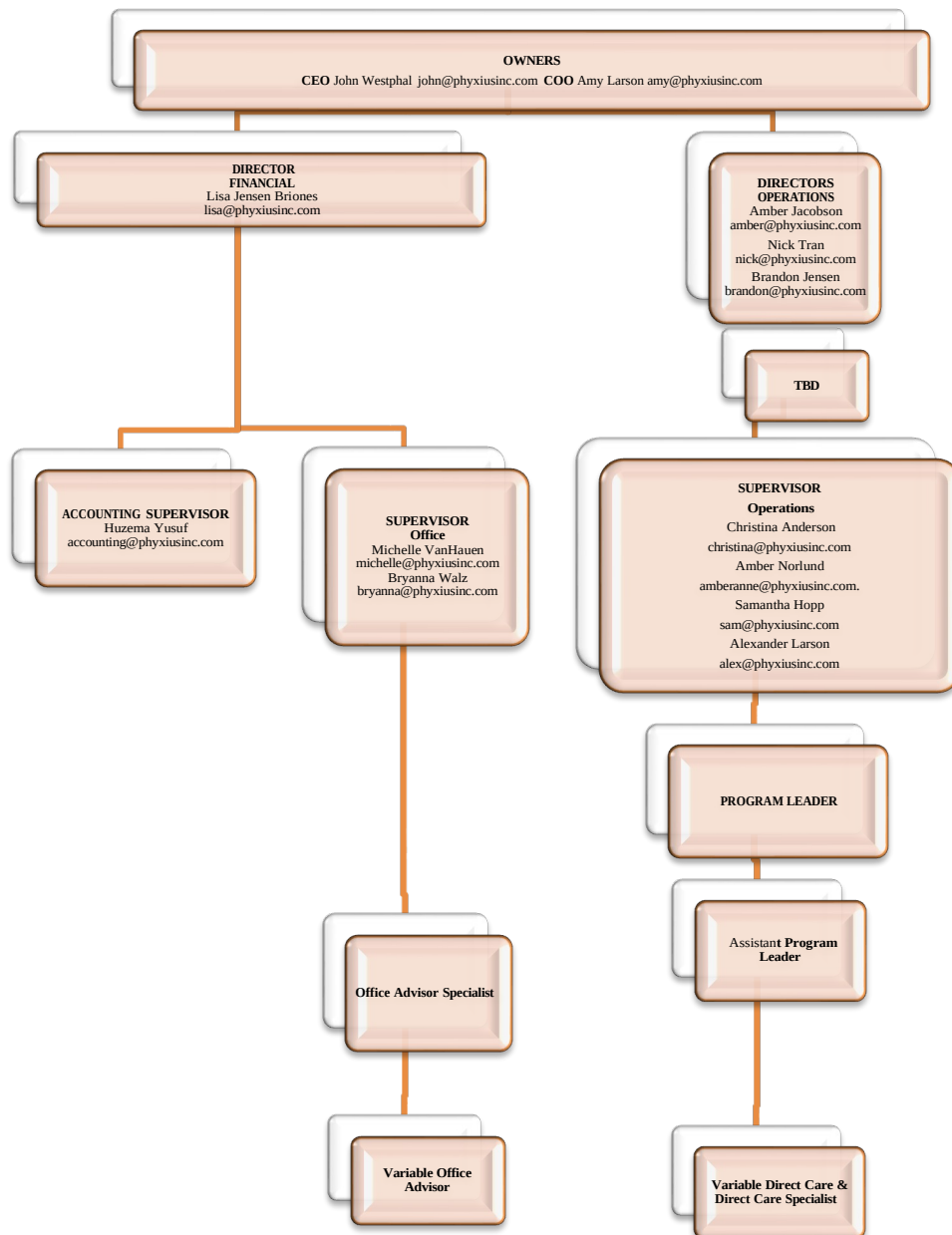


# PHYXIUS

## ORGANIZATIONAL CHART



# PHYXIUS INC.

## EMPLOYEE POLICY & PROCEDURES HANDBOOK

### Table of Contents

|                                                  |    |
|--------------------------------------------------|----|
| <b>Introduction</b>                              | 2  |
| Handbook Disclaimer                              | 2  |
| Employment Statement                             | 2  |
| Employability Policy                             | 2  |
| Equal Employment Opportunity                     | 2  |
| Definitions                                      | 3  |
| <b>Wage and Salary Policies</b>                  | 7  |
| Recording Hours of Work                          | 7  |
| Determination of Wages and Salaries              | 7  |
| Salary Actions                                   | 7  |
| Employee Wage Increase Policy                    | 8  |
| General Guidelines for Wage Increases            | 8  |
| Promotion Pay Policy                             | 9  |
| Transfer Pay Policy                              | 9  |
| Cross Training Policy                            | 9  |
| Demotion Pay Policy                              | 9  |
| Overtime Pay                                     | 10 |
| Pay Days                                         | 10 |
| Paycheck Deductions                              | 10 |
| Extra Hours                                      | 11 |
| Hire/Rehire Date                                 | 11 |
| Termination Date                                 | 11 |
| New Employee Evaluation Period                   | 11 |
| Work Week                                        | 11 |
| Rest Periods                                     | 11 |
| Meal Periods                                     | 12 |
| Daylight Savings Time                            | 12 |
| Schedule/Deputy                                  | 13 |
| <b>Benefits Policies</b>                         | 14 |
| Policy Statement                                 | 14 |
| Insurances                                       | 14 |
| Holiday Pay                                      | 15 |
| Safe Sick (ESST)/Paid Time Off (PTO) Policy      | 17 |
| Emergency After Hours On Call                    | 18 |
| 401K                                             | 19 |
| FMLA                                             | 20 |
| Employee Notice MN                               | 21 |
| <b>Termination Policies</b>                      | 22 |
| Employment Statement                             | 22 |
| Benefits Administration Upon Termination         | 22 |
| <b>Employee Relations Policies</b>               | 22 |
| Professional Conduct                             | 22 |
| Smoking in the Workplace                         | 22 |
| Violence & Harassment Policy                     | 23 |
| Personal Relationship Agreement & Acknowledgment | 24 |
| Health/Safety Policy                             | 24 |
| Investigation Policy                             | 25 |
| Workers' Compensation Return to Work Policy      | 25 |
| Mandatory Training/Certifications                | 26 |
| Meetings                                         | 26 |
| Dress Code/Personal Items                        | 27 |
| Personnel Files                                  | 27 |
| DHS State Background Checks                      | 28 |
| Visitors in the Workplace                        | 28 |
| Petty Cash/Credit Cards                          | 29 |
| Confidentiality & No Recording Policy            | 29 |
| Employee Disciplinary Policy                     | 30 |
| Attendance Policy                                | 31 |
| Remote Work/Equipment/Property Security Policy   | 31 |
| Personal Device Usage Policy                     | 32 |
| Internet Acceptable Use                          | 32 |
| Job-Related Grievances                           | 33 |
| Driving Policy/Transportation                    | 34 |

## **INTRODUCTION**

### **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 Employee Policy 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.

### **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.

### **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 eligibility to be employed lawfully in the U.S.

### **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, socioeconomic class, disability, protected genetic information, political affiliation, marital status, family responsibilities, sexual orientation, membership on a local human rights commission or any other non-merit based factor. 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 engage in the interactive process to determine effective and reasonable accommodation for qualified individuals with disabilities.

Any employee who believes they have been subject to a discriminatory action is encouraged to report the incident immediately to their Assistant Program Leader/Program Leader, Supervisor(Office/ Operations/Accounting), or Director. Upon receiving a report, the company will conduct a prompt, thorough, and impartial investigation. If violation is found, appropriate corrective action will be taken. Retaliation, in any form, against an individual who reports discrimination in good faith is prohibited and will result in disciplinary action, up to and including termination.

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.

## **DEFINITIONS**

Variable Direct Care Staff (V-DCS)- Hourly Variable Direct Care Staff are employees of Phyxius Inc. and are not assigned exclusively to a single location. They must be willing and able to work various shifts and may be required to provide care at multiple facilities based on company needs. Additionally, weekend and holiday shifts are mandatory for this position. Employees are expected to maintain flexibility in their availability to ensure consistent, high-quality care for clients. V-DCS are intended to be scheduled less than 30 hours per week. V-DCS directly report to the Assistant Program Leader/Program Leader/Supervisor(Office/Operations/Accounting)/Director. They are not entitled to health insurance, HSA, dental insurance, or life insurance. However, depending on their hours of service during the ACA look-back period, they may be eligible for health insurance. They are eligible for Paid Time Off/Safe & Sick Time per the policy.

### Direct Care Specialist (DCS)-Hourly

Direct Care Specialists DCS are employees of Phyxius Inc. and are not assigned exclusively to a single location. They must be willing and able to work various shifts and may be required to provide care at multiple facilities based on company needs. Additionally, weekend and holiday shifts are mandatory for this position. Employees are expected to maintain flexibility in their availability to ensure consistent, high-quality care for clients. DCS are select individuals designated by the Assistant Program Leader/Program Leader and may 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 Assistant Program Leader/Program Leader/Supervisor(Office/Operations/Accounting), /Director. They are entitled to health insurance, HSA, dental insurance, life insurance, & Paid Time Off/Safe & Sick Time per the policy.

### 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, or life insurance. However, depending on their hours of service during the ACA look-back period, they may be eligible for health insurance. They are eligible for Paid Time Off/Safe & Sick Time per the policy.

#### 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/Safe & Sick Time per the policy.

#### Assistant Program Leader (A-PL) -Hourly

Assistant Program Leaders are employees of Phyxius Inc. and are not assigned exclusively to a single location. They must be willing and able to work various shifts and may be required to provide care at multiple facilities. Employees are expected to maintain flexibility in their availability to ensure consistent, high-quality care for clients. A-PL's are select individuals designated by the Supervisor(Office/ Operations/Accounting),/Director that have more responsibilities than a Direct Care Staff. They may have the ability to hire/fire employees. They directly report to the Supervisor(Office/ Operations/Accounting) /Director. They are scheduled to regularly work Direct Care and Non-Direct Care 30-40 hours a week. The A-PL must be adaptable to varying schedules and willing to work occasional evenings, weekends, or holidays based on company needs. They are entitled to health insurance, HSA, dental insurance, life insurance, & Paid Time Off/Safe & Sick Time per the policy.

#### Program Leader (PL) -Hourly

Program Leaders are employees of Phyxius Inc. and are not assigned exclusively to a single location. They must be willing and able to work various shifts and may be required to provide care at multiple facilities. Employees are expected to maintain flexibility in their availability to ensure consistent, high-quality care for clients. PL's are select individuals designated by the Supervisor(Office/ Operations/Accounting), /Director that have more responsibilities than a Direct Care Staff. They have the ability to hire/fire employees. They directly report to the Supervisor(Office/ Operations/Accounting),/Director. They are scheduled to regularly work Direct Care and Non-Direct Care 30-40 hours a week. The Program Leader must be adaptable to varying schedules and willing to work occasional evenings, weekends, or holidays based on company needs. They are entitled to health insurance, HSA, dental insurance, life insurance, & Paid Time Off/Safe & Sick Time per the policy.

#### Supervisor (Operations or Office) -Hourly

Supervisor Operations are employees of Phyxius Inc. and are not assigned exclusively to a single location. They must be willing and able to work various shifts and may be required to

provide care at multiple facilities. Employees are expected to maintain flexibility in their availability to ensure consistent, high-quality care for clients. Supervisors must work M-F daytime hours and must be willing to respond and assist after hours and on weekends/holidays as needed to respond to emergency situations. Operations Supervisor must work some hours remote and will provide their own secure internet. Weekends and holidays are not regular expectations of this position, but supervisors may need to be available to respond to emergency situations.

are select individuals designated by Director, CEO/COO that have more responsibilities than a Program Leader. They have the ability to hire/fire employees. They directly report to the Director. 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/Safe & Sick Time per the policy.

#### Accounting Supervisor -PT Hourly

Accounting Supervisor are select individuals designated by the Financial Director, CEO/COO. They have the ability to hire/fire employees. They directly report to the Financial Director. They are scheduled to regularly work Mon-Fri up to 40 hours a week. They are generally not required to regularly work weekends or holidays. They are not entitled to health insurance, HSA, dental insurance, or life insurance. However, depending on their hours of service during the ACA look-back period, they may be eligible for health insurance. They are eligible for Paid Time Off/Safe & Sick Time per the policy.

#### Accounting Supervisor -FT Hourly

Accounting Supervisor are select individuals designated by the Financial Director, CEO/COO. They have the ability to hire/fire employees. They directly report to the Financial Director. 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/Safe & Sick Time per the policy.

#### Directors (Operations or Financial)-Salary Exempt

Directors must work M-F daytime hours and must be willing to respond and assist after hours and on weekends/holidays as needed to respond to emergency situations. 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 78 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/Safe & Sick Time per the policy.

#### Officers-Salary Exempt

The CEO and COO are owners of the company that oversee all operations of the company.

### 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.

### Hire (or Rehire) Date

The hire or rehire date is defined as the date the employee began working for the company.

### Termination Date

The termination date is defined as the last date the employee worked for the company.

### New Employee Evaluation Period

The new employee evaluation period is the first six months of employment.

### The Work Week

The workweek shall begin at 12:01 a.m. each Wednesday and continue until and including 12:00 midnight each Tuesday.

### 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/Safe & Sick Time and holiday pay hours shall not be included in the overtime calculation. Overtime hours are generally discouraged and must be authorized PRIOR to occurring by the Supervisor(Office/Operations/Accounting)/Director. Unapproved overtime will be paid per the above; however, the employee and/or the Assistant Program Leader/Program Leader/Supervisor may be subject to disciplinary action up to and including termination.

### Cross Trained Staff

Staff who have completed Cross Training Orientation and are fully trained at more than one location in the company.

### Home House

Your home house is the location where you are regularly scheduled to work your weekend shift.

## **WAGE AND SALARY POLICIES**

### **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 an 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 Assistant Program Leader/Program Leader/Supervisor(Office/ Operations/Accounting), Director if Deputy time clock is not accessible. In the event an employee forgets to punch in or out, they shall notify their Assistant Program Leader/Program Leader/Supervisor(Office/ Operations/Accounting), 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 Assistant Program Leader/Program Leader/Supervisor(Office/ Operations/Accounting), Director.

All timecards must be approved by a Assistant Program Leader/ Program Leader/Supervisor(Office/ Operations/Accounting), Director.

Employees are required to start shift and end shift inside the company home/office of their scheduled location or in an assigned community location (ex. grocery shopping). Aside from completing virtual training, or being approved for Remote work, employees may not punch in or out when they are not working inside the company home/office which can be verified by Deputy and/or other company employees.

Falsifying timecards, buddy punching, punching in/out when not inside the company home/office, etc. shall be subject to disciplinary action and/or termination. Please use Deputy whenever possible to notify/communicate with your Assistant Program Leader/ Program Leader/Supervisor(Office/ Operations/Accounting), Director.

### **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 their 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.

### **Salary Actions**

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

## **Employee Wage Increase Policy**

Wage increase shall be conducted per the General Guidelines for Wages 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.

## **General Guideline For Wages**

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

*Effective 12-04-2024*

### **Variable Direct Care Staff/Direct Care Specialists Base Wage:**

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.

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

Shift Differential: Base Wage + \$3/hr.

This shift differential is given due to the Tarasso client (MB), requiring a higher level of verbal and physical de-escalation skills and professional conduct. Only approved staff will be allowed to work hours at Tarasso. This shift differential applies only to hours worked directly with this client (not training or non-direct care hours), at Tarasso.

### **Kalimera, Kalinychta, Kalispera, Iota, Spiti, Theta & Delta Variable Direct Care Staff/Direct Care Specialists:**

Shift Differential: Base Wage + \$2/hr.

This shift differential is given due to the Kalimera, Kalinychta, Kalispera, Iota, Spiti, Theta & Delta specifically clients (RL), (MF), (EC), (KJ), (TC), (GV), (JV) (TBD Delta) requiring a higher level of verbal and physical de-escalation skills and professional conduct. Only approved staff will be allowed to work hours at Kalimera, Kalinychta, Kalispera, Iota, Spiti, Theta & Delta. This shift differential applies only to hours worked directly with this client (not training or non-direct care hours), at Kalimera, Kalinychta, Kalispera, Iota, Spiti, Theta & Delta.

### **Program Leader:**

Starting Wage: \$24.00

Additional raises based on hours served as a Program Leader. Every 2,000 hours worked as a PL earns a raise of \$1.00/hr. up to \$28.00/hr.

### **Assistant Program Leader:**

Starting Wage: \$22.00

Additional raises based on hours served as a Assistant Program Leader. Every 2,000 hours worked as an Assistant PL earns a raise of \$1.00/hr. up to \$26.00/hr.

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

**Office Advisor:** Wage: DOQ  
Each year = \$1.00 raise up to: \$26/hr.

**Supervisor(Office/ Operations/Accounting):** Wage: 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.

### **Promotion Pay Policy**

When an employee is promoted to a position of greater responsibility, their pay rate and/or benefits 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.

### **Transfer Pay Policy**

When an employee transfers locations/positions that involves the same/similar responsibility they will be paid per the General Guideline for Wages, depending on the location/position they are transferred into. The employee will retain the original anniversary date.

### **Cross Training Policy**

When an employee has been selected to cross train to another location they will be paid per the General Guideline for Wages above, depending on the location/position they are cross trained at. 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.

### **Demotion Pay Policy**

When an employee is assigned to a job requiring fewer skills, responsibilities, hours, qualifications etc. than their current role- whether this new assignment is by their personal request or management decision- their pay rate and benefits will be adjusted accordingly to the step they are on in the new position which may be a lower wage and/or benefits. The employee will retain the original anniversary date.

## **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 hours are generally discouraged and must be authorized PRIOR to occurring by the Supervisor(Office/Operations/Accounting), Director. Unapproved overtime will be paid per the above; however, the employee and/or the Assistant Program Leader/Program Leader/Supervisor may be subject to disciplinary action up to and including termination.

## **Pay Days**

Phyxius partners with ADP to process payroll. Staff will need to register their individual ADP accounts during orientation and will have access to personal payroll data and check stubs directly through ADP. Employees should examine their check stubs regularly to ensure accuracy.

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 1-2 pay periods before going into effect. You may receive a paper check during the processing period for Direct Deposit. 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 do not have direct deposit and are an inactive employee on a payday, your check will be mailed to the address we have on file for you or disbursed according to your instructions. If for any reason you require a replacement check, you may be subject to processing fees.

In the event a regular payday falls on a holiday, employees will be paid on the last business day before the regularly scheduled payday.

## **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.

### **Extra Hours**

It is Phyxius policy that employees must first obtain approval from their Assistant Program Leader/Program Leader/Supervisor(Office/ Operations/Accounting) to work extra hours for other employees, and only if they are “cross-trained” to qualified to provide services at the particular location.

### **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.

### **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.

### **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

### **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 Assistant Program Leader/ Program Leaders, Supervisors(Office/ Operations/Accounting) & Directors.

### **Rest Period**

Phyxius provides employees with a 20-minute paid rest period for every four hours of work. However, due to the nature of our business, it may not always be possible to take the full break at once. Employees are expected to take their rest periods during idle or downtime as operational needs allow. Employees must remain on the premises and be available to respond in an emergency at all times. Rest periods are not guaranteed and, if not taken, are forfeited. Rest periods cannot be combined with each other, lunch breaks, or banked for future use. If an employee wishes to leave their designated work area when no clients are on-site, they must obtain prior approval from their Assistant Program Leader/ Program Leader and punch out for the duration of the break.

### **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. Employees must remain on the premises and be available to respond in an emergency at all times. If an employee wishes to leave their designated work area when there are no clients on-site, they must obtain prior approval from their Assistant Program Leader/Program Leader and punch out for the duration of the break. Delivered food will not be permitted unless the clients and other employees will be invited to eat 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.

### **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 2am.

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 2am 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.

## **Schedule / Deputy**

Phyxius Inc. utilizes Deputy, an online scheduling system accessible via web and mobile app, to manage employee schedules and communication. Employees are expected to use Deputy professionally and responsibly in accordance with the following guidelines: **Scheduling**

**Responsibilities:** The Assistant Program Leader/Program Leader, Supervisor (Office/Operations/Accounting) or Director is responsible for creating and posting the schedule in Deputy. Employees will be notified of updates via email, text, or app notifications.

Employees must attend all scheduled shifts on time and remain onsite and punched in until their replacement arrives. If the next scheduled staff member does not arrive, employees are expected to stay until a replacement is found. Leaving a shift without proper coverage or for unauthorized meal/rest breaks is strictly prohibited. Employees must always maintain adequate supervision of clients. Examples include but are not limited to: sitting inside a personal vehicle, staying in an area with limited client access or removing oneself from both visual and auditory client supervision. Any of these actions are considered a serious safety concern. This may result in disciplinary action, including termination and a potential MN-DHS neglect investigation. Phyxius does not guarantee a set number of work hours, shifts, or a fixed schedule for any employee. Scheduling is determined based on the needs of the house, client requirements, employee performance, and flexibility. Priority scheduling is given to Program Leaders, Assistant Program Leaders, and Direct Care Specialists, who are expected to: Work a variety of shifts as needed, maintain a minimum of 30 hours per pay period and be available to work at one or more Phyxius locations. Schedules may fluctuate due to operational needs, and employees are expected to remain adaptable.

**Shift Changes & Time-Off Requests:** Employees must enter unavailability into Deputy in advance. While we strive to accommodate requests, staffing needs take priority, and adjustments may be necessary. Phyxius Inc. provides 24/7 client care; therefore, employees are responsible for their scheduled shifts, even if they fall outside of their preferred availability. Employees can swap, pick up, or offer shifts through Deputy; however, certain shift changes require prior approval from an Assistant Program Leader/ Program Leader, Supervisor, or Director. Last-minute shift requests may not be approved if leadership is not on duty. Time-off requests must be submitted via Deputy and will be reviewed and approved or denied in a timely manner by your Assistant Program Leader/ Program Leader and/or Operational Supervisor on Deputy. Requests for time off on popular days or when multiple employees request the same day off, can be reviewed in advance by your Assistant Program Leader/ Program Leader and/or Operational Supervisor on Deputy. Shifts will be scheduled/time off approved, on a first-come, first-served basis, with priority given to employees according to their seniority with the company (DOH). We encourage employees to submit time off requests as early as possible to allow for adequate scheduling and coverage. Shifts may be split, exchanged or picked up with the approval of your Assistant Program Leader/ Program Leader/Operational Supervisor. Communicate in advance with your co-workers and Assistant Program Leader/ Program Leader so we can work together to help each other out.

**Deputy Communication Expectations:** Deputy is a professional communication platform intended for collaborative work-related discussions. Employees must adhere to the Professional Conduct policy when using Deputy. Group messaging and posting in Deputy is not a forum for complaints. Employees with concerns should directly reach out to their supervisor for resolution. Inappropriate comments or posts may be removed at the discretion of leadership. Failure to adhere to any part of this policy may result in disciplinary action, up to and including termination

## BENEFITS POLICIES

### **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 their contributions to this organization and to provide for the well being of those employees. 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.

### **Insurances**

Variable Direct Care Staff, Variable Office Advisor, Accounting Supervisor PT: 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, Assistant Program Leader/ Program Leader, Office Advisor Specialist, Supervisor(Office/ Operations/Accounting FT), Directors, Officers: 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.

### **Employee HEALTH:**

The company shall pay 75% of the cost of individual health coverage for eligible Variable Direct Care Staff (V-DCS), Direct Care Specialists (DCS), Variable Office Advisor (V-OA), Accounting Supervisor PT

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

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

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

### **Dependents HEALTH & DENTAL:**

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, Assistant PL, Office Advisor Specialist (OAS), Supervisors(Office/ Operations/Accounting FT), 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 their employment with the company, they 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, Assistant Program Leaders, Office Advisor Specialists, Supervisor(Office/ Operations/Accounting FT). Directors will receive the individual contribution limit. This money is deposited directly into the employees HSA bank account and the employee is able to use it for medical related purchases. Employees need to be actively employed on the 20<sup>th</sup> of the month in order to receive the HSA contribution. There will be no retro pay for someone terminating employment prior to the 20<sup>th</sup> or starting employment following the 20<sup>th</sup>.

### **Holiday Pay**

Phyxius recognizes there are a variety of holidays that are important and personal to each one of us. In an effort to meet the 24/7 needs of our clients and reward ALL staff we have implemented the following holiday policy. Each year, everyone will get 2 "Flexible Staff Choice Holiday". These are days that YOU get to personally choose when to use them based on days that are important to you. In addition, each year, everyone will get the other holidays specified below. This allows us to provide a fair yet practical approach for all of our current and future staff. All further mention of "holidays" in this policy refers to what is specified below.

Phyxius recognizes the following as holidays:

- Flexible Staff Choice Holiday 1
- Flexible Staff Choice Holiday 2
- Memorial Day
- July 4th
- Labor Day
- Thanksgiving
- Christmas (6pm-11:59pm on Eve\* AND 12am-11:59pm on Day)
- New Year (6pm-11:59pm on Eve\* AND 12am-11:59pm on Day)

Logistics: We are open 24/7 therefore, as a Variable DCS, or Direct Care Specialist of Phyxius, you will be required to work on various holidays. V-DCS and DCS working on a holiday will be paid time and a half for working on these days. Staff will be responsible for indicating on their timecard comment section when they have worked one of their Flexible Staff Choice Holidays. This will need to be done by 8am on Wednesdays. Staff do not need to note on their timecards the other holidays listed. You are encouraged to use these Flexible Choice holidays only for days that are truly important to you, as you will be required to work on days that you are needed.

If you leave the company, you do not get paid out for unused holidays.

Staff will get their 2 Flexible Staff Choice holidays available to them on date of hire.

If you choose not to use your Flexible Staff Choice days by Dec 31<sup>st</sup> you will lose them. Jan 1 of next year, you get 2 Flexible Staff Choice days available for your use. This continues each year unless the policy is discontinued or modified. No holidays can be stacked for triple time. Training is not approved on a holiday. If you choose to come in and train on a holiday you will be paid your regular wage and will be subject to disciplinary action. Holidays are defined as the 24-hour period from midnight through midnight on the designated day, unless otherwise noted\*.

Program Leader, Assistant Program Leader, Office Advisor Variable, Office Advisor Specialist will not be required to regularly work on these holidays and they will be paid for 8 hours for each holiday with the exception of \* since those positions are not regularly scheduled after 6pm. All the above Logistics applies to this group as well.

Salaried employees, Supervisors(Office/Operations/Accounting PT/FT), will have the holiday off, including \* and will be paid for 8 hours for each holiday. All the above Logistics applies to this group as well.

All holiday shifts and/or popular days requested off or when multiple employees request the same day off, can be reviewed in advance by your Assistant Program Leader/ Program Leader and/or Operational Supervisor on Deputy. Shifts will be scheduled/time off approved, on a first-come, first-served basis, with priority given to employees according to their seniority with the company (DOH). Shifts may be split, exchanged or picked up with the approval of your Assistant Program Leader/Program Leader/Operational Supervisor. Communicate in advance with your co-workers and Assistant Program Leader/Program Leader so we can work together to help each other out.

## **Paid Time Off (PTO) Policy – Includes Earned Safe & Sick Time (ESST)**

**Accrual & Tracking:** Employees begin accruing PTO on their first day of employment according to the schedule below. PTO balances and usage can be accessed anytime via the ADP app or on paycheck earnings statements. Employees are responsible for tracking their balance to ensure they have sufficient hours for future PTO/ESST needs. The Phyxius PTO accrual year runs from January 1 – December 31. Earned PTO is paid at the same hourly rate as the shift for which the leave is being used.

**Use of PTO:** Employees may use accrued PTO when they are scheduled to work for the following reasons:

1. Personal Time, Vacation & all non-ESST Qualifying Events (requires advance notice – see request process below).
2. Earned Safe & Sick Time (ESST) Qualifying Events (requires advance notice if foreseeable – see request process below).

### **Requesting PTO Leave:**

#### Foreseeable:

- Employees must submit PTO requests 5 days in advance.
- Personal/Vacation time approval is based on scheduling needs per our Schedule/Deputy Policy.
- Holidays PTO requests are based per our Holiday Pay Policy.

### **OR**

#### Unforeseeable:

If the need for PTO is unforeseeable, employees must follow these steps:

- a) Call the House/Location to notify on-duty staff, as they will be responsible for coverage until coverage is found. Employees are encouraged—but not required—to assist in finding coverage.
- b) Call your Supervisor or Assistant Program Leader/ Program Leader ASAP and leave a voicemail including:
  - Your name and scheduled shift time/location.
  - A detailed reason for your absence.
  - Your expected return-to-work date.
  - Promptly return any phone call from your supervisor/ Assistant Program Leader/Program Leader.
- c) PTO may only be used for unforeseeable absences if they qualify as an ESST event or are otherwise approved under this policy.
- d) If PTO is used for more than three consecutive scheduled workdays, employees may be asked to provide a doctor's note, documentation, or a written statement confirming the leave was for an ESST-qualifying event.

**Accrual, Carryover, and Payout:** Unused PTO carries over into the next year. Unused PTO is not considered earned wages and will not be paid out upon termination, resignation, retirement, or other separation from Phyxius. Employees rehired within 180 days will have previously accrued but unused PTO reinstated. PTO is earned and used in increments as

small as one hour. If you reach the “Cap” you will stop accruing PTO until your balance falls below the Cap.

**Information:** Absences may still result in disciplinary action based on the circumstances, per the Attendance Policy, even if the call-in procedure was followed. Employees will not be disciplined or retaliated against for properly using ESST for a qualifying event. If an absence does not qualify for ESST or the employee has no available PTO, they may be subject to disciplinary action under the Attendance Policy. Assistant Program Leaders, Program Leaders, Supervisors (Office, Operations, Accounting), and Directors have the flexibility to adjust their schedules by adding or reducing work hours as needed, with supervisor approval. Given the unpredictable nature of their roles, including after-hours on-call emergencies, these employees will be scheduled for fewer than 40 hours per week. If desired, they may use PTO to supplement their hours and reach a total of 40 hours at the end of the workweek.

**Variable Direct Care Staff/Office Advisors/**

Hours Worked 30 =1.00 hour PTO up to 48 hrs/year. Cap of 80 hours.

**Direct Care Specialist**

Hours Worked 30 =1.50 hour PTO up to 97.5 hrs/year. Cap of 80 hours.

**Assistant Program Leader /Program Leaders**

Hours Worked 30 =1.75 hour PTO up to 104 hrs/year. Cap of 80 hours.

**Office Advisor Specialists**

Hours Worked 30 =1.75 hour PTO up to 104 hrs/year. Cap of 80 hours.

**Supervisors (Office, Operations, Accounting)**

Hours Worked 30 =2.00 hour PTO up to 117 hrs/year. Cap of 80 hours.

**Director**

Hours Worked 30 =2.75 hour PTO up to 195 hrs/year. Cap of 160 hours.

For any questions regarding payroll, deductions, or benefits, please contact the Office Advisor team. They are available to assist you.

### **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, Assistant Program Leader, Program Leader, Supervisors (Office/Operations/Accounting) or Directors. While the Emergency After Hours On-Call may not physically respond to the house to assist with situations as they are off-duty, they are available to answer questions and provide guidance in emergency situations. If an emergency occurs that the staff/co-workers cannot assist with, staff should call the Assistant Program Leader/Program Leader first. If the Assistant Program Leader/Program Leader needs further assistance, they may contact the on-

call Supervisor(Office/ Operations/Accounting) /Director for that month. Additionally, guidance for handling many emergency situations can be found in the Client Policy book.

### **401K Policies**

Phyxius partners with ADP to provide, 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:

1. The employee has been employed for one year.
2. The employee has completed and returned the appropriate forms to ADP 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 that matches 4% on your first 4%, 4.5% on your 5% contribution, and then 5% if you contribute 6% or more.

# EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE

## 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



## Nursing Mothers, Lactating Employees, and Pregnancy Accommodations employee notice

Minnesota's Nursing Mothers, Lactating Employees, and Pregnancy Accommodations law (Minnesota Statutes § 181.939) gives pregnant and lactating employees certain legal rights.

Pregnant employees have the right to request and receive reasonable accommodations, which may include, but are not limited to, more frequent or longer breaks, seating, limits to heavy lifting, temporary transfer to another position, temporary leave of absence or modification in work schedule or tasks. An employer cannot require an employee to take a leave or accept an accommodation.

Lactating employees have the right to reasonable paid break times to express milk at work unless they are expressing milk during a break that is not usually paid, such as a meal break. Employers should provide a clean, private and secure room that is not a bathroom near the work area that includes access to an electrical outlet for employees to express milk.

It is against the law for an employer to retaliate, or to take negative action, against a pregnant or lactating employee for exercising their rights under this law.

Employees who believe their rights have been violated under this law can contact the Minnesota Department of Labor and Industry's Labor Standards Division at [dli.laborstandards@state.mn.us](mailto:dli.laborstandards@state.mn.us) or 651-284-5075 for help. Employees also have the right to file a civil lawsuit for relief. For more information about this law, visit [dli.mn.gov/newparents](http://dli.mn.gov/newparents)

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## **TERMINATION POLICY**

### **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.

### **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. Employees resigning due to military service will be able to continue benefits as outlined under USERRA guidelines.

If a terminated employee (dismissal or resignation) is rehired, your hours worked starts over at zero hours.

## **EMPLOYEE RELATIONS POLICIES**

### **Professional Conduct**

Phyxius Inc. expects all employees to uphold the highest standards of professional conduct in the workplace. Employees must demonstrate integrity, responsibility, respect, honesty, diligence, courtesy, competence, skill, and maturity in their roles at all times. Maintaining professional behavior and communication is essential to fostering a positive living environment for our clients and a productive working environment for our employees. Failure to meet these expectations may result in disciplinary action, up to and including termination.

### **Smoking/Vaping in the Workplace**

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

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

## **Violence & Harassment Policy**

Phyxius is committed to fostering a workplace free from violence, harassment, discrimination, and inappropriate or abusive behavior from our employees. All employees and visitors at Phyxius, regardless of position or employment status, are expected to contribute to a safe and respectful workplace by treating co-workers, subordinates, and supervisors according to our Professional Conduct policy at all times.

We believe that relationships within our organization should be built on mutual respect and trust. Any form of violence, harassment, discrimination, or abuse towards employees is strictly prohibited. While we take all reasonable measures to prevent violence, discrimination, abuse, and harassment from our clients, this policy applies exclusively to employees.

Prohibited employee conduct in the workplace—whether committed by a supervisor or non-supervisory personnel includes, but is not limited to:

**Threats or Inappropriate Remarks** – Making threatening statements, unwelcome sexual comments, jokes, advances, or propositions.

**Verbal Abuse or Degrading Language** – Using abusive or degrading words to describe an individual, making unwelcome remarks about someone's body, or engaging in other offensive verbal conduct.

**Destruction of Property** – Intentionally damaging company property or the personal property of another employee.

**Weapons in the Workplace** – Possessing a weapon while working or using any object as a weapon.

**Endangering Others** – Engaging in verbal or physical conduct that disregards the safety or well-being of others, including intimidation or coercion.

**Aggressive or Hostile Behavior** – Acting out in a way that creates reasonable fear of harm, causes physical injury to another person, or involves inappropriate physical proximity or contact, whether sexual or otherwise.

**Inappropriate Displays** – Displaying sexually explicit or violent images in the workplace, or creating an atmosphere of violence, abuse, harassment, or intimidation.

**Abuse of Authority for Sexual Favors** – Threatening or insinuating, explicitly or implicitly, that an employee's refusal to submit to sexual advances will negatively impact their job, wages, advancement, duties, or shifts.

**Indecent Exposure** – Exposing private areas of the body while at work, whether sexual in nature or otherwise.

If an employee experiences or witnesses this should take the following steps:

**1. Address the Behavior Immediately**– Clearly state, "STOP immediately," and remove themselves from the immediate area. Some individuals may not realize their words or actions are inappropriate or unwelcome, so addressing the behavior right away provides an opportunity for correction. If the behavior continues or the employee feels unsafe doing so, they should proceed with reporting the incident.

**2. Report the Incident** – Employees should report any incidents as soon as possible to one of the following individuals Assistant Program Leader/ Program Leader, Supervisor (Office/Operations/Accounting) or Director.

All allegations are serious, and we will ensure that complaints are handled promptly and with professionalism. Complaints will be investigated by the appropriate Supervisor, Director, or their designated representative. The full cooperation and assistance of all employees is expected. Phyxius will take all necessary and appropriate actions based on the findings of the investigation, up to and including termination of employment. Phyxius recognizes that false accusations can be damaging to individuals and the workplace. Any employee found to have knowingly made a false allegation will be subject to disciplinary action, up to and including termination. Retaliation against any employee who reports in good faith is strictly prohibited and will result in disciplinary action, up to and including termination.

### **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, Assistant Program Leader/Program Leaders, Office Advisors, Supervisors(Office/Operations/Accounting), Directors, Officers). Personal relationships within same job classifications do not have any special agreements or acknowledgements. Contact your Assistant Program Leader/Program Leader, Supervisor (Office/Operations/Accounting), Director, COO/CEO to obtain a copy of the agreement if you have/will have a personal relationship outside of your job classification.

### **Health/Safety Policy**

Phyxius is committed to providing employees with the safest working conditions possible. The ERTK, AWAIR, Safety Committee and 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. Health/Safety concerns will also be addressed in our Safety Committee meetings as well as at house team meetings which are attended by multiple levels of employees and management. Retaliation, in any form, against an individual who reports a health/safety concern in good faith is prohibited and will result in disciplinary action, up to and including termination.

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 their 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.

**Investigation Policy**

Employees may be removed from the schedule without pay pending an investigation related to client, employee or workplace matters. Failure to provide truthful information, withholding details, or refusing to participate in the investigation may result in disciplinary action, up to and including termination.

**Workers Compensation/Return to Work Policy**

If an employee becomes ill or injured as a result of a job-related accident, they are responsible to report it to the Assistant Program Leader/ 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 their 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 their previous job whenever possible. The employee's Assistant Program Leader/Program Leader/ Supervisor(Office/ Operations/Accounting),/Director will closely monitor their progress.

## **Mandatory Training/Certifications**

To ensure all employees can competently perform the essential functions of their roles, Phyxius Inc. requires staff to attain and maintain current training. The majority of training is conducted independently online through the STAR Services Learning Management System (LMS). During new hire orientation, employees will receive an email with instructions to create a STAR LMS username and password. Once logged in, employees will have access to all required training, which must be completed and passed within 60 days of hire, and subsequently on an annual or as-needed basis.

### **Required Training:**

1. All courses assigned through the STAR Phyxius LMS
2. Medication Administration Part 2 – Class & Demonstration
3. Therapeutic Intervention – Demonstration & Refreshers
4. First Aid
5. Prudent Parenting Standards
6. OSHA / COVID Training
7. Vehicle Training & Test
8. Client-Specific Information Review
9. House File Orientation & Shadow Shifts
10. CPR (If required in the client's CSSP Addendum)
11. Client & Employee Policy Book
12. Team Meetings
13. Any additional training deemed necessary by Phyxius Inc.

Phyxius Inc. provides all required training at no cost to employees. Employees must “start shift” and “end shift” in the Deputy app when completing training (both online and in person) to ensure proper payment. Training completed on a holiday will be paid at the employee’s regular base wage. Overtime is not approved for training. Employees must contact their Assistant Program Leader/ Program Leader in advance if training may result in overtime. Each online course has a designated estimated completion time. Employees may not be paid for time exceeding the allotted duration. Training is considered a scheduled shift; timely attendance is required.

Failure to attend, complete, or successfully pass required training may prevent the employee from performing essential job functions. The company reserves the right to determine whether the employee will be given another opportunity to complete the training. Employees who do not meet training requirements may be removed from the schedule, lose hours, and/or face disciplinary action, up to and including termination.

## **Meetings**

As part of Phyxius Inc.’s ongoing training program, periodic team meetings are mandatory. Meetings will typically be conducted via Zoom, unless physical attendance is required (e.g., full-speed Therapeutic Intervention refresher). Meeting dates and times will be communicated

through Deputy. Employees must punch in and out on Deputy for all meetings to ensure proper compensation. Employees must turn on their cameras during Zoom meetings so their faces are visible to confirm participation. If an employee is working at a Phyxius facility during a Zoom meeting, they must inform their Assistant Program Leader/ Program Leader/Supervisor in advance. Permission may be granted to join from a personal device. To

employees must use headphones if they are in a non-private location. If an employee is unable to attend due to school, another job, or Paid Time Off (PTO), they must notify their Assistant Program Leader/ Program Leader/Supervisor (Office, Operations, or Accounting) in advance. The company reserves the right to determine whether an employee will be allowed to review the material and complete the training at a later time. Failure to participate in required meetings and training may result in removal from the schedule, loss of hours, and/or disciplinary action, up to and including termination.

### **Dress Code/Personal Items**

Phyxius is committed to maintaining a professional, safe, and appropriate work environment for employees, clients, families, and the community. Employees are expected to wear work-appropriate attire that aligns with their job responsibilities while ensuring personal safety at all times. If an employee's attire is deemed inappropriate or hazardous, they may be required to leave the premises until they can return to work in appropriate attire. They will not be paid for time away. Failure to follow this policy may jeopardize your safety, as well as the safety of clients and coworkers, and may result in removal from the schedule, loss of hours, and/or disciplinary action, up to and including termination.

**Clothing:** Employees should maintain a clean, professional appearance while at work. Shirts should not have low-cut or revealing necklines, spaghetti straps, deep armholes, or expose the stomach/back. Shorts should be no more than six inches above the knee.

Skirts and dresses must be worn with tight-fitting shorts or capris underneath to prevent exposure. Clothing with offensive, aggressive, or suggestive logos is not permitted. Proper undergarments must be worn and should not be visible. All employees are encouraged to keep an extra set of clothing with them in case of need, such as if their clothing becomes soiled, damaged or otherwise unusable.

**Shoes & Footwear:** Employees should wear shoes that prioritize safety and mobility, as job duties may require running, quick maneuvers, working with wheelchairs, navigating stairs, or handling inclement weather. Flip-flops and slides are not permitted.

Employees should wear closed-toe shoes that allow them to perform their job safely and effectively.

**Accessories & Personal Items:** For safety reasons, employees should avoid wearing items that could pose a hazard, including, neck chains, bracelets, dangling earrings, or other "grabbable" accessories. Cell phones, glasses, watches, or other valuable personal items that could be lost, damaged, or create distractions. Phyxius will not repair, replace, or reimburse for any lost, stolen, or damaged personal items, including clothing and accessories.

### **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 employees 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 employee to review the file in the Phyxius main office during normal business hours and within seven days of the request. All files may be reviewed in the presence of the Supervisor(Office/ Operations/Accounting), Director or other designated individual. Requests for copies of the file must be made in writing

to the Supervisor(Office/ Operations/Accounting), Director 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 Supervisor(Office/ Operations/Accounting), 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, Supervisor(Office/ Operations/Accounting), 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.

### **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).

### **Visitors in the Workplace**

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

### **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 below to assure timely payment of the credit card bills.

- Get a receipt from every transaction.
- Take a picture of the receipt and send it to your Assistant Program Leader/ Program Leader. Then put the receipt in the "Financial Book" at your house.
- Record the transaction on the Monthly Budget Ledger as well as your Credit Card Log.
- Turn in your receipts and credit card log to the main office/ Assistant Program Leader/Program Leader on the 1<sup>st</sup> and 15<sup>th</sup> of each month.

Employees are never allowed to use credit cards or petty cash for personal reasons and must provide a receipt for every transaction. Missing receipts and/or use for personal reasons may be considered theft and can lead to immediate termination.

### **Confidentiality & No Recording Policy**

Phyxius Inc. is committed to maintaining the privacy and confidentiality of clients, employees, and workplace activities. All employees are required to understand, uphold, and enforce confidentiality practices, including those related to HIPAA regulations. **Confidential**

**Information:** All client, employee or workplace information is considered confidential. Files, electronic devices, calendars, staff notebooks, or any other company materials may not be removed from the office/home without written approval from the Director, COO, or CEO.

**Personal Possessions:** Employees may not retain any personal possessions containing work-related information (including photos or videos). Any such materials discovered must be permanently deleted or destroyed. **No Recording:** Employees are strictly prohibited from taking video or audio recordings of clients, employees, or workplace activities at any time—inside or outside of work, or when off duty. The only exception is if a supervisor has given explicit permission to record for the purpose of providing evidence related to a policy or procedural concern, or to protect the health and safety of a client or staff member. Any violations of this policy may lead to immediate termination.

## **Employee Disciplinary Policy**

At Phyxius, we are committed to fostering a professional, respectful, and high-performing workplace. To ensure the well-being of our clients and the success of our team, all employees are expected to uphold the highest standards of conduct and performance. As an employee, you have the right to work in an environment free from disruptive or inappropriate behaviors.

Likewise, you are responsible for maintaining professional conduct at all times. The following actions, while not exhaustive, are considered contrary to the best interests of our clients, company, and employees:

- Theft, dishonesty, or fraudulent behavior.
- Workplace gossip, spreading rumors, or causing unnecessary conflict.
- Failure to actively engage with clients or fulfill job responsibilities.
- Carelessness, neglect, or failure to provide quality care.
- Physical altercations, threats, or any form of workplace violence.
- Substance use (drugs, alcohol, or chemicals) that impairs performance.
- Abusive, disrespectful, or inappropriate language.
- Excessive or inappropriate personal device usage during work hours.
- Insubordination or failure to follow reasonable directives from supervisors.
- Attendance issues, including tardiness.
- Failure to communicate with supervisors in a timely and professional manner.
- Failure to follow the Employee Policy Book and/or the Client Policy Book.

Violations of these standards, as well as any other behaviors that negatively impact clients, coworkers, or company operations, may result in disciplinary action up to and including termination. Each situation will be reviewed on a case-by-case basis.

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.

## **Attendance Policy**

Phyxius Inc. relies on employees to be punctual and dependable to ensure quality care and a safe, supportive environment for our clients. **Employees are expected to report to work on time and as scheduled for all assigned shifts.** Absences, tardiness, or failure to follow call-in procedures may result in disciplinary action, up to and including termination.

### **Call-In Procedure for Absences**

If you are unable to report to work, you must follow these steps:

1. Call the House/Location to notify staff that are working at the location, as they will be stuck on shift. This allows immediate work to begin to finding coverage. Please make every effort to help find coverage for your shift by contacting available coworkers.

AND

2. Call your supervisor or Assistant Program Leader/ ASAP and leave them a voicemail with the following information:

- Your name and scheduled shift time/location.
- A detailed reason for your absence.
- Your expected return-to-work date.
- Promptly return any phone call from your supervisor/ Assistant Program

Leader/Program Leader.

### **Call-In Procedure Tardiness**

If you will be late to work, you must follow these steps:

1. Make a Deputy post to the House/Location to notify staff that are working at the location, as they will be stuck on shift until you arrive.

**No-Call, No-Show:** Failure to report to work without notifying your supervisor/ Assistant Program Leader/Program Leader & the House/Location prior to the start of your shift may be considered job abandonment and may result in immediate termination.

Following the Call-In procedure does not “excuse” or automatically approve your absence or tardiness. Absences or tardiness may still result in disciplinary action, up to and including termination, based on the circumstances. It’s your responsibility to ensure your absence/tardy is properly communicated and managed to avoid disruption to your team and

## **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 Director, 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 owned by Phyxius will be maintained by Phyxius and used for business purposes only. At a minimum, they will be connected to a secure, password protected WiFi network. All communications and data are owned by Phyxius and may be monitored at any time without notice. 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 accessible to any non-authorized person or left in vehicles or unattended in public. Passwords must be stored in a secure manner. 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. Knowledge about Phyxius information systems gained during employment are confidential and confidentiality must be maintained after employment ends. All other Phyxius policies outlined in this Client & Employee Policy Book are maintained while working remote. Remote work is in no way changes the conditions of employment with Phyxius.

### **Personal Device Usage Policy**

While on shift, employees of Phyxius Inc. are expected to be fully engaged in their work and the care of clients. The use of cell phones, iPads, laptops, or other personal electronic devices is strictly prohibited when clients are home and awake or when there are job-related tasks to be completed, including but not limited to: cleaning and maintaining the home, yard, or vehicle, meal preparation, snow/ice removal or gardening, reading client charts or completing documentation. Employees are paid to work, which includes actively engaging with clients, offering activities, and ensuring a clean, organized, and safe environment. Failure to comply with this policy may result in disciplinary action, up to and including termination.

### **Internet Acceptable Use Policy**

The use of Phyxius internet and or computer/i-pad is a privilege and inappropriate use may result in disciplinary action up to and including termination.

Examples of Inappropriate Internet Usage that is not permitted includes, but is not limited to:

- Download/upload obscene, offensive or illegal material, movies, music and other copyrighted material and software.
- Visit potentially dangerous websites that can compromise the safety of our network.
- Perform unauthorized or illegal actions, like hacking, fraud, buying/selling illegal goods.

You are responsible for your online actions and the consequences of it. We won't assume any responsibility if you commit a violation, or devices are infected by malicious software or if personal data is compromised because of inappropriate internet use. Violations of the regulations may constitute a criminal offense. Should you commit any violation appropriate legal action may be initiated.

## **Job-Related Communication and Grievances**

At Phyxius Inc., we value open communication and encourage all employees to voice concerns and contribute ideas to enhance our workplace. Communication is a two-way process, and we expect all interactions to adhere to the standards outlined in our Professional Conduct Policy as well as all other Employee Policies. We ask that employees communicate their concerns and contributions in a professional, respectful manner, and whenever possible, address issues directly with the involved parties. Most workplace concerns can be effectively resolved through open and constructive communication.

A Formal Grievance should be reserved for serious issues, such as violations of any of our Phyxius Inc. Employee Policies or Client Policies.

### **Step 1: Informal Resolution**

Whenever possible, employees are encouraged to address concerns directly with the involved party in a respectful and professional manner. Open communication often helps resolve many workplace issues. If resolution cannot be reached independently, employees are encouraged to follow these steps to seek a solution that works for both parties.

### **Step 2: Reporting a Formal Grievance**

If the issue remains unresolved after informal attempts, employees may submit a Formal Grievance in writing to their Assistant Program Leader/Program Leader or direct supervisor. Since these individuals are familiar with the parties involved, they are often best positioned to assist. The written grievance should include:

- A detailed description of the issue, including dates and names of those involved.
- Steps taken to resolve the matter informally.
- The desired resolution or outcome.

If the grievance involves the Assistant Program Leader/Program Leader or direct supervisor, the complaint may be submitted to the next level of management, such as the Supervisor (Operations/Office/Accounting).

### **Step 3: Investigation**

Upon receiving a formal grievance, Phyxius Inc. will conduct a thorough and impartial investigation, which may involve interviews with relevant parties and the review of documentation. All employees involved are expected to cooperate fully in the investigation. Failure to provide accurate information, withholding details, or refusing to participate may result in disciplinary action, including termination.

### **Step 4: Resolution**

Once the investigation is completed, a decision will be communicated to the employee. While we aim to resolve grievances promptly, more complex matters may require additional time. If an employee feels the grievance has not been adequately addressed, they may escalate the matter to the Director for final review.

Please note that failure to follow this grievance procedure or to participate in mediation or other proposed solutions may impact the ability to resolve the issue effectively. All grievances must be conducted in accordance with our Professional Conduct Policy as well as all other Employee Policies and handled responsibly and professionally.

## **Driving Policy/Transportation**

Phyxius Inc. is committed to ensuring the safety of our employees, clients, and the general public. This policy outlines the requirements and expectations for employees who operate vehicles for work-related purposes. Employees designated as Drivers are expected to drive as part of their job duties, as we provide consistent and occasional transportation for our clients. Employees who are not designated as drivers may have reduced work hours, as many shifts require the ability to transport clients. Due to the nature of the job, Program Leaders, Assistant Program Leader, Supervisors (Office/Operations/Accounting), and Directors are required to be designated as Drivers.

Employees may only be **Designated a Driver** if they are approved and meet the following criteria:

- Be at least 19 years of age.
- Possess a valid driver's license issued by the state in which they reside and have given a copy of it to the Phyxius Office.
- Undergo periodic Motor Vehicle Record (MVR) checks, as driving is a job requirement. MVRs will be reviewed to confirm a valid license, and the insurance provider will assess any violations to determine eligibility as a designated Driver.
- Maintain a clean driving record in accordance with the standards set by our insurance provider.
- Have completed and passed both a Phyxius Written and Driving test.

Phyxius Inc. provides company vehicles for transporting clients and running company-related errands while on duty. Clients must never be transported in a personal vehicle without prior approval from a Director/COO/CEO, along with confirmation of your personal insurance coverage.

Program Leaders, Assistant Program Leader, Office Advisors, Supervisors (Office/Operations/Accounting) and Directors should use company vehicles while on the clock whenever possible. Employees in these roles may drive personal vehicles while on the clock only if:

- They have received prior authorization from their supervisor.
- They have provided a current auto insurance card to the Financial Director.

**Vehicle Safety & Expectations:** Employees must operate vehicles safely, lawfully, and responsibly at all times. Distracted driving (e.g., texting, using a phone without hands-free technology) is strictly prohibited. Seatbelt use is mandatory for all passengers. Employees must report any vehicle malfunctions, damages, or concerns immediately to management.

**Accident & Incident Reporting:** In the event of an accident, employees must ensure the safety of all passengers. Call 911 if there are injuries or significant vehicle damage. Notify their supervisor immediately after ensuring personal safety. Fully cooperate with all internal and external accident reports and investigations.

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.