

# D Mooney

ENTERPRISES

## Government Field Employee Handbook



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## MESSAGE FROM THE FOUNDER/CEO

Success is what we strive to gear everyone for while employed at DME. My wish is that everyone is successful and has a great experience with the Company. We wanted to have a comprehensive yet simple handbook. You will see the words “common sense” used throughout the handbook. No employee handbook can cover all situations so always use good common sense.

Lastly, we are about people and relationships. Treat others as you would like to be treated. Use the “golden rule” . We can all win if we treat our teammates, colleagues, patients, and clients with respect, dignity, kindness, honesty and care.

Remember, “It’s always a great day at DME!”

Donald L. Mooney  
Founder/CEO

The Company reserves the right to modify the provisions of this handbook at any time.

## MISSION, VISION, AND CORE VALUES OF DME

On behalf of your colleagues, we welcome you to DME and wish you every success here!

We believe that each employee contributes directly to DME's growth and success, and we hope you will take pride in being a member of our team. Employees should familiarize themselves with the contents of the employee handbook as soon as possible. It will answer many questions about employment with DME and what you can expect from us, as well as what we expect from you.

The general rules, policies and procedures contained in this handbook may change from time to time. The Company reserves the right to amend, modify, withdraw or implement policy at its own discretion and employees will generally be notified of such changes.

DME proudly offers its customers quality healthcare, dependable service, and a commitment to assist in bringing out the best in you. The Company depends on the skill and energy of every employee in providing unparalleled service to our clients, customers, vendors, and community. You play a vital role in our continued success and we hope this working relationship will be long and beneficial, both for you and the Company.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome to our team!

## INTRODUCTION - EMPLOYMENT AT WILL

This handbook is for all Government Field employees of Donald L. Mooney, Enterprises (DME), also known as “the Company”. Government Field employees are considered those employees that work outside of the corporate office on government contracts.

The State of Texas is an "at-will" employment state, which means, except as otherwise provided by law and absent any express contractual provisions to the contrary, employers and employees are free to end the employment relationship at any time for any reason. This employee handbook does not alter that at-will relationship nor does it constitute a contract for employment between the Company, its subsidiaries, and its employees. Employees of the Company are at all times employed at-will; in other words, either the employee or the Company may terminate the employment relationship at any time with or without notice, and without any reason or cause. Your employment is for an indefinite period, and you cannot be guaranteed continued employment or any set amount of hours of work.

Only the CEO has the authority to enter into any employment agreement with a prospective employee for any specified period and any such agreement must be in writing.

The Company retains all supervisory and administrative rights and prerogatives entrusted to it and conferred on employers inherently and by Texas and federal law. These include, but are not limited to, the right to exercise judgment in establishing and administering policies, practices and procedures, and to make changes in them without notice, and the right to take whatever action is necessary in its judgment to achieve DME goals. The Company reserves the right to set standards of productivity and services to be rendered. Failure by DME to exercise any such prerogative or function in a particular way shall not be considered a waiver of its right to exercise that prerogative or function in the future or to preclude it from exercising that prerogative or function in some other way.

# CODE OF ETHICS AND BUSINESS CONDUCT

## Company Vision

“The Premier Workforce Solutions Provider”

## Core Focus

“Making a difference in people’s lives everyday!”

## Core Values

- Respect-Dignity-Kindness  
“This is how we treat our employees, our teammates and our customers.”
- Culture where “a handshake is a deal”  
“We honor our commitments and do what we say we are going to do.”
- Accountability to: Self; Organization; Customers; Teammates  
“Walk the Talk & Own It.”
- Hard Work – Play Hard  
“It takes hard work to be successful in business and hard work cannot be faked...we have fun and celebrate our wins too!”
- Open to ideas and to constructive feedback  
“This is how we learn and get better every day.”
- Genuine Honesty & Integrity  
“Do the right thing and always tell the truth.”
- TAMENOS - It’s safe...No armor.  
“It’s our workplace where every member of the team is valued, can express their ideas and themselves in a safe environment without fear of retaliations. Everyone has a voice.”
- Care and respect  
“I have your back. I know you have my interest at heart”
- Common ground and understanding  
“We are all on the same team.”
- Don’t shoot the messenger-use rubber bullets  
“Bad news, bad ideas come with the business. If you want to fix it, make sure you are approachable to teammates and customers.”
- Open environment where we trust each other  
“Excellent and success depends on our character and communication.”



## Mission

Provide human capital resources and customize workforce solutions. We provide these services to commercial businesses, the government and Department of Defense. DME is a leader in the staffing industry, establishing a business model that leverages customer service and long lasting business relationships.

## Build Trust and Credibility

The success of our business is dependent on the trust and confidence we earn from our employees, and customers. We gain credibility by adhering to our commitments, displaying honesty and integrity and reaching company goals solely through honorable conduct. It is easy to say what we must do, but the proof is in our actions. Ultimately, we will be judged on what we do.

When considering any action, it is wise to ask: will this build trust and credibility for DME? Will it help create a working environment in which DME can succeed over the long term? Is the commitment I am making one I can follow through with? The only way we will maximize trust and credibility is by answering “yes” to those questions and by working every day to build our trust and credibility.

## Respect for the Individual

We all deserve to work in an environment where we are treated with dignity and respect. DME is committed to creating such an environment because it brings out the full potential in each of us, which, in turn, contributes directly to our business success. We cannot afford to let anyone’s talents go to waste.

DME is an equal employment opportunity/affirmative action employer and is committed to providing a workplace that is free of discrimination or harassment based upon any legally protected class. Any employee who believes he or she is suffering discrimination or harassment should refer to DME’s Discrimination, Harassment and Retaliation Policy below.

## Create a Culture of Open and Honest Communication

At DME everyone should feel comfortable to speak his or her mind, particularly with respect to ethics concerns. Managers have a responsibility to create an open and supportive environment where employees feel comfortable raising such questions. We all benefit tremendously when employees exercise their power to prevent mistakes or wrongdoing by asking the right questions at the right times.

DME will investigate all reported instances of questionable or unethical behavior. In every instance where improper behavior is found to have occurred, the Company will take appropriate

action. We will not tolerate retaliation against employees who raise genuine ethics concerns in good faith.

For your information, DME's whistleblower policy is as follows:

### Whistleblower Policy

If an employee has knowledge of, or a concern about, illegal, dishonest, or fraudulent activity, the employee is to contact their supervisor or the Human Resources Manager. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline, up to and including termination.

Whistleblower protections are provided in two important areas, confidentiality and retaliation. Identification and actions of the whistleblower will be kept confidential as far as it is possible. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused personnel their legal rights of defense. Neither the Company nor any employees of the Company will retaliate against a whistleblower. This includes, but is not limited to, protection from adverse employment actions such as termination, compensation decreases, poor work performances, or threats of violence or physical harm. Whistleblowers who believe they are being retaliated against must contact the Human Resources Manager immediately. The right of whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities should be submitted to the Human Resources Manager, who is responsible for investigating and coordinating corrective action.

Employees are encouraged, in the first instance, to address such issues with their **program** manager or the HR Director, as most problems can be resolved swiftly. If for any reason that is not possible or if an employee is not comfortable raising the issue with his or her **program** manager or HR, the employee is encouraged to use the DME Executive Management open-door policy.

### Set Tone at the Top

Management has the added responsibility for demonstrating, through their actions, the importance of the Code of Ethics & Business Conduct (Code). In any business, ethical behavior does not simply happen; it is the product of clear and direct communication of behavioral expectations, modeled from the top and demonstrated by example. Again, ultimately, our actions are what matters.

To make our Code work, managers must be responsible for promptly addressing ethical questions or concerns raised by employees and for taking the appropriate steps to deal with such issues. Managers should not consider employees' ethics concerns as threats or challenges to their authority, but rather as another encouraged form of business communication. At DME, we want the ethics dialogue to become a natural part of daily work.

## Uphold the Law

DME's commitment to integrity begins with complying with laws, rules and regulations where we do business. Further, each of us must have an understanding of the Company policies, laws, rules and regulations that apply to our specific roles. If we are unsure of whether a contemplated action is permitted by law or DME policy, we should seek the advice from the resource expert. We are responsible for preventing violations of law and for speaking up if we see possible violations.

## Competition

We are dedicated to ethical, fair and vigorous competition. We will sell DME products and services based on their merit, superior quality, functionality and competitive pricing. We will make independent pricing and marketing decisions and will not improperly cooperate or coordinate our activities with our competitors. We will not offer or solicit improper payments or gratuities in connection with the purchase of goods or services for DME or the sales of its products or services, nor will we engage or assist in unlawful boycotts of particular customers.

## Proprietary Information

It is important that we respect the property rights of others. We will not acquire, or seek to acquire by improper means, a competitor's trade secrets or other proprietary or confidential information. We will not engage in unauthorized use, copying, distribution or alteration of software or other intellectual property.

## Selective Disclosure

We will not selectively disclose (whether in one-on-one or small discussions, meetings, presentations, proposals or otherwise) any material nonpublic information with respect to DME, business operations, plans, financial condition, results of operations or any development plan. We should be particularly vigilant when making presentations or proposals to customers to ensure that our presentations do not contain material nonpublic information.

## Conflicts of Interest

We must avoid any relationship or activity that might impair, or even appear to impair, our ability to make objective and fair decisions when performing our jobs. At times, we may be faced with situations where the business actions we take on behalf of DME may conflict with our own personal or family interests. We owe a duty to DME to advance its legitimate interests when the opportunity to do so arises. We must never use DME property or information for personal gain or personally take for ourselves any opportunity that is discovered through our position with DME.

Here are some other ways in which conflicts of interest could arise:

1. Being employed (you or a close family member) by, or acting as a consultant to, a competitor or potential competitor, supplier or contractor, regardless of the nature of the employment, while you are employed with DME.
2. Hiring or supervising family members or closely related persons.
3. Serving as a board member for an outside commercial company or organization.
4. Owning or having a substantial interest in a competitor, supplier or contractor.
5. Having a personal interest, financial interest or potential gain in any DME transaction.
6. Placing company business with a firm owned or controlled by a DME employee or his or her family.
7. Accepting gifts, discounts, favors or services from a customer/potential customer, competitor or supplier, unless equally available to all DME employees.

Determining whether a conflict of interest exists is not always easy to do. Employees with a conflict of interest question should seek advice from management. Before engaging in any activity, transaction or relationship that might give rise to a conflict of interest, employees must seek review from their managers or the HR Department.

### Gifts, Gratuities and Business Courtesies

DME is committed to competing solely on a merit of our products and services. We should avoid any actions that create a perception that favorable treatment of outside entities by DME was sought, received or given in exchange for personal business courtesies. Business courtesies include gifts, gratuities, meals, refreshments, entertainment or other benefits from persons or companies with whom DME does or may do business. We will neither give nor accept business courtesies that constitute, or could reasonably be perceived as constituting, unfair business inducements that would violate law, regulation or policies of DME or customers, or would cause embarrassment or reflect negatively on DME's reputation.

### Accountability

Each of us is responsible for knowing and adhering to the values and standards set forth in this Code and for raising questions if we are uncertain about Company policy. If we are concerned whether the standards are being met or are aware of violations of the Code, we must contact the Program Manager.

DME takes seriously the standards set forth in the Code, and violations are cause for disciplinary action up to and including termination of employment.

### Use of Company Resources

Company resources, including time, material, equipment and information, are provided for Company business use.

Employees and those who represent DME are trusted to behave responsibly and use good judgment to conserve facility resources.

Generally, we will not use facility equipment such as computers, copiers and fax machines in the conduct of an outside business or in support of any religious, political or other outside daily activity. We will not solicit contributions nor distribute non-work related materials during work hours.

## Media Inquiries

DME is a high-profile Company in our community, and from time to time, employees may be approached by reporters and other members of the media. The Company strives to anticipate and manage situations to reduce disruption to our employees and to maintain our reputation as a high quality Company. To best serve these objectives, the Company will respond to the news media in a timely and professional manner and only through the designated spokespersons. Direct all inquiries to your Program Manager.

## Do the Right Thing

Several key questions can help identify situations that may be unethical, inappropriate or illegal. Ask yourself:

- Does what I am doing comply with the DME guiding principles, the Code and Company policies?
- Have I been asked to misrepresent information or deviate from normal procedure?
- Would I feel comfortable describing my decision at a staff meeting?
- How would it look if it made the headlines?
- Am I being loyal to my family, my Company and myself?
- What would I tell my child to do?
- Is this the right thing to do?

## WORK RULES POLICY

DME employs ethical business practices and standards. To maintain these high standards, it is of utmost importance that all employees adopt and use the Company's Work Rules Policy. These guidelines apply to all employees, supervisors, salespersons, and officers of the Company.

DME adopts the Work Rules Policy to ensure orderly operations and provide the best and safest possible work environment. DME expects employees and others who may from time-to-time be engaged to provide services for, and on behalf of, the Company to follow these rules of conduct while on facility premises, attending facility functions, or otherwise performing work-related activity.

In addition to maintaining and enforcing this policy to protect the interests and safety of all employees and the organization, DME complies with all applicable federal, state, and local laws and regulations concerning employer/employee rights and obligations.

It is the responsibility of all DME employees to report any violation of the Work Rules Policy to their Program Manager. All reports will be investigated.

### Conditions of Employment

DME is responsible for providing a safe and secure workplace and strives to ensure that all individuals associated with the Company or facility are treated in a respectful manner. Though it is not possible to list all forms of behavior that are considered unacceptable in the workplace, the following are examples of behavior that would be considered infractions of DME Work Rules Policy. Such behavior may result in disciplinary action, to include termination of employment. This list is not intended to be exhaustive or all inclusive:

- Theft or inappropriate removal or possession of property
- Threatening, intimidating, coercing, or otherwise interfering with the job performance of fellow employees or visitors
- Gratuitous sabotage of an employee's work or performance
- Failure to provide customer service
- Failure to act with integrity and honesty
- Unsatisfactory attendance and punctuality
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Sexual or other unlawful harassment, including use of racial slurs, derogatory comments, or insults
- Violation of Company or facility safety policies, regulations, rules, and procedures
- Possession of dangerous or unauthorized objects in the workplace such as weapons (including handguns and ammunition carried under license unless they are stored in your locked, personally owned vehicle)
- Unauthorized use of telephones, mobile phones, mail system, electronic, Internet or other employer-owned equipment
- Unauthorized disclosure of business secrets, or confidential/proprietary information

### Prohibited Conduct-Discrimination, Harassment & Retaliation

DME, in compliance with federal, state, and local anti-discrimination and harassment laws and regulations, enforces this policy regarding the guidelines of discrimination, harassment, and retaliation as defined below:

## Discrimination

It is a violation of DME policy to discriminate against any employee based upon their race, sex, gender identity, sexual orientation, color, religion, national origin, age, disability, genetic information, veteran status, marital status or any other characteristic protected by law. Violation of this policy will result in disciplinary action up to and including termination.

## Harassment

DME prohibits harassment based upon race, sex, gender identity, sexual orientation, color, religion, national origin, age, disability, genetic information, veteran status, marital status or any other characteristic protected by law. DME will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any kind of verbal or physical conduct based upon a legally protected class intended to threaten, intimidate, or coerce an employee, co-worker, or any person working for or on behalf of DME. Racial and ethnic slurs or other verbal taunting/insults that impairs an employee's ability to perform his or her job is also included in the definition of harassment. Nonverbal harassment such as making inappropriate gestures or visual staring is prohibited by this harassment policy.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Submission or rejection of such conduct that is used as a basis for employment decisions, creating or intimating such unwelcome advances in the workplace is also considered as creating a hostile work environment.

## Retaliation

No hardship, loss, benefit or penalty may be imposed on an employee in response to the employee:

- Filing or responding to a bona fide complaint of discrimination or harassment
- Appearing as a witness in the investigation of a complaint
- Serving as an investigator of a complaint

Retaliation or attempted retaliation in response to lodging a complaint or invoking the complaint process is a violation of this policy. Violation of this policy may result in disciplinary action, up to and including termination.

Any employee who believes that he or she has been a target of unwelcome advances, harassment, or retaliation of any kind should report these incidents to their Program Manager and/or the Company HR Director. All reports will be taken seriously, with prompt attention, and be kept confidential to the extent possible.

## What to Do/Who to Contact

The Company cannot address a problem if it does not know a problem exists. It is important for employees to come forward and report any discriminatory, harassing, or retaliatory behavior.

If a supervisor or employee becomes aware of, or even suspects a violation of this policy prohibiting discrimination, harassment and retaliation, that supervisor or employee has a responsibility to promptly consult the Program Manager directly. Any reports of discrimination, harassment, or retaliation will be taken seriously and investigated. All reports will be kept in confidence, and limited to those who are directly affected, or those who have witnessed any behavior (verbal or physical) or incident related to the report.

### Progressive Disciplinary Policy

The Company's Progressive Disciplinary Policy is as follows:

- Documented Verbal Warning
- Written Warning
- Final Written Warning (may include suspension)
- Termination

DME reserves the right to alter, change, revise, or update the employee Work Rules Policy at any time. Any Progressive Disciplinary Policy steps may be bypassed if circumstances warrant at the discretion of DME. Please contact your supervisor or a member of the Human Resources Department for questions about, or clarification of, this policy.

## SOCIAL MEDIA POLICY

We understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media. This policy applies to all employees who work for the Company.

### Guidelines

In the rapidly expanding world of electronic communication, *social media* can mean many things. *Social media* includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Company, as well as any other form of electronic communication.

The same principles and guidelines found in the Company policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online



content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, customers, suppliers, people who work on behalf of the Company or the Company's legitimate business interests may result in disciplinary action up to and including termination.

### **Know and Follow the Rules**

Carefully read these guidelines, the Company Code of Ethics and Business Conduct, Confidential Information Policy, Substance Abuse Policy, and the Discrimination, Harassment and Retaliation Policy, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, threats of violence, illegal activity, or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

### **Be Respectful**

Always be fair and courteous to fellow employees, customers, members, suppliers or people who work on behalf of the Company. Also, keep in mind that you are more likely to resolve work related complaints by speaking directly with your co-workers or by using our Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, employees or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts 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.

Z

### **Be Honest and Accurate**

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the Company, fellow employees, customers, suppliers, and people working on behalf of the Company or competitors.

### **Post Only Appropriate and Respectful Content**

- Maintain the confidentiality of Company trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications.
- Do not create a link from your blog, website or other social networking site to a Company website without identifying yourself as a Company employee.
- Express only your personal opinions. Never represent yourself as a spokesperson for the Company. If the Company is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the Company, fellow employees, customers, suppliers or people working on behalf of the Company. If you do publish a blog or post online related to the work you do or

subjects associated with the Company, make it clear that you are not speaking on behalf of the Company. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of the Company.”

## Procedures

The following principles apply to professional use of social media on behalf of DME as well as personal

use of social media when referencing DME and any of its affiliated companies or subcontractors:

- Employees need to know and adhere to the DME’s Code of Conduct, Employee Handbook, and other company policies when using social media in reference to DME.
- Employees should be aware of the affect their actions may have on their images, as well as DME’s image. The information that employees post or publish may be public information for a long time or indefinitely if shared.
- Employees should be aware that DME may observe content and information made available by employees through social media. Employees should use their best judgment in posting material that is neither inappropriate nor harmful to DME, its employees, or customers.
- Although not an exclusive list, some specific examples of prohibited social media conduct include posting commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment or a negative opinion about the company and its employees, clientele, vendors or related relationships
- Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Employees should refer these inquiries to DME HR.
- If employees find or encounter a situation while using social media that threatens to become antagonistic, employees should disengage from the dialogue in a polite manner and seek the advice from his/her PM.

## Using Social Media at Work

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager or consistent with the email, voicemail and computer systems policy. Do not use Company email addresses to register on social networks, blogs or other online tools used for personal use.

## Retaliation is Prohibited

The Company prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

## COMPANY PROPERTY, PREMISES, RESOURCES

### *Personal Property*

DME accepts no responsibility for personal property that is brought onto or stored on facility grounds (including but not limited to in personal vehicles), and reserves the right to inspect or monitor such property. Accordingly, no employee should keep or maintain any personal property or information in the facility's building that he or she expects to be kept private and confidential. In addition, it should be noted that all offices, desks, paper files, electronic/computer files, vehicles, etc. are the property of the facility.

### *DME Property*

Employees who damage equipment, tools, or other property owned by the facility or on facility premises as a result of clear negligence in the performance of their job duties or while on facility premises may be subject to disciplinary action, up to and including termination of employment.

### *Smoking, Use of Tobacco Products and Vaping at Work*

Smoking, use of tobacco products and vaping are prohibited except in designated areas and during non-work time or while on designated work breaks.

## SAFETY/OFFICE SECURITY GUIDELINES

### *General Safety/Office Guidelines*

All DME employees are expected to operate with a focus on their own safety as well as the safety of others. We strive to furnish and maintain a safe working environment. The following are some basic, common sense, but not all-inclusive safety guidelines.

- Employees must use available equipment, proper lifting techniques, and get help when lifting or handling heavy objects.
- All employees should contribute by keeping their desks, equipment, and work areas neat, clean, and free from debris, clutter, or trash. Keep desk drawers and laterals closed when not in use.
- Exits must be visible and remain unobstructed at all times.
- Know the location of fire extinguishers in your area, and become familiar with the fire safety and emergency exit plan.
- Personal Protection Equipment (PPE) must be used when situations or operations require them.
- Immediately report all accidents or injuries, no matter how slight, to your supervisor and your Program Manager.
- Employees who travel due to work related business must abide by all traffic, speed, and safety laws and regulations at all times.

- Employees who drive while performing work duties or assignments are not allowed to conduct business by cell phone unless the device allows for “hands free” capability as allowed by law. Employees are expected to know the laws and regulations pertaining to mobile phone use while driving a vehicle. Texting while driving is prohibited.
- You **MUST** report any unsafe working condition to our office **IMMEDIATELY**.
- If injured on the job, you **MUST** notify our office immediately at 210.566.9995. An injury report form must be completed within the first 24 hours of injury. Failure to report your injury immediately may affect your eligibility for benefits.

### *Office Security*

It is every employee’s responsibility to help keep the workplace secure from unauthorized personnel, intruders, or unannounced visitors. Every employee must comply with the facility security precautions. Should you have any questions about any of these responsibilities, please talk to your Program Manager.

### *What to Do in an Emergency*

In case of an emergency, such as a fire, earthquake, or accident, your first priority should be your own safety. If an emergency causes serious injuries, inform your immediate supervisor who will dial 9-1-1 to alert police and rescue workers of the situation. Get yourself to safety. Please also familiarize yourself with office evacuation procedures. Please consult with your program manager or onsite supervisor if you have any questions.

If you hear a fire alarm or in case of an emergency that requires evacuation, please proceed quickly and calmly to the fire exits, and follow the building evacuation plan. The facility may hold periodic fire and emergency drills to familiarize everyone with the routes they should take. Remember, every second may count… do not return to your workplace or work area to retrieve personal belongings or work-related items.

Employees are expected to be familiar with the facility’s building evacuation plan regarding emergencies. Employees are also encouraged to be aware of locations of fire extinguishers, and first aid or safety related equipment.

## **INTELLECTUAL PROPERTY/REPORT INTEGRITY**

### *Intellectual Property*

Employees have access to and use the Company's trade secrets. As such, it is expected that employees will safeguard these trade secrets as assets of the Company and must not misappropriate or infringe upon them.

Employees who improperly disclose sensitive, confidential, proprietary, or trade secret information to anyone outside the facility will face disciplinary action, up to and including termination.

### *Reporting Integrity*

Company financial reports, accounting records, sales and expense reports, time sheets, and other documents must always accurately represent the facts or the true nature of transactions. Any improper or fraudulent accounting, documentation, or reporting is a direct conflict with the practices of Company policy and will not be tolerated and may be considered a violation of the law. Intentional misrepresentation, misclassification or misreporting of any kind would be an example of unacceptable reporting practices.

## DME STAFFING POLICIES

### *Equal Employment Opportunity/Affirmative Action Statement*

Qualified applicants will be considered for vacancies without regard to race, color, religion, sex, national origin/citizenship/ancestry, age, disability, covered veteran status, marital status, sexual orientation, gender identity, genetic information, or any other protected class status. DME is an equal employment opportunity employer.

Equal employment opportunity applies to all programs administered by DME, including all employment decisions, such as those affecting hiring, promotion, demotion, or transfer; compensation and benefits; and reduction in force and termination as required by law.

DME assigns a high priority to the implementation of its equal employment opportunity policy and to assure compliance with all laws prohibiting discrimination in employment programs. Employees of DME are encouraged to contact their Program Manager regarding any questions or concerns about these matters.

### *Americans with Disabilities Act*

DME does not discriminate against individuals with disabilities. The Company is committed to providing employees with the appropriate resources to aide and support them while at the work site.

If you are an individual with a disability and you require a reasonable accommodation to perform the essential functions of your job, contact the Program Manager. The Human Resources Department will work with you to determine how best to accommodate your disability.

### *Open Door Policy*

DME's Open Door policy is a commitment that each employee will have the opportunity to express job-related concerns and have them addressed by management. Our Open Door policy is intended to provide every employee the communication channel to seek additional help.

### *Confidential Information Policy*

In the course of one's work, an employee may have access to information about patients, other employees, or customers, which is confidential. The Company requires all employees to protect the integrity and confidentiality of such information by safeguarding it and accepting responsibility for its security and proper use.

Employees who are found violating the Company's policy on confidentiality will be subject to disciplinary action. The Company also reserves right to take any legal action necessary to enforce its proprietary interest in any confidential information and to protect such information from unauthorized disclosure.

By signing the handbook acknowledgement form, the employee acknowledges that he or she has read the information provided above on the definition of confidentiality and understands his or her role as a healthcare provider in maintaining the patients, hospitals and agencies right for privacy and confidentiality

### *Dress Code Policy*

The Company expects employees to maintain high standards of personal grooming, cleanliness and safety that are a credit to them and the Company. These practices of professionalism and safety create a positive and safe working environment and help build relationships with fellow employees, customers, patients and communities. A professional appearance must be maintained at all times. To that end, DME may determine and enforce guidelines for workplace-appropriate attire and grooming. Supervisors should communicate workplace attire and grooming guidelines to employees during new-hire and evaluation periods. Any questions about dress code policies or grooming standards should be discussed with your program manager.

Violations of the dress code policy can range from inappropriate clothing items to offensive perfumes or body odor. If an employee comes to work in inappropriate dress, the employee will

be required to go home, change into conforming attire or properly groom, and return to work. Issues of poor hygiene or body odor will be discussed privately with the immediate supervisor and employee. If the problem with dress, grooming or hygiene problems persist, immediate supervisors will follow the Company corrective action process. Employees whose sincerely held religious beliefs conflict with the Dress Code should contact the Program Manager about requesting a reasonable accommodation.

### *Specific Requirements*

Generally speaking, medical scrubs (or other medical dress, such as lab coats) and closed toe/slip resistant shoes are mandatory. The client/facility may request specific type/color/style for the scrubs or other medical dress; As this will vary from facility to facility, please check with your Program Manager for specifics.

## **ETHICS & CONFLICT OF INTEREST POLICY**

### *Act with Integrity and Honesty*

DME expects all employees to act with integrity and honesty in all matters related to Company business. Employees may not obtain or use any property or services of the Company/facility, fellow employees, patients, customers, visitors or vendors in a manner other than that authorized by Company policy or by federal, state or local laws.

### *Employee Behavior*

Employees must perform their assigned duties to the best of their ability and in the best interest of fellow employees, customers, patients, visitors and vendors. Employees must not take action that creates a risk, harm or damage to themselves, another person, Company/facility property, or others.

Employees must adhere to and fully comply with all Company policies and procedures, which can be found in the Code or obtained by request to the Human Resources Department. Supervisors must be conscious of the fact that they can be agents of the Company/facility, and as such, their actions may be attributed to the Company/facility under certain circumstances even while off duty. Therefore, they should avoid situations that place the Company/facility at risk or call their professionalism into question.

### *HIPPA Privacy Rule*

DME employees must understand that as an employee of DME and a worker at the facility in which they are placed, it is the responsibility of the DME employee to protect the confidentiality of patients medical information. Failure to maintain patient confidentiality may lead to disciplinary actions or discharge. By signing the handbook acknowledgement, employees arhave read and understand the above policy and will comply.

### *Personal Relationships*

Personal or romantic relationships are not tolerated in the workplace. Department heads or immediate supervisors are prohibited from dating any subordinate who works or reports directly to them. This relationship will not be allowed to continue.

Displays of overt affection in the workplace are prohibited. The Company expects all employees to display professionalism at all times while on the job. Overt romantic behaviors are simply not acceptable at work. Such overt displays may lead to disciplinary action.

### *Outside Employment*

Employees have the right to engage in any activities outside of their employment, provided such activities do not conflict with their employment responsibilities to the Company/facility. Employees should seek approval from their Program Manager/ before engaging in any outside employment. For medical field employees, an excessive or heavy work schedule may violate patient safety care; there must be at least 6 hours of down-time between work schedules. All outside employment must be discussed with the Program Manager to ensure proper patient care. Employees should report any violations of the above provisions promptly to their supervisor or the Human Resources Department.

### *Information Systems Use and Security Policy*

Computers, copy machines, telephones, facsimile equipment, software, electronic mail (e-mail) and Internet access are provided by the Company/facility, remain facility property and should be used for legitimate facility business. Company automation systems are Company resources and are provided as business communications tools. Electronic communication should not be used to solicit or sell products, distract co-workers, or disrupt the workplace. Limited personal use may be permitted, but excessive, disruptive, or other personal use in violation of Company policies is prohibited.

Company/facility owns the rights to all data and files in any computer, network or other information system used in the Company/facility. Company/facility also reserves the right to



monitor any and all electronic mail messages and their content that are transmitted in any way through Company's/facility's computers, network or other information system. Employees must be aware that the electronic mail messages that they send and receive using company equipment are not private and are subject to viewing, downloading, inspection, release and archiving by Company/facility officials at all times. Any communication using the Company's/facility's information systems or properties may be accessed, monitored, or searched by the Company/facility at any time, including after deletion. You have no expectation of privacy in the use of any of these systems or properties.

In addition, the following general guidelines apply to your use of the Company's/facility's information systems and properties:

- Confidential, proprietary or sensitive legal or financial matters should be communicated via telephone or in person, and not by e-mail.
- E-mail or other written documents containing confidential, proprietary, privileged or sensitive legal, business or financial information must not be forwarded, copied, or printed unless authorized.
- Personal photographic or reproduction equipment, including videotape, video telephones and cell phones, may not be used to image Company's/facility's confidential information.
- No unlawful, commercial, religious, harassing, or threatening messages may be sent by e-mail or over the Internet.
- Respect all copyright and other intellectual property laws. For the Company's/facility's protection as well as your own, it is critical that you show proper respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks and other intellectual property, including the Company's/facility's own copyrights, trademarks and brands.

Employees may not read or have random access other employee's information unless authorized to do so. Employees also may not use the Company's/facility's informational systems to send or receive information in violation of federal or state law, in violation of Company policy, or in violation of the property rights of another.

Use of Company/facility computers, networks and Internet/Intranet access is a privilege granted by management and may be revoked at any time for inappropriate conduct. Personal cell phones may not be used or remain on while you are working without advance permission from your supervisor.

## SAFETY POLICY

At DME, it is important to maintain a safe work environment for employees, customers, patients and vendors. Employees must follow the Company's safety standards to ensure the safety and well-being of employees, customers, visitors, and vendors. Every employee must take personal responsibility and ownership for safety. All employees are required to immediately address safety and report unsafe conditions or behaviors to their onsite supervisor- as well as the Program Manager.

When you are driving while on Company business, do not use a cell phone or other electronic device unless it is equipped with a speaker or "hands-free" feature. Drivers are not allowed to talk, text, view email or pics, or use smartphone apps while driving, even if the driver is at a stoplight or stuck in traffic. Smartphone apps or GPS navigation may be used as long as the phone is affixed to their vehicle.

Employees who are performing work-related duties while driving and are in an accident must report the accident as soon as possible to their Program Manager. All accidents will be investigated, and employees involved will be required to undergo a breath alcohol test and a drug screen.

Employees who are injured at work are to report the injury to their Program Manager or On-Call personnel as soon as possible, or no later than 24 hours after the initial accident. Injuries of a serious nature are to be treated at the nearest hospital or ER. Employees with injuries that are not serious or life threatening in nature are to report to the nearest Company approved medical treatment facility. The Program Manager will provide the facility location. Employees may consult with their personal or family physician after receiving initial treatment at the Company designated medical treatment facility.

### *Substance Abuse Policy*

DME is a drug-free workplace. Our policy does not allow any employee to work under the influence of any unlawful drug or alcohol as it can compromise the safety of the employee, the safety of others, and can adversely affect work productivity. Unlawful drug use includes abuse and misuse of prescription and over-the-counter medications. Employees who are properly taking prescription or over-the-counter medications and who have concerns about how the medications may affect their job performance should notify the Program Manager for a reasonable accommodation.

DME does not desire to intrude into the private lives of its employees but recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, DME reserves the right to take appropriate disciplinary action for drug use, sale or distribution while off company premises, up to and including termination.

As a condition of employment, DME employees consent to drug and alcohol testing at any time, including testing post-accident, randomly, and based upon reasonable suspicion of drug or alcohol use. Employees who refuse to be tested or cannot follow the Company Substance Abuse Policy may be terminated from employment.

Employees who have a problem with drug or alcohol abuse and ask for assistance from DME can avail themselves of our Employee Assistance Program, or EAP. Please speak with the Program Manager/ for further details.

### *Possession of Weapons or Explosives*

DME does not allow any job applicant, employee, contractor, subcontractor, vendor, agent, or representative to possess, use, conceal, carry, or maintain a concealed explosive, weapon or handgun on client facility premises. The Company also prohibits the carrying of a weapon or concealed handgun on your person or property while you are rendering any services or attending any event or function relating to your employment with DME, or conducting any business on behalf of the Company.

If the Company/facility has reasonable suspicion at any time that a concealed explosive, handgun, or weapon has been maintained, carried, or stored in violation of this policy, the Company/facility reserves the right to conduct a reasonable search, to include contacting local law enforcement to conduct the search.

### *Workplace Safety and Violence Prevention Policy*

It is the policy of DME to prohibit any acts or threats of violence (verbal or physical) by any employee, former employee, patient, or individual in or about the Company's facilities while on duty, on or off the Company's premises, including remote worksites, at any time. Such actions will not be tolerated, and may lead to disciplinary action, up to immediate termination of employment.

All threats of violence to corporate employees while on duty will be investigated. Threats of violence will include physical, verbal, text, email, mobile and work phone.

Employees have a duty to warn both their facility supervisor and the Program Manager if they are aware of or suspect any potential situation, incident, or ongoing workplace behavior involving other employees, former employees, patients, or individuals that may be physically threatening or violent in nature and endanger the safety of employees or other individuals on the premises of the Company/facility/remote worksite.

Reporting an incident of workplace violence or unsafe conditions does not reflect on the employee's ability to handle their job duties effectively. Maintaining vigilance and caring for the patient is the duty of the caregiver, although dealing with violent behavior from patients or receiving injuries is not. Employees should not fear reprisal for reporting instances of workplace violence.

All communication with the press, radio or television about a violent workplace incident or hostile threat related to DME, its subsidiaries, or employees will be addressed only by the CEO, or other duly authorized representative(s) selected by the CEO. Employees are prohibited from discussing any violent workplace incident or hostile threat involving DME business with any press, radio, television or other electronic or social media without the express authorization of the CEO.

DME is committed to the safety of every employee, if you have any concerns regarding your safety, contact your facility supervisor, your Program Manager, and the DME Human Resources Department. For clarification of this policy, contact the DME Human Resources Department.

### ***Complaint Procedure for Employee-Patient Encounters or Volatile Situations***

1. When a violation of the above policy occurs, contact following individuals immediately:
  - a. Your facility supervisor
  - b. Your Program Manager: 210-566-9995 (8:30am-5:30pm CST, please call the on-call coordinator 210-569-0031 after hours)
  - c. DME Human Resources Department: 210-566-9995
2. After making contact with each of the above individuals, you must follow up with the Program Manager and the HR Department with an email documenting the incident within 24 hours of the occurrence.

### ***Worker's Compensation Policy***

Federal regulation requires that Donald L Mooney Enterprises (DME) employees have adequate worker's compensation insurance coverage in the state in which they work. Please know that DME has worker's compensation coverage for all employees of the Company, which is provided at no additional cost or charge to you.

In case of injury or accident while on the job, you must contact your program manager immediately, or within 24 hours of the injury or accident.

- If the injury is serious, severe, or life threatening, please report to the closest hospital, ER, or medical facility for immediate treatment, or call 911. Please let your program manager know where you are and the status of your condition.
- If the injury is not serious or severe in nature, you must contact your supervisor for information on the company designated medical care facility that you will need to visit

Please, we ask that you have as much information as possible regarding the injury or accident available for your supervisor when you call to report the incident. Employees are asked to specify and include:

date, time, part of the body affected, what happened, where it happened at work, cause of the injury or accident, nature of the injury, witnesses, the facility they received treatment, facility address, doctor or medical professional who treated the injury, doctor or medical professional address, medical billing or invoice (if any), and any missed time from work.

If the injury occurs after hours or if treatment is received after hours, you are still required to contact your program manager at the earliest convenience. You may call the corporate office anytime, including afterhours, to report your work-related injury.

Employees are required to use Personal Protection Equipment (PPE) when performing their work duties. Such equipment may include gloves, masks, glasses, gowns, respirators, boots, non-skid shoes, and hard hats. We strongly encourage all employees to follow company policy in the use of PPE equipment and gear while working on the job.

## EMPLOYMENT PRACTICES

The Company maintains the right to conduct background checks, drug screens, reference checks, and consumer credit checks when warranted to attract and hire qualified employees. The Company will also manage and direct external and internal job postings, recruiting, advertisements, and electronic, or social media announcements to attract and retain top talent. The Company will also be responsible for the implementation and monitoring of local, state, and federal employment regulations and compliance.

### *Continuous Acceptance Security Checks*

All employees go through a credentialing and security vetting process upon initial hire. Employees on federal contracts are subject to continuous acceptance security checks. Throughout your employment with NES, the government will continue to vet for credentials and security. If at any time an employee's credentials and/or security is deemed derogatory, NES may terminate employment.

## *Federal Tort Claims Act*

Healthcare workers who are employed on personal services contracts are covered under the Federal Tort Claims Act (FTCA) for malpractice claims.

## *Work Areas, Equipment, and Property*

The Company/facility reserves the right to monitor, inspect, and search employees' desks, telephone, voice mail, computer, electronic mail (e-mail) and Internet use, as well as any personal belongings within the company/facility premises.

## *Photo Use*

Donald L. Mooney Enterprises (DME), LLC reserves the right to take, edit, alter, exhibit, publish, distribute and make use of any and all pictures or video taken of employees to be used in and/or for legally promotional materials including, but not limited to, newsletter, flyers, posters, brochures, advertisements, fundraising letters, annual reports, press kits, and submission to journalists, websites, social networking sites and other print and digital communications, without payment or any other consideration. This authorization extends to all languages, media, formats, and markets now know or hereafter devised. This authorization shall continue indefinitely, unless the employee otherwise revokes said authorization in writing.

By signing the handbook acknowledgement, the employee understands the contents, meaning, and impact of the photo release, and agrees that these material(s) shall become the property of DME and will not be returned. The employee hereby holds harmless, and release, Donald L. Mooney Enterprises, LLC their assigns, licenses, and legal representatives from all liability, petitions, and causes of action which the employee, and the employees' heirs, representatives, executors, administrators, or any other persons may make while acting on the employees' behalf or on behalf of the employee's estate.

## *Internal Investigations*

DME will make every effort to keep the confidentiality of information related to internal investigations in connection with work infractions, grievances, and personal matters affecting the work life of employees. However, in the interest of business necessity, the Company may need to discuss confidential information on these and other issues with selected employees, supervisors, and outside individuals or organizations when necessary.

## *Cell Phone, Camera Phone, and Electronic Device Usage*

The need to use personal cell phones and other electronic devices may vary based on the role or job position within the organization. As a general policy, the use of personal cell phones, camera phones, or other electronic devices during work time is prohibited.

The use of any type of camera phones or other visual or audio recording devices is also prohibited during work time. However, employees who must use personal cell phones for conducting Company business (sales reps, coordinators, etc.) are limited to the actual use of their personal cell phones for conducting Company business only. Personal calls, texts, or e-mails during work time is strongly discouraged.

Personal cell phones equipped with cameras create security and privacy issues for both the Company and employees. Because personal cell phones have discreet lenses and are concealed easily, the ability for an individual to secretly record, photograph, or copy the Company's confidential information and place it on the Internet or transmit via e-mail is very real. We must be respectful of Company Confidential Information. As a general policy, employees cannot record or copy Company Confidential Information.

Company policy also prohibits the use of cell phones while driving, regardless of whether the call is in audio, text, or e-mail form while conducting Company business or on Company time. Distractions of cell phone use while driving place the employee and other commuters in danger.

Employees should also be alert to others using personal camera cell phones at our locations and make sure that such use, if employed, is appropriate.

### *Company Photo Use*

DME may take, edit, alter, exhibit, publish, and distribute photos or videos to be used in and/or for legally promotional materials including but not limited to newsletters, flyers, posters, brochures, advertisements, fundraising letters, annual reports, press kits, submission to journalists, websites, social networking sites and other print and digital communications, without payment or any other consideration. This extends to all languages, media, formats, and markets.

DME will have the right to use material indefinitely unless employee otherwise revokes said authorization in writing.

## **ATTENDANCE**

### *Attendance Policy/Guidelines*

Excellent customer service is critical to DME's success. Accurate scheduling and scheduling adherence is essential to ensure the appropriate levels of staffing are available to meet our customer's needs.

DME's management has the responsibility to create a schedule that meets customer's needs so that employees are able to have some predictability to balance their work and personal life. The Company's employees have the responsibility to be available to meet our customer's needs and adhere to their schedules. Adherence to one's schedule ensures that our customers have full coverage, thus providing an appropriate level of service to our customers and for our fellow employees.

### *Purpose*

The purpose of this guideline is to provide structure and support for DME management and employees to address attendance issues. The term "guideline" is intentional. It is expected management will apply common sense and exercise reasonable discretion to consider all relevant circumstances when applying this guideline.

### *Process*

Where there are occurrences of unexcused absences, tardiness or not adhering to planned work schedules during a rolling 6-month period, the process, set forth below, should be used in conjunction with our Code of Conduct and Progressive Disciplinary Policy. Violations of this guideline may lead to discipline, up to and including termination. Employees are responsible for contacting the supervisor on regarding attendance and punctuality issues.

### *Tracking of Occurrences*

- Through the use of available reports and manual tracking, management should track the occurrences for each employee.
- The Counseling and or Termination Form should be used to formally document and track all discussions relating to attendance issues. Once completed, forms are maintained in the employee's personnel file.
- All accrued vacation time must be immediately exhausted upon any excused absence. Unexcused absence(s) may be considered as a No Call/No Show and subject to disciplinary action to include termination. Please note that these guidelines do not alter the provisions of our existing Leave of Absence (LOA) policies. Pursuant to the LOA guidelines, employees are NOT required to exhaust vacation time before or upon taking an LOA. Please refer to the LOA Guidelines for more specific information.



- Granting requests for days off is at the discretion of management and based on the needs of the business. Not all requests may be granted and personal plans should not be made until approval has been given.
- Employees must communicate with their supervisors regarding returning to work. Failure to provide notice may adversely affect unemployment benefits, and jeopardize their employment with the Company/facility.

## *Absences*

Our purpose is to provide continuity of care at the Medical Treatment Facility (MTF). The MTF is depending on our staff to be reliable and professional at all times.

If you must miss a scheduled shift, call the MTF first and let them know that you won't be able to work your scheduled shift. We prefer that you give them a four (4) hour notice, if possible, two (2) hour minimum. Always make a note of who you speak to when you call the MTF. Once you have notified the MTF, you **MUST** notify NES. We must be notified anytime you miss a scheduled shift. The NES office is open Monday-Friday 8:30 am – 5:30 pm CST; however, someone is on call 24/7. The office and on-call number is 210-566-9995.

- If you miss a shift due to a doctor's appointment, you will need to provide a note from your doctor to NES for your personnel file.
- If you have an emergency that requires you to miss a shift, please notify the MTF immediately and then call NES so that we can document your absence as well as well. By signing below, you acknowledge that you have read and understand the requirements when you miss a scheduled shift.

Your signature of the handbook acknowledgement indicates that you have read and understand the requirements when you miss a scheduled shift.

## *Definitions*

**Excused Absence:** An absence that has been planned and approved by the supervisor where the employee has given sufficient prior notice to his or her immediate supervisor, or where the employee promptly obtains the supervisor's approval for an emergency situation or illness.

Excused absences will result in exhausting vacation time if available. Sufficient prior notice will be a minimum of at least two (2) hours before scheduled start time; for scheduled absences, a 2-week notice is expected.

**Unexcused Absence:** An absence that was not planned or not approved by management, or an absence from work. An unexcused absence that has not been communicated to the immediate supervisor and Program Manager is considered as a No Call/No Show and will result in disciplinary action, up to and including termination.

**Tardy:** Failure to be at one's designated place of work as per the schedule. An employee who clocks in more than five (5) minutes late without supervisor approval may be considered in violation of the attendance guideline.

**Excused Tardy:** Having a legitimate reason or reasonably forewarning the supervisor that the employee will be late to the designated place of work as per the schedule, usually by less than 1 hour.

**Meal Breaks:** Are for thirty (30) minutes to one (1) hour, depending on the contract. Employees must take meal breaks in accordance with Company policy and applicable laws. Non-exempt hourly employees must not perform any work-related duties while on a meal or lunch break. Meal breaks are not compensable time.

**No-Call/No-Show:** Employees failing to call in and not reporting to work when scheduled at least 2 hours before their designated start time, and not receiving supervisor approval. No-Call/No-Show is grounds for disciplinary action, up to and including termination.

**Job Abandonment:** Employees failing to call in and report to work for two (2) consecutively scheduled days. Job Abandonment will be deemed a voluntary resignation.

**Missed Punches:** Employees are to clock in and out for their shifts. Missed punches must be reconciled for hours worked. Failing to properly punch in and out or conducting any work "off the clock" is grounds for disciplinary action.

**Code of Conduct:** A part of Company policy that sets forth standards of employee conduct.

**Occurrence:** Officially documenting an unexcused absence, unexcused tardy, missed punch or no-call/no-show. The Counseling/Disciplinary Action form will be used for documentation.

The Company has provided these Guidelines to help employees understand their responsibilities regarding attendance and punctuality. The Company reserves the right to change or modify these Guidelines at any time.

### *Absence Notification Policy*

In general, employees needing to be absent or tardy to work for any reason are responsible for notifying their supervisor and receiving acknowledgement from the supervisor according to the Attendance Policy/Guidelines. Where the need for absence is foreseeable, as in planned medical treatments, the supervisor should be notified fourteen (14) days in advance or as soon as the employee realizes he or she will miss work. Employees must inform the appropriate contact each time that they will miss a scheduled shift. When calling in, the employee must state why he or she is absent and a phone number where he or she can be reached for any questions.

Failure to comply with established notification requirements may subject an employee to disciplinary action up to and including termination. Please contact your Program Manager for the policy regarding Call-Ins.

### *Call-in Guidelines*

- Employees must call or notify their immediate supervisor and Program Manager immediately. If it is after hours, please contact the or on-call personnel (210-569-0031) immediately or at least two (2) hours before their start time.
- Employees must communicate either through call, email, or text. Employees must receive acknowledgment from their supervisor for the absence/tardy to be excused. Leaving a message on voice mail is not an acceptable method of notifying the department of an absence. Employees must communicate directly to their supervisor and may not have a third party call in for them, unless the employee cannot call in for themselves due to special or unique circumstances (*e.g.*, hospitalization, car accident, serious health condition, etc.).

### *No-Call/No-Show*

Employees must report their absences each day. Failure to do so is considered a No Call/No Show. Also, failure to report your absence at least two (2) hours before the start of the work day will be regarded as a No Call/No Show.

A No Call/No Show during an employee's introductory period, or first ninety (90) days of employment, will be grounds for immediate termination of employment. Two days of any No Call/No Show during a six (6) month period will be grounds for immediate termination. Any employee who fails to call in or report to work for two (2) consecutive workdays is VOLUNTARILY terminating employment. The absences will be considered No Call/No Show violations.

### *Inclement Weather Policy*

DME will make every effort to maintain normal work hours even during inclement weather. The Company also recognizes it must balance the needs of proper staffing for its operations and the hazards that inclement weather may present to its employees.

The following procedures have been developed in case of severe weather conditions, such as extremely heavy rains, flooding, icy roads, sleet, or snow:

- Employees should listen to weather reports on local stations for potential workplace closures during inclement weather. After listening to the media announcements, if you are still uncertain whether to report to work, you should check with your immediate supervisor and Program manager.

If you are unable to report to work due to severe weather conditions or other emergency, you must immediately contact your immediate supervisor and your Program Manager and receive acknowledgement. If the supervisor and or the Program Manager is not available, you must contact the after-hours on-call personnel. **You can reach the on-call person at 210-569-0031** and receive acknowledgement.

## PAY AND JOB CLASSIFICATIONS

### *Field Employee Classifications*

Employee positions are classified according to the number of regularly scheduled work hours. Eligibility for employee benefits will be determined by the following employee classifications:

**Full-time:** A regular position planned to last longer than six months and requiring a minimum of thirty (30) hours per week worked on a regularly scheduled basis.

**Part-time:** A regular position planned to last longer than six months and requiring less than thirty (30) hours per week worked on a regularly scheduled basis.

**Temporary:** A position planned to last less than six months of employment (part-time or full-time) or for a specific project estimated to last less than six months.

**PRN:** An employee who works only on an as-needed basis, often but not limited to less than full time hours with a flexible schedule.

### *Work Schedules*

Because of the around-the-clock operations (24/7) and extended schedules with certain departments, the Contract Program Managers have the flexibility to arrange shift schedules that will meet the operational needs of the Company/facility. An employee's work schedule may vary according to the needs of each departments and or contract. Government contract employees are expected to arrive at the workplace ready to work at the appointed scheduled time and depart the workplace after their scheduled shift has ended.

### *Overtime*

Non-exempt employees are paid hourly at least minimum wage and are paid overtime for hours worked in excess of forty hours during a workweek.

- Non-exempt employees are not to work more than the scheduled number of hours in their workweek without advanced authorization and direction from their supervisor.
- Non-exempt employees receive overtime pay for hours worked in excess of 40 in a workweek at a rate not less than time and one-half their regular rate of pay. Non-exempt employees will not be given time off (comp-time) in lieu of overtime pay. The hours for which non-exempt employees are paid, but which are not hours worked (such as vacation hours, sick hours and holiday hours) are not counted toward overtime. NOTE: Supervisors may adjust an employee's schedule if he or she has worked over eight (8) hours on any day so that the employee does not exceed forty (40) hours in a workweek.
- A workweek is defined as Monday through Sunday unless otherwise stated in your offer letter and in accordance with the government contract.
- All employees are strongly encouraged to consult with their Program Manager/ for details concerning their individual status.

### *Timekeeping for Non-Exempt Employees*

Proper timekeeping is an essential responsibility for each employee. Properly punching in and out and reporting missed punches will ensure that employees receive pay on time and for the correct number of hours worked. Following the guidelines below is essential to proper timekeeping.

- Employees are not permitted to clock in/out for one another.
- Missed punches must be reported to the supervisor immediately so that the appropriate corrections can be made before the employee's paycheck is calculated.
- Employees must check in with their Program Manager to find out if their job assignment includes scheduled break/lunch periods. Scheduled breaks/lunch breaks must be taken as scheduled, and any deviation requires pre-approval from the supervisor.
- Hourly, non-exempt employees must report all time worked and not perform any work off the clock. Any request for an employee to not report time worked, or work off the clock should be reported promptly to the Program Manager. It is against the law and

Company policy to allow or permit non-exempt employees to perform any work-related activity off the clock

- Any modifications to your work schedule must be approved prior by your Program Manager.

### *Timesheet Accuracy and Submissions*

The Company has the responsibility to pay employees accurately, and in a timely manner. However, as an employee of DME, you have the overall responsibility regarding accuracy and timely submission of timesheets, whether they be manual (paper) or electronic.

Employees are required to complete timesheets in the required time periods, or paychecks may be delayed. Any employee who knowingly and deliberately falsifies timesheets or leave records may be subject to immediate termination of employment.

#### **PLEASE NOTE:**

If submitting an electronic timesheet; completed timesheets are due on the last day of the pay period. If submitting a paper timesheet; a completed and signed timesheet is due on the Tuesday following the last day of the payroll period.

### *Exempt Employees*

Exempt Employees are paid a salary for all hours worked during a workweek, including hours worked in excess of forty during a workweek. Exempt employees are not paid overtime. Generally, exempt employees are expected to work a minimum of forty (40) hours per week. In other words, exempt employees work until the job is done.

### *Pay Periods and Paydays*

Employees are paid on a semi-monthly period or bi-weekly period; depending on the contract you are working under. Each paycheck will include earnings for all work performed through the end of the previous payroll period. If a regularly scheduled payday falls on a Saturday, employees will receive pay on Friday. If a regularly scheduled payday falls on a Sunday, employees will receive pay on Monday.

### *Wage Deductions*

It is DME policy to comply with wage deduction requirements of the FLSA. The Company will not permit any supervisor or other authorized employee to make any improper deduction from the wages. Deductions from pay are permissible only under specific guidelines.

DME is required by law to deduct federal income, FICA/Social Security, and Medicare taxes. State law likewise may mandate additional deductions, such as child support payments. With your written permission, DME also may deduct premiums or contributions for certain Company benefits, as well as meal expenses or other permissible deductions. These deductions, and the amount of each deduction, will be listed on your pay stub. All mandatory deductions, as well as voluntary deductions authorized by employees, will be automatically withheld from each paycheck. Employees have access to the paystubs via the payroll system itemizing gross compensation, deductions and net compensation received.

When a non-exempt employee is absent from work and not on approved vacation time, vacation time will be applied to reflect a full schedule. If no vacation hours are available, it will be considered leave without pay (LWOP). See LWOP Policy

DME will make a good faith effort to correct or rectify any improper deductions and will make every good faith effort to comply in the future.

### *Complaint Procedure*

If you believe your paycheck is incorrect for any reason or an improper deduction has been made, you should immediately report the problem to the Program Manager . If after review, a mistake in your pay is found, your pay will be promptly corrected and the Company will make a good faith commitment to ensure no errors occur in the future. Reports of improper deductions or errors will be investigated.

### *Paychecks*

DME offers only Direct Deposit for payment of employee wages.

### *Pay Increases*

Pay increases are determined by the government contract terms and are not guaranteed at any time during an employee's employment.

## **EMPLOYEE BENEFITS**

Full time employees of DME can enjoy the variety of health and welfare benefits offered by the Company. Such benefits include, but not limited to, major medical, dental and vision, retirement, life insurance, short term disability, long term disability, vacation time, sick leave, paid holidays, and national discounts to many name brand companies and products across the country. All employees of DME may also participate in the Company's 401k retirement plan.

Enrollment into our employee discount program is a web based service on the NURSES Etc. STAFFING Website. DME also has local discount services that may provide additional discounts and services for DME employees, depending on the location.

Please consult with a member of the Benefit's Team for further explanation of our benefits package.

### *Insurance Benefits*

Full-time employees are eligible for the current, ACA compliant benefit plan as provided by DME. If the employee is covered under another health plan, proof of coverage should be provided to the Benefit's Team. The Benefit's Team will inform employees of benefits eligibility dates, and employees will be required to complete necessary enrollment paperwork within the required timeframe. Failure to complete enrollment paperwork as required may influence an employee's eligibility and delay benefits enrollment until the following open enrollment period.

Note: Failure to submit enrollment paperwork in a timely manner may result in the delay of benefits, and the possibility of dual deductions to your paycheck in a 30-day period. Please consult with the Benefits Administrator, or member of the Benefit's Team for clarification.

Employees become eligible for benefits on the first of the month, after their initial 30 days of employment. Please be aware that our premiums are billed in advance.

### *Time Off Benefits*

#### ***Vacation Time Off Policy***

Full time, part-time, and PRN employees working under a government contract may be eligible for paid vacation time benefits under the terms of the contract. Please refer to Appendix A (Vacation and Sick Leave Policies per Contract) for information on vacation time benefits specific to the contract you are working under.

#### ***Amount of Vacation Time***

If you work on a military facility and on a government contract, you may be entitled to vacation time based upon their years of service and in accordance with the federal contract specifications. The amount of vacation time an eligible employee receives is based upon the employee's anniversary date and the federal contract. Please refer to your hire letter and Appendix A (Vacation and Sick Leave Policies per Contract) for details on how you will earn vacation time.



### ***Use of Vacation Time For Employees on Federal Contracts – Full-time and Part-time***

Vacation time may be used for vacations, personal leave, sick leave, and any other days absent from work. Maximum hours per request will be based on length of service/business needs. Please consult with your supervisor or a member of the HR Department for guidelines. Vacation time will begin accruing on the first day of employment.

To take vacation time, employees must request advance approval from their supervisor. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. The Company reserves the right not to approve a vacation time request if the request will interfere with facility operations or adversely affect coverage of job and staff requirements.

Employees who are unable to obtain prior approval because they are using vacation time for sick leave should notify their Program Manager of their needed absence in compliance with DME attendance guidelines. After three days of vacation time due to an illness or injury, employees must provide a doctor's note verifying the need for leave as well as the beginning and ending date of the leave period. Before returning to work, employees may be required to provide a doctor's verification reflecting that they can safely return and are fit for duty. A written doctor's note is required for any absence of three or more consecutive scheduled shifts and must be given to the Program Manager upon return to work.

Employees are required to work based on normal scheduled hours per contract. Employees that have not made the necessary arrangements and/or communication with their Program Managers for approval of absences, and no hours have been allocated on their timesheet, vacation time will automatically be applied for unapproved time off.

### ***Payment of Vacation Time***

Vacation time will be paid at the employee's base rate at the time of the vacation leave, subject to all applicable payroll taxes. The payment will be included in the payroll check covering the applicable pay period. Vacation time will not be counted as hours worked when determining overtime compensation.

### ***Sick Leave Policy***

Full time, part-time, and PRN employees working under a government contract may be eligible for paid sick leave benefits under the terms of the contract. Please refer to Appendix A (Vacation and Sick Leave Policies per Contract) for information on sick leave benefits specific to the contract you are working under.

### ***Termination of Employment***

For details regarding vacation time and sick leave payout on your final paycheck, refer to Appendix A (Vacation and Sick Leave Policies per Contract).

### ***Designated Holidays***

All Government Field employees (those working on a federal contract) must refer to their hire letter for designated holidays or consult with their Program Manager. Eligible full-time employees will receive up to 8 hours of pay for the designated holiday. Part-time and PRN employees will receive a pro-rated amount of hours for holiday pay at their normal rate.

### ***Leave of Absences***

There are four types of leaves of absence available to full time employees:

- FMLA (Family Medical Leave Act) leave
- Non-FMLA leave
- Military Leave
- Other Time Off

### ***General Provisions of Leave of Absences***

- Leaves of absence for FMLA and Non-FMLA are limited to a combined 12 weeks (90 days) in a rolling 12-month period of time. These two types of leave may not be “stacked” together so that employees can get additional leave beyond 12 weeks.
- At the end of the 12-week period of time under either of these leaves, if the employee is unable to return to work in an unrestricted manner, then it will be determined if a reasonable accommodation can be made. This might include an alternative work schedule or additional time off.
- All extensions beyond outlined leave policies must be coordinated with your immediate supervisor, the Program Manager, and approved by either the CEO or President of the Company.
- DME employees on an approved leave of absence may not engage in employment outside the Company. Violation of this provision will result in termination of employment with the facility for job abandonment. Failure to return to work after the leave expires will be considered job abandonment and the employee will be terminated from employment.
- Any employee covered by DME insurance plans who is currently paying for any insurance coverage must continue to make such insurance payments during any leave of absence under this policy. Failure to make such payments may result in termination of the employee’s coverage. The Company also may request the employee reimburse the cost of payments made to maintain health insurance.

- Either FMLA or non-FMLA leave will run concurrently with worker's compensation coverage, vacation time, unpaid time off, sick leave, or other types of leave.

### ***Leave Under the Family and Medical Leave Act (“FMLA”)***

#### **Basic Leave Entitlement**

The Family and Medical Leave Act (FMLA) provides eligible employees up to 12 weeks of unpaid, job-protected leave during a rolling 12-month period for the following reasons:

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

#### **Military Family Leave Entitlements**

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

#### **Benefits and Protections**

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

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

#### **Eligibility Requirements**

To be eligible for FMLA leave:

- Employees must have been employed by the Company for at least one year; and
- Employees must have worked at least 1,250 hours over the previous 12 months; and
- At least 50 employees must be employed by the Company within 75 miles.

### Definition of Serious Health Condition

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

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

### Use of Leave

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

### Substitution of Paid Leave for Unpaid Leave

Employees must substitute all accrued, unused vacation time while taking FMLA leave and must follow the Company's policies for taking vacation time.

### Employee Responsibilities

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

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

### Company Responsibilities

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

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

## Unlawful Acts

FMLA makes it unlawful for any employer to:

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

## Enforcement

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

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

## Additional Information

For further information or clarification about FMLA leave, please contact the Human Resources Department.

All employees returning from leave due to their own medical condition must provide a fitness for duty report from their physician. The Company will reasonably accommodate employees returning to work with a medical provider's evaluation that outlines work restrictions unless doing so constitutes an undue hardship.

Employees who are unable to return from a leave of absence on the scheduled return date will be terminated and invited to apply for future employment upon proper application.

## ***Military Leave of Absence***

Policy governing Military Leave of Absence is administered in accordance with the provisions of the Uniformed Services Employment and Re-Employment Rights Act (USERRA). Information on this Act is available in the Human Resources Department.

## **Military Leave Policy**

In accordance with applicable law, unpaid Military Leave will be granted to employees who are members of the Uniformed Services of the United States performing any duty (whether voluntary or involuntary), including training, weekend drills, and summer camp and fitness-for-duty examinations.

An employee of DME must notify his/her Program Manager and a member of the Human Resources Department of his/her service in the Uniformed Services.

### ***Jury Duty Leave – Not Provided***

Full-time employees on Navy contracts, check with your Program Manager for details on Jury Duty Leave.

### ***Bereavement Leave Pay – Not Provided***

Upon request and approval, absence due to a funeral may be charged as vacation time.

### ***Leave Without Pay (LWOP) Policy***

Leave without Pay (LWOP) is not allowed. The use of LWOP can lead to termination. LWOP cannot be used in lieu of FMLA or disability leave. If there are circumstances that you foresee the need for LWOP, contact your Program Manager for guidance.

### ***Administrative Termination***

Employees who miss 181 or more days of work for any non-disability-related reason in any twelve-month period will be automatically terminated.

### ***Sick Leave***

You may be eligible for sick leave if the contract vehicle constitutes a “new” contract under the FAR. Please see your hire letter for eligibility of sick time allowance.

The Executive Order requires employees are provided up to 7 days of paid sick leave annually, including paid leave allowing for family care. The requirements of the Executive Order apply only to certain categories of contracts with the Federal Government, and only to contracts that are “new” on or after January 1, 2017.

### **Sick Leave Carry Over**

Eligible employees can carryover sick leave that has been accrued and unused from one accrual year to the next. However, employees are not allowed to accrue more than 56 hours of leave at any given time.

*If an employee carries over paid sick leave from the previous accrual year, is that employee’s additional accrual that year limited to less than 56 hours?*

No, provided that the employee uses some paid sick leave. Under the proposal, leave carried over from the previous accrual year does not count toward the 56-hour limit in the next accrual year, we will limit the employees' amount of paid sick leave at any point in time to 56 hours. For example, if an employee carries over 16 hours of paid sick leave into a new accrual year, she must be permitted to accrue 40 additional hours of paid sick leave even if she does not use any paid sick leave while that accrual occurs. Once she has 56 hours of paid sick leave accrued, the contractor may prohibit her from accruing any additional leave unless she uses some portion of the 56 hours. If she uses, for example, 24 hours of paid sick leave in the same accrual year (such that she has 32 hours remaining available for use), she must be permitted to accrue up to at least 16 more hours (in addition to the 40 hours she has already accrued during the accrual year) for a total of 56 hours accrued in that accrual year. If she did so, she would then have 48 hours of paid sick leave (32 previously available hours plus 16 newly accrued hours) available for use and could be limited to that amount until the next accrual year.

#### Termination or Separation From Employment

DME will not make a financial payment to an employee for accrued paid sick leave that has not been used upon a separation from employment.

*What happens to the paid sick leave accrual if an employee's employment terminates, but the employee is later rehired?*

Paid sick leave will be reinstated for employees rehired by the same contractor or a successor contractor within 12 months after a job separation.

This reinstatement requirement would apply whether the employee leaves and returns to a job on or in connection with a single covered contract or works for a single contractor on or in connection with more than one covered contract, regardless of whether the employee remains employed by the contractor to work on non-covered contracts in between periods of working on covered contracts. As proposed, the reinstatement requirement also applies if an employee is hired for a job on or in connection with a covered successor contract after working on or in connection with the predecessor contract, including when an employee is entitled to a right of first refusal of employment from a successor contractor under Executive Order 13495.

*What are permissible uses for paid sick leave?*

Under the proposed rule, an employee could use paid sick leave for time he or she would otherwise be working on or in connection with a covered contract if she is absent because of:

- (1) A physical or mental illness, injury, or medical condition.
- (2) Obtaining diagnosis, care, or preventive care from a health care provider.

(3) Caring for her child, parent, spouse, domestic partner, or any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship who has any of the conditions or needs for diagnosis, care, or preventive care described in (1) or (2) or is otherwise in need of care.

(4) Domestic violence, sexual assault, or stalking, if the time absent from work is for the purposes described in (1) or (2) or to obtain additional counseling, seek relocation, seek assistance from a victim services organization, take related legal action, including preparation for or participation in any related civil or criminal legal proceeding, or assist an individual related to the employee as described in (3) in engaging in any of these activities.

## SEPARATION OF EMPLOYMENT

### *Leaving the Company*

To ensure our customers receive quality care and that we maintain adequate personnel in all jobs in the Company, DME requests corporate employees provide a written resignation notice at least 2 weeks in advance of their intended separation of employment. This resignation notice becomes a part of the employee's work record and may influence re-employment with the Company should the employee re-apply.

### *Voluntary/Involuntary Termination*

To leave employment in good standing, employees must give a minimum of two weeks written notice to their supervisors, fulfill the entire two-week commitment, and return all Company property (cell phone, keys, etc.). The Human Resources Department may waive the notification requirement on a case-by-case basis.

The written notice of resignation must include the effective date of resignation, date of notification and the reason for resignation and must be turned in to the direct supervisor. The supervisor will forward the notice, along with a completed Employee Action Notice, to the Human Resources Manager for review and signature, who will then forward these forms to the Human Resources Department for filing.

Individuals who do not complete the items mentioned above are not eligible for re-employment at DME. Resigning employees are expected to participate in an exit interview conducted by the Human Resources Department.



## *Final Paycheck*

If the employee quits, retires, resigns, or otherwise leaves employment voluntarily, the final pay will be made on the next regularly scheduled payday following the effective date of resignation. If an employee is laid off, discharged, fired, or otherwise involuntarily separated from employment, the final pay will be provided within the days allowed under State regulation.

\*Time off will not be granted during the two-week notice period. Supervisors have the authority to cancel any prior approved vacation time that falls within the two-week notice period.

For details regarding vacation time payout on your final paycheck, refer to Appendix A (Vacation and Sick Leave Policies per Contract).

## JOINT COMMISSION PRACTICES

The Joint Commission is an independent, not-for-profit organization that accredits and certifies more than 15,000 health care organizations and programs in the United States. Joint Commission accreditation and certification is recognized nationwide as a symbol of quality that reflects an organization's commitment to meeting certain performance standards. It is an effective quality evaluation and management tool for ensuring a safe care environment which helps continuous improvement process to reduce risk to patient and staffs. Donald L Mooney Enterprise, LLC and its affiliated companies are Joint Commission Certified and follow the Joint Commission Standards.

### *Maintaining Joint Commission Standards*

Donald Mooney Enterprises ensures that all personnel provided to customers meet Joint Commission standards. Donald Mooney Enterprises maintains both extensive and comprehensive files on every healthcare provider, displaying appropriate evidence that such standards are met and makes such evidence available to any client hospital upon request.

### *Credentialing*

Donald Mooney Enterprises is committed to remaining in compliance and true to the contractual responsibilities we have accepted when entering into any and all of our staffing agreements. Our compliance will be exhibited by having copies of all necessary licenses, credentials and certifications in files before a healthcare professional is sent on any assignment. Donald Mooney Enterprises is proactive in monitoring credential expirations. On at least a monthly basis, spreadsheets are reviewed indicate the credentials that will expire in the next 30 days. The Program Managers and or the Compliance Coordinator will proactively contact employees so documents can be updated prior to expiration. Employees will **not be allowed to work** with expired credentials.

### *Assessments and Testing*

To meet the compliance of Joint Commission, Donald Mooney Enterprises assigns assessments to each employee dependent on their position title, both during the onboarding process and annually throughout the duration of employment. The assessments are validated, compliant testing that covers a comprehensive span of clinical and non-clinical subject areas meeting the latest evidence-based practice guidelines required for facilities. Completion of these assignments are required for continued employment with Donald L. Mooney Enterprises.

## HUMAN RESOURCES: EMPLOYMENT APPLICATION PROCESS

In keeping with our standard of excellence, Donald Mooney Enterprises' initial application process and ongoing quality assurance initiatives are designed with the primary goal is to provide the highest quality of nursing professionals possible. Our objectives include:

- To recruit and employ those professionals who are dedicated to quality care with proven skill histories.
- To provide a thorough orientation for each nurse so that he/she may perform his/her work in a safe and effective manner.
- To provide consistent opportunities for staff education via our in service training and staff development program.
- To monitor the quality of nursing performance through regular on-site evaluations
- To work closely with clients while modifying our service concepts to meet their needs.

Each applicant undergoes a stringent screening process to verify skills and commitment to nursing excellence.

### *Proof of Citizenship or Ability to Work As Required by Law*

Donald Mooney Enterprises verifies eligibility to work in the United States. The U.S. Immigration and Naturalization Service require that employees show proof of citizenship/eligibility to work by completing an Employment Eligibility Verification Form (I-9). Failure to produce the necessary proof according to the applicable laws will result in the postponement of employment.

### *Background Checks*

Donald Mooney Enterprises may perform criminal background checks on applicants, which may include a felony and misdemeanor search in the state the applicant resides, and may also include states and counties of residence/employment for the previous 7 years when specified in the written agreement between Donald Mooney Enterprises and its clients. Criminal background

checks can also be conducted post -employment based upon a reasonable suspicion of criminal activity.

In addition, Donald Mooney Enterprises verifies that applicants are not included in the Office of Inspector General's (OIG) or the Excluded Parties List System (EPLS) databases of excluded providers.

### *License/Certification/Education Verification*

Applicants may be required to provide valid, original professional licenses to practice their profession in the state of the assignment, Basic Cardiac Life Support (BCLS) certification and any other professional certifications required for the practice of their specialty when specified in the written agreement between Donald Mooney Enterprises and its clients. Donald Mooney Enterprises conducts primary source verification of professional licenses in all states where Donald Mooney Enterprises Inc. is employing the provider or offering placement for the provider, with the appropriate licensing bodies to verify issue date, expiration date, active status of license and to determine if a license has ever been suspended, revoked, restricted, reprimanded, sanctioned or disciplined. Any disciplinary action on a professional license can be terms for non-employment with Donald Mooney Enterprises and falsification of any documentation will render applicant completely ineligible for employment with Donald Mooney Enterprises.

Positions that require a specific educational requirement and/or certification must have verification of such. Where education and licensure are required, but the license may not be obtained without meeting the education requirements, it is not necessary to confirm education, but only to verify the license (Specific example would be an RN where state licensure is required and completion of an approved nursing program or completion of a certain number of continuing education units. In this case, the individual may not obtain state licensure or renewal without completion of an approved program or continuing education units, therefore only license verification would be required. If the position requires state licensure as an RN and a Master's degree, then both the licensure and the education would need to be verified).

It is the employee's responsibility to maintain a current valid license. Failure to do so will result from removal from duties and progressive discipline. Employees are required to immediately notify Donald Mooney Enterprises if a license/certification is suspended or revoked prior to education.

### *Reference Checking*

Unless specified per written client agreement, Donald Mooney Enterprises verifies at least one reference from previous employers or from clinical peers that may provide information related to the applicant's knowledge and applied job skill proficiency or confirm dates of employment.

## *Pre-Employment Skills and Competency Assessment*

To ensure that work is performed safely and efficiently in the hospital setting, all applicants are required to complete a competency self-assessment for every unit and specialty to which they will be assigned. All current competency assessment tools are maintained in their personnel file.

Applicants must also complete a competency examination for every specialty to which they would like to be assigned and receive a passing score of at least 70%.

## *Health Screening*

Applicants may need to go through a screening process when specified in the written agreement between Donald Mooney Enterprises and its clients, to demonstrate that they are free from communicable disease and are free from any health impairment that is of potential risk to the patient, caregiver, other employees, or that may interfere with the performance of duties. All applicants may need to provide:

- Clearance for Work: are only required when specified in the written agreement between Donald Mooney Enterprises and its clients. If required, the applicant will Submit a written clearance for work conducted within the last twelve months prior to hire date. The Clearance for Work shall include whatever specifications are in the written agreement between Donald Mooney Enterprises and its clients, which may or may not include a medical history, physical examination, laboratory work as indicated, and a written report to indicate that the employee is physically and medically qualified to perform the duties to be assigned. In addition, annual physicals are required thereafter
- Tuberculosis Test: are only required when specified in the written agreement between Donald Mooney Enterprises and its clients. TB tests if required may need to be conducted within the last twelve months prior to hire date. The TB test may show a negative result. Applicants who test positive as a tuberculin reactor may be required to submit documentation of a negative chest x-ray showing no abnormalities and/or provide proof of prophylactic antibiotic therapy. One clear chest x-ray is required for individuals following a positive skin test or documented history of positive skin test, repeat chest X rays thereafter are not required for those who present positive skin results, repeat chest x rays are only required when specified in the written agreement between Donald Mooney Enterprises and its clients. Applicants with positive TB results may be required to complete a TB questionnaire upon hire and annually thereafter.
- Vaccinations: are only required when specified in the written agreement between Donald Mooney Enterprises and its clients. If required the applicant will Submit proof of exposure to or immunization to Rubella, Rubeola, mumps, and Varicella zoster.
- Drug Test: are only required when specified in the written agreement between Donald Mooney Enterprises and its clients. If required the applicant will Submit 10 panel drug screen for amphetamines, barbiturates, benzodiazepines, cannabinoids, cocaine, meperidine, Methadone, Opiates, Phencyclidine, Propoxphene

- Hepatitis B: are only required when specified in the written agreement between Donald Mooney Enterprises and its clients. Must provide proof of vaccination to Hepatitis B or sign waiver/declination. The Hepatitis B vaccine and vaccination series shall be made available at no cost to all employees. Employees shall not receive the vaccination if they have previously received the Hepatitis B vaccination series or have antibody resting which reveals the employee is immune or for whom the vaccine is contraindicated for medical reasons.

*\*\*\* Please note that random drug screening and drug screening for cause may occur at any time.*

### *Interview and Education*

Applicants whose qualifications are in question are interviewed by a Donald Mooney Enterprise Manager. Interviews are designed to determine applicant's knowledge, competence and skills in specified areas of expertise. Interviews are based on actual events and circumstances that applicants are likely to encounter in the work environment.

Applicants are also oriented to Donald Mooney Enterprises' general policies and procedures, as well as specific administrative policies on overtime and scheduling. Orientation for select hospitals is also provided, as specified by select client hospitals.

Applicants are also oriented and asked to acknowledge their comprehension of a variety of topics, including, but not limited to:

- Medication: administration, safety and prevention of errors
- Abuse: Child, elder and reporting, SCAN
- Sexual and domestic violence, assault, rape
- Drugs in the workplace, workplace violence
- Safety: electrical, fire, environmental, safety signals
- Hazardous materials
- Infection control and CDC Hand Guidelines
- OSHA and bloodborne pathogens
- Dress code and fingernail policy
- JCAHO education, National Patient Safety Goals, List of Abbreviations/Do-not-use
- Patient rights/advance directives
- Emergency preparedness
- End-of-life care
- Code situation policies
- Sentinel event policies and procedures
- Restraints
- Age-specific education
- HIPAA
- Pain Management
- Body Mechanics
- Documentation: of patient care, transcribing of physician orders
- Conscious Sedation

- Patient safety and education
- Fall prevention

The completion of orientation shall be documented and signed by the applicant. And the form will be retained in the employee's personnel record.

### *Maintaining Nursing Personnel Files*

All personnel files are maintained by HR, HR monitors relevant requirements and expirations of any requirements. Requirements are kept current through daily alerts of soon-to-expire or expired requirements.

### *Orientation*

Donald Mooney Enterprises will provide all new employees with an orientation to the company's policies and procedures. Each employee will receive an Employee Handbook.

Some facilities require some form of orientation. The amount of time required by each facility varies. Some facilities require computer training classes and orientation prior to the first shift worked. The Recruiter will explain required orientation to all employees prior to scheduling first shift with a facility. Orientation time worked at the facility may not be paid. If it is paid at all it would like be paid at an "orientation" rate. (Usually less than regular pay rate)

Some facilities require that their specific pre-employment orientation "packets" be completed by the prospective caregiver at Donald Mooney Enterprises before the first shift is worked, and there is no pay for this required activity.

The first time you visit a facility the following guidelines should be followed:

- Please arrive 5 minutes early for orientation (it may vary for each facility).
- Carry photo ID for evidence of identity when reporting for assignment
- Take your original nursing license and certifications with you
- Report to the appropriate supervisor
- It is expected that the healthcare practitioner locate and comply with the facility policy and procedures manual, locate fire pulls, crash cart, med. room, linen cart, and appropriate exits before your shift starts.
- Always dress in proper attire when working at the facility. Orientation is only paid when the time has been properly verified by facility staff.

Occasionally, a Donald Mooney Enterprises employee may show up early as directed for orientation shift and no one is available for orientation. Please take it upon yourself to utilize this time to become familiar with the floor layout and the location of vital items you may need in order to function effectively on your shift. It will be to your advantage to have knowledge of the location of the policy and procedures manual, fire pulls, crash cart, med. room, linen cart, and appropriate exits prior to the onset of your shift.

Donald Mooney Enterprises attempts to provide a comprehensive and thorough pre- employment orientation and in service training that reflects current compliance and promotes safe healthcare delivery. The program includes, but is not limited to the following:

- Age Specific
- Disaster Preparedness
- Cultural Diversity
- Environmental Safety
- Hazardous Chemicals
- HIPAA
- Infection Control/Blood borne Pathogens
- Abuse
- Domestic Violence
- Ethics For Healthcare
- 2016/2017 National Patient Safety Goals
- Pain Awareness
- Patient Restraints
- Patient Rights
- Workplace Violence

### *Annual Updates and Regulatory Compliance*

Ongoing educational and compliance updates are requirements for continued employment for all positions. DME routinely communicates to its employees, educational updates as required under The Joint Commission standards for completion. All updates must be completed and returned within an established deadline to the appropriate DME personnel. Should any employee's file not be 100% compliant with regulatory information or valid required certification (as applicable), the employee will not be eligible to work through DME until it is compliant.

## **RESOLUTION OF COMPLAINTS (FROM EMPLOYEES AND CUSTOMERS)**

A complaint is any professional or clinical issue and/or concern from one of our valued customers or employees regarding a situation or incident that results in dissatisfaction of that customer or employee. The purpose of our complaint policy is to:

- To have a positive impact in improving customer or employee service and satisfaction.
- To understand the root causes that underlie a complaint and to focus on making changes to systems and processes to reduce the probability of a similar complaint in the future.
- To prevent potentially compensable events and to protect corporate financial resources potentially jeopardized by customer or employee dissatisfaction.
- To analyze and trend data to identify opportunities for organizational performance improvement.

All Donald Mooney Enterprises patient care providers and internal office staff are entitled to full and equal accommodations, advantages, facilities, privileges and services provided by the company.

Donald Mooney Enterprises accepts complaints from persons (customers or employees) who believe that they have experienced a violation of their or other's rights. The following guidelines shall be followed in resolving complaints.

- Complaints should be filed within 30 days of the alleged act. However, there is no time limit for reporting complaints.
- The complaint is the written document that describes the occurrence and why the person filing the complaint believes the action or incident was in violation of his/her or other's rights.
- An individual seeking to file a complaint needs to contact Donald Mooney Enterprises. The appropriate Donald Mooney Enterprises manager, office staff or the individual who received the call will conduct an intake interview or phone interview with the complaining party and complete a complaint management report.
- Information required in the complaint is as follows:
  - POC (first and last name) for the clinical complaint:
  - POC phone number:
  - Name of the employee:
  - Discipline of the employee:
  - Date(s) of the incident(s):
  - Time(s) of the incident(s):
  - Others involved if applicable:
  - Location/facility:
  - Clinical complaint that took place:
  - Description of what happened:
  
- All complaints from field staff or employees or customers related to Joint Commission violations must be forwarded to the Joint Commission Consultant.
- All complaints from field staff or employees or customers not related to Joint Commission violations will follow chain of command or Human Resources.
- A complaint may be settled at any time after it is filed. Opportunities will be given to all parties involved to ask questions, provide information, and suggest witnesses in order to resolve the complaint.
- As the investigation proceeds, individuals will be interviewed and pertinent records and documents will be reviewed.
- The person filing the complaint must cooperate fully by providing accurate information and by supplying documents to support the allegations.
- All information gathered in the course of an investigation is subject to disclosure unless otherwise protected by the individual's right to privacy (e.g. medical records).
- All complaints will be forwarded to the Joint Commission team to assess for trends, remediation, and for review at the Monthly Performance Improvements Committee Meeting.
- When and if the complaint is substantiated, a reconciliation conference to settle the



complaint will be scheduled.

## Floating Policy

Donald Mooney Enterprises employees may only be placed in assignments that match the job description for which Donald Mooney Enterprises assigns them. If an employee is asked to float to another department with the customer, the department must be a like department or unit and the float employee must have demonstrated previous competency and have the appropriate certifications, credentials for that department/unit. Employees should only be floated to areas of comparable clinical diagnoses and acuities.

The following procedures should be followed for healthcare professionals and healthcare professionals in particular who are assigned to an area in which they do not feel competent:

- The healthcare provider will immediately notify Donald Mooney Enterprises,
- The healthcare professional is obligated to inform the hospital of his/her professional limitations based upon the Healthcare Professional's Practice Act standards and upon Donald Mooney Enterprises client contract specifications as they relate to the assignment.
- The Branch Manager or Program Manager at Donald Mooney Enterprises will work within the bounds of each discipline's Professional Association or State Governing Body and the client agreement to resolve the issue.
- Donald Mooney Enterprises will pay healthcare professional for hours worked up until the end of his/her shift.

## Continuing Education

Ongoing continuing education is the responsibility of Donald Mooney Enterprises employees to ensure that all clinical staff has a current knowledge and practice base. Donald Mooney Enterprises maintains information on available resources for BLS, ACLS, PALS, etc. The following online education programs are also available for continuing education; however this is not an inclusive list of available resources: [www.nursingspectrum.com](http://www.nursingspectrum.com) [myfreece.com](http://myfreece.com), and [www.lww.com](http://www.lww.com).

Evidence of continuing education, annual completion of new skills checklists, Core 1 and Core 2 Competency exams, annual reviews, and acknowledgement of any current revised Employee handbook are part of the ongoing competency assessment program and will be maintained in the personnel file.

## Employee Performance Review

- Every healthcare professional employed by Donald Mooney Enterprises, who has worked in the last year, will have an annual performance evaluation carried out by the Staffing Coordinator or Program Manager.

- Donald Mooney Enterprises will attempt to obtain feedback from client representative regarding clinical staff competence and ongoing performance of professional employee. Unfortunately, some clients will not cooperate with Donald Mooney Enterprises in this regard, so Donald Mooney Enterprises follows a competence by exception philosophy. In the absence of client feedback, unless there is evidence of a performance issue, we assume that our employees are meeting performance expectations.
- Feedback from our clients regarding clinical and/or professional performance is addressed with our employees immediately. Follow-up with our clients is completed within an appropriate time frame.
- Every health professional employed by Donald Mooney Enterprises will complete annual skills checklists, which apply to their area of work.
- When training needs are identified, an opportunity to complete the training will be provided at the earliest possible occasion.
- The company assesses aspects of employee's competence at hire, at performance evaluation and as needed or required by state licensing agencies, to ensure that employees have the skills or can develop the skills to perform and continue to perform their duties.
- Management is responsible to ensure that any areas of development are identified and addressed.

## Clinical Supervision

The Clinician provides clinical staff supervision for Donald Mooney Enterprises' healthcare professionals. The Clinician has an understanding of the scope of services provided by the disciplines supervised. The Clinician utilizes the appropriate practice acts, the professional licensing and certification boards and professional associations as clinical resources, as needed. It is the Clinician's responsibility to identify and report aberrant or illegal behavior to professional boards and law enforcement agencies.

## EMPLOYEE ACKNOWLEDGEMENT

I acknowledge that I have received my copy of the Donald L. Mooney Enterprises (DME) Government Field Employee Handbook (Handbook).

The Handbook describes important information about DME and I understand that I should consult my program manager regarding any questions not answered in this Handbook. I understand and agree that I am an at-will employee and either I or DME can terminate the employment relationship at will, with or without cause at any time.

I understand and agree that, other than the CEO of DME or designated representative of the Company, no supervisor, or representative of DME has any authority to enter into any agreement for employment other than at-will; only the CEO has the authority to make any such agreement and then only in writing signed by the CEO.

This manual and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with DME. By distributing this handbook, DME expressly revokes any and all previous policies and procedures which are inconsistent with those contained therein.

I understand that, except for employment at-will status, any and all policies and practices may be changed at any time by DME, and the Company reserves the right to change my hours, wages, and working conditions at any time. Any such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the CEO of DME has the authority to adopt any revisions to the policies in this Handbook. Any revisions to this handbook will be communicated to employees via the company website or via email. By signing this handbook acknowledgement, you are agreeing that any future revisions to this handbook will be your responsibility to review and understand. If you read future revisions and do not understand, it is your responsibility to contact your program manager or the HR department for clarification.

I have received my copy of the Handbook, and I understand and agree that it is my responsibility to read and comply with the policies contained in this Handbook and any revisions made to it.

\_\_\_\_\_(Employee Initials) Code of Ethics and Business Conduct Policy (page 7)

\_\_\_\_\_(Employee Initials) Social Media Policy (page 15)

\_\_\_\_\_(Employee Initials) Whistleblower Policy (page 9)

\_\_\_\_\_(Employee Initials) Workers Compensation Policy (page 27)

\_\_\_\_\_(Employee Initials) Vacation and Sick Leave Policies (page 39; Appendix A)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (printed)