Note: UCERA has three categories of employees: 1) exempt (salaried, without an individual contract); 2) non-exempt (hourly); and, 3) employees with an individual contract, such as a Practitioner Employment Agreement (PEA). The benefits listed in this handbook refer to those for exempt (without contract) and non-exempt employees. For employees with contracts, the benefits stated in the contract supersede the handbook. On issues and benefits where the contract is silent, the employee handbook applies.
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WELCOME MESSAGE

Dear Employee:

Our warmest Aloha and welcome to University Clinical, Education & Research Associates (UCERA). We are pleased to have you with us. We have the good fortune of working for a company whose work is meaningful and greatly needed. Our efforts support high quality and compassionate medical care in a teaching environment. As such, we contribute to the education of the next generation of physicians and other health care providers. Many of our clinical services provide care in locations or in specialties where such care would otherwise be lacking. Our work supports the medical care of our families, friends and neighbors in many settings, such as outpatient clinics, ambulatory care, hospital inpatient care, home care, nursing homes, care homes and care at home. We primarily support the clinical practice of the faculty of the John A. Burns School of Medicine of the University of Hawaii at Manoa and share with the school a mission to serve the needs of patients, students, trainees, and the community.

Knowledgeable and motivated employees are important to our success, and for this reason we are pleased to provide you with the information you need to be successful in your job. We are pleased you have chosen to join UCERA. We know that there are many places where you could choose to work and we want UCERA to be an employer of choice. We are proud of having excellent employee relations and work very diligently to make employees feel comfortable in a safe, healthy, productive, equitable and ethical environment.

This handbook describes UCERA’s current guidelines and procedures and explains some of the principles behind them. To keep these guidelines and procedures current, some or all of them may change from time to time. Changes and updates may be posted on the UCERA Intranet. However, it is important to remember that the guidelines and procedures described in this Handbook can only be changed or modified with the written approval of the Chief Executive Officer. Please note that this booklet is not a contract and UCERA has the right to modify, suspend or terminate any or all plans, policies or procedures at any time with or without notice. You should read this handbook carefully, refer to the UCERA Intranet site and with Human Resources when you have questions, retain it for future reference, and ask questions about anything that you do not understand.

Your employment at-will relationship is not altered by this handbook. This means that you may quit, or the Company may terminate your employment at any time with or without notice or cause. The handbook does not constitute an employment contract, but rather is intended to provide guidelines about our general rules and policies and to provide answers to commonly-asked questions. We have the right at any time to add to, revise, or eliminate these policies with or without notice. Such changes will only be made upon the Chief Executive Officer’s written approval.

If you have any suggestions or comments about any UCERA guideline or procedure, we encourage you to share them with us. Working together and communicating freely with your supervisor will help to build a good relationship and ensure the success of our organization.
Thank you for joining University Clinical, Education & Research Associates and welcome aboard! We wish to say mahalo nui loa to the UCERA o‘hana, faculty and staff, for their commitment to our missions of healing, teaching, discovery and service.

Sincerely,

Roy Magnusson, M.D. MS
Chief Executive Officer/Chief Medical Officer

Notice: Since business judgments and needs may change from time to time, the policies described herein are offered as guidelines reflecting current policies and are not intended to and do not create a contract between you and UCERA. Accordingly, UCERA has the right to change or delete any policy, practice or benefit (including benefits for which an employee is eligible but not yet entitled to be paid) at any time, with or without notice.

This handbook supersedes, replaces and cancels all prior handbooks.
I. ABOUT UCERA

In 1993, University Clinical, Education and Research Associates (UCERA) was created to support the missions of the University of Hawaii’s John A. Burns School of Medicine. Today we also support clinical teaching and research activities within the UH School of Nursing and Dental Hygiene and the UH Cancer Center.

By providing the staff, expertise and organizational infrastructure necessary to support the clinical activities of our university doctors, advanced practice nurses, and psychologists, we facilitate the delivery of outstanding clinical care and create capacity to train the future health care workforce for Hawaii. Clinical research conducted in our training sites is constantly improving our ability to diagnose and treat health issues that most commonly impact the population of Hawaii and the Pacific.

Our clinical teaching and research programs span the breadth of medicine and include both primary and specialty care. We support the clinical departments of the UH health sciences including family medicine, internal medicine, surgery, obstetrics, gynecology, geriatrics, pediatrics, hyperbaric medicine, speech therapy, psychiatry, psychology, and Native Hawaiian Health.
II. EMPLOYMENT PRACTICES

A. Management Rights

Supervisors and department heads are responsible for the day-to-day management of UCERA so that we can accomplish our goals and thereby enhance all of our services and employment opportunities. Therefore, UCERA's management representatives have all the normal and customary rights of management, such as the right to supervise and control all operations; direct all work; interpret, change or cancel all organization guidelines, policies and procedures at any time with or without notice, provided each change is authorized in writing by UCERA’s Chief Executive Officer or designated representative; and in its discretion to hire, schedule, fire, layoff, transfer, promote, reward, discipline or otherwise deal with its employees and select the manner, method, and means of production. These rights are not limited or waived by any provision in this Employee Handbook or any other statements or documents. The supervisor, Department Head and Human Resources staff members are always available to answer any questions regarding UCERA business and employment guidelines, policies and procedures.

B. Equal Employment Opportunity

UCERA seeks to employ the best qualified individuals and to provide them with opportunity for advancement, where possible. All personnel policies and practices are administered in a manner which does not discriminate against any employee or applicants for employment, pursuant to applicable law because of race, color, religion, sex (including gender identity or expression), age, national origin, ancestry, marital status, disability, sexual orientation, military/veteran status, citizenship, assignment of income for child support obligation, genetic information, credit history, domestic or sexual violence victim status, or other grounds protected under applicable state and federal equal employment opportunity laws, regulations, and/or applicable executive orders. It is also an unlawful discriminatory practice for any employer to refuse to hire or employ or to bar or discharge from employment, or otherwise to discriminate against any individual in compensation or in the terms, conditions, or privileges of employment because of the above protected bases. Such unlawful discriminatory practices are prohibited under state and federal civil rights laws. UCERA does not discriminate on the basis of arrest and court record, but may refuse to employ a person with a criminal conviction that bears a rational relationship to the duties and responsibilities of the position, such as disqualification from providing services in the Medicare program.

UCERA is also committed to providing a healthy work environment and to protecting the physical and emotional health and well-being of all employees in the workplace.

As a federal contractor, we comply with Executive Order 11246, Section 503 of the Rehabilitation Act of 1973, and the Vietnam Veterans’ Readjustment Assistance Act. Accordingly, we not only prohibit unlawful discrimination, but we also take
affirmative action to ensure that all individuals have an equal opportunity for employment, without regard to race, color, religion, sex, national origin, disability or status as a Vietnam era, special disabled veteran, recently separated veteran, or other protected veterans who served during a war or in a campaign or expedition for which a badge has been authorized.

The Immigration Reform and Control Act of 1986 (IRCA) prohibits UCERA from employing any person not legally authorized to work in the United States. In accordance with the requirements of IRCA, all persons commencing or resuming work must submit to UCERA documentation evidencing their authorization to work in the United States. Anyone submitting false documentation shall be immediately terminated. In fulfilling its obligation under the IRCA, UCERA reaffirms its commitment to comply with both state and federal nondiscrimination laws. Any questions concerning the IRCA and the required documentation should be directed to the Human Resources Department.

If you have been the victim of or have observed another employee being subject to prohibited discrimination or harassment, report the incident(s) to your supervisor, the Human Resources Director, or the Chief Executive Officer. To ensure that you feel comfortable making or supporting a charge of discrimination or harassment, our policy also prohibits retaliation for filing a complaint, opposing a discriminatory practice, or participating in the investigation of such complaints. Although we require everyone to report all incidents of harassment, however, we prohibit maliciously false complaints of sexual harassment. Employees who file maliciously false reports of sexual harassment may be subject to discipline up to and including unpaid suspension and/or immediate termination. Concerns about retaliation should also be reported to your supervisor, the Human Resources department, or the Chief Executive Officer.

C. Reasonable Accommodation

There may be occasions when an employee needs an accommodation to complete the essential functions of his or her job. UCERA will accommodate employees who need such an accommodation for a disability, a sincerely-held religious belief, or due to status as a domestic or sexual violence victim, unless an accommodation creates an undue hardship on the business.

An employee who desires an accommodation for a disability, a sincerely-held religious belief, or due to status as a domestic or sexual violence victim must make the Company aware of the need for an accommodation. To make a request for accommodation, an employee must inform his or her supervisor of the request. When a request is made to a supervisor, the supervisor must contact Human Resources immediately. A representative from Human Resources will contact the employee to discuss the request for accommodation, to explore options, and to determine whether an accommodation is possible without creating an undue hardship. The employees must cooperate with UCERA’s attempts to accommodate the request. In accordance with federal and state law, the Company will accommodate disabilities, sincerely-held religious beliefs, or an employee’s status
as a victim of domestic or sexual violence, unless such accommodation would create an undue hardship. If an employee wishes to appeal the denial of an accommodation request, he or she may contact Human Resources.

D. **Policy against Sexual and Other Forms of Harassment**

1. **General Policy Statement**

   UCERA believes that every employee should be treated with dignity and respect. Accordingly, our policy is to provide a work environment free from harassment, including but not limited to harassment on the basis of race, color, religion, sex (including gender identity or expression), age, national origin, ancestry, marital status, arrest and court record, sexual orientation, disability, military/veteran status, citizenship, genetic information, credit history, domestic or sexual violence victim status, or any other basis protected under applicable state or federal law. Such misconduct undermines a positive, professional work environment and will not be tolerated at any time during an interview and throughout an individual’s employment with UCERA.

   Conduct that has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, unwelcome, or offensive working environment is prohibited. In addition, harassment in violation of this policy can occur outside of working hours, and outside of the workplace. Your communications and interaction with co-workers, regardless of the time or place, must conform to our policy prohibiting harassment.

   Harassment can occur not only between fellow employees, but also between supervisors and subordinates, as well as between employees and third-parties such as vendors, suppliers, and customers. The victim of harassment does not have to be the person the harassing conduct is directed toward – witnessing harassment directed toward others may itself create a hostile and offensive work environment.

   Any questions regarding this policy should be referred to the Human Resources Department.

2. **Sexual Harassment**

   Sexual harassment is not tolerated. Such harassment includes unwelcome sexual advances, requests for sexual favors and other verbal, non-verbal, visual or physical conduct forms of harassment of a sexual nature. These actions constitute sexual harassment whether or not directed to the person complaining of harassment. No individual shall threaten or insinuate, either explicitly or implicitly, that another individual's refusal to submit to sexual advances will adversely affect that person’s employment, work status evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development. Similarly, no employee shall promise, imply or grant any preferential treatment in connection with
another employee or applicant engaging in sexual conduct or consenting to or covering up harassment. Sexual harassment can include verbal behavior (unwelcome sexual flirtations, advances or propositions, verbal abuse of a sexual nature, subtle pressure or requests for sexual activities, graphic or verbal commentaries about an individual’s body, the use of sexually degrading words to describe an individual, demeaning comments about women/men in general, gossip regarding one’s sexual activities; sexual or suggestive comments, jokes, teasing or nicknames), physical behavior (unnecessary touching of an individual, including groping, patting, pinching, hugging, massaging, kissing, physical assault, or brushing up against the body of another) and non-verbal behavior (leering, ogling, obscene gesturing, suggestive or insulting sounds, a display in the workplace of sexually suggestive objects or pictures, sending/circulating/displaying materials of a sexual nature including pornographic or suggestive posters, pictures, cartoons, objects, or offensive letters, poems, emails or text messages). Such conduct is prohibited by UCERA.

Other Forms of Harassment

In addition to sexual harassment, UCERA also prohibits harassment based on other protected characteristics, such as race, color, religion, gender identity or expression, age, national origin, ancestry, marital status, arrest and court record, sexual orientation, disability, military/veteran status, citizenship, genetic information, credit history, domestic or sexual violence victim status, or any other basis protected under applicable state or federal law.

Prohibited harassment includes misconduct that undermines a positive, professional work environment. Examples of prohibited harassment include use of slurs or epithets, derogatory comments, jokes or remarks concerning a protected characteristic, physical assaults or threats, intimidation, mockery, insults, offensive objects or pictures, or other verbal, non-verbal or physical conduct that is unwelcome, is personally offensive and hostile, or which interferes with work effectiveness.

Anti-Retaliation Policy

UCERA expressly prohibits retaliation against another employee or individual who makes a harassment complaint under this policy, cooperated with the investigation of a complaint, or acted as a witness during the investigation of a complaint, whether or not the complaint is found to have merit. This prohibition applies to any action that may be considered retaliatory, whether or not the action affects the terms and conditions of employment. Any manager, supervisor, or employee who retaliates against another employee or individual in violation of this policy will be subject to appropriate disciplinary action, up to and including termination. UCERA will not condone any form of retaliation against an employee or individual who has made a good-faith complaint of sexual or other forms of harassment.
3. **Procedures**

**Complaints and Investigations**

It is the responsibility of each member of management to create an atmosphere free of discrimination and harassment, sexual or otherwise. Managers and supervisors have a duty to immediately report employee complaints of harassment, or their own firsthand observations of any harassment, to Human Resources.

Employees who feel that they have experienced or observed any incident of work-related harassment or sexual harassment, retaliation, including but not limited to any of the conduct listed above, by any supervisor, management official, employee, patient, client, or any other person in connection with employment at UCERA, should bring the matter to the immediate attention of their supervisor or Human Resources. It is our policy to investigate each report in a prompt, thorough and impartial manner.

Due to the personal and sensitive nature of harassment complaints, UCERA’s investigations are conducted confidentially and discreetly to the extent possible, and information regarding the complaint is provided on a need-to-know basis only.

**Discipline**

If, at the completion of the investigation, UCERA determines that an employee is guilty of discriminatory or harassing behavior, prompt and appropriate disciplinary action will be taken to end the harassment. Any employee who is determined, after an investigation, to have engaged in sexual harassment in violation of this policy will be subject to appropriate disciplinary action, up to and including unpaid suspension or termination of employment.

4. **Inter-Office Relationships**

Consensual "romantic" or sexual relationships between a supervisor/manager and an employee may at some point lead to unhappy complications and significant difficulties for all concerned - the employee, the supervisor/manager and UCERA. Accordingly, should a relationship of this nature develop in the workplace, UCERA will take the necessary action to establish appropriate boundaries for managing the interaction of the individuals as it pertains to their activities during business hours and for all work related issues.

In so doing, UCERA recognizes the ambiguity of and the variety of meanings that can be given to the term "romantic." It is assumed that either or both of the parties to such a relationship will appreciate the meaning of the term as it applies to either or both of them and will act in a manner consistent with this policy. Any questions about this term or the policy’s expectations should be directed to the Human Resources Department.

Revised 11/1/2014
If a romantic or sexual relationship between a supervisor/manager and an employee should develop, it is the responsibility and mandatory obligation of the supervisor/manager promptly to disclose the existence of the relationship to Human Resources. The employee may make the disclosure as well, but the burden of doing so shall be upon the supervisor/manager.

Upon being informed or learning of the existence of such a relationship, if and when UCERA is aware of it, Human Resources may take all appropriate steps. At a minimum, UCERA will document the voluntary nature of the relationship, change supervisor/employee reporting relationships, and provide guidance for appropriate conduct in the workplace. Additionally, the supervisor/manager will not participate in any company decision making processes (including, but not limited to, hiring, evaluation, promotion, compensation, work assignments and discipline) that may reward or disadvantage any employee with whom the supervisor/manager has or has had such a relationship. Human Resources may also inform other managers/supervisors with a need-to-know of the existence of the relationship, including in all cases the person responsible for the employee’s work assignments.

For UCERA to deal effectively with any potential adverse consequences that such a relationship may have on the working environment, any person who believes that he or she has been adversely affected by such a relationship, notwithstanding its disclosure, is encouraged to make his or her views about the matter known to Human Resources.

Finally, notwithstanding UCERA’s discouragement of closer personal relationships between supervisors and subordinates within the workplace, it is not the intent of the Company to inhibit the social interaction (such as lunches or dinners or attendance at entertainment events) that can be an important part or extension of the working environment.

E. Bullying

UCERA will not tolerate any instance of bullying behavior by any employee, including supervisors, managers or executives. For purposes of this policy, “bullying” is defined as repeated inappropriate conduct, either direct or indirect, directed toward others in the course of employment that fails to treat all employees with dignity and respect. Examples of bullying prohibited by this policy include, but are not limited to:

- Verbal Bullying: slandering, ridiculing or maligning a person or his/her family; persistent name calling which is hurtful, insulting or humiliating; using a person as the punch line of jokes; or making other abusive, threatening or offensive remarks

- Physical Bullying: pushing; shoving; kicking; poking; tripping; physical assault, or threatening physical assault; damaging a person’s work area or property
• Gesture Bullying: non-verbal threatening gestures, glances which can convey threatening messages
• Exclusion: socially or physically excluding or disregarding a person in work-related activities

If you experience or observe any bullying at work, you are to promptly report the incident to Human Resources or to your supervisor. Managers and supervisors should likewise report employee complaints of bullying or bullying observations they have made to Human Resources. An appropriate investigation will be undertaken and disciplinary action will be taken where appropriate.

F. Code of Conduct

UCERA is an organization of the highest standards of lawfulness, responsibility and accountability. All employees must at all times: comply with all laws and the highest standards of business ethics and conduct; avoid situations which might involve a conflict between their personal interests and the interest of UCERA, and those situations which create the appearance of conflict; and protect confidential and proprietary information held by UCERA or entrusted to it. See the board approved UCERA Code of Conduct policy that by reference is made a part of this employee handbook. The UCERA Code of Conduct policy is located with Human Resources. Please contact Human Resources should you wish to obtain a copy.

G. Compliance Hotline

UCERA recognizes that a critical aspect of its compliance program is a company culture that promotes prevention, detection, and resolution of instances of conduct that do not conform to federal and state requirements, as well as our business policies.

A hotline has been set up to provide a confidential process for reporting any compliance issues in a manner to permit the anonymity of the reporter, if so desired. The toll-free hotline number is 1-877-469-4943. Retaliation is not allowed against employees who report problems and concerns in good faith.

Please help us operate in a manner that is fully compliant with laws and regulations governing our business operations.

H. HIPAA

The Health Insurance Portability and Accountability Act of 1996 ("HIPAA") protects the privacy of an individual’s health information and governs the way UCERA collects, maintains, uses and discloses protected health information ("PHI"). As an employee, you must comply with HIPAA and take appropriate measures to ensure the confidentiality of PHI in your care.

Furthermore, you have the affirmative obligation to report any suspected or actual violations to the HIPAA Privacy Officer and the HIPAA Security Officer or Chief Executive Officer, or Human Resources Director. Employees found to be in
violation, or failing to report a violation, are subject to disciplinary action, up to and including termination. They may also be subject to civil and/or criminal penalties.

I. Employment Status

1. Employment Status

   a) Employment At-Will

   Your employment with UCERA is “at will” and can be terminated at any time, either by the employee or UCERA, with or without cause or reason and with or without notice.

   b) We all hope that every employee will succeed. Unfortunately, conditions may arise which will lead either the employee or UCERA to terminate the employment without prior notice or corrective discipline. REMEMBER, EMPLOYMENT WITH UCERA IS AT-WILL; THAT IS, EITHER UCERA OR THE EMPLOYEE HAS THE RIGHT TO TERMINATE EMPLOYMENT AT ANY TIME WITH OR WITHOUT REASON AND WITH OR WITHOUT PRIOR NOTICE.

   c) Introductory Status

   New employees are required to serve an introductory period of 90-days. This period provides the employee with an opportunity to learn more about UCERA, its policies, procedures and staff. This also gives UCERA a chance to determine if an employee’s work, overall performance, and behaviors meet our standards. The supervisor will evaluate the employee’s performance before making a recommendation as to whether the employee should continue their employment with the organization. UCERA may extend the introductory period for any reason.

   No new hire is guaranteed a full three month introductory period if it is apparent sooner that the employment will not be successful. Further, the completion of this introductory period is not an assurance of continued employment. If the employee has successfully completed this three-month introductory period, they may be given regular status depending on their skills, availability and UCERA’s needs. However, whether or not the employment continues during or after the three-month introductory period, an individual’s employment with UCERA remains at-will.

2. Employment Classifications

   All employees shall be classified as one of the following:
a) **Regular Full-Time**

Persons regularly scheduled for 32 or more hours of work per week on a regular basis, and in fact have worked 800 or more hours in the past six (6) months, are considered to be regular full-time employees. Regular full-time employees are eligible for certain benefits as outlined in this Handbook. Due to the nature of our business, work opportunity may vary from time to time.

b) **Regular Part-Time**

Persons working between 20 and 32 hours per week are considered regular part-time employees and will be eligible for certain benefits as outlined in this Handbook. Due to the nature of our business, work opportunity may vary from time to time.

c) **Seasonal/Temporary**

Persons hired for a seasonal period, whether full or part-time, regardless of the hours worked per work week, are considered a seasonal employee. Certain seasonal employees are eligible for statutory benefits. A seasonal employee is hired with the understanding that employment will end either at the specified date or when services are no longer needed. Due to the nature of our business, work opportunity may vary from time to time.

This classification does not cover temporary help contracted through an independent agency. These temporaries are not considered UCERA employees.

d) **On Call**

If you are placed on our "on call" list, you will be considered a temporary employee when and if you are actually called for work and only for the duration of your employment. Due to the nature of our business, work opportunity may vary from time to time.

e) **Locum Tenens**

Locum Tenens practitioners are physicians and other clinical practitioners who work to replace another practitioner for a limited and defined period of time. Such practitioners will ordinarily have contracts with UCERA that will define their requirements, duties, pay and benefits.

3. **Exempt or Non-Exempt Status**

Under the Federal Wage-Hour laws employees are classified as exempt or non-exempt employees. You will fall into one of these two classifications depending on your duties and wage level.
a) **Exempt**

Employees in this category do not earn overtime wages. Exempt employees are paid on a salary basis and regularly receive a predetermined amount of compensation each pay period, which is not subject to reduction because of variations in the quality or quantity of work performed. See the policy on Deductions for further information.

b) **Non-Exempt (Hourly)**

Non-exempt employees are those hourly employees who are required by law to complete time records and are eligible to earn overtime pay of one and one half (1.5) their regular rate for all hours worked in excess of forty (40) hours per week. These employees may be paid on a salary or hourly basis.

The Director of Human Resources and Chief Executive Officer are responsible for determining a position’s classification.

**J. Hire Date**

An employee’s hire date is the first day of employment with UCERA and may be used, along with other factors, to determine eligibility for benefits.

**K. Years of Service**

An employee’s years of service will be calculated on continuous years of service from the date of hire to the current date. Unpaid leaves of absence in excess of one month will not be counted as time worked for accumulating vacation, sick leave or other benefits.

**L. New Employee Orientation**

The Human Resources Department will conduct the new hire orientation for employees, have the necessary forms signed, brief the employee on benefits available, and provide the employee with a copy of the Employee Handbook. It is the employee’s responsibility to read and understand all guidelines, policies and procedures set forth in the Employee Handbook. Any questions may be directed to Human Resources.

**M. Work Schedule and Attendance Policy**

Regular full-time employees are usually scheduled to report for work at 8:00 a.m. and stay until 5:00 p.m., Monday through Friday. Clinic hours may be different. Employees are allowed sixty (60) minutes of unpaid lunch period. **Due to the various locations and expectations of employment, such as for clinical practitioners, the work schedule must be verified with the supervisor.**
Changes in this schedule will, whenever practical, be posted in advance. However, there may be circumstances in which we may be unable to provide advance notice of schedule changes because of business circumstances.

Work schedules are subject to change at any time.

Attendance is considered an essential function of the job. Employees unable to start work at their scheduled time, must notify their supervisor as soon as possible, but no later than 30 minutes before their scheduled start time. Employees unable to reach their supervisor should contact another member of management or Human Resources, rather than simply leaving a message with a fellow employee. If an employee is unable to personally contact their supervisor or another member of management, they should have a family member or friend call their supervisor.

Good attendance is vital to UCERA, to our patients, and to our fellow employees. Each employee is expected to report to and leave work as scheduled. Unscheduled absences cause disruptions in work schedules and assignments, reduce flexibility in scheduling work, increase costs, and potentially decrease quality of patient care and customer service. For these reasons, regular attendance, including punctuality, are major job requirements.

An employee’s value to the organization is largely influenced by his/her dependability. The purpose of this policy is to establish the attendance expectations of employees. Employee attendance and punctuality is vital to promoting operational efficiency, productivity and quality. Employees are responsible for their own attendance.

Non-faculty, non-exempt employees are expected to report to and leave work in accordance to the schedule assigned by their direct supervisor. Employees who engage in frequent unexcused absences, no show/no call behavior or excessive tardiness may be disciplined in accordance to the procedures outlined in this policy.

Absenteism is measured by the number of occurrences, including tardiness, over a designated time period. The goal is to have perfect attendance for all employees. An attendance review will be initiated by the employee’s immediate Supervisor/Manager when excessive or improper absences or tardies occur, or when a pattern of absences or tardies appears to be present.

The attendance review should include the following:

- Review the employee’s attendance record with him/her. Provide a copy of the employee’s ezLabor timesheet and leave balance report for the period in review.
- Emphasize the importance of good attendance and explain the adverse impact their absence has on the department, his/her peers, and patients.
- Discuss that the employee has the responsibility for his/her wellness and regular attendance.

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• Emphasize that there shall be consequences if the unacceptable attendance continues and is not corrected. Such consequences may include disciplinary action up to and including termination.

Definitions

<table>
<thead>
<tr>
<th>Absence:</th>
<th>Unscheduled time away from work, when scheduled to be at work.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proper Notice:</td>
<td>An absent employee shall notify his/her supervisor of the employee’s pending absence at least thirty (30) minutes prior to the scheduled start time. The return to work notice for employees shall not be later than 5:00 pm of the previous day. An employee not fulfilling these requirements or departmental notification requirements may not receive leave pay.</td>
</tr>
<tr>
<td>No Call/No Show:</td>
<td>Failure to contact immediate Supervisor/Manager or designee and failure to report for a scheduled shift.</td>
</tr>
<tr>
<td>Tardy:</td>
<td>Failure to be at work at the beginning of a scheduled shift.</td>
</tr>
<tr>
<td>Occurrence:</td>
<td>Is defined as one or more consecutive days of absence. EACH TARDY IS A SEPARATE OCCURRENCE</td>
</tr>
</tbody>
</table>

Attendance Standard

• The following progressive discipline shall be taken should the employee reach the level of occurrences within a rolling twelve (12) month period.

Level One: Verbal Warning

Issued when an employee has A TOTAL OF six (6) occurrences within a rolling twelve month period.

Level Two: Written Warning

Issued when an employee has A TOTAL OF eight (8) occurrences within a rolling twelve month period.

Example: Employer issued a verbal warning on January 15, 2009 for 6 absences. If he/she has 2 more absences within the ROLLING 12 months (for a total of 8), he/she is eligible for a written warning.

Level Three: Suspension 2 Days (Without Pay)

Issued when an employee has A TOTAL OF ten (10) occurrences within a rolling twelve month period.
**HUMAN RESOURCES MUST BE CONSULTED PRIOR TO SUSPENSION.**

**Level Four: Discharge**

Issued when an employee has **A TOTAL OF twelve (12) occurrences** within a rolling twelve month period.

The original documented warnings, suspension, and final warning will be sent to Human Resources and placed in the Employee’s Personnel File. A copy will be provided to the employee by the Supervisor/Manager. A copy of the UCERA Attendance Policy shall be provided to the employee.

**Exclusions**

Absences that are excluded from this policy are:

1. Approved Vacation/PTO;
2. Jury Duty or Bereavement Leave;
3. Holiday;
4. Military Leave;
5. Voting Leave under Hawaii state law;
6. Approved Family Medical Leave (FMLA) or Hawaii Family Leave (HFLL);
7. Workers’ Compensation;
8. Educational Leave of Absence or leave of absence approved by management;
9. Temporary Disability (TDI);
10. Victims Leave;
11. Leave provided as a reasonable accommodation under state or federal law; or
12. Any leave period not listed above that is protected by state or federal law.

The Human Resources Department is charged with the administration of this policy. Exceptions to this policy must be approved by the Human Resources Director or Chief Executive Officer.

If an employee does not show up for work when scheduled and fails to notify UCERA in accordance with this notification procedure for **three (3) consecutive days**, the employee will be deemed to have voluntarily resigned and employment will be terminated.

**N. Flexible Start Time “Flex Start”**

With the permission of their department supervisors, hourly employees who arrive early for the start of their regularly scheduled start time that is 8:00 a.m. or later, may clock in up to 30 minutes early and use the additional work minutes later in the same day, either to leave work early or take a longer lunch break. Employees whose regularly scheduled work hours begin at 7:30 a.m. may not clock in early. When clocking in, an employee must be at his or her assigned work station and

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ready to start working. As soon as it is possible, an employee who has clocked in early must notify the immediate supervisor and ask when they may take the additional work minutes off. Employees must receive permission to start work early in advance of clocking in and commencing work.

O. **Breaks**

UCERA recognizes that periodic breaks during working hours are important for the mental and physical health of workers and can reduce accidents and mistakes caused by fatigue. Breaks promote the efficiency of the employee and are therefore paid as work time. However, not all work areas or work days, for example, those requiring constant attention to patient care or phone coverage, may be amenable to employees taking breaks. Therefore, whether or not breaks are allowed at all or on any given day is determined by the employee's supervisor. An employee should ask their supervisor if and when he/she may take a break, and must notify their supervisor both before and after the break.

If breaks are possible, supervisors may allow staff to take one break of up to 15 minutes during each approximately four hour period of work. Because they are intended to provide for a rest period during the course of the work time, work time must both precede and follow paid breaks. That is, paid breaks may not be used at the beginning of the work period to allow for a later start time, coalesced with meal times to extend the meal period, or used to leave work before the end of the scheduled work period. Breaks cannot be used to adjust work schedules or to make up for lost work time.

Due to the various locations of UCERA employment, please verify if your location/department supervisor allows breaks. Breaks will be designated by the supervisor as the daily schedule and situations allow. Employees should attend to personal business, such as making personal phone calls, during breaks so that their work time is more productive. Employees who take unscheduled or extended breaks or otherwise violate UCERA's break policy may be disciplined, up to and including termination.

P. **Promotions and Transfer**

UCERA recognizes that staff motivation, productivity, and retention are dependent upon people working in jobs that are well suited to their interests and therefore, offers and encourages transfer and promotion opportunities for current employees. Likewise, supervisors should be supportive of staff members who have the desire to enhance their skills or develop new competencies to pursue different or greater responsibilities internally.

UCERA may, based on business need, and with prior notice to the employee’s department head, initiate an offer to transfer an employee from one position to another or from one worksite to another. Employees, on the other hand, may seek information about a posted job and submit a resume to Human Resources. Transfers or promotions are considered for posted, open positions.
Full-time or part-time employees must be in their current position at least six (6) months and be in good standing before they are eligible to apply for an internal transfer or promotion. A part-time employee may also apply for another part-time position in another department.

In all cases, the employee's work record, including but not limited to, performance, attendance, efforts to develop skills and related behaviors will be used as valid criteria for determining suitability for a position. In consideration of the above factors, employees with two written warnings within the past 12 months are not eligible.

Because the successful operations of UCERA require that we have the best-qualified person in each job, all transfers must be approved in advance and are at management’s discretion. The organization retains the right to seek qualified applicants from outside the organization if we deem it appropriate.

Exceptions to this policy are reviewed on an individual basis and must be approved by the Human Resources Department. UCERA reaffirms its policy of equal employment opportunity for promotions and transfers.

Q. Separation from Employment

Employees who are unhappy with their job or working conditions, should talk it over with their supervisor, Department Head or Human Resources. Management staff will try to help resolve issues or concerns that may be affecting working relationships, explore where things have gone wrong and more than likely the problem can be resolved.

If the employee decides to resign, we would appreciate, as a courtesy, two weeks’ notice so we can find a replacement. This advance notice gives UCERA the time to prepare the final paycheck and for the employee to return any UCERA property issued to them. Employees who quit or resign without giving at least one pay period notice of intention to quit will be paid wages due in full not later than the next regular payday. If the employment is terminated by UCERA, the employee will be paid the wages due in full at the time of discharge but not later than the next working day following discharge. Before receiving their final paycheck, employees must return any items belonging to UCERA.

If an employee wishes to object to a termination decision, an appeal may be made to the employee’s Department Head or Human Resources.

R. Lay-Off

The volume of work at UCERA is ordinarily very consistent. However, UCERA could possibly have unexpected slow periods. A break in service of less than 60 days constitutes a layoff. When employees are temporarily laid off due to lack of work, the following will apply:

1. If a layoff occurs, an employee may choose to extend his/her income by first taking all accrued Paid Time Off (PTO) at that time.
2. A layoff of 60 days or less may not affect the original anniversary hire date or benefits upon reinstatement.

3. UCERA-paid medical and life insurance may continue for the remainder of the calendar month in which the employee is laid off. Depending upon whether the layoff constitutes a qualifying event under COBRA, the employee may be entitled to continuation coverage. (Please see the health plan or Human Resources for specific information on continuation coverage.)

4. A layoff over 60 days in duration may result in involuntary separation from employment.

S. Appearance at Work

An employee is a representative of the organization. People not only judge us by what we do but how professionally we present ourselves. We all must look neat and use good taste and common sense in our grooming, dress and hygiene. Our appearance is important to our business. Our objective is to make a favorable impression on our patients and clients by being well groomed, cheerful and courteous.

Employees of certain departments may be required to follow specific requirements and dress codes, such as a requirement to wear a uniform or closed rubber soled shoes in patient care areas.

Office staff employees must wear business or aloha attire (i.e. flowered shirts and muumuus) that are appropriate for the business atmosphere of the work place. Business attire means clothes that are tailored, classic in style and have simple lines, such as knee-length dresses, slacks, dress shirts and dress shoes. Business attire is fashionable, but generally conservative in color, fabric and design; it is neither casual attire nor eveningwear. Jewelry and other accessories should be consistent with a businesslike appearance. Employees should avoid extremes in makeup, hairstyles and colors. Clothing or jewelry with sayings or logos that may be discriminatory or be offensive to others is not allowed.

It is very important that employees maintain their dress and personal appearance and present themselves to the public in a professional manner. The organization reserves the right to regulate the dress and appearance of employees beyond the general dress code to ensure the professional appearance of employees.

T. Confidentiality

It is UCERA’s policy to protect its property and sensitive information. The disclosure of confidential Organization information, except as necessary for the performance of an employee’s job, constitutes a violation of UCERA policy and is prohibited. Disclosure of confidential information will result in disciplinary action, up to and including unpaid suspension or termination of employment. The information not to be released to people outside the organization includes, but is not limited to, the following:
• All UCERA organizational plans, budgets, financial studies and data, customer and vendor information

• Customer information, including but not limited to medical or financial information

• Employee health-related and medical information obtained from employee records and files; social security numbers; information related to employee bank, pension, 401k or other personal financial accounts

• Building access codes and security procedures, locations of sensitive equipment, plans or records

Contact your supervisor or Human Resources if you are unsure of how to handle information that may be confidential.

1. Medical Records and Protected Health Information (PHI)

   It is necessary that employees of UCERA handle health information that is sensitive and private and therefore classified as “confidential”. It is a serious breach of UCERA policy for anyone to access this information unless it is part of the employee’s job or if asked to do so by their supervisor. Individuals whose job requires access to this confidential information have an obligation to protect it. This includes keeping the information in locked specially designated files when not in use as well as avoiding disclosure of the information to others.

   The disclosure of confidential company information constitutes violation of UCERA policy and federal HIPAA law and will result in disciplinary action up to and including termination for current employees and legal action against former employees.

   PHI or other confidential information is not allowed to be stored on computers or other storage devices unless those devices have been encrypted. The use of USB “flash” drives for PHI or other confidential information is not allowed unless those drives have been factory encrypted. Employees must have permission from their department head to use computers, USB drives or other storage devices for confidential information. Employees who have questions about the security of any devices for UCERA data, contact UCERA’s Security Officer in the Information Technology department.

U. Identity Theft

   The risk to UCERA, its employees and patients from data loss and identity theft is of significant concern to the organization and can be reduced only through the combined efforts of every employee. UCERA is also concerned about the financial and physical well-being of its employees and patients. If an employee’s wallet or personal information has been stolen while at work or they believe they have been the victim of identity theft, either on the job or through another way, UCERA
wants to know about it. If an employee believes that other personal information
belonging to any employee or patient is abused UCERA wants to know about it.
Please inform Human Resources.

Workplace identity theft is a serious problem but may be controlled through
immediate action. An employee’s quick notification will help us assess who/what
is putting others at risk. All reports will be treated as confidentially as possible if
an investigation is necessary.

V. Solicitation/Distribution

UCERA employees are not permitted to engage in solicitation of goods, services, or
membership during working time. This does not include lunch and rest periods.
Employees are also prohibited from distributing leaflets, flyers, or other forms of
printed or written matter during their working time.

Employees who are not on working time may not solicit or distribute written matter
to employees who are on their working time or in work areas.

Non-employees are not permitted to solicit for any purpose or to engage in any
form of distribution on Organization premises at any time.

W. Employment of Relatives or Close Personal Relations

UCERA has the right to refuse to hire relatives or live-in companions of current
employees where, in management’s sole judgment, such hiring may create an
actual or potential conflict of interest, provide access to sensitive information
regarding the other person, or potentially cause other business problem. Relatives
include spouse or civil union partners, domestic partners or registered reciprocal
beneficiaries, children, parents, in-laws, aunts, uncles, cousins, brothers and sisters,
and their domestic partners or children. In circumstances where existing employees
become involved in a “romantic relationship” as defined by UCERA’s policy on
inter-office relationships, UCERA evaluate the impacts of the relationship and take
necessary action in accordance with that policy’s requirements.

X. Medical Examination

Employees’ safety and health are important to the Company. In situations where
there is a reasonable basis for believing that a physical or mental condition may
impair your ability to perform essential job functions, or where you may pose a risk
of injury to yourself or others, the Company may require you to undergo a job-
related medical examination. You may also be required to undergo a medical
examination if the employer has reason to doubt a medical certification you have
presented in connection with a request for FMLA leave. The Company will pay the
entire cost of such examinations and will designate the examining physician.

When responding to a Company-requested medical examination, the Company
requests that you not provide any genetic information. This request is in
accordance with the Genetic Information Nondiscrimination Act of 2008.

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(“GINA”), which prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. “Genetic information,” as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Employees who are required to maintain a commercial driver’s license (“CDL”) will be required to undergo medical examinations as required by the federal Department of Transportation.

Medical information received by the employer will be kept confidential and maintained in files separate from the employee’s personnel file.

Y. **Honesty**

Honesty on or off the job, and our confidence in your trustworthiness and integrity, are absolute requirements. Dishonest acts are certain to be detected and will result in termination and probable prosecution. UCERA’s policy is to prosecute anyone, whether customer or employee, who misappropriates or steals money, merchandise or property. It is your responsibility to report any dishonest acts to your supervisor immediately. Failure to report may result in disciplinary action. You are also required to fully cooperate in any investigation of dishonesty, whether or not you are directly involved. Dishonesty or failure to fully cooperate in any organization investigation of dishonesty is extremely serious misconduct, which may result in disciplinary action up to and including suspension or termination.

Z. **Outside Employment and Activities**

UCERA has no desire to interfere with an employee’s outside interests as long as these interests do not either interfere with an employee putting their best efforts in the job, or create problems for UCERA. It is an employee’s responsibility to tell their supervisor about any outside employment. Before accepting outside employment, an employee must fully disclose such plans and obtain written approval from their supervisor and Human Resources. Outside employment already held at the time of hire must also be fully disclosed and written authorization received from the supervisor and Human Resources. It is especially important to disclose employment with UH or RCUH to be certain that there is no time & effort conflict.

If UCERA determines that your outside employment is interfering with your work performance, or creates an actual or potential conflict with the Company’s business interests, you may be required to terminate such outside employment. Employment with business competitors of the Company is strictly prohibited.

Employees may not use Company property and facilities such as telephones, computers, internet, email, copiers, fax machines, company vehicles, courier
services, and other equipment or services in connection with any outside employment, including any employee’s personal business ventures.

Please refer to UCERA’s Code of Conduct for further information.

III. COMPENSATION

A. Policy on Pay

It is UCERA’s policy to pay each employee in accordance with his or her skill, performance, and experience. Whether an hourly rate, commission, productivity rate or straight salary determines an employee’s pay, it is based mainly on individual performance in a specific job function and other factors determined solely by UCERA. Employees may not receive pay advances. All questions regarding your pay should be directed first to your immediate supervisor, and then to Human Resources or Payroll.

B. Attendance Records

The law requires that all non-exempt (hourly) personnel keep a record of daily hours worked. These hours are recorded on an attendance record and the employee is responsible for its accuracy. The employee and his/her supervisor must sign the attendance record at the end of each semi-monthly pay period. An employee must record only his or her own time and may not record time for another employee. Falsification or dishonesty in any form, including clocking in or out for another employee, may result in disciplinary action up to and including termination, regardless of when discovered. Any changes to an employee’s attendance record must be made and approved by the supervisor.

C. Deductions

1. All Employees

The following deductions are made from gross earnings each pay period:

- Federal and State income taxes
- Social Security taxes (FICA and Medicare)

In addition, for the employee’s convenience, UCERA may make deductions for group health, dental, disability insurance, savings plans, as an employee may direct in writing on a form provided by UCERA. All other deductions from the paycheck, except for court-ordered garnishments, must be authorized in writing by the employee and approved by UCERA.

2. Exempt Employees

Exempt employees are paid on a salary basis and regularly receive a predetermined amount of compensation each pay period, which is not subject to reduction because of variations in the quality or quantity of work.
performed. Subject to the circumstances listed below, the exempt employee receives a full salary for any week in which the employee performs work without regard to the number of days or hours worked. An exempt employee’s pay may be reduced in accordance with the Fair Labor Standards Act under the situations listed below:

- If the employee is absent from work for one or more full days for personal reasons other than sickness or disability.
- If the employee is absent from work for one or more full days because of illness or disability (including work injury), so long as the company maintains a paid sick leave plan or TDI coverage and the employee has either not qualified for company sick leave/PTO or has exhausted accumulated sick leave/PTO.
- If the employee is suspended without pay for one or more full days because of violation of major safety rules, or infractions or workplace conduct rules, such as the company’s prohibition of sexual harassment or other inappropriate behavior.
- If the employee has not worked the full week at the beginning or end of employment.
- If the employee performs no work in a workweek.
- If the employee is taking unpaid leave, either partial or full days, under the Family and Medical Leave Act.
- To offset amounts received as a juror or witness, or for military pay.

UCERA prohibits improper deductions being made from any employee’s paycheck. If an employee believes that an improper deduction has been made from his/her pay, the employee should immediately report it to Human Resources and we will take steps to promptly investigate the deduction. If we determine that an improper deduction has been made, the employee will be reimbursed for the amount withheld. There is no retaliation for bringing these matters to our attention; we wish to comply fully with our legal obligations.

D. Pay Day

Paydays at UCERA are 5-7 days after the close of the payroll period. Payroll periods are the 1st to the 15th and the 16th to the end of the month. If a payday falls on a weekend or holiday, then the paycheck will be distributed on the business day immediately preceding the payday.

E. Standard Work Week

In accordance with state and federal wage and hour laws, UCERA must establish a standard work week. The purpose of the standard work week is to define the seven consecutive-day period within which time and one-half must be paid for all hours
worked after 40 hours of work to non-exempt (hourly) employees. UCERA’s standard work week begins at 12:01 a.m. Monday and concludes at midnight on Sunday.

**F. Performance Evaluation**

An employee’s job performance is subject to periodic review by management at three (3) months from the date of employment or assignment to a new position, and annually on or about July 1st thereafter. Additional performance evaluations may be conducted as deemed necessary by UCERA. When an employee receives a performance evaluation, they should take the opportunity to discuss their performance with their supervisor or manager. The employee should sign the performance evaluation document to show it was reviewed with them. Employees should also write in their own comments on the evaluation.

**G. Salary Reviews**

Pay scales for job classifications are reviewed regularly. An individual’s rate of pay will be reviewed yearly after the performance evaluation is completed. However, the occurrence of a salary review and performance evaluation does not mean that a pay adjustment will be made. Job performance and other factors determine pay adjustments. Salary reviews may not necessarily be conducted at the same time as performance evaluations. Should you have any questions regarding rate of pay, Human Resources will be pleased to discuss this with you.

**H. Overtime Pay for Non-exempt (hourly) Employees**

Occasionally you may be asked to work overtime. Time and one-half is paid to nonexempt (hourly) employees for **ACTUAL HOURS WORKED** over forty hours (40) in a standard workweek. Pay for hours not actually worked will not be included in determining whether you have worked over 40 hours. Overtime must be authorized by the employee’s supervisor prior to being worked. If employees work in excess of 32 hours during a week in which a UCERA designated holiday occurs and the employee did not work on that holiday, they will receive time and one-half only when you have actually worked over 40 hours during that work week. The provision of compensatory time off instead of overtime pay is not permitted.

**I. Business**

Employees who are directed to travel on work assignments, including approved travel to professional meetings and for training, may be paid for their travel related expense. Travel advances are not allowed. All travel and related costs incurred for business purposes and deductible under the Internal Revenue Code (IRC) will be reimbursed by UCERA if approved by the department chair, department head or administrator and submitted to UCERA in the designated reimbursement format and with supporting receipts and/or invoices. UCERA may request additional information to substantiate any reimbursement request. Air fare reimbursed by
UCERA must be at the economy rate. Reimbursement of costs incurred for guests accompanying an individual whose expenses are reimbursed by UCERA will ordinarily not be provided. Special exceptions, such as for employment recruitment, may be made by the Chief Financial Officer or Chief Executive Officer.

Requested use of an employee’s personal vehicle for organization business may be reimbursed based at the Internal Revenue Service approved standard mileage rate per mile, unless other arrangements are made.

IV. EMPLOYEE BENEFITS

A. Introduction

This section of the Employee Handbook briefly summarizes the benefits currently available to eligible employees of UCERA. UCERA retains full discretionary authority and control to terminate or amend any or all benefits at any time, and to interpret any and all provisions of this handbook or the other plan documents and to determine eligibility for the benefits. The Employment Retirement Income Security Act (ERISA) and the IRC require that detailed summaries of certain benefits be provided to employees. Employees should contact Human Resources if they have not received these "summary plan descriptions." The benefit descriptions contained in the Employee Handbook do not replace or supersede these "summary plan descriptions." In case of conflict between the explanations of benefits in the handbook and the applicable SPD, the terms of the SPD shall prevail. SPDs may be obtained from the Human Resources Department.

Pursuant to the ERISA, it is understood that UCERA has the right to amend or terminate any of these benefit plans, in whole or in part, or to establish other plans in any way which seems advisable at the discretion of the Chief Executive Officer, provided that any amendment will not prejudice any rights or benefits already vested. UCERA also has the right, in individual cases where exceptional conditions exist, to modify the provisions herein set forth governing the amount and application of UCERA’s contributions. Further, the Company has the right to interpret its benefit plans and its interpretation shall be final.

B. Time Schedule of Benefit Eligibility

Regular full-time and regular part-time employees may be eligible to receive the following benefits according to the following time schedule:

1. Upon hire
   - UH Federal Credit Union Membership/Credit Association
   - Direct Deposit
   - Holiday Pay for UCERA designated holidays
• Jury Duty Pay Privileges
• Voting Time
• Medical Waiver Benefit
• COBRA
• Temporary Disability Insurance (TDI)
• Workers' Compensation
• 403(b) Plan Tax-Deferred Annuity Plan
• Employee Assistance Program (EAP)
• Pre-Taxed Parking and Commuter Transportation Program
• Temporary Military Duty and DMAT Pay Privileges

2. **After one (1) full month of continuous active employment**
   • Flexible Spending Account
   • Group Life Insurance and AD&D Insurance
   • Long-Term Disability Insurance
   • Medical, Drug, Vision and Dental Insurance

3. **After three (3) full months of continuous active employment**
   • Leaves of Absence, unless otherwise required by applicable law
   • Paid Time Off Plan (PTO)
   • 403(b) Plan Defined Contribution Retirement Plan (employer discretionary matching). See Summary Plan Benefit for discretionary employer matching and other information.

4. **After six (6) full months of continuous active employment:**
   • Hawaii Family Leave Law (HFLL)
   • Victims Leave

5. **After twelve (12) full months of continuous active employment**
   • Family and Medical Leave Act (FMLA)
   • Servicemember Family Leave

To determine your eligibility for any of these benefits, please contact your supervisor or Human Resources. Some benefit programs require contributions from the employee, but most are fully paid by UCERA.

**C. Benefits Available Immediately Upon Employment**

1. **UH Federal Credit Union Membership/Credit Association**
   
   UCERA employees are eligible to join the UH Federal Credit Union. UCERA provides automatic payroll deductions for credit unions and banks. You may
specify in writing an amount to be deducted from your paycheck each payday, for deposit to your credit union or bank account.

2. **Direct Deposit**

UCERA provides direct deposit for all employees. Direct deposit forms are available from Human Resources.

3. **Holidays**

Designated Holidays: UCERA designates the following as paid holidays for eligible regular full-time and regular part-time employees:

- New Year's Day
- Presidents' Day
- Memorial Day
- King Kamehameha I Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

The official holiday schedule with specific dates will be published each year. Employees who are asked by their supervisors to work on a designated holiday (listed above) will receive pay for the designated holiday and will also have the number of hours worked added to their PTO “bank” to be used at a later time.

**If the last day of employment falls on a designated holiday, the employee will not be paid for the holiday.**

If an employee is unable to work either the day before or the day after a designated holiday, or both, because of accidental illness or injury, that employee may receive holiday pay in lieu of using PTO hours for that holiday. UCERA may require proof of illness or injury and may require verification by a physician selected and paid for by the organization.
Non-Designated Holidays: The term “non-designated holidays” are days that some other employers may designate as paid holidays, such as Prince Kuhio Day, but that are not currently designated by UCERA as a paid holiday. Holidays previously designated by UCERA in past years have been added to the accruable hours in the paid time off (PTO) program, as described below. This change allows employees the flexibility of using PTO hours to take leave on these non-designated holidays or saving the hours in their PTO “bank” to be taken at a time preferred by the employee. As with other paid time off, permission must be granted in advance by the employee’s supervisor.

4. Jury Duty Pay Privileges

When employees receive a Jury Duty summons or summoned as a witness, they must immediately notify their supervisor to arrange for the time off. UCERA will reimburse regular full-time employees the difference between compensation for jury duty or duty as a summoned witness and regular pay for those hours involved, should a difference exist, for a maximum of ten (10) days per fiscal year. To receive jury duty pay from UCERA, employees are required to secure a statement from the clerk of the court of fees paid to them. If employees are released from court duty on any particular day during their normal working hours, they must notify their supervisor of their availability and may be required to report to work. Employees will have the option to use PTO hours or leave without pay for days that exceed ten (10) days during a fiscal year.

5. Voting Time

UCERA encourages all eligible employees to register and vote in Primary, General, or Special Elections. UCERA will provide employees up to a maximum of two hours of paid leave that is not deducted from their PTO bank to allow them the time to vote. Employees should discuss with their supervisor the best time to be away from work to vote.

6. Medical and Dental Coverage (including vision and prescription drug benefits)

UCERA provides single or individual medical and dental coverage, at no cost to the employee, in plans selected by UCERA. Coverage will begin on the first day of the month following date of hire. Employees may choose to extend medical and/or dental coverage for their immediate family (spouse, children or dependent), domestic partner and reciprocal beneficiaries at their own expense, and the premium will be deducted from the employee’s semi-monthly paychecks.

Human Resources will provide you with brochures explaining our medical and dental plans and the types of coverage available. You have the option to decline medical and/or dental benefits. Should you become disabled from working due to illness or hospitalization, UCERA will pay for your medical insurance premiums for the month in which you are unable to work and for
the following three (3) months. Thereafter, if you remain unable to work, payments for all insurance premiums are your responsibility.

7. Medical Waiver Benefit

If employees are already covered by another medical plan, for example through outside employment or through a spouse or domestic partner, they may voluntarily waive medical coverage and elect to receive a cash payment from UCERA. This cash payment will be added to the employees’ regular wages on an after-tax basis. However, if employee is covered by an affiliated organization, such as UH JABSOM or RCUH, an employee may not be eligible for the medical waiver benefit.

8. COBRA - Continuation of Medical Coverage

If employees lose health care plan benefits due to termination, reduction in hours, death, divorce, or other reasons, and if they do not have any other group health insurance, UCERA gives qualifying employees, spouse and dependents the opportunity to continue in UCERA’s health care plan under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Should the employee or his/her dependents elect COBRA coverage, they will be responsible for paying the entire premium for the health plan plus a 2% administrative fee. See Human Resources for further details.

9. Temporary Disability Insurance

UCERA pays the total premium for TDI insurance to provide partial protection from loss of earnings should you become disabled due to a non-work related accident or illness, including pregnancy. If you are eligible, Temporary Disability Insurance (TDI) will pay benefits at the rate of fifty-eight percent (58%) of average weekly earnings up to a maximum beginning with the eighth calendar day of disability. Benefits are paid for a maximum of twenty-six (26) weeks in any benefit year. If an employee is eligible for FMLA leave, a leave of absence during which TDI benefits are taken will also be designated as FMLA leave. UCERA may supplement your TDI benefits with an employee’s accrued and available vacation, sick leave, or PTO benefits, upon your written consent.

It is the employee’s responsibility to apply for TDI benefits. To avoid any duplication of benefits, please notify Human Resources immediately if coverage under TDI is desired.

10. Workers' Compensation Insurance

UCERA provides Workers' Compensation Insurance, which provides medical care, wage replacement and permanent disability benefits if you sustain a work-related injury or illness. If you are unable to work due to a Worker’s Compensation medical disability sustained at work, wage replacement benefits will begin on the third day after the injury or illness. Worker’s Compensation Insurance will provide up to 2/3 of your normal base pay up to
a maximum set by State law. Leaves of absence for workers’ compensation purposes may be designated as FMLA leave, if applicable. Because workers’ compensation only provides you with up to 2/3 of your pay, the Company permits you to supplement your workers’ compensation benefits with your accumulated and unused vacation, sick leave, or PTO benefits. Please notify the Human Resources Department in writing if you would like to supplement your workers’ compensation benefits with other paid leave. **IT IS ORGANIZATION POLICY AND YOUR RESPONSIBILITY TO SUBMIT A WRITTEN NOTICE OF ALL INJURIES AND ILLNESSES IMMEDIATELY TO YOUR SUPERVISOR, DEPARTMENT HEAD OR HUMAN RESOURCES, AND MANAGEMENT. ALL WORK ACCIDENTS MUST BE REPORTED WHETHER OR NOT IMMEDIATE INJURY OR ILLNESS HAS OCCURRED.**

If leave qualifies under UCERA’s Family and Medical Leave Policy, your approved (TDI/Workers’ Compensation) leave will be counted as Family and Medical leave. It is UCERA’s responsibility to designate the leave as FMLA. It is your responsibility to timely complete your leave request forms to assure reinstatement and benefit continuation for the duration of such approved leave. If you are unable to return to work at the end of any approved leave, it is your responsibility to timely request additional leave.

For disabilities covered by Temporary Disability Insurance and/or Worker’s Compensation, UCERA pays your medical, dental and life insurance premiums for the month in which your illness/injury occurs. Thereafter, if you remain disabled, your individual medical premium will be paid for by UCERA for an additional three (3) months; all other insurance premiums will be your responsibility.

Prior to returning to work from a Workers’ Compensation leave, you must submit a note from your physician releasing you back to work.

11. **403(b) Plan**

UCERA has established a 403(b) savings plan to provide employees the potential for future financial security for retirement.

To be eligible to join the 403(b) savings plan, you must complete an enrollment form. You will begin participation the first of the month following employment with UCERA. Eligible employees may participate in the 403(b) plan subject to all terms and conditions of the plan.

The 403(b) plan allows you to elect how much salary you want to contribute up to the maximum allowed by law and direct the investment of your plan account, so that you can tailor your retirement package to meet your individual needs. UCERA offers a discretionary employer match up to 3% of your gross annual salary.
Because your contribution to a 403(b) plan is automatically deducted from your pay before federal and state tax withholdings are calculated, you save tax dollars now by having your current taxable amount reduced. While the amounts deducted generally will be taxed when they are finally distributed, favorable tax rules typically apply to 403(b) distributions.

Please contact Human Resources for more information about the 403(b) plan.

12. **Employee Assistance Program (EAP)**

UCERA recognizes that all of us from time to time run into problems in life. EAP is a confidential service that provides professional assistance to assist you and your family members with a variety of problems that may affect your well-being, health, happiness and performance. All employees are eligible for EAP services at no cost to the employee. EAP usage is voluntary and family members are also eligible to use EAP. UCERA is NOT notified of who uses the program or why.

13. **Pretax Parking and Commuter Transportation Policy**

The rules outlined in Section 132 of the Internal Revenue Code help to reduce an employee’s taxable income by allowing employees to have eligible parking and commuter transportation expenses deducted from their pay before their pay is taxed, i.e. with “pretax” dollars. Eligible parking includes parking at or near the primary place of employment or parking at a lot from which mass transit, such as a bus, is taken. Eligible transportation expenses include mass transit, such as a bus pass. See UCERA’s Parking and Commuter Transportation policy for more information.

14. **Temporary Military Duty Pay Privileges**

The Uniformed Services Employment and Reemployment Rights Act ("USERRA") requires employers to give eligible employees time off for military service.

Employees who are volunteers of DMAT (U.S. Disaster Medical Assistance Team) are intermittent Federal Employees - similar to military reservists. Should any employee receive orders for DMAT, UCERA will follow the Temporary Military Duty Pay Privileges Policy.

**Eligibility:** It is company policy to grant a leave of absence to employees in the uniformed services (Army, Navy, Marines, Air Force, Army or Air National Guard, the reserves, the commissioned corps of the Public Health Service, or any other uniformed services designated by the president in time of war or emergency).

**Pay:** Military leave is generally considered an unpaid leave of absence. However, salaried exempt employees who perform work during a week in which they perform military service receive the difference in their regular salary and military pay for that workweek. All employees may use their
accrued and available PTO for military leave, upon their request.

**Group Health Care Benefits:** For absences of less than 30 days, UCERA will continue group health care benefits as if the employee had not been absent. For absences exceeding 30 days, employees may elect continued coverage for up to twenty four (24) months, at the employee's own expense, which is up to 102% of the full premium. Upon return to work, the employee's health insurance will be reinstated with no waiting period.

**Other Benefits:** Non-seniority benefits such as PTO, holiday pay, and life insurance are generally not continued while employees are on military leave, unless the benefits are offered to other employees on similar non-military leaves. Thus, an employee generally will not accrue PTO nor earn holiday pay during their absence. However, military leave will count towards an employee’s length of employment so that upon return to work, the employee will earn PTO at a rate designated for their employment period.

Upon reinstatement, an employee will also be entitled to seniority-based benefits that are rewards for length of service. UCERA’s contributions to retirement benefits will also be made to the employee’s retirement accounts upon reinstatement, to the extent required by law. UCERA credits an employee’s time spent on military leave when calculating its contribution amount. Employees also may make up their missed contributions after they are reinstated.

**Notice:** Employees must provide UCERA with reasonable advance notice of military duty, unless the military necessity prevents the employee from giving proper notice or it is impossible or unreasonable for the employee to do so. UCERA also requests that a copy of the military orders, or other document verifying the military-necessitated leave, be provided to Human Resources.

**Return to Work:** If an employee does not return to work within the time required by federal law after their military leave has expired, the absence shall be treated as an unexcused absence and the employee may be deemed voluntarily terminated under our no show no call policy.

Employees must return to or reapply for work in accordance with the following schedule, depending upon the length of military service. For all leaves exceeding 30 days, the application for reemployment must be submitted to Human Resources and documentation provided that your application is timely, that the five-year limit on the duration of service while working at UCERA has not been exceeded, and that the separation/dismissal from service was not disqualifying (e.g., dishonorable discharge).

<table>
<thead>
<tr>
<th>Period of Service</th>
<th>Time to Report or Apply for Reemployment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 30 days</td>
<td>Employee must report for work at the beginning of the first full regularly-scheduled work period on the first full calendar day</td>
</tr>
</tbody>
</table>
following the completion of the period of service and eight (8) hours following a safe transportation home.

31-180 days

Employee must apply for reemployment (written) no later than 14 days after completing service, unless it is impossible or unreasonable to do so.

More than 180 days

Employee must apply for reemployment (written) no later than 90 days after completing service.

Upon return from military leave, it is UCERA policy to promptly place the employee in a position depending upon the length of the military leave and the employee’s qualifications. The position may be (a) a position that the employee would have retained if had they had been continuously employed ("escalator position"); (b) the pre-service position; (c) a position of like seniority status and pay to the escalator position or the pre-service position; or (d) a position that is the nearest approximation to the escalator position or the pre-service position. UCERA will make reasonable efforts to help the employee become qualified for the appropriate position.

D. Benefits Available After One (1) Month of Continuous Employment

1. Flexible Spending Account

A flexible Spending Account allows you to pay for certain medical, dependent care expenses, or parking and transportation cost with pre-tax dollars from your paycheck. A pre-tax deduction allows employees to save on the amount of taxes deducted from their paychecks. Three accounts are offered by UCERA to employees: Medical Care Account, Dependent Care Account, and Parking and Commuter Transportation Account. Medical and Dependent Care Accounts are use it or lose it during the calendar year, so employees should plan accordingly on the amount pledged yearly into the accounts.

2. Group Life Insurance, Accidental Death and Dismemberment (AD&D) Insurance

UCERA provides all regular full-time and regular part-time employees with Group Life Insurance and AD&D Insurance at no cost to the employee. Coverage begins on the first day of the month following date of hire. The amount of coverage is 1.5 times your annualized pay rate up to a maximum of $100,000.00. Employees may choose to extend Life Insurance coverage for their immediate family (spouse, children or dependent), domestic partner and reciprocal beneficiaries at their own expense and the premium will be deducted from the employee’s semi-monthly paychecks.

Revised 11/1/2014
3. **Long-Term Disability (LTD) Insurance**

UCERA provides all regular full-time and regular part-time employees with LTD Insurance at no cost to the employee. LTD provides partial protection from loss of earnings should employees become disabled due to non-work related injury or illness. Coverage begins on the first day of the month following the employee’s date of hire. LTD Insurance will pay benefits up to the maximum number of months allowed by UCERA’s LTD insurance plan. For more information on how this applies to your situation, contact Human Resources.

Prior to returning to work you must submit a note from your physician releasing you back to work. Any medical release must list any/all physical restriction(s) the physician requires.

**E. Benefits Available After Three (3) Months of Continuous Employment**

1. **Leaves of Absence**

Leaves of absence may be granted to employees on regular status when there is a justifiable reason, and when permitted by the operations of the department. Application for a leave of absences should be made in writing at least two weeks (ten working days) prior to being absent and approved by the employee’s supervisor and Human Resources. Employees are also required to notify their supervisor if they are unable to return at the end of the specified leave. Failure to provide such notification will mean that the employee has voluntarily resigned.

a) **Leave With Pay**

(1) **Bereavement Leave**

Three (3) days leave with pay is authorized for full-time employees upon the death of an immediate family member and/or immediate family for your spouse and/or civil union partner (spouse, domestic partner, reciprocal beneficiary, civil union partner, child, civil union partner’s children, parent, civil union partner’s parents, stepparent, brother, sister, mother/father-in-law, daughter/son-in-law, sister/brother-in-law, stepdaughter/son, grandparent/grandparent-in-law, grandchild, or legal guardian). Employees may be asked to provide proof of death and relationship to the deceased.

This benefit will be paid even if the death in the family occurs while you are on vacation leave. Bereavement Leave will be paid in lieu of PTO hours upon written request by the employee and approved by your supervisor. Employees should notify their supervisors as soon as possible for time off under the company’s bereavement leave policy.

(2) **PAID TIME OFF (PTO)**
This PTO policy applies to exempt and non-exempt (hourly) staff. The provision of paid time off to employees with contracts is described in each employee’s contract.

UCERA provides PTO to eligible staff employees who are at 50-100% FTE. Paid time off provides paid time away for vacation, personal time, personal illness, time to care for dependents, undesignated holidays, etc.

The provision of **paid time off for employees/providers with contracts are described in each employee’s provider employment agreements.**

**Eligibility and PTO Accrual:** Employees who are entitled to PTO will begin earning PTO hours as of the first day of employment, but may not use these hours until after the first 90 days of employment. PTO accrual is calculated by pay period, and will accrue at a rate determined by the employee’s years of employment. However the rate of their accrual and the hours charged when they take PTO will be proportional to their individual FTE, as indicated below.

**Less than full-time employees:** Employees who work less than 20 hours/wk will not be entitled to PTO. Regular part-time employees (from 20 to 39 hours/wk) who are entitled to benefits will accrue (and be charged when they use PTO) at a rate proportional to their FTE. Employees whose usual number of hours per week changes during a pay period will have their PTO accrual change on the first day of the following pay period (1st or the 16th).

**Full-time employees (40 hours/wk):** Regular full-time employees in their first year of employment will accrue a total of 240 hours (30 days). In their second year of employment, they will accrue a total of 272 hours (34 days). In the third year of employment, they will accrue a total of 288 hours (36 days). In the fourth year of employment, they will accrue a total of 304 hours (38 days). In the 5th through the seventh year of employment, they will accrue a total of 312 hours (39 days) per year. In the eighth year of employment and thereafter, they will accrue a total of 352 hours (44 days) per year.

**FTE Accrual:** Employees will earn and accrue PTO proportional to their FTE, Employees will only accrue PTO on a .5 FTE accrual basis. For example: If an employee has 2 years of service and working 34/hours per week (0.85 FTE), the employee will accrue 231.20 PTO hours per year. (272 x .85 = 231.20) If an employee has 3 years of service and working 26 hours/week (0.65 FTE), the employee will accrue 187.2 hours per year (288 x .65 = 187.2).
PTO is **earned** on the following schedule proportional to an employee’s FTE:

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>PTO Hours Earned/Year</th>
<th>PTO Days Earned/Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>240</td>
<td>30</td>
</tr>
<tr>
<td>2</td>
<td>272</td>
<td>34</td>
</tr>
<tr>
<td>3</td>
<td>288</td>
<td>36</td>
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<tr>
<td>4</td>
<td>304</td>
<td>38</td>
</tr>
<tr>
<td>5-7</td>
<td>312</td>
<td>39</td>
</tr>
<tr>
<td>8+</td>
<td>352</td>
<td>44</td>
</tr>
</tbody>
</table>

The maximum number of hours that a full-time (1.0FTE) employee may **accrue** is 240 hours (30) days. The maximum number of hours that part-time employees who are entitled to PTO may accrue will be proportional to their FTE.

No PTO time will accrue: (a) during the period an employee is on leave without pay; (b) during any period of suspension; (c) during any period the employee is on unauthorized leave. No PTO leave of less than one (1) hour may be granted.

At termination of employment, the maximum number of PTO hours that will be paid out for full-time employees is 240 hours (30) days. The maximum number of earned hours will depend on an employees’ FTE. For part-time employees, the maximum number of earned PTO hours that will be paid out will also depend on the FTE.

**Taking PTO:** Employees entitled to take PTO will be encouraged to take time off because this is considered important for an employee’s health, well-being, and to renew their enthusiasm for work. With the exception of sudden illness, PTO time must be requested in advance. For absences of three or more days without any advance notice to your supervisor, employees will be required to provide a physician’s note stating you were unable to work and specify work restrictions, if any. To keep the work flowing, including during periods of increased work demands, each department may set its own specification for the days...
when PTO is not generally available. Each department may also specify how many days in advance PTO must be requested in order to be approved not to count as an unscheduled absence. The department may have restrictions on the maximum number of continuous PTO days allowed. Employees are responsible for managing their PTO. This means developing a plan for taking vacations, as well as doctor appointments and personal business. It also means holding a “reserve” for the unexpected, such as emergencies or illnesses. Unused PTO hours may be taken to help make up the difference in pay between TDI and the usual pay. Employees will not be able to "sell" unused PTO hours back to the company.

**Last Day of Employment:** The last day of employment must be a work day, not a PTO day.

**Mandatory PTO:** There may be infrequent occasions when staff members will be required to take a mandatory PTO day. For instance, in the event of a business closure (regardless of whether the absence is for a full or partial day.

**Donations of PTO:** In cases where an employee has extraordinary need, as determined by the department head/chair and the CEO, other employees may make irreversible donations of their PTO hours into a UCERA “PTO bank” to be used by the employee in need, on an hour-for-hour basis. These donations are not tax-deductible for the employee who donates PTO. Please refer to UCERA’s Leave Donation Policy.

b) **Leaves Without Pay**

(1) **General Leave of Absence**

A general leave of absence without pay may be available for compelling, urgent or unusual circumstances, and may be sought as a reasonable accommodation for a disability. The employee must state a reason for the leave, its beginning and ending date, and the date of return to work. After review with the affected supervisor or Department Head and Human Resources, the COO will make the decision whether or not to approve the requested leave of absence. Employees are not permitted to accept employment with another employer during a leave of absence and will be terminated from employment with UCERA if they do so. Benefits will continue only for the month in which the leave begins. Employees will be required to pay their full share of their employee benefits to cover the leave period before the leave begins. It is the employee’s responsibility to make these arrangements to keep their benefits (such as Health Insurance and Life Insurance) from lapsing. Leaves of absence may not be more than three (3) months in duration. Approved leaves of thirty (30) days or less will not affect the employee’s employment anniversary date.
Employees must notify their Department Head of their scheduled return-to-work date at least one week before that date. If they do not return to work on the agreed date, the employee will be considered to have voluntarily terminated their employment with UCERA.

Due to a necessity, such as auto registration, traffic court, etc. where such agency is open only during our working hours, an absence without pay may be granted if the employee does not have enough hours in their PTO bank to be paid for the time off. Employees must give their supervisor at least three (3) days’ notice of anticipated time off.

Employees requesting leave without pay will be required to use all accumulated PTO hours before taking unpaid leave.

(2) Maternity Leave

Female employees disabled due to pregnancy, childbirth, or related medical conditions, will be granted an unpaid leave of absence for a reasonable period of time as determined by the employee’s physician. Prior to onset of the unpaid leave, the employee must submit a physician’s certificate estimating the length of the leave and the estimated commencement and termination dates of the leave. Prior to returning from leave, the employee must submit a physician’s certificate approving her return to work. Upon timely return to work, the employee will be reinstated to her original job, or to a position of comparable status and pay, without loss of length of service and privileges. During such leave, employees may qualify for temporary disability benefits (TDI) or PTO benefits to the same extent as any other employee. Qualifying maternity leave will be considered family and medical leave.

During the first month of any disability due to pregnancy, and for up to three (3) months if the employee remains disabled, UCERA will pay for the employee’s individual health insurance premiums. **All other premiums will be the employee’s responsibility.** After the three (3) months expires, the employee may have the right to pay for continuation of medical, dental, drug and/or vision coverage if the employee would otherwise lose such coverage. See the plan documents or Human Resources for specific information concerning such continuation coverage.

F. Benefits Available After Six (6) Months of Continuous Employment

1. Hawaii Family Leave Law

UCERA provides leave under the Hawaii’s Family Leave Law (HFLL) to eligible employees with a maximum of four (4) weeks of **unpaid** leave per
year for the birth or adoption of a child or to provide care for a seriously ill child (natural, step, adopted or foster), spouse, civil union partner, reciprocal beneficiary, parent (biological, foster, or adoptive parent, parent-in-law, stepparent, legal guardian, grandparent or grandparent-in-law), or reciprocal beneficiary. The 4 weeks per year is not cumulative.

To be eligible for leave an employee must have been employed with UCERA for at least six (6) consecutive months. Accrued hours in the employee’s PTO bank may be substituted for any part of the unpaid four-week period. Upon request, employees requesting leave will be permitted to use all accumulated PTO hours before taking unpaid leave.

The leave may be taken intermittently, rather than 4 weeks at one time.

Upon return from family leave, the employee is entitled to the same position he or she left or an equivalent one, with no loss of previously accrued benefits.

The four (4) weeks of HFLL leave per year will be measured using a “rolling” 12-month period measured backward from the date the employee uses any HFLL leave. Certification by a health care provider will be required to ascertain whether the leave qualifies as HFLL leave.

Employees taking HFLL leave are required to provide UCERA with no less than 30 days notice. Failure to provide reasonable notice may be cause for denying the leave request until reasonable notice has been given.

Employees qualifying for leave under the HFLL may also qualify for concurrent leave under the federal Family and Medical Leave Act, when the leave is to care for a qualifying family member or military servicemember. Leave taken because of an employee’s own serious health condition is not covered by the HFLL, but may qualify as FMLA leave.

2. **Victims of Domestic Violence Leave**

UCERA provides eligible employees up to 30 days of unpaid victim’s leave per calendar year. If the employee or the employee's minor child is a victim of domestic or sexual violence (i.e. domestic abuse, sexual assault, or stalking) as defined under the Hawaii Victims Leave Act (HVLA), leave may be taken to seek medical attention, to obtain services from a victim services organization, to obtain psychological or other counseling, to relocate, or to take legal action related to the domestic or sexual violence.

To be eligible for leave an employee must have been employed by UCERA for at least six (6) consecutive months.

An employee who is entitled to victim’s leave must first exhaust all applicable and accumulated paid leave, including PTO hours. Additionally, all leaves, paid or unpaid, that are taken for a purpose covered under HVLA will be counted against the leave time that is available under the Act. After an
employee's applicable paid leave is exhausted, the remaining period of leave will be unpaid.

The employee must provide reasonable advance notice of the need for leave, unless not practicable due to imminent danger to the employee or the employee's minor child.

At UCERA's request, the employee must provide appropriate certification of the need for leave. If requested certification is not provided, protected leave may be denied.

UCERA may require the employee to make periodic reports regarding the employee's status and intent to return to work. If medical leave is taken, fitness for duty certification may also be required prior to return to work.

Upon completion of the victims leave, the employee will be reinstated to the same position held prior to the leave or to a comparable position, without loss of service credits or benefits accumulated prior to the leave.

Information related to an employee's request for and taking of domestic or sexual violence leave shall be kept confidential, except to the extent that disclosure is (1) requested or consented to by the employee; (2) ordered by a court or administrative agency; or (3) otherwise required by applicable federal or state law.

The Company will provide reasonable accommodation for a domestic or sexual violence victim, which may include, but is not limited to, such things as increasing security, screening phone calls or allowing flexible hours, absent undue hardship.

Employees who have questions or concerns regarding this leave should contact the Human Resources Department.

G. Benefits Available After Twelve (12) Months of Continuous Employment

1. Family and Medical Leave

Under the federal Family and Medical Leave Act (“FMLA”), employees who have completed 12 months of service with the Company (which need not be consecutive months), have worked a minimum of 1,250 hours during the 12 months preceding the leave, and work at a site having at least 50 employees within a 75 mile radius may take up to 12 weeks of leave each rolling 12-month period measured backward from the date the employee uses FMLA leave for any of the following reasons:

- Because of the employee’s incapacity due to pregnancy, prenatal medical care, or child birth;
- For the birth of a child and to care for the newborn, or placement of a child with the employee for adoption or foster care;
• To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition; or

• Because of a serious health condition that makes the employee unable to perform the functions of his/her job.

• In addition, employees who are eligible under the FMLA may take Military Family Leave for qualifying exigencies, or to care for a covered servicemember as described below.

Definition of “Serious Health Condition”

A serious health condition is an illness, injury, impairment, or physical/mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider that either prevents the employee from performing the functions of the employee’s job, or prevents the qualifying 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 full calendar days, combined with: (a) at least two (2) visits to a health care provider; or (b) one (1) visit to a health care provider and a regimen of continuing treatment.

Incapacity due to pregnancy, incapacity due to a chronic condition, and other conditions may also meet the definition of continuing treatment.

Military Family Leave

FMLA Leave for “Qualifying Exigencies”

Eligible employees with a spouse, son, daughter, or parent who is on covered active duty or call to covered active duty status may use their 12 weeks of FMLA leave to address certain qualifying exigencies. “Covered active duty” for members of the regular Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country. “Covered active duty” for members of the reserve components of the Armed Forces (members of the U.S. National Guard, Reserves, and retired members of the Regular Armed Forces or Reserves who are called up in support of a contingency operation) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of title 10, United States Code.

The qualifying exigencies for which leave may be taken include the following:

• Short-notice deployment of the military family member (maximum 7 days of leave)

• Attending certain military events and related activities
• Arranging for alternative childcare, providing childcare on an urgent, immediate need basis, enrolling or transferring to a new school or daycare facility, or attending school meetings for children of the military family member

• Addressing certain financial and legal arrangements caused by the military family member’s covered active duty or call to covered active duty status

• Attending certain counseling sessions

• Spending time with the military family member who is on short-term rest and recuperation leave (maximum 15 calendar days per instance)

• Attending to post-deployment activities such as addressing issues that arise from the death of the military member or attending reintegration briefings for a period of up to 90 days after termination of the military family member’s covered active duty status

• Providing care on an urgent, immediate need basis for, arranging to provide care for or attending meetings regarding the parent of the military member who is incapable of self-care

FMLA Leave to Care for a Covered Servicemember

Eligible employees may take up to 26 weeks of leave in a “single 12-month period” to care for a spouse, son, daughter, parent, or “next of kin” who is a covered servicemember. 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.” With regard to current members of the Armed Forces, serious injury or illness means an injury or illness that renders the servicemember medically unfit and was incurred in the line of duty while on active duty or that existed prior to active duty and was aggravated by service in the line of duty on active duty. A serious injury or illness for a covered veteran means an injury or illness that was incurred or aggravated by the member in the line of duty on active duty in the Armed Forces and manifested itself before or after the member became a veteran, and is: (1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember
unable to perform the duties of the servicemember’s office, grade, rank, or rating; (2) a physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; (3) a physical or mental condition that substantially impairs the veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would do so absent treatment; or (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

For purposes of covered servicemember leave, “next of kin” is a blood relative who has been designated in writing by the covered servicemember as his/her next of kin, or is the nearest blood relative of the covered servicemember (other than a spouse, parent, son, or daughter) in the following order or priority: blood relatives granted legal custody of the covered servicemember, siblings, grandparents, aunts and uncles, and first cousins.

The “single 12-month period” during which up to 26 weeks of leave may be taken begins on the first day of leave to care for the ill or injured covered servicemember. Leave which is taken to care for an ill or injured servicemember, when combined with FMLA leave taken for any other FMLA-qualifying reasons, shall not exceed 26 weeks in the single 12-month period.

**Spouses Both Employed by the Company**

If you and your spouse, civil union partner, or reciprocal beneficiary are both employed by the Company and are eligible for HFLL leave, each of you may take up to four (4) weeks of leave per 12-month period for the birth or adoption of a child, or to care for a parent with a serious health condition. However, if you and your spouse are also eligible for FMLA leave, you and your spouse’s total combined leave for the birth, adoption, placement in foster care of a child, or to care for a parent with a serious health condition, shall not exceed 12 weeks in the applicable 12-month period. If you and your spouse are eligible for FMLA leave and each of you wish to take leave to care for a covered servicemember, you and your spouse may only take a combined total of 26 weeks of FMLA leave during the applicable “single 12-month period.”

**Aggregation of Leave and Maximum Leave Amounts**

All HFLL-qualifying leave taken during a 12-month period shall be counted towards the 4-week maximum. All FMLA-qualifying leave (other than leave to care for a covered servicemember) which is taken during a rolling 12-month period shall be counted towards the maximum 12 weeks of FMLA leave for that period. When an employee takes leave to care for a covered servicemember as well as leave for other FMLA-qualifying reasons during a “single 12-month period,” the aggregate FMLA leave taken during that
“single 12-month period” may not exceed 26 weeks. The “single 12-month period” for purposes of leave to care for a covered servicemember begins on the first day of covered servicemember leave.

Leave taken for any reason which qualifies under both the HFLL and FMLA (for example, for birth of a child, for the placement of a child for adoption, or to care for a child, spouse, or parent with a serious health condition) will run concurrently, and will be counted against both the 4-week HFLL leave maximum and 12-week FMLA leave maximum for the applicable period.

Employee Responsibilities

If you wish to take family and medical leave and the need for your leave is foreseeable, you must provide the Company with at least 30 days’ advance notice. If this is not possible, or the need for leave is not foreseeable, you must notify the Company of your need for leave as soon as practicable. You must also generally comply with the Company’s normal call-in and notification procedures for absences and taking leaves.

You must provide sufficient information for the Company to determine if the leave may qualify for FMLA or HFLL protection, as well as the anticipated timing and duration of the leave. Sufficient information may include that you are 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 a description of circumstances supporting the need for military family leave. You must also inform the Company if the requested leave is for a reason for which FMLA leave was previously taken or certified. Failure to provide adequate and reasonable notice of your need for leave may be grounds for delay of the leave, or if you are already absent from work, may result in your absence not being protected and subject to discipline.

Your request for family and medical leave should be made to Human Resources. You will be required to complete a written request for family and medical leave.

Employer Responsibilities

The Company will inform employees requesting leave whether they are eligible under the HFLL or FMLA. If you are eligible for FMLA leave, you will be provided with an eligibility notice specifying any additional information required by the Company, as well as a description of your rights and responsibilities while on leave. If you are not eligible for FMLA leave, you will be given a reason for ineligibility.

We will inform you if leave will be designated as FMLA-protected, and if the leave is so designated, the amount of leave counted against your leave entitlement. You will also be notified if your leave is not FMLA-protected.

Substitution of Paid Leave
Family and medical leave under this policy is generally unpaid. However, you may elect to take applicable and accumulated paid leave (such as sick leave, vacation, or PTO) concurrently with your family and medical leave. You may also use accrued and available paid leave to supplement any payments you receive under workers compensation or TDI. If you choose to take paid leave concurrently with family and medical leave, you must generally comply with all notice and procedural requirements of the Company’s paid leave policies in order to use applicable and accumulated paid leave during your family and medical leave.

The Company may also require you to use any applicable and available paid leave benefits you may have (such as but not limited to vacation, sick leave, or PTO) when you take family and medical leave for the following reasons: (a) because of your own serious health condition, (b) because of a “qualifying exigency” as defined in this policy, and (c) to care for a covered servicemember who is not your spouse, civil union partner, reciprocal beneficiary, child, parent, grandparent, parent-in-law, or grandparent-in-law.

If you are taking family and medical leave to care for a covered family member or for the birth or adoption of a child under the HFLL, you will not be required by the Company to use any paid leave during the first 4 weeks of leave covered by the HFLL. However, if your leave extends beyond the HFLL’s 4-week leave allowance and is also covered by the FMLA, you will be required thereafter to exhaust your applicable and available paid leave benefits during the remaining period of FMLA leave.

Although ordinarily the Company requires paid leave to be taken in certain minimum increments, those minimum increment requirements will not be applied to employees taking intermittent family medical leave under this policy.

Employees taking leave which is covered by the HFLL may use up to 10 days of any available and unused paid sick leave during the 4 weeks of HFLL leave. The substitution of paid leave time for unpaid leave time does not extend your maximum allowable leave under this policy. Leave which is covered by TDI or workers’ compensation insurance, and which is taken for an FMLA-qualifying reason, will be counted towards the 12-week FMLA leave allowance.

**Leave Certification**

If you are requesting leave because of your own serious health condition, or to care for a qualifying family member with a serious health condition, or to care for a covered servicemember with a serious injury or illness, you must furnish the Company with appropriate medical certification. If you are requesting intermittent leave or leave on a reduced schedule, your certification must also include a statement of the medical necessity for such leave, and the expected duration of such leave. You may obtain certification forms from the Human Resources Department. When you request leave, the Human Resources
Department will notify you of the requirements for certification of your leave, and the date by which the certification should be returned. The Company may also require subsequent periodic medical recertifications.

If the Company has reason to doubt the validity of your medical certification, it may require you to be examined by a second health care provider at Company expense. If the second opinion conflicts with the original medical certification, the Company may seek a mutually agreeable physician to conduct a third examination (at the Company’s expense) to provide a final and binding opinion.

If you are taking leave to care for a newborn, for adoption or foster care placement, or for a “qualifying exigency” under Military Family Leave, you may be required to provide certification to support your leave. The Human Resources Department will notify you of the required certification.

Failure to provide appropriate certification in a timely manner may result in denial of leave until it is provided, and an unreasonable failure to provide timely or appropriate certification may result in the leave being treated as an unexcused absence.

**Interruption and Reduced Schedule Leave**

Leave may be taken intermittently (in separate blocks of time) or on a reduced leave schedule (by reducing the usual number of hours you work per workweek or workday) for the following reasons:

- Because of the employee’s own serious health condition
- To care for a family member with a serious health condition, or for a covered servicemember with a serious illness or injury
- Because of a “qualifying exigency” related to a family member’s covered active duty or call to covered active duty status as defined above.
- During the first 4 weeks of leave taken for the birth or adoption of a child

Leave which is taken for the birth or adoption of a child may only be taken on an intermittent or reduced schedule basis for the first 4 weeks of leave. In addition, you should know that if you choose to take intermittent leave or reduced schedule leave for the birth or adoption of a child, you are limited to the 4 weeks of leave provided under the HFLL, and are not eligible for additional leave for the birth or adoption of a child under the FMLA during the applicable 12-month period.

If your intermittent or reduced schedule leave is unpaid, the Company may reduce your compensation to reflect the amount of time you actually work. When you take intermittent or reduced scheduled leave which is foreseeable
based on planned medical treatments, the Company may temporarily transfer you to an alternative position with equivalent pay and benefits that better accommodates your intermittent or reduced schedule leave. In addition, when you take intermittent or reduced schedule leave for planned medical treatments, you should discuss the timing of the leave with the Human Resources Department and make reasonable efforts to schedule treatment so as not to unduly disrupt the Company’s operations.

Health Insurance and Other Benefits

During an FMLA approved leave, the Company will continue your participation in the Company’s health plan as if you continued to be actively employed. You will continue to be responsible for your share of any payments for your own or for dependent health insurance coverage. If paid leave is substituted for unpaid family and medical leave, the Company will deduct your portion of the monthly premiums for the health plan through payroll deduction. If your leave is unpaid, you must pay your portion of the monthly premiums as directed by the Company. Failure to pay your share of the monthly premium on a timely basis can result in discontinuation of health benefits for you and/or your dependents. Also, if you elect not to return to work at the end of your family and medical leave, you will be required to reimburse the Company for the cost of the premiums paid by the Company for maintaining your health care coverage during your leave, unless the reason you cannot return to work is due to your serious health condition or that of a family member requiring care, the serious injury or illness of a covered servicemember, or other circumstance beyond your control.

You may continue benefits other than group health insurance while on FMLA leave in accordance with the Company’s policies. Any benefits that would normally be maintained while an employee is on other forms of leave, including paid leave if you substitute paid leave during FMLA leave, will be maintained during FMLA leave.

Use of FMLA or HFLL leave cannot result in the loss of any employment benefit which accrued prior to the start of leave.

Returning to Work

Employees on family and medical leave must contact their supervisor one week prior to the end of their leave to report on their status and intent to return to work. An employee returning from FMLA and HFLL leave will be reinstated to the same position he/she held when the leave commenced or to an equivalent position with equivalent pay, benefits, and other employment terms, unless the employee has been determined to be a “key employee” under FMLA.

If you are identified as a “key employee” for FMLA leave, you will be notified of your “key employee” status when you submit your request for family and medical leave, and will be informed of the possibility that you will
denied restoration to employment upon conclusion of your leave. To be a “key employee,” you must be a salaried employee who is among the highest-paid 10% of all employees within 75 miles of your worksite, and the Company must determine that keeping the job open for you would result in substantial and grievous economic injury to the Company.

**Fitness for Duty Requirement:**

If you have taken leave because of your own serious health condition, the Company may require you to provide a medical certificate that verifies you are able to perform essential job functions. A failure to provide the required medical certificate may result in a delay in your return to work until the certificate is provided.

**Notice of FMLA Rights:**

The FMLA makes it unlawful for an employer to interfere with, restrain, or deny the exercise of any right protected under the FMLA. It is also unlawful to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA, or for involvement in any proceeding under or relating to the FMLA. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit to enforce FMLA rights. In addition, the FMLA does not affect any federal or state law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement providing greater family or medical leave rights.

If you have any questions about this family and medical leave policy, please contact the Human Resources Department.

**V. ORGANIZATION REGULATIONS**

**A. Acceptance of Gifts**

In order to maintain professional business relations with suppliers, vendors and others, UCERA employees should not accept gifts, gratuities, material considerations, or other things of value from anyone doing business, or seeking to do business, with UCERA. Only gifts of nominal value which are commonly exchanged in the course of doing business may be accepted. Exceptions: floral arrangements, food items, and gifts bearing a business logo may be accepted, but must be shared with other employees and may not be taken home. Any gifts received must be reported to the employee’s supervisor, Department Head or Human Resources. Employees who are unsure whether it is appropriate to accept a particular gift should check with your supervisor, Department Head or Human Resources. See also the UCERA Code of Conduct.
B. Communications

1. Communications/Open Door Policy

UCERA recognizes that in order to have satisfied patients and clients, we must have employees who are happy to be working for the organization. Effective communication is an essential element of job satisfaction. It is the key link between all of us and is vital to the success of our business. We ask that employees share the responsibility of communicating their ideas, questions or concerns about their job to their supervisor, or if more appropriate, to other management representatives, in the following manner:

a. Any suggestions for improvement or report of problems needing solution should first be raised with the employee’s immediate supervisor; if the problem cannot be resolved at this level, or the supervisor is part of the problem, the employee may

b. See the Department Head for review of the issue. After taking this step, if other assistance is needed, the employee may

c. Contact Human Resources, in person, by phone, or in writing.

d. If a matter cannot be resolved by Human Resources, every employee may see the Chief Executive Officer by requesting an appointment. The decision of the Chief Executive Officer shall be considered the final organization application of its policies.

UCERA strongly believes in the Open Door Policy and there will be no retaliation against an employee for communicating in a truthful and positive manner. In addition, UCERA representatives will ask questions from time to time about employees’ feelings towards the organization and the job. Employees’ cooperation will help identify and solve problems for the benefit of all.

2. Personnel Records

For benefits administration and emergency purposes, it is vital that UCERA maintain accurate and current personnel records. Accordingly, it is the employee’s responsibility to notify Human Resources of any change in their name, residence address, phone number, marital or civil union status, domestic partner or reciprocal beneficiary for whom benefits are sought, number and names of dependents, the name and phone number of a person you wish us to contact in the event of an emergency, beneficiary designations, termination of employment (two weeks’ notice is requested as a courtesy), or other necessary personal information, within two weeks of any change. **Further, employees are also required to notify Human Resources when their work authorization documents expire and/or are renewed.** Updated copies of the work authorization documents should be provided to Human Resources.
Information in an employee’s personnel file is confidential other than to persons with a need to review the employment information contained therein. If an employee wishes to review the information contained in his or her file, the employee should contact the Central Human Resources Department to schedule a time to see these materials. Copies will not be permitted, since we consider these records to be company property. In exigent circumstances, exceptions may be made and is subject to approval of the Human Resources Director.

3. Bulletin Boards

Special notices and other information of interest to employees are posted on UCERA bulletin boards. From time to time, important notices may be made concerning Organization policy and procedures. The bulletin board is the customary place for posting these notices as well as government regulations. You are encouraged to check any bulletin boards regularly. In the interests of neatness and fairness, all bulletin boards are to be used solely and exclusively for Organization matters. Employees should not post anything on organization bulletin boards without the permission of management.

C. Computer, E-Mail, and Information Systems

Employees should have no expectation of privacy regarding email, electronic documents, voice recordings, data in any form, or other information or materials stored on or transmitted through UCERA’s electronic mail systems, computer systems or telephone voice mail systems. Employees should therefore ensure that personal or inappropriate materials are not created, transmitted or stored on or in Company property.

All equipment, property, and communications systems provided by the Company are subject to inspection and monitoring by the Company to ensure their proper use. By using the Company’s electronic mail system, computer system, networks, telephone system, voicemail system, and other business equipment, you consent to such monitoring and inspection by the Company.

You are expected to limit your use of the Company’s email and Internet access for personal reasons. Work time should be devoted to performing your job duties, rather than to personal communications or using the Internet for non-business related reasons. Excessive use of email or the Internet for non-business related reasons will result in discipline, up to and including termination.

The Company’s communication systems shall not be used to access, download, store, or transmit any images, communications, or information with an explicit sexual content, or which disparage individuals or groups based on gender, race, age, religion, ethnicity, sexual orientation, disability, or other classifications protected by state or federal law. Employees are also prohibited from using Company computers and business equipment for personal gain; to violate Company rules (including rules prohibiting harassment of other employees); or for any illegal
purpose. Employees must use the Company’s computer equipment and communications systems in a responsible, ethical, and lawful manner.

All codes, log-in identification, or passwords used for security purposes on Company computer equipment or programs must be disclosed to and registered with your supervisor and the IT department. No employee may use pass codes or security codes for Company computer equipment or software programs which are unknown to the Company.

**DISALLOWED USAGE:** All Users are responsible for helping to maintain a sound computing environment. Acts which serve to degrade UCERA information technology resources, whether deliberate or otherwise, are prohibited.

- All software, programs, code, transmitters or active devices on UCERA computers or UCERA equipment that accesses the UCERA network must be approved and installed by UCERA IT.

- The use of removable flash media storage devices, memory sticks, flash memory cards or any portable firmware based storage device on UCERA computers or UCERA equipment is prohibited unless authorized in writing, prior to usage, by UCERA IT. Storage of Protected Health Information unencrypted on such devices is strictly prohibited without prior written approval from UCERA IT, of the device and encryption technique.

**ACCESS:** UCERA reserves the right to limit or restrict any individual user’s access to UCERA information technology resources. UCERA may, without notice, authorize immediate removal of any data, file or system resource that may undermine the authorized use of UCERA information technology resources.

**ACCESS SECURITY:** Users of UCERA email, computer and network resources will be assigned a UCERA account(s) to access these computer facilities. It is the employee’s responsibility to protect his or her account from unauthorized use.

Any attempt to circumvent system security, guess other passwords, or in any way to gain unauthorized access to UCERA’s local or network resources is forbidden.

Access to another user’s files, data, e-mails, or log information shall not be executed by UCERA IT except for legitimate business purposes as authorized in writing by UCERA’s Chief Executive Officer.

**ADMINISTRATIVE USERS:** Administrative users of UCERA’s information technology resources will not attempt to view or utilize data that may be available to them but which is not necessary in the performance of their job function.

### D. Social Media and Blogging

The Company understands that employees use the Internet and social networks for both business-related and personal purposes. While the Internet and social networks are important tools for education, networking, and pursuing personal interest, they also create some potential risks. The following policy is intended to promote
responsible use of the Internet and social networking, and to protect the Company’s legitimate business interest.

This policy covers blogs and other forms of social media or technology, including but not limited to video or wiki postings, chat rooms, personal web blogs, social networks such as FaceBook and Twitter, and other similar forms of online journals, diaries, or personal newsletters.

Employees are cautioned that they should have no expectation of privacy while using the Internet. The company reserves the right to monitor comments or discussions about the Company, its employees and customers and the industry, including product information and competitors posted by anyone, including employees and non-employees, on the Internet.

The Company respects the right of employees to use blogs or other forms of social media and does not want to discourage employees from self-publishing and self-expression. Employees are expected to follow guidelines and policies set forth to provide a clear line between you as the individual and you as the employee. Employees cannot use employer-owned equipment, including computers, Company-licensed software, or other electronic equipment, nor facilities or Company time, to conduct personal blogging or engage in social networking activities.

Employees are personally responsible for their company commentary on blogs or other forms of social media. Employees can be held personally liable for commentary that is considered obscene, proprietary, or libelous by any offended party, not just the Company. Blogs or other forms of social media should not violate any of the Company’s rules or policies, including Equal Employment Opportunity, Harassment, Confidentiality (Conduct Rule 8), HIPAA privacy requirements, and other Conduct Rules or conduct related policies. Employees cannot use blogs or other forms of social media that reasonably could be viewed as abusive, malicious, obscene or threatening, intimidating, or libelous or that might constitute harassment or bullying or that discriminate on the basis of age, race, sex, religion, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status, or any other recognized protected basis under federal, state, or local laws, regulations, or ordinances. Examples of such conduct might include offensive posts meant to maliciously harm a person’s reputation or post that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

If you choose to identify yourself as an employee of the Company on a blog or other form of social media, please understand that some readers may view you as a spokesperson of the Company. Where such a possibility exists, we ask that you include a statement or disclaimer that the views expressed are your own and not
those of the Company or of any person or organization affiliated or doing business with the Company.

The policy is not intended to interfere with, restrict, or prevent employee communications, during non-working time without using company equipment, regarding wages, hours, or other terms and conditions of employment. UCERA employees have the right to engage in or refrain from such activities.

Any violation of this Social Media policy may be subject to discipline, up to and including termination.

E. Personal Mail and Use of Telephones

UCERA mail and telephone systems are intended to accommodate our business transactions and communications only.

Please have your personal communications directed to your residence. Any necessary phone calls should be limited to rest or meal breaks whenever possible. Of course, emergency phone calls may be placed or received at any time. Employees may not use company phones to make personal long-distance calls. Company phones may not be used for any illegal purpose, or for any purpose contrary to any Company policy.

F. Disciplinary/Corrective Action

Although employment with UCERA is based on mutual consent and both the employee and UCERA have the right to terminate employment at will, with or without reason or advance notice, UCERA may use progressive or gradual disciplinary action, at its discretion.

An employee who engages in conduct considered by UCERA to be improper and/or not in the best interests of UCERA is subject to discipline, up to and including termination, with or without prior notice, warnings or suspension. In general, the following types of corrective discipline may be administered:

1. A Verbal Reprimand by the supervisor (with a written notation of that warning placed in the employee's file); or
2. Written Reprimand/Counseling (with a copy placed in employee's file); or
3. Suspension with or without pay (with a copy placed in employee's file); or
4. Termination of employment (with a copy of the violation that resulted in the discharge, including reference to any previous verbal or written warning given).

There are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, immediate termination of employment, without going through the usual progressive disciplinary steps.
UCERA always reserves the right and discretion to determine the appropriate level of disciplinary action for each and any offense on a case-by-case basis.

**G. Health and Safety**

Safe working conditions are required by law and must be maintained at all times. It is the employee’s responsibility to practice safety on the job. Injury to an individual means a loss to both the individual and to UCERA. The following rules apply to all employees and are minimum requirements for safety and health. *See the approved UCERA Health and Safety policy that by reference is made a part of this employee handbook.*

1. Be careful! Employees must report all unsafe conditions to their supervisor immediately. If an employee is in doubt whether something is safe, they should ask their supervisor.

2. Horseplay and practical jokes on the job are prohibited.

3. Safety is largely a matter of good housekeeping. Keep all walking areas clear and dry. Do not overload electrical sockets. Always turn off electrical equipment before leaving for the day.

4. Report every injury or illness, however slight, immediately to your supervisor. Your supervisor will obtain first aid or get medical assistance. First aid kits are located in all UCERA facilities—find out where they are located in your area.

5. If medical attention is necessary, keep calm and do not attempt to move the injured person unless absolutely necessary. Know who your qualified first aid CPR employees are and call them in an emergency. Call 911 for an ambulance and then render first aid if you are qualified to do so.

6. Unless a physician, **do not** attempt to remove foreign bodies from the eye of an employee or customer. Refer the employee or customer to a doctor immediately.

7. If a fire occurs, warn your fellow employees and customers first. Immediately call 911 for the Fire Department. Do not risk injury. Never stack material so that it blocks exit doors, exit ways or fire-fighting equipment. Know where fire-fighting equipment is located and how to use it. Practice fire prevention by keeping your work area clean, obeying all "No Smoking" signs and not storing flammable materials in work areas.

8. Be careful of freshly waxed floors.

9. Avoid climbing unless a good stepstool or other safe item is available.

10. Do not move office furniture unless designated to do so.

11. Keep desk and file drawers closed when not in use in order to prevent tripping or bruises. Never open more than one file drawer at a time.
12. Please do not run in aisles or in corridors.

13. When lifting heavy objects, lift with your legs or better yet, ask for help.

H. No Smoking Policy

Smoking is prohibited in all enclosed and partially enclosed areas of UCERA premises. "Enclosed Areas" include all offices, corridors, hallways, restrooms, stairways, meeting rooms, waiting areas, and other indoor areas. "Partially enclosed" areas include all outdoor areas which are contained on two or more sides by walls, and which have a roof, ceiling, or overhang, such that the open space of the open area is equal to less than 50% of the combined areas of the walls and ceilings, roof, or overhang which enclose the area. As a rule of thumb, smoking is prohibited in any partially enclosed outdoor area. UCERA does not allow smoking in any Organization vehicle.

I. Rules of Conduct

The following Rules of Conduct have been adopted to ensure that there is no misunderstanding on the part of employees as to what conduct is expected of each employee. These rules are designed to create and maintain an environment in which everyone treats others with consideration and respect.

These rules do not cover all circumstances for which an employee may be disciplined. Also, additional rules may be added from time to time, and existing rules may be amended. The order in which they are listed does not reflect the importance or weight placed on any particular rule.

Employees are expected to familiarize themselves with these rules and to adhere to them. The following are examples of infractions of rules of conduct that may subject an employee to disciplinary action, up to and including reprimand, suspension or discharge.

1. Violation of any UCERA Policy or procedural guideline, including but not limited to the Policy Against Sexual and Other Forms of Harassment.

2. Abusing, defacing or destroying UCERA property or property of customers or employees.

3. All illegal activities including:
   a. Pilferage, theft, or misappropriation or unauthorized possession or custody of UCERA property or the property of others; any attempt to pilfer, steal, or misappropriate any such property; any unauthorized use or taking of UCERA equipment and/or supplies (including but not limited to computer use).
   b. Unauthorized possession, distribution, sale, use or transporting on the job or onto the premises of any alcoholic beverage, controlled substance, drug or other mind-altering substance, narcotic, and/or drug
paraphernalia; reporting for duty with any trace of any such drug or narcotic in one’s body, except as lawfully prescribed by a physician; violation of UCERA’s Substance Abuse Policy.

c. Gambling or promoting gambling during working hours and/or on UCERA premises at any time.

d. Illegal conduct, soliciting persons for illegal purposes or the aiding and/or abetting of any of the above.

4. Altering of any UCERA records, including work or time records, etc.

5. Carelessness, negligence or mischief that results in loss, damage, waste or destruction of UCERA property, or the property of customers or visitors, or which creates unsafe or unsanitary conditions; failure to follow safety rules; or engaging in any unsafe conduct.

6. Disrespect to customers or employees; use of abusive and threatening language; failing to render the appropriate degree of service or courtesy to any customer or employee.

7. Drunkenness; drinking on the job, or reporting for duty in any way affected by the consumption of alcohol, or working or reporting to work with the smell of alcoholic beverages on the breath; violation of UCERA’s Substance Abuse Policy or UCERA’s drug free workplace policy.

8. Revealing confidential trade information regarding, customers, patients, products, or the business of the Company. Discussing, using, or disseminating confidential Company trade information, other than terms and condition of employment, with unauthorized personnel. Confidential trade information includes trademarks, service marks, patents and copyrighted material. Also included in confidential information such as trade secrets (which may include information regarding the development of systems, processed, products, know-how and technology; satellite technology; customer/patient information including customer credit card information (credit card number, in part or whole number; credit card expiration date; cardholder name; cardholder address) or customer identity information; social security numbers of customers or employees; names, addresses, telephone numbers, and email addresses of employees not obtained during the course of the employees normal work week activity; vendor list; computer systems technology; internal reports, policies, procedures, profit data; and strategic and business plans. Confidential information also includes payroll information obtained by a payroll accountant or payroll clerk who has special access to the payroll information because of her or her job duties.

9. Excessive absenteeism or excessive tardiness in reporting to work or returning to duty following rest and meal periods.

10. Unlawful conduct; harassment of others.
11. Failure to cooperate with requests of any management official, supervisor or security guard to:
   • Open and/or to search any vehicle or person, locker, clothes, pocket, purse, package, box or other container on UCERA premises or in UCERA vehicles.
   • Assist UCERA in any theft or pilferage or other investigation by reporting any incident of theft or pilferage, or other violations of these rules, observed by or reported to you.
   • Assist UCERA to identify the participant in any theft or pilferage.
   • Recover any pilfered or stolen UCERA property.

12. Failure to maintain accurate and proper accountability and control of cash banks, excessive or continuous cash shortages, or other irregularities are considered irresponsible, unacceptable, or negligent.

13. Failure to maintain proper standards of personal hygiene and grooming. Neat, clean and safe clothing, including shoes, must be worn.

14. Failure to report loss, damage, breakage or breakdown of UCERA property; failing to immediately report any job-related injury, illness, or accident; falsifying information or refusing to give testimony or to cooperate in the investigation of accidents, employee misconduct, or grievances conducted by or on behalf of UCERA.

15. Falsification or dishonesty in any form, including falsification of any records, reports, and specimens; clocking in or out for another employee; giving a false reason for sick leave, leave of absence, or time off from work; supplying false or misleading information during employment, or as part of the application process (regardless of when discovered); knowingly making false charges of illegal conduct against other employees in relation to their work. Any material omission or falsification will automatically result in termination, regardless of when discovered.

16. Insubordination; refusal to obey instruction; disregard of any order or directive to perform work as assigned or required; or willful slowdown or neglect of duty. If your supervisor requests you do something, and you disagree, obey the instruction at the time, and grieve or discuss it later when both you and your supervisor are out of hearing of customers and other employees.

17. Horseplay while on the job or on UCERA premises.

18. Leaving your department or work area without permission from your supervisor, or being in other than your assigned work area without permission.

19. Maliciously false rumors about UCERA.
20. Violation of the solicitation/distribution rule.

21. Possession or transportation onto UCERA premises of weapons or firearms; any threat to use such weapons.

22. Revealing confidential information regarding customers, employees, or the business of UCERA. Discussing confidential UCERA or work matters with unauthorized personnel. This includes the use or dissemination of confidential information except where authorized.

23. Sleeping or giving the appearance of sleeping during working hours; inattention to duty.

24. Smoking in prohibited areas.

25. Tampering with fire or safety equipment.

26. Tape recording or video taping of any conversation or meeting is prohibited unless written authorization is received by all parties in advance of the recording, or the recording is authorized by management.

27. Threatening, fighting, or engaging in any act of physical aggression (as well as any attempt or threat to engage in a fight or to provoke a fight), either by word or actions.

28. Unauthorized or unreported absence from work; leaving work or leaving the premises during working hours without prior notice and permission. (An unreported or unexcused absence for three (3) consecutive work days shall be considered a voluntary termination.)

29. Unauthorized possession, custody, or utilization of customer, employee, or UCERA property, including any items (lost or otherwise) found or present on UCERA premises. (All articles found on UCERA premises must immediately be turned in to your supervisor.)

30. Use of abusive, profane or obscene language directed at a customer, supervisor, employee or member of management.

The above list is not intended to be all-inclusive. Also the order of these rules is not indicative of importance or severity of violations.

J. Security Inspections

To protect you, your fellow employees, our customers, and UCERA from injury or loss of property, management has the right to examine any and all persons or objects while on UCERA premises including Organization vehicles. As a condition of working for UCERA, all employees must agree to consent and submit to any search or inspection of his or her person or personal property located on Organization premises, work sites, or facilities, including, but not limited to, Organization parking lots, lockers and desks.
UCERA has the right to take action to prevent disruptions and contraband on its property as well as to prevent property loss. Actions that may be taken include, but are not limited to, the right to inspect and search the following:

1. Employee's work area, desk and file cabinets.
2. UCERA premises and property.
3. Personal property of employees, including pocketbooks, backpacks, handbags, and automobiles on Organization premises.
4. Any personal property found or maintained on Organization's premises.

Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto UCERA premises. Removal of Organization property from the premises, whether new or used and regardless of estimated value, requires an authorization of a Supervisor or Department Head. If there is reason to suspect that you may have Organization property in your vehicle while parking on the grounds, the Organization may have your car searched. Any contraband or Organization property found will be confiscated.

K. Substance Abuse Policy

1. Purpose

These guidelines are designed to implement the substance abuse policy of UCERA. This substance abuse policy is intended to support existing safety programs and avoid alcohol and illegal drug-related work performance problems by maintaining an alcohol and illegal drug-free working environment at UCERA.

2. Guidelines

Employees are made aware of the following guidelines concerning substance abuse:

a. The use, sale, transfer or possession of unauthorized alcoholic beverages, illegal drugs or drug paraphernalia during working hours, while on the job or on UCERA premises or vehicles is prohibited.

For the purposes of this policy, "alcohol" or "alcoholic beverage" means any beverage with an alcoholic content.

"Illegal drug" means any drug or controlled substance, the sale, possession or consumption of which is illegal. This includes, but is not limited to, marijuana, cocaine, opiates, amphetamines (including crystal methamphetamine) and phencyclidine (PCP). "Drug paraphernalia" means containers or other objects used, intended for use, or designed for use in storing or concealing illegal drugs, and objects used, intended for use, or designed for use in consuming, inhaling, or otherwise introducing any illegal drug into the human body. For the purposes of this policy,
"vehicles" means any motor vehicle; including but not limited to cars, vans and trucks.

b. Reporting to work or working while under the influence of illegal drugs or alcohol is prohibited.

For the purposes of this policy, "under the influence" means being in a physical or mental condition which affects work in any way; creates a possible risk to the safety and well-being of the individual, co-workers, the general public, and/or UCERA premises; having any detectable or measurable level of any illegal drug in the body, including but not limited to, a positive test result for substance abuse testing conducted pursuant to this policy; and/or having a blood-alcohol level that is considered to be under the influence of alcohol pursuant to Hawaii Revised Statutes 291-5 (presently 0.08).

c. Employees must notify their supervisor if their use of prescription medication may adversely affect their fitness for duty or job performance.

3. **Testing**

Employees may be tested periodically, randomly, when there is reasonable cause, or post-accident. Unless otherwise notified in writing and in advance of specimen collection, all drug testing shall involve laboratory analysis of urine specimens for the presence of marijuana, cocaine, opiates, amphetamines (including crystal methamphetamine, and phencyclidine (PCP). You are advised that over-the-counter medications or prescribed drugs may result in a positive test result for drug testing. For this reason, UCERA’s Medical Review Officer may need your assistance in identifying which medications or drugs you may be taking at the present time and may have taken within the past thirty days to ensure accuracy of testing results. A medication disclosure form may be provided to you by UCERA or the laboratory/collection site. This notice is provided in compliance with Hawai’i Law and regulations.

4. **Discipline**

Each employee situation shall be reviewed on an individual basis, and disciplinary action, up to and including discharge for the first offense, may be considered an option in each case. The failure to comply with any procedures required by UCERA pursuant to this policy may result in disciplinary action, up to and including termination.

5. **Confidentiality**

UCERA shall administer this policy and its substance abuse testing procedures as privately as is practicable. All results from substance abuse testing shall be treated as confidential information.

Management has the right to amend or terminate this policy in its discretion.
L. Workplace Monitoring

Workplace monitoring may be conducted by UCERA to ensure quality control, employee safety, security and customer satisfaction.

Employees who regularly communicate with customers may have their telephone conversations monitored or recorded to the extent permitted by law. Telephone monitoring is used to identify and correct performance problems through targeted training. Improved job performance enhances our customers’ image of UCERA as well as their satisfaction with our service.

Computers furnished to employees are the property of UCERA. As such, computer usage and files may be monitored or accessed.

UCERA may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.

M. Workplace Violence

UCERA has a zero tolerance for violence. UCERA will not tolerate any verbal or physical intimidation or threats of violence toward any employee. No talk of violence or joking about violence will be tolerated. If an employee displays any violence in the workplace or threatens violence in the workplace, he/she will be subject to appropriate disciplinary action, up to and including immediate termination of employment.

“Violence” is defined to include shoving, pushing, hitting, or physically harming another person, as well as harassment, verbal or physical intimidation, coercion, brandishing weapons, and threats or talk of violence.

Any employee who believes that the actions or words of a supervisor, fellow employee, customer, client, vendor, or third party constitute intimidation or a threat of violence, or actual violence as defined by this policy, should report the misconduct as soon as possible to their supervisor, Human Resources, or any other member of management. All reports will be investigated promptly and in as confidential a manner as possible by UCERA. Any employee, supervisor, or manager who is found, after appropriate investigation, to have engaged in misconduct that violates this policy will be subject to appropriate disciplinary action, up to and including immediate termination. Human Resources also may direct the employee to possible referral and support groups at its discretion.

This policy also prohibits retaliation against any employee who has made a good-faith report under this policy or who has cooperated with the investigation of another individual’s report.

Revised 11/1/2014
N. Visitors/Children in the Workplace

Due to the potential for injury or other harm and because of the general disruption which can occur as a result of their presence, UCERA employees are prohibited from bringing minor children to work during normal business hours, except as permitted by this policy.

To provide for the safety and security of employees and the facilities at UCERA, only authorized visitors are allowed in the workplace. Because of safety and security reasons, family and friends of employees are discouraged from visiting for extended periods of time. However, caring for children in the workplace on an emergency basis is allowable on an infrequent basis of short duration, providing it is essential for the employee to be at work. An employee must have supervisor approval prior to bringing a child to work for a short period of time. Parents are solely responsible for actions of their children while on UCERA property.

Restricting unauthorized visitors helps maintain safety standards, protects confidential information, safeguards employee welfare, ensures security of equipment, protects against theft, and avoids potential distractions and disturbances. Employees are not to bring children to the workplace unless as approved by management.

Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on UCERA premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the reception area.
VI. ACKNOWLEDGMENT FORM

I, [print name:] _______________________________________, hereby acknowledge my receipt of the Company Employee Handbook dated ____________. I understand and agree that this Handbook is not a contract, but instead sets forth guidelines, policies, and procedures for employees.

I understand that this Handbook supersedes and cancels all prior employee handbooks, as well as any prior policy, notice, memorandum, or communication on the same subject matter covered in this Handbook. If a previous policy, notice, memorandum, or communication conflicts with any provision in this Handbook, I understand the provision in this Handbook shall govern.

I understand that I am employed at-will, and that either the Company or I may terminate my employment at any time, without prior notice, and without cause. I understand that nothing in this handbook changes my at-will status. I further understand that only the CEO/Chief Medical Officer has the authority to enter into contractual agreements with me concerning my employment, and that any such agreement must be in a written document signed by the CEO/Chief Medical Officer and me.

I understand that it is my responsibility to carefully read this handbook and familiarize myself with its contents. I agree that if I do not understand or have any questions regarding anything contained in this handbook, I will seek clarification from my supervisor and the Human Resources Department.

I understand that the Company, in its sole discretion, may alter, modify, or cancel this Handbook and any of its contents at any time.

I understand and agree that it is my responsibility to follow the guidelines, policies, and procedures described in this Handbook.

I understand that my violation of any of the policies, procedures, or requirements contained in this Handbook may subject me to disciplinary action, up to and including termination of employment.

Agreed and Acknowledged by:

_________________________________________   _____________________________
Employee Signature  Date