal Protective Equipment (PPE)

PPE will be provided and required to be worn in all situations identified as areas of possible risk. See the OSHA book for more details.

2. Infection Control/Sanitary Practices

Employees caring for persons with disabilities may have exposure to body fluids, such as urine, feces, vomit, sputum, saliva, blood, and wound drainage. To minimize the transmission of communicable diseases, prevent infection, and, when possible, help ensure the optimum health for all clients and staff, it is imperative that all infection control and sanitary practices are followed as outlined in the Client Policy Manual.

3. Hepatitis B Vaccination

Hepatitis B vaccination information will be given to every employee at his or her initial orientation. Any employee working with a known carrier of hepatitis will be required to provide proof of hepatitis B vaccination prior to his/her first shift. Employees working with a known carrier of hepatitis who have not had the hepatitis B vaccination will be required to obtain the first shot of the vaccination prior to their first shift and complete the vaccination within the required timeframe. This will be paid for by Phyxius. Employees not working with a known carrier of hepatitis will not be required to have the hepatitis B vaccination.

## **E. Workers Compensation/Return to Work Policy**

If an employee becomes ill or injured as a result of a job-related accident, he/she is responsible to report it to the Program Leader within 24 hours of the accident or onset of illness. The employee is also responsible to complete all necessary documentation as outlined in the First Report of Injury folder at each location.

Stearns and Benton County homes are encouraged to seek treatment at the following locations:

1. After Hours CentraCare Urgency Center 320-229-5099
2. If Urgency Center is closed, then St. Cloud Hospital 320-251-2700

Employees have a responsibility to return to work at the earliest possible time, consistent with their health and safety. The company will actively seek to return injured employees covered by workers' compensation to productive work as soon as possible, in cooperation with the employee's physician or health care provider.

If necessary, a temporary job may be provided for the employee that is within his/her physical capabilities, consistent with company needs. Even working at partial capacity will assist fellow employees in completing the work. Efforts will be made to return the employee to his/her previous job whenever possible. The employee's Program Leader/Director will closely monitor his/her progress.

## **F. Mandatory Training/Certifications**

To successfully and competently perform all of the essential functions of the job, it is mandatory that all staff having contact with clients attain and maintain current training. The majority of Phyxius staff training occurs independently online through the STAR Services Learning Management System (LMS). At your new hire orientation, you will be sent an email to create your username and password to access the STAR LMS. Once logged in, you will have access to the trainings you are required to complete and pass at hire, annually and as needed. Below is a list of required training.

1. All Trainings assigned to you through the STAR Phyxius online LMS.
2. Medication Administration Part 2 demonstration
3. Therapeutic Intervention demonstration
4. First Aid
5. Prudent Parenting Standards
6. OSHA / COVID
7. Vehicle Training/Test
8. Read Client Specific Information
8. House File Orientation & Shadow Shifts
9. CPR (only if required in clients CSSP Addendum)
10. Client & Employee Policy Book
11. Any others deemed necessary

Phyxius will provide all training at no cost to the employee. The employee will be required to "start shift" and "end shift" via Deputy app when completing all training (both online and in person) so they can be paid appropriately. If the employee chooses to complete training on a

holiday, they will be paid their regular wage. Overtime is not approved. Please contact the Program Leader if training would cause overtime. Each online course is allotted an estimated time for completion. You may not be paid for time exceeding the allotted amount. If an employee does not successfully pass a required training, it is at the discretion of the company if they will be offered another opportunity to pass. If the employee doesn't complete or pass the trainings as assigned, they will not be able to perform the essential functions of the position and he/she may be removed from the schedule, potentially losing hours, until the training is completed and may be subject to disciplinary action including termination.

## **G. Dress Code**

In order to project a positive and professional business image to the community and family members of our clients, and to assure employee safety, employees are expected to dress in clothing that is appropriate for the work they do any time they are at the house.

The following is a general guideline of appropriate clothing. This list is not meant to be inclusive, and employees should dress appropriately for their job responsibilities or activities at all times

### Clothing Choices

While at work you need to maintain a clean, appropriate appearance. Shirts should not have low cut or revealing necklines, spaghetti straps, deep armholes or expose your stomach/back. Shorts can be no more than six inches from the knee. Skirts/dresses must have tight fitting shorts/capris under them to prevent exposure. Clothing that contains offensive, aggressive, or suggestive logos are not appropriate.

### Undergarments

Undergarments should be worn and should not be visible.

### Shoes

Personal safety and the need for mobility should be considered when determining appropriate shoe styles. You may be required to run, make quick maneuvers, work with a wheelchair, navigate stairs, experience inclement weather, etc. wear shoes you are comfortable with, and that allows you to perform the functions of your job.

### Accessories

Neck chains, bracelets, dangling earrings, other "grabbable" accessories, or items of great value to you are greatly discouraged from being worn. Wearing such items puts you at greater risk of injury or loss/damage of the accessory.

If any employee's attire is deemed inappropriate or hazardous the employee will be asked to leave the premises until they can return to work in appropriate attire. The employee will not be paid for time away. The Program Leader/Assistant Directors will document the situation.

## **H. Personnel Files**

Private personnel, benefit, and medical files will be maintained for each employee and will be located in the Phyxius main office. Only individuals with a need for access to private information will be allowed to view the file. The employee can view the contents of his/her file once every six months. To view the file, the employee must provide a written request to the Phyxius main office, which will then arrange a time for him/her to review the file in the Phyxius main office during normal business hours and within seven days of the request. All files will be reviewed in the presence of the Assistant Directors, Director, COO/CEO or other designated individual. Requests for copies of the file must be made in writing to the Assistant Director, Director, COO/CEO, may only be requested once every six months, and will be provided within seven days at no cost to the employee. The file may not be removed from the Assistant Director, Director, COO/CEO's office.

Previous employees may request to review or have a copy of their file once within one year of termination. All requests must be in writing. Copies will be provided within seven days at no cost to the previous employee.

If any current or former employee disputes any information in their personnel file the following may happen:

1. the employer and employee may agree to remove or revise the disputed information, or
2. If an agreement is not reached, the employee may submit a written statement specifically identifying the disputed information and explaining the employee's position. This statement may not exceed five written pages and will be included with the disputed information for as long as that information is maintained in the file. A copy of the statement will also be provided to any other person who receives a copy of the disputed information from the employer after the position statement is submitted.

The personnel file must be kept up to date with employees' personal information. Employees should inform the Office Advisors, Assistant Directors, Directors of any address, phone, name, W-4, or other vital information changes as soon as possible after the change.

Phyxius will not retaliate against any employee for exercising their personnel file rights.

Personnel files will be kept for seven years, or as required by law.

## **I. DHS State Background Checks**

All employees, independent contractors, consultants, and volunteers of Phyxius will be required to pass a State Background Study which includes fingerprinting conducted through the Minnesota Department of Human Services (DHS).

**J. Visitors in the Workplace**

To ensure confidentiality and proper care for our clients, individuals visiting employees are not allowed in the workplace. Any pet that visits must have prior approval and current vaccine record on file.

**K. Petty Cash/Credit Card Policy**

All employees will have access to petty cash for incidental needs around the home such as bread, milk, gas, entertainment, etc. Some employees will have a credit card if they are required to regularly purchase items for the house. In both instances, employees must provide a receipt with initials of the employee making the purchase and the name of the items purchased on it. Individuals with credit cards must follow procedures listed in the reimbursement policy to assure timely payment of the credit card bills.

Employees are never allowed to use credit cards or petty cash for personal reasons. Any use for personal reasons may be considered theft and can lead to immediate termination.

**L. Confidentiality**

All employees are required to understand and maintain client confidentiality. Both oral and written information is considered confidential. Files, staff notebooks, or any other possessions of Phyxius are not to be taken outside of the office/home without the Director, COO/CEO's approval. All employees will be required to understand and enforce all confidentiality practices related to HIPAA. Information regarding clients may not be discussed outside the facility. Violations of this policy may lead to immediate termination.

**M. Employee Disciplinary Policy**

For the benefit of employees and to promote quality performance at Phyxius, all employees must observe certain rules. As an employee you have the right to expect your co-workers to refrain from unacceptable behaviors. Some of the "inappropriate behaviors" which are seen to be contradictory to the best interests of the company and its employees includes, but is not limited to: stealing, lying, carelessness, drug/alcohol/chemical use, abusive language, insubordination, attendance problems, failure to follow to provide quality care to the clients, failure to have timely, respectful communication with the PL/Assistant Director/Director, etc. Continued poor employee performance may result in termination.

Each case will be considered on its own merit in relation to these standards.

Your employment with the company is at will. Employees have the right to terminate their employment with the company for any reason at any time; likewise, the company has the right to terminate employees for any non-discriminatory reason at any time.

**N. Attendance Policy**

As an employee of Phyxius Inc. you are expected to attend all of your shifts, and to report to work on time. This is important both to the success of Phyxius' clients and to the success of the programs. Failure to do so will result in disciplinary action, up to and including termination.

**O. Remote Work & Equipment/Property Security Policy**

Remote working allows select positions to work from home for all/part of their workweek. Remote working arrangements, equipment, duration and details are offered on a case-by-case basis at the COO/CEO discretion. Pre-approved, employee-owned equipment may be allowed on a case-by-case basis. If allowed, it will be maintained by the employee. Phyxius accepts no responsibility for damage or repairs to employee-owned equipment. Pre-approved employee-owned equipment will not be used to store or transmit confidential company data of any kind. Equipment purchased by Phyxius will be maintained by Phyxius and used for business purposes only. The employee will take necessary action to protect equipment from damage/theft and may be responsible for damaged/lost property. The employee is also responsible for maintaining paper documentation/files/books securely. No Phyxius property of any kind (electronics, files, books, etc.) should be left in vehicles or unattended in public. If it is necessary to have Phyxius property in a vehicle for a short time, it needs to be locked in the trunk. Upon termination of employment or within 24hrs of request from Phyxius, all Phyxius supplied equipment/property will be returned to Phyxius. All other Phyxius policies outlined in this Client & Employee Policy Book are maintained while working remote. Remote work in no way changes the conditions of employment with Phyxius.

**P. Job-Related Grievances**

Communication is a two-way process. All employees have the opportunity to voice concerns, make contributions, and be heard. While we make every effort to resolve job-related concerns between employees and/or Program Leaders, there are occasions when further action needs to be taken.

If an employee has a concern or grievance that cannot be resolved, he/she is encouraged to use the following steps to achieve a solution that works for both parties:

1. Bring the concern to the Program Leader. Since the Program Leader knows both employees best, he/she may be best able to provide assistance.
2. If the employee is uncomfortable bringing it to the Program Leader or is not satisfied with the resolution achieved, he/she can then bring the matter to the Assistant Directors or Directors attention.
3. If the employee is still not satisfied with the resolution achieved, he/she may bring the matter to the COO/CEO.

**Q. Driving Policy**

All employees hired will be designated as a driver or non-driver based on their MVR results and whether or not they are over 19. If an employee is a non-driver, he/she is not to drive company vehicles. In the event of an emergency, the employee may drive so long as they aren't in violation of state laws or call 911 for transport.

All employees designated as drivers (meaning they are 19 or older, have an acceptable MVR as defined below, and are approved by our insurance carrier) will be required to provide consistent and occasional transportation of clients. Employees who are under 19 with an acceptable MVR may be required to provide emergency transportation for clients only.

**MVR Standards**

Motor Vehicle Records (MVRs) will be checked periodically on all employees when driving is part of their job. The MVR will be reviewed to ascertain whether the employee holds a valid license, and the insurance carrier will review violations to determine if they are allowed to be a designated driver.

Employees must notify their Program Leader/Assistant Director immediately if their driving privileges are suspended or if an accident/violation has occurred.

**Seat Belts**

All individuals in the vehicle must wear seat belts whenever the vehicle is in motion.

**Securing Cargo**

Cargo will be secured and all doors locked while en route and while the vehicles are parked.

**Cell Phone**

Employees may not use cell phones (including hands free) or any other mobile electronic devices while operating a motor vehicle. This includes, but is not limited to, answering or making phone calls, reading or responding to e-mails and text messages, adjusting GPS, and accessing the internet.

These restrictions do not apply to calls made to report an emergency. In such cases, cautionary measures should be practiced.

Employees are required to:

- Consider turning off, putting on silent or vibrate wireless phones or other devices before starting the car.
- Pull over to a safe place and put the vehicle in "Park" if a call must be made or received while on the road, or to make adjustments to GPS.
- Consider modifying your voice mail greeting to indicate that you are unavailable to answer calls or return messages while driving.

Phyxius is concerned about the safety and well-being of its employees and clients. Violations of this policy will be considered serious and may result in discipline up to and including termination.