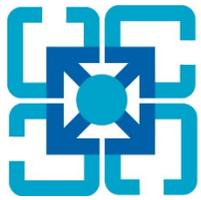


**North Central Texas  
Community Health Care Center, Inc.  
Employee Handbook**

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**Community Healthcare Center**  
*Reaching Out To Everyone*

**ACKNOWLEDGMENT  
OF RECEIPT OF EMPLOYEE HANDBOOK  
AND COMPANY EXPECTATIONS**

I \_\_\_\_\_ acknowledge receipt of the Company's Employee Handbook. For non-provider personnel, this Handbook does not create a contract of employment between the Company and me. This handbook is intended solely as a guide for management and Employees during employment and no such contract may be implied from its provisions. Providers are the only Employees who have signed contracts; however, providers are required to abide by the policies and the procedures of the Center.

I further acknowledge that:

Employment is always At Will except for Providers who signed a contract upon hire. The fact that Employment is At Will does not diminish any rights that the National Labor Relations Act may grant me, if any,

- a) The equipment, working areas, break areas, offices and all Company property, services and technology including access to the Internet and e-mail remain at all times the property of the Company,
- b) The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited, and
- c) The Company reserves the right to monitor the workplace, telephone conversations and internet traffic, including e-mail, and retrieve and read any data composed, sent, or received through the Company's online connections and stored on all computer systems.
- d) Employees are required to maintain HIPAA and HITECH compliance. Depending on the severity of an allegation found to be true, termination upon a first offense may result.
- e) Some of the subjects described in the Handbook are covered in detail in official policy documents. You should refer to those documents for specific information since this Handbook only briefly summarizes those policies. I understand that I should consult management regarding any questions not answered in the Handbook.

Since the information, policies, and benefits described herein are subject to change at any time, I acknowledge that revisions to the handbook may occur, except to the Company's policy of employment-at-will. All such changes will generally be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.

I have received a copy of the Company's Employee Handbook and I understand that I am expected to read the entire Handbook. I accept the terms of the Handbook. I also understand that it is my responsibility to comply with the policies contained in this Handbook, and any revisions made to it. I further agree that if I remain with the Company following any modifications to the Handbook, I thereby accept and agree to such changes.

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Employee Signature

Date

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## **Welcome to Our Company**

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NCTCHCC believes that its success is largely dependent upon the quality and energy of the people who make up the organization. We believe our Employees are our greatest asset.

NCTCHCC seeks to attract superior people that can develop and apply their knowledge and skills productively to contribute to the growth and success of NCTCHCC.

We seek to foster a work environment which recognizes individual performance without discrimination, and to provide our Employees with a sense of satisfaction and accomplishment for their contributions to the goals of NCTCHCC.

We believe in respect for an individual and their needs and the recognition that effective working relationships are dependent upon collaboration and teamwork.

We want Employees to enjoy their work and be proud of their accomplishments. NCTCHCC will support the Employees who have demonstrated the potential and ability to satisfy our business requirements. In return, NCTCHCC expects its Employees to perform their jobs consistent with the policies as set forth in this Handbook, being always mindful of the high ideals which contribute to the character and reputation of our Company.

Should you have any questions concerning any of our policies, please speak with your Supervisor or Manager.

## **Our Employee Handbook**

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This Handbook describes some of the policies put in place to more efficiently operate our business. Consider these policies the “Rules of the Road” for your employment. We believe that having an understanding of these “Rules of the Road” will enable all Employees to understand what is expected of them, what their fellow Employees expect and what is expected from NCTCHCC. Please familiarize yourself with the policies. This Handbook does not create a contract, expressed or implied, between an Employee and NCTCHCC and does not in any way change the At Will nature of an Employee’s employment. Providers are the only personnel with contracts and only the Chief Executive Officer may enter into employment contracts with providers.

The Handbook may include certain policies required by law. These policies will include a brief summary of the law so you can familiarize yourself with the general provisions of the law. The actual provisions of the law govern the implementation of the policy.

NCTCHCC reserves the right to revise, add, amend and delete polices at any time in NCTCHCC’s sole discretion. NCTCHCC will implement policy changes in writing and inform Employees of changes, modifications, deletions or additions of policies.

This Handbook is not intended to replace or modify NCTCHCC’s Professional or Medical Bylaws, or to alter any statutory, regulatory, or contractual obligations of NCTCHCC or its staff.

Except for those Employees who are employed under a formal, written term contract of employment, all employment at NCTCHCC is on an “at-will” basis. This means that employment may be terminated at any time by either the Employee or NCTCHCC for any or no reason, without contractual liability. No one other than NCTCHCC’s Board of Directors has the authority to make any promises to the contrary. Thus, any written or oral statement to the contrary (past or future), other than a formal written employment contract, is invalid and should not be relied upon by any prospective or existing Employee.

The Standard Code of Conduct, although a separate document, is considered part of the Employee Handbook.

## **At Will Employment**

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Employment for non-contracted Employees is “At Will.” At Will employment means that either you or NCTCHCC may terminate your employment at any time, with or without cause and with or without notice. We cannot terminate your employment if such termination is a violation of federal, state or local law.

Although certain policies in this Handbook may discuss discipline (including termination of employment), Employee Leaves, the availability of an Employee to the disciplinary process, and performance reviews, it does not vary the At Will nature of the employment between NCTCHCC and the Employee.

While NCTCHCC does reserve the right to change, modify, add and delete policies, at any time, with or without notice, At Will employment is the one Company policy that will not change for non-contracted Employees.

## **Equal Employment Opportunity**

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Our employment decisions are based solely on qualifications and merit. We provide equal employment and opportunities for all employment applicants and Employees. We do not discriminate in employment opportunities or practices on the basis of race, color, disability, religion, sex, sexual orientation, national origin, age, or any other trait protected by federal or state law. This policy governs all aspects of employment including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

We also will seek to reasonably accommodate an Employee or applicant who has or may have a physical or mental impairment so that an applicant for employment, or an Employee who is able to carry out the essential functions of the Employee's job, can continue to do so.

NCTCHCC does not discriminate on the basis of pregnancy, childbirth or related medical conditions. We treat all Employees the same; strictly on the ability to perform the job for which the Employee was hired. Our Employees who are disabled due to pregnancy, childbirth or related medical conditions receive the same benefits as any other disabled Employee.

Any request for time off due to pregnancy and childbirth is treated exactly the same as absence requests due to other temporary medical disabilities.

This policy applies to all aspects of the employment relationship, including recruitment, screening, hiring, training and development, promotion, transfer, termination, layoff, compensation, benefits, social and recreational programs, and all other conditions and privileges of employment.

## **Genetic Information Non-Discrimination Act (GINA) Federal**

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The Genetic Information Nondiscrimination Act of 2008 (GINA) is a federal law that protects individuals from genetic discrimination in health insurance and employment. Genetic discrimination is the misuse of genetic information. NCTCHCC is compliant with GINA.

For further information, please visit <http://www.dol.gov/ebsa/faqs/faq-GINA.html>

## **Immigration Law Compliance**

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NCTCHCC is committed to full compliance with our nation's security requirements and the need to employ only United States citizens and aliens who are authorized to work in the United States. We comply with all laws concerning immigration. NCTCHCC does not unlawfully discriminate on the basis of citizenship or national origin. It is a condition of employment that an Employee has the legal right to work in the United States.

In accordance with federal law, all new Employees are required to comply with the I-9 requirements of the Department of Homeland Security. Should an Employee accept employment with us and then fail to meet the I-9 requirements, the offer of employment is withdrawn, or if employment has commenced, such employment is immediately terminated.

## **Classification of Employees**

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NCTCHCC follows the federal Fair Labor Standards Act with respect to classification of Employees. Employees are classified as either exempt or non-exempt. The non-exempt Employees are subject to the Fair Labor Standards Act's minimum wage, and wage and overtime provisions. NCTCHCC may, from time to time, have additional categories within each of these classifications. For example, there may be part-time Employees or full-time Employees within the exempt and non-exempt categories. Such classifications, subject to the provisions of the Fair Labor Standards Act, are strictly at the discretion of NCTCHCC as are any Company benefits which may attach to each of the appropriate classifications.

### *Employment Categories*

INTRODUCTORY Employees are in the first 90 days of employment and whose performance is being evaluated to determine whether further employment in a specific position or with NCTCHCC is appropriate. Upon completion of the 90 days, Employees will be classified into a category below:

REGULAR FULL-TIME Employees are those who are regularly scheduled to work NCTCHCC's full-time schedule. Generally, they are eligible for NCTCHCC's benefit package, subject to the terms, conditions, and limitations of each benefit program.

REGULAR PART-TIME Employees are those who are regularly scheduled to work less than the full-time work schedule, *but at least 30 hours per week*. Regular part-time Employees are eligible for some benefits sponsored by NCTCHCC, subject to the terms, conditions, and limitations of each benefit program.

PART-TIME Employees are those who are scheduled to work *less than 30 hours per week*. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they are not eligible for NCTCHCC's insurance, 401k benefit programs, or PTO program.

TEMPORARY Employees are those who are hired to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Temporary Employees may work on a full-time or a part-time basis. Employment beyond any initially stated period does not in any way imply a change in employment status, and temporary Employees retain that status unless and until notified of a change. The length of temporary employment should normally not exceed 180 days. At that limit, the Employee should be reviewed for regular Employee status and a decision should be made concerning a change or a continuation of the Employee's status. While temporary Employees receive all legally-mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for any of NCTCHCC's other benefit programs.

NCTCHCC VOLUNTEERS are non-staff who perform work for NCTCHCC without compensation. They are not Center Employees and do not participate in the Employee benefit program. They are, however, subject to all confidentiality regimens.

## Employee Records

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NCTCHCC maintains Employee records for the purpose of administering our human resource function and to comply with both federal and state law. Some employment records are kept in separate files, such as records relating to medical conditions and leave, records relating to investigations, and records relating to I-9 requirements. All files connected with an Employee are considered strictly confidential, and access will be limited only to those who have a job-related need to know the information and who have been authorized to see the file in question. Employees may review their individual files upon written request to NCTCHCC and with reasonable notice. These files are the property of NCTCHCC.

The Employee's review will be conducted in the presence of a Company representative. Should the Employee request a copy of a company document, written notice must be provided to the HR Manager. Documents submitted to NCTCHCC by third parties and documents marked "Confidential" may, at the discretion of NCTCHCC, not be reviewed by the Employee unless the third party submitting the information authorizes the release of the information to the Employee.

Employees may not take or alter any document found within the personnel file. If an Employee disagrees with one of the documents, the Employee may ask the Human Resources Manager for permission to add a document containing his or her comments regarding the document with which you disagree.

NCTCHCC may from time to time have access to an Employee's medical information or Private Health Information (PHI) as part of NCTCHCC's Human Resource function. All such records, and the disclosure of such records, are governed by HIPAA, the federal Health Insurance Portability and Accountability Act of 1996.

Accordingly, NCTCHCC follows the privacy and security standards of HIPAA to protect the confidentiality of an individual Employee's health information.

NCTCHCC also protects the privacy of an Employee's Social Security number, and uses the number only as required to facilitate payroll, Employee reports required by law or for other lawful purposes.

It is the Employee's responsibility to keep current his or her demographic information as well as any information which may affect the status of his or her payroll tax withholding, tax reporting, beneficiary designation, or the benefit plan eligibility of the Employee or any other plan beneficiary.

## **Introductory Period**

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The first 90 days of employment with NCTCHCC constitute an Introductory Period during which the new Employee is not eligible for certain benefits. For example, new Employees are ineligible for Personal Time Off, or leaves of absence during the Introductory Period, and insurance or health plan coverage may be subject to eligibility waiting periods (which may or may not coincide with the Introductory Period). Approval of an Introductory Employee to be absent from work will be evaluated on a case-by-case basis. Any absence during this period will be classified as Leave Without Pay (LWOP). For specific eligibility requirements for NCTCHCC's benefit plans and policies, please refer to the policy statements or plan documents regarding the specific benefit policy or plan. Completion of this Introductory Period does not alter the At Will nature of employment.

## **Identification Badges**

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All NCTCHCC Employees will be issued and must wear identification badges as provided by NCTCHCC. Identification badges must be worn in a manner that allows identification of an Employee by photographic image, first name, last initial, and position. Badges may not be defaced or covered in any manner.

Any Employee who forgets or misplaces his or her name badge may be required to take corrective action, for example leaving the premises to obtain the badge. Non-exempt staff will not be compensated for any work time missed because of failure to comply with the identification badge policy.

## **Compensation, Pay Periods, Deductions and Offsets**

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NCTCHCC believes that Employees should be rewarded for their contributions to NCTCHCC through appropriate and adequate wages.

We seek to properly compensate all Employees without regard to race, age, national origin and all other statuses protected by law.

NCTCHCC reviews wage rates and compensation periodically as determined by NCTCHCC's management in order to maintain an appropriate and properly compensated workforce.

NCTCHCC has established pay periods under which Employees in the various employment categories are paid. At a minimum, such pay periods are set in accordance with any applicable state law which establishes such pay periods.

For purposes of payroll and record keeping, the work week begins on Sunday and concludes at midnight on Saturday. Normal business hours are Monday through Friday, 7:00AM to 6:00PM but are subject to change at management's discretion. Individual work schedules may vary from this schedule, and your Supervisor or Manager will assign your specific work hours which may include rest periods and the lunch period. Departures from your assigned schedule will require your Supervisor's or Manager's advance approval.

All non-exempt Employees are ordinarily paid every two weeks with payday being on Wednesdays. Exempt Employees are paid twice monthly, with the first installment being paid on the 15<sup>th</sup> of the month and the second installment being paid on the last day of the month. If payday falls on a Saturday, paychecks will be distributed on Friday. If payday falls on a Sunday, paychecks will be distributed on Monday.

Paychecks are subject to state and federal mandated deductions, and where authorized by law, include deductions for child support, alimony and garnishment of wages.

On occasion, an error in an Employee's paycheck may occur. In the event of such error, the Employee's next paycheck following the discovery of the error will be appropriately adjusted for the amount in full unless other arrangements have been made with the Finance Department for re-payment on a separate schedule. If the Employee notices a discrepancy on a paycheck, it is his or her responsibility to notify the Accounting Department immediately.

When an Employee separates from NCTCHCC, the Employee's final paycheck will have deducted from it any amount due to NCTCHCC from the Employee, provided that: (a) there is a written agreement between NCTCHCC and the Employee authorizing such deduction, and (b) the pay the Employee receives after such deduction does not result in the Employee receiving less than the federal or state minimum wage (whichever is higher).

Written agreements between NCTCHCC and Employee must be in place for deductions to occur.

## **Garnishment**

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NCTCHCC may be required to deduct from an Employee's pay a portion of an Employee's current wages as required by a court order or levy, generally in cases of child support payments or spousal maintenance or otherwise as provided by law. In the event that NCTCHCC receives such an order or levy, a copy of the document will be immediately given to the Employee.

NCTCHCC cannot advise Employees on the scope of the garnishment or any exemptions that an Employee may be entitled to under State or Federal law. Employees should consult with an attorney to determine their legal rights.

## **Recording Time Worked**

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An important part of each Employee's job is to keep accurate time records of the hours worked. With respect to non-exempt Employees, this is necessary so that the Employee receives just pay for the work performed and for NCTCHCC to be in compliance with the Fair Labor Standards Act and state law.

Each non-exempt Employee is subject to the requirement of clocking-in at the designated time clock upon arrival at work and clocking-out when leaving for the day. NCTCHCC also requires non-exempt Employees to "clock-in" and clock-out" for lunch breaks.

No other person may clock in or out during the work day for any other Employee. Doing so may result in disciplinary action, including dismissal of both the Employee clocking in or out for another Employee and the Employee whose timekeeping was performed by another Employee.

NCTCHCC reserves the right to require alternate means of an Employee's timekeeping should it be appropriate. Only management may make corrections to an Employee's time.

Exempt Employees are responsible for working the schedule set forth by NCTCHCC.

## **Work Schedules and Overtime**

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Work schedules are dependent on our business needs, which may change from day to day. Business hours for NCTCHCC are from 7:00am to 6:00pm.

Your Supervisor or Manager will let you know the work schedule for your position. Should the work schedule change as to starting and ending times or days and hours of work, Employees will be immediately notified.

Overtime is defined as working hours in addition to those of your regular schedule. In order to be eligible for overtime pay, an Employee must exceed 40 hours during the work week. NCTCHCC makes every effort to limit overtime work for non-exempt Employees. However, when a business need arises that requires overtime, non-exempt Employees may be requested to work either later or earlier than normal hours. Personal Time Off and Holiday Pay do not count toward hours worked when calculating overtime pay within the work week.

Employees will be compensated at the overtime rate of one and one-half times their regular hourly rate for all time worked in excess of 40 hours in any work week. Compensatory time off in lieu of overtime is not permitted.

## **Attendance and Timeliness**

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Timely and regular attendance is an expectation of performance for all NCTCHCC Employees. To ensure adequate staffing, positive Employee morale, and to meet expected productivity standards throughout the organization, Employees will be held accountable for adhering to their workplace schedule. In addition, Employees will be held accountable for their attendance and timeliness at staff and Department meetings as these meetings are mandatory. In the event an Employee is unable to meet these expectations, he/she must obtain approval from his/her Manager in advance of any requested schedule changes. This approval includes requests to use Personal Time Off as well as late arrivals to or early departures from work. Departments have discretion to evaluate extraordinary circumstances of a tardy, absence or failure to clock-in or clock-out and determine whether or not to count the incident as an occurrence. An Employee is deemed absent when he/she is unavailable for work as assigned/scheduled and such time off was not scheduled/approved in advance.

In general, three (3) or more unscheduled incidents in a 90-day period, or a consistent pattern of absence as determined by your Supervisor or Manager, maybe considered excessive. An incident in determining excessiveness does not include scheduled PTO days or approved leave such as FMLA.

An Employee who has one episode of unexcused absence - No Call / No Show - from scheduled work is deemed to have voluntarily resigned from employment with NCTCHCC unless due to unforeseen circumstances which prevented notification. The Employee's Manager and HR must authenticate the reasoning and circumstances in order for the Employee to continue employment.

All absences due to illness of three or more consecutive work days must be verified by written certification from a health care provider of the necessity for missing work. In addition, you must bring medical verification for an absence any time you are requested to do so by management.

An Employee is deemed to be tardy when he/she:

- Fails to report for work at the assigned/scheduled work time.
- Leaves work prior to the end of assigned/scheduled work time without prior manager approval.
- Takes an extended meal or break period without approval.
- Arrives to work past his/her scheduled start time.

Tardiness or leaving early is as detrimental to NCTCHCC as an absence. Three (3) such incidents in a 90-day period or a consistent pattern of tardiness as determined by your Supervisor or Manager will be considered excessive. Tardiness carries the same weight as an absence or incident. Other factors, like the degree of lateness, may be considered.

Employees are required to follow established guidelines for recording actual hours worked. A missed clock in/out is a violation of this policy and includes:

- Failure to clock in/out at the beginning and/or end of assigned shift;
- Failure to clock in/out on their designated time clock for the meal break;
- Failure to accurately and timely report time worked.
- Clocking in/out early (or late) of assigned shift without prior approval.

Excessive absenteeism, tardiness or leaving early may lead to disciplinary action up to and including termination.

## **Rest Period**

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The Fair Labor Standards Act (FLSA) does not require Employees be given rest periods. However, it is the policy of NCTCHCC to allow staff to take up to two (2) rest periods each lasting no more than ten (10) minutes. These breaks are not to be used to extend the lunch hour, to cover a late arrival or for leaving early. This time also may not be used consecutively or within the same four (4) hour period.

Since this time is counted as paid time worked, Employees must not leave the premises during the allotted time.

NCTCHCC supports nursing mothers by allowing a flexible work schedule for expressing or pumping. These rest periods – along with the lunch period - should be coordinated with the manager as they may exceed ten (10) minutes.

Rest periods should be taken during times that do not affect operating requirements.

## **Lunch Period**

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The Fair Labor Standards Act (FLSA) does not require Employees be given meal breaks. However, it is the policy of NCTCHCC to provide a lunch period during the course of each workday. The length of the standard lunch period is to be one (1) hour in length. With Supervisor or Manager approval, lunch periods may be shortened or extended by one-half (1/2) hour. Lunch breaks must be no less than 30 minutes.

Schedules may vary from Employee to Employee based on work schedule and from one Department to another. It is the responsibility of your immediate Supervisor or Manager to establish your lunch period schedule.

Non-exempt Employees will be relieved of all active responsibilities during lunch periods and will not be compensated for that time.

## **Safe Workplace**

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NCTCHCC is committed to maintaining a safe workplace and environment for its Employees. NCTCHCC seeks to avoid injuries to Employees and damage to NCTCHCC's property as a result of unsafe conditions in the workplace. If an Employee observes what appears to be an unsafe practice or condition, report it to your Supervisor or Manager immediately.

The Texas Worker's Compensation Commission offers a Safety Violations 24-hour toll free telephone Hotline (800-452-9595) for reporting unsafe conditions in the workplace that may violate occupational health and safety laws. Employers are prohibited by law from suspending, terminating, or discriminating against any Employee because he or she in good faith reports an alleged occupational health or safety violation.

We are also mindful of the increased violence that is occurring in workplaces as a result of certain Employee behavior.

NCTCHCC believes in fully complying with both the letter and intent of all federal, state and local occupational safety and health laws and regulations in order to have our business operate in a safe and healthy environment, to prevent injuries and occupational illness to our Employees and damage to property.

NCTCHCC will not condone any actual or threatened acts on the part of an Employee. Firearms, knives or other dangerous items are expressly prohibited from NCTCHCC's premises by any Employee except Security personnel, unless state law provides otherwise. NCTCHCC adheres to a zero tolerance level for all such acts. Employees violating this policy are subject to immediate discharge.

Employees who are subject to the prohibited acts outlined in this Policy or see or hear of any of the prohibited behavior or any other out-of-the-ordinary behavior by fellow Employees, visitors to our Company or from other sources, should report such activities immediately to NCTCHCC's management. The confidentiality of notifying a senior member of NCTCHCC will be maintained to the greatest extent possible.

We cannot overstate the commitment to a safe Workplace. We encourage all Employees to act appropriately to ensure such an environment.

## **Occupational Safety and Health**

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The Occupational Safety and Health Act (OSHA) of 1970 gives Employees and their representatives the right to file a complaint and request an OSHA inspection of their workplace if they believe there is a serious hazard or their employer is not following OSHA standards. To report an OSHA violation, an Employee may call (972) 850-4145 or (800) 321-OSHA.

NCTCHCC will fully comply with both the letter and intent of all applicable federal, state and local occupational safety and health laws applicable to our operations.

All of our operations are to be conducted in a safe manner in order to prevent accidents, injuries and occupational illnesses. Employees are to avoid acting in any manner that may pose a danger of injury or illness to themselves or fellow Employees. Every Employee is to do the utmost to create an environment where both injuries and occupational illnesses are non-existent or reduced to a minimum.

However, in the event of an injury or occupational illness, an Employee is required to follow NCTCHCC policy on "Employee Work Related Injuries."

## Employee Work Related Injuries

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Our Company strives to provide a safe and secure working environment for all of our Employees. NCTCHCC participates in and covers the premiums for a worker's compensation plan. When a work related injury or illness occurs, NCTCHCC must be immediately notified so the injured or ill Employee can be given immediate and appropriate medical care and treatment. Proper and timely notification to NCTCHCC of an Injured Employee will assure prompt medical attention and verify the illness or injury so a covered Employee may make use of our workers' compensation program. Company policy requires Employees to report all injuries and work related illnesses, regardless of severity, to their Supervisor or Manager and complete the necessary Company forms, including Workers' Compensation forms as soon as is reasonably possible after an occupational injury or illness. Employees must recognize that the failure to promptly report the injury or illness may result in a workers' compensation claim being denied. Any Employee who witnesses an injury of a fellow Employee must also immediately report the injury.

NCTCHCC will provide immediate first aid and/or coordinate transportation to an appropriate medical provider depending on the nature the Employee's Injury. In case of serious or life threatening injury, NCTCHCC may arrange transportation to an Emergency Room. Our Employees who experience an injury or illness which requires care beyond first aid may be required to be seen by a designated workers' compensation provider. An Employee's Supervisor or immediate Manager will provide this information to the injured or ill Employee.

Injured Employees are expected to return to work as soon as is reasonably possible. NCTCHCC requires the Employee to receive certification from a medical professional that the Employee is able to return to work. An Employee who is unable to report for the Employee's regular work schedule due to an on-the-job illness or injury, must immediately notify the Employee's Supervisor or Manager. The injured Employee should give NCTCHCC as much notice as reasonably possible when ready to return to work so that the Employee can be placed back on the work schedule. Injured Employees who are not able to immediately return to work will be placed on FMLA leave status. NCTCHCC may require an Employee who has an on-the job injury or illness and does not work the Employee's regular schedule to be examined by a medical professional designated by NCTCHCC. An Employee that remains absent from work after receiving medical clearance to return from an on-the-job injury, for more than one day, shall be deemed to have resigned from Employment with NCTCHCC.

You can get more information about your workers' compensation rights from any office of the Texas Workers' Compensation Commission, or by calling 1-800-252-7031.

### *Common Law Right*

An Employee may elect to retain his or her common law right of action if, no later than five days after beginning employment, or within five days after receiving written notice from the employer that the employer has obtained coverage, the Employee notifies the employer in writing that he or she wishes to retain his or her common law right to recover damages for personal injury. If the Employee elects to retain his or her common law right of action, the Employee cannot obtain workers' compensation income or medical benefits if injured.

## Workforce Conduct

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NCTCHCC believes that proper workforce conduct among our Employees contributes to a more productive and successful working environment and better serves the companies and the people with whom we deal.

NCTCHCC expects courtesy to fellow Employees and the people and companies we serve. Off-color jokes, ridiculing other Employees or using offensive language will not be condoned in the workplace. Condescending remarks among Employees and between Supervisory and Managerial personnel and those who are being supervised or managed must be avoided. Reprimanding fellow Employees in public is to be avoided. NCTCHCC also expects honesty at all times regardless of the circumstances.

Employees should avoid discussing Company business in public, and engaging in personal discussions in the workplace should also be avoided. The use of speakerphones so that fellow Employees not participating in the telephone conversation can overhear the conversation is both disturbing and inappropriate for the conduct of our business. If your work or a disability requires that you regularly use our telephone system and you cannot or are unable to conduct business while holding the telephone, NCTCHCC will provide you with a headset to enable you to perform your job.

NCTCHCC desires to maximize a secure, safe and pleasant work environment. The following practices are strictly prohibited:

1. Sexual or racial harassment, the use of racial or ethnic slurs, and any other conduct which may tend to incite, provoke, or discriminate against anyone because of race, color, gender, age, religion, ethnicity, citizenship, sexual orientation or disability.
2. Being under the influence or possession of alcohol, illegal drugs, or inhalants while on Center premises or while on duty regardless of location; any violation of the Substance Abuse Policy.
3. Possession of firearms, explosives, or weapons of any type on Center premises or while on duty except for Security Officers and those designated by Executive Management. NCTCHCC follows the Texas Motorist Protection Act.
4. Failure to comply with health and safety policies, procedures, or regulations.
5. Insubordination, insolence, refusal to do assigned work, or failure to carry out a reasonable instruction of management.
6. Dishonesty in any form, including falsifying any Center record, or giving false information to anyone, including NCTCHCC, in connection with one's employment.
7. Use of obscene or vulgar language, or disrespectful behavior toward coworkers or management.
8. Use of obscene or vulgar language in the presence of a patient, rude or disrespectful behavior toward a patient, or failure to act with courtesy to or in the presence of any patient or other member of the public, including suppliers and regulatory agency staff.

9. Fighting, wrestling, horseplay, or any other act which may interfere with the safe or efficient operation of NCTCHCC's business.
10. Stealing or having in one's possession without proper authorization any property of NCTCHCC, another Employee, or a patient.
11. Failing to call in or show up for work. Excessive absenteeism or tardiness, regardless of reason.
12. Competing with NCTCHCC in any respect, disclosure of confidential Center information, or otherwise acting in conflict with the interests of NCTCHCC.
13. Personal use of Center property without authorization.
14. Sleeping, loafing, idleness, failure to start or stop work at the proper time, or leaving work without permission.

## Sexual Harassment

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NCTCHCC is committed to providing its Employees with a professional and productive working environment where co-workers are treated with courtesy and respect. The center therefore prohibits all forms of illegal harassment of Employees by supervisors, co-workers, patients, vendors, and visitors.

Harassment consists of verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, marital status, religion, sex, national origin, ancestry, physical or mental disability, age (over 40), military status, or other protected status, that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and the display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of their protected status (race, sex, national origin, etc.).

*Sexual* harassment refers to behavior that is not welcome, is personally offensive, and interferes with an Employee's work performance. Employees are strictly prohibited from:

- Making unwelcome sexual advances or requests for sexual favors;
- Engaging in verbal or physical conduct of a sexual nature;
- Making submission to or rejection of any such conduct the basis for employment decisions; or
- Creating an intimidating, hostile, or offensive working environment by such conduct.

Sexual harassment can take many forms, including but not limited to the following:

- *Verbal*: sexual innuendo, suggestive comments, jokes of a sexual nature, sexual propositions, and threats.
- *Non-verbal*: sexually suggestive objects or pictures, graphic narratives, suggestive or insulting sounds, leering, whistling, or obscene gestures.
- *Physical*: unwanted physical contact, including touching, pinching, brushing against the body, coerced sexual contact, and assault.

If an Employee feels that he/she is being harassed by a supervisor, co-worker, patient, vendor, or visitor because of his/her race, color, religion, sex, disability, age, national origin, military status, or other characteristic protected by law, he/she should report it immediately to the Human Resources (HR) Department.

All allegations of unlawful harassment will be investigated in a timely manner, and information obtained during the investigation will be kept confidential to the extent permitted by a thorough investigation of the facts. If the investigation reveals unlawful harassment, prompt and appropriate disciplinary action, designed to stop the harassment and prevent its recurrence will be taken, up to and including discharge.

Retaliation against an individual for reporting harassment or participating in the investigation of a harassment claim is a serious violation of this policy and, like harassment itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

## **Bullying and Other Forms of Harassment**

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The purpose of this policy is to communicate to all Employees, including Supervisors, Managers and executives that NCTCHCC will not in any instance tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination. Should an Employee be subjected to unlawful forms of harassment, the Employee should immediately tell the person that his or her action is offensive and to stop. Should the harassment continue, report the harassment to the immediate Supervisor or Manager. If the immediate Supervisor or Manager is the Employee who is acting inappropriately or in violation of the policy, please report the harassment to Human Resources.

Bullying may be intentional or unintentional. However, it must be noted that where a good faith allegation of bullying is made, the intention of the alleged bully is irrelevant, and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual which is important. NCTCHCC considers the following types of behavior examples of bullying:

- **Verbal Bullying:** slandering, ridiculing or maligning a person or his/her family; persistent name calling which is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
- **Physical Bullying:** pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work area or property
- **Gesture Bullying:** non-verbal threatening gestures, glances which can convey threatening messages
- **Exclusion:** socially or physically excluding or disregarding a person in work-related activities

In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

- Persistent singling out of one person; Shouting, raising voice at an individual in public and/or in private; Using verbal or obscene gestures; Not allowing the person to speak or express him/herself (i.e., ignoring or interrupting); Personal insults and use of offensive nicknames; Public humiliation in any form; Constant criticism on matters unrelated or minimally related to the person's job performance or description; Ignoring/interrupting an individual at meetings; Public reprimands; Repeatedly accusing someone of errors which cannot be documented; Deliberately interfering with mail and other communications; Spreading rumors and gossip regarding individuals; Encouraging others to disregard a Supervisor's instructions; Manipulating the ability of someone to do their work (e.g., overloading, underloading, withholding information, setting meaningless tasks, setting deadlines that cannot be met, giving deliberately ambiguous instructions); Assigning menial tasks not in keeping with the normal responsibilities of the job; Taking credit for another person's ideas; Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave; Deliberately excluding an individual or isolating them from work-related activities (meetings, etc); Unwanted physical contact, physical abuse or threats of abuse to an individual or an individual's property (defacing or marking up property).

## Cell Phone Usage

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NCTCHCCC understands that Employees may need to be available by cell phone for certain reasons (emergencies, child-care, etc.). However, personal cellular phone use must be kept to a minimum, and Employees are expected to maintain high standards of professionalism, even when conducting personal business in the workplace.

Excessive personal phone calls and text messages can interfere with Employee productivity and can be distracting to others.

- Cell phones are to be turned off or turned to silent or vibrate while in NCTCHCC.
- Cell phone use for personal reasons in patient areas is strictly prohibited; if you must take or make a personal call on your cell phone you are expected to do this in a private area where you are not visible to patients and/or visitors.
- Personal texting should be done in non-work areas during non-work time.
- Any Employee that is driving for NCTCHCC business is expected to refrain from using their cell phone (talking, texting, emailing, internet-surfing, etc.) in any manner while they are driving, for their safety as well as the safety of those around them.
- NCTCHCC prohibits unauthorized use of cameras in the workplace, including cell phone cameras.
- Any improper use of cell phones may lead to termination.

NCTCHCCC Providers, Supervisors and Managers may be required to conduct NCTCHCCC business on their cell phones during business hours. However, Supervisory staff are role models for proper compliance with the provisions above and should set the example as well as remind Employees of their responsibilities in complying with this policy.

## **Video Surveillance**

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In the daily operation of NCTCHCC premises, the safety of property, visitors, and Employees is protected and maintained by conventional means such as: alert observation by staff, foot patrols by security personnel, security-conscious design of Company locations, safe behavior training, and the consistent application of the Company's Rules of Conduct. However, the additional protection provided by surveillance cameras is essential in maintaining lawful and safe use of Company premises.

Video surveillance will not occur in the staff lounge, nor in areas where there is considered to be an expectation of privacy, i.e. restrooms.

Records produced by surveillance systems will be kept in a secured, locked location. Video surveillance will only be viewed by authorized personnel.

## **Drug-free Workplace**

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NCTCHCC is a drug- and alcohol-free workplace and has adopted a substance-abuse testing program to assure that the workplace remains drug- and alcohol-free. All offers of employment are subject to the satisfactory testing of the applicants. NCTCHCC will test for alcoholic beverages, inhalants and illegal drugs, and prescription drugs. By continuing employment, Employees are deemed to agree to submit to such testing upon request and as a condition of continued employment. NCTCHCC will utilize reliable, medically accepted methods for screening for drug use, such as urine screens, blood tests, or any other scientifically accepted procedure. However, testing for alcohol use will be conducted only if such testing is job related and consistent with business necessity.

NCTCHCC will also test Employees based on a reasonable suspicion of substance or alcohol abuse, randomly or as part of routinely-scheduled Employee fitness-for-duty medical examinations. Employees who cause or contribute to an on-the-job death, injury or damage to Company property may also be required to submit to substance abuse testing where circumstances surrounding the incident indicate that the illegal use of controlled substances or alcohol may have been a contributing factor to the accident. "Involved in an on-the-job accident, injury, or damage" means not only the one who was injured, but also any Employee who potentially contributed to the accident or injury event in any way.

Within 5 working days after receipt of a positive confirmed test result, NCTCHCC will in a confidential manner inform the applicant for employment or Employee in writing of the positive test result. NCTCHCC will provide the Employee or job applicant, upon request, a copy of the test results. Within 5 working days after receiving notice of a positive confirmed test result, an Employee or job applicant may submit information to NCTCHCC explaining or contesting the test result, and explaining why the result does not constitute a violation of this policy. An Employee may request that the specimen be retested at another independent laboratory and/or submit the written results for an independent medical review. NCTCHCC reserves the right to retest the applicant or Employee or make employment decisions based on the first confirmed test result. Employees who refuse such testing may be subject to disciplinary action, including termination of employment. Applicants for employment may not be employed if an applicant refuses to participate in NCTCHCC's substance abuse program or tests positive upon the pre-employment screening.

Employees who seek help on their own initiative and who are in need of rehabilitation or counseling for drug or alcohol abuse may contact NCTCHCC's Chief Executive Officer or Human Resource Manager for confidential referral to programs offering such services. Employees who request such referrals will not be disciplined for making the request but, depending on the nature of the job, may be temporarily transferred or placed on a leave of absence if safety considerations require. Employees experiencing problems with drugs or alcohol are encouraged to seek assistance before investigation or detection of drug or alcohol abuse exposes them to possible disciplinary action. Once an Employee is under investigation for a possible violation of this policy (including being asked to take a drug or alcohol test), his/her offer to be referred for rehabilitation on a voluntary basis will not necessarily limit disciplinary action, and may have no bearing whatsoever.

Whenever a person is required to submit to a drug or alcohol test under this policy, that person's written consent will be obtained in advance of the test. Failure to consent in writing to such a test constitutes a violation of this policy and will result in immediate termination.

Information obtained under this policy will remain confidential unless otherwise provided by law.

## **Tobacco-free Workplace**

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NCTCHCC will continue to encourage a tobacco-free workplace and campus and promotes abstention from tobacco products and e-cigarettes. Those Employees who must use tobacco or e-cigarettes should do so only before and after business hours—or during lunch breaks—outside the workplace and off-campus. Tobacco or e-cigarette use in the workplace or on the campus is strictly prohibited.

"Workplace" is defined as office space (including private offices and other work space), conference or meeting rooms, corridors, stairways, lobbies, rest rooms, and other indoor public spaces. "Campus" is defined as any property, inclusive of land, parking lots and buildings owned by NCTCHCC.

## **Employee Health Workplace**

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As part NCTCHCC's safety plan, all Employees are required to undergo tuberculosis (TB) testing annually. All clinical personnel (lab, x-ray, nursing, medical providers, etc.) are required to have hepatitis B series or proof of immunity, in addition to the annual TB testing. All of the above mentioned requirements are provided by NCTCHCC at no cost to the Employee.

In additions, flu shots are made available to employees each year at no cost. Flu shots are elective.

## **Cultural Values, Ethics, and Religious Beliefs**

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Differences in personal cultural values, ethics, and religious beliefs among staff and our patients are to be expected and respected at NCTCHCC. Consistent with our mission, patient care and treatment must be provided to all persons without regard to race, religion, creed, color, national origin, gender, sexual orientation, age, or disability.

NCTCHCC recognizes the potential for conflicts between an individual's moral or religious convictions and the obligations of NCTCHCC to protect the quality of patient care. For example, religious beliefs that call for formal prayer at specific times throughout the day or prohibit working on certain holy days must be respected as long as the accommodation of such beliefs or practices on the part of staff members does not cause undue hardship to other staff members, compromise organizational efficiency, or limit the scope or quality of NCTCHCC services. Similarly, a person's religious beliefs may make it difficult for the person to participate in certain aspects of medical care or treatment (e.g., withdrawal of life-sustaining or futile treatment), but accommodation of such beliefs must not be allowed to compromise patient care or treatment.

The key to accommodating differences in personal cultural values, ethics, and religious beliefs without compromising the quality of services is *advance notice* and planning. If for any reason an Employee's personal cultural values, mores, ethics, or religious beliefs will or may lead the Employee to refuse participation in some aspect of patient care, the Employee must clearly and specifically raise this issue with NCTCHCC management *before* a specific situation arises which implicates the Employee's beliefs.

Staff requests for exemption from any aspect of patient care on the basis of personal cultural values, ethics, mores, or religious beliefs should be made at the earliest possible date, preferably at or before the start of employment. Such requests should be made in writing to the Human Resources Department. Requests for exemption from any aspect of patient care, work schedules, or other job duties on the basis of personal cultural, ethics or religious beliefs will be evaluated on a case-by-case basis by the Employee's Supervisor or Manager and the Center's Chief Executive Officer. If for any reason a situation arises in which an Employee desires an ethical or religious exemption from a job duty without having made an advance request for such exemption, the Employee will be expected to continue to perform the job duty until a resolution can be reached or an exemption is granted. Refusal to participate in any aspect of patient care without having provided advance notice and a clear, specific request for exemption may be regarded as insubordination (and therefore result in termination or other discipline), and in any event may reflect adversely on the genuineness of the basis for requesting an exemption.

## **Computer Usage, E-mail, Social Networking and Passwords**

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All computers, files on the computers, network and internet, e-mail system and software furnished for use by Employees are the property of NCTCHCC and are generally intended for business use only. Incidental, limited use of these devices for non-business messages will be tolerated, however, so long as the use does not --

1. exceed the scope permitted by this policy;
2. infringe on the right of another Employee;
3. result in a cost billable to NCTCHCC;
4. interfere with the conduct of Center business;
5. adversely affect another Employee in the performance of his or her duties;
6. reflect adversely on NCTCHCC, as determined by NCTCHCC;
7. violate an instruction of a Supervisor; or
8. violate or otherwise lead to the violation of a Center rule.

No wire, oral or electronic communication to persons not employed by NCTCHCC, or which is subject to legal interception by non-Employees, may contain NCTCHCC-confidential information or information critical of NCTCHCC. Employees must always be conscious of their duty to protect the secrets and reputation of NCTCHCC and its patients.

Employees should expect no right to privacy in use of NCTCHCC communications or electronic devices, ***even if access is protected by password***. Employees who use NCTCHCC communications devices consent, as a condition of their employment, to having their wire, oral, and electronic communications intercepted, monitored, recorded, captured, stored, trapped and/or reviewed by NCTCHCC officials at any and all times, with or without notice, by any mechanism, including pen registers and trap and trace devices. Accordingly, Employees are prohibited from using any device or taking any measure that defeats NCTCHCC access to such communications and/or electronic storage devices, including, but not limited to the use of computer passwords or the encryption of information, unless authorized by NCTCHCC for business reasons only. In cases where an Employee utilizes a device or takes a measure that defeats NCTCHCC access to such communications and/or electronic storage devices, NCTCHCC reserves the right to bypass or defeat the device or measure, utilizing any means available to NCTCHCC, with or without notice to the Employee.

Software, which is either proprietary or subject to licensing from third parties, may not be copied. The unauthorized use, downloading, installation, copying, or distribution of third-party copyrighted, trademarked, or patented material from the Internet is expressly prohibited.

Internet access to the worldwide web is provided by NCTCHCC to assist Employees primarily with work-related material. Use of the Internet for accessing social networking sites such as Twitter®, MySpace® and Facebook®, blogging and chatting sites, or forum discussions, is strictly prohibited. Only Employees designated by the Chief Executive Officer may access the above sites for work-related purposes.

Employees should always ensure that the business information contained in e-mail messages is entirely appropriate. Employees' internet and e-mail usage must not contain content or comments that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any Employee or other person. Examples of unacceptable content are pornography, derogatory comments involving race, age, sex, national origin, disability, sexual orientation, religious or political beliefs, or any other comment that may be offensive to fellow Employees or the public. **Any information which may be deemed as Private Health Information must be encrypted prior to sending out to any email address that does not contain a @chcwf.com extension.**

All downloaded files are checked for viruses; all compressed files are checked before and after decompression using NCTCHCC's anti-virus software.

Username and initial passwords will be issued by NCTCHCC. Employees are responsible for the integrity and confidentiality of their passwords. They are not to be given out to other Employees under any circumstances.

Employees are strictly prohibited from using personal removable media (flash drives, iPads, iPods, CDs, DVDs, smart phones, etc) on any Company computer, device or network. Employees are allowed to use NCTCHCC approved, encrypted, removable media with permission of a Manager and approval from IT.

While employment with NCTCHCC is always At Will for non-contracted Employees, all Employees must recognize that abuse of these policies will result in disciplinary action, up to and including termination of employment. Should NCTCHCC suffer a financial or property loss as a result of an Employee's abuse of these policies, the Employee may be held personally liable for all such losses. NCTCHCC is not responsible for any loss, including financial, that may arise from personal use of NCTCHCC network and devices.

**In order to meet the administrative needs of NCTCHCC, NCTCHCC has established email as an official and primary means of communication to all of its Employees.** In some cases, email may be the only form of communication. Official NCTCHCC assigned email accounts are created for all Employees. Employees are responsible to read all information sent to them via their Center assigned email account. NCTCHCC has the right to expect that such communications will be received and read in a timely fashion. Employees will be held accountable for information communicated through email.

#### *PERSONAL SOCIAL NETWORKING ACTIVITY*

Personal web sites and web logs have become prevalent methods of self-expression in our culture. The center respects the right of Employees to use these media during their personal time. This policy applies to all Employees who make web postings that affect the center, its Employees, vendors, patients, competitors and the general public. Any Employee who makes anonymous web postings is also responsible for complying with this policy.

Web postings include personal web sites, web logs ("blogs"), multi-media and social networking websites including, but not limited to, MySpace, Facebook, YouTube, LinkedIn and Twitter, and Wikis such as Wikipedia and any other sites or medium where text, photographs, links and other information or documentation can be posted.

Pursuant to this policy:

- All Employees are personally responsible for their web postings and solely liable for web postings that are defamatory, invade privacy, are harassing, retaliatory and/or violate any other local, state or federal laws.
- Web postings by any Employee shall not violate any of the policies set forth in this Employee Handbook and/or any rules or policies of the center.
- Employees who make web postings that in any way relate to the center must include a disclaimer to readers/viewers stating that the views expressed are the Employee's alone and that such views do not necessarily reflect the views of the center.

- Employees may not disclose, in any format, any information that compromises patient privacy or is confidential, sensitive, privileged or proprietary to the center.
- Employee web postings may not include any company logos or trademarks, and must respect copyright, privacy, fair use, financial disclosure, and other applicable laws.
- Employees shall not name, reference or post pictures of center Employees, vendors, patients, competitors or the general public without the express, written approval from the Chief Executive Officer.
- If a member of the news media contacts an Employee regarding the Employee's postings concerning or in any way relating to the center, the Employee must refer the media to the Community Relations Coordinator or Chief Operating Officer.
- Employees are expected to uphold the center's values and business reputation and refrain from making defamatory statements about the center or its Employees, former Employees, vendors, patients, competitors or any member of the general public.
- Employees shall not make any web postings during their working time.

The center reserves the right to monitor comments or discussions about the center, its Employees, vendors, patients, or business which are posted or disclosed by Employees on the Internet. The center may use blog-search tools and software to monitor social networking forums such as blogs and other types of personal journals, diaries, or discussion forums.

A violation of this policy may result in discipline up to and including termination.

## **Telephone, Company Cell Phone and Mail Usage**

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Our telephone system is a key ingredient in NCTCHCC's business. Personal calls should be limited and should not interfere with work. No personal long distance phone calls or faxes are allowed. All telephone calls are recorded.

Company issued cell phones remain the property of NCTCHCC.

NCTCHCC's mail system, including messenger and overnight services, is strictly for Company business and may not be used for personal use or for solicitation for non-business matters, including religious, political or social activities. Any postal mail delivered to NCTCHCC is considered property of NCTCHCC and may be opened by a designated Employee of NCTCHCC. The NCTCHCC address should not be used as a personal mailing address.

While employment with NCTCHCC is always At Will, Employees must recognize that abuse of these policies will result in disciplinary action, up to and including termination of employment. Should NCTCHCC suffer a financial or property loss as a result of an Employee's abuse of these policies, the Employee may be held personally liable for all such losses.

## **Workplace Monitoring**

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In order to conduct our business as efficiently as possible and to achieve a competitive advantage, NCTCHCC has invested significant money in its offices, property and equipment, including the telephone, computer and e-mail systems.

No privacy rights can be assumed by an Employee in an Employee's use of NCTCHCC's property, including any phone conversations and e-mail content. NCTCHCC's property and equipment is subject to unannounced monitoring by NCTCHCC, and the results of such monitoring may be disclosed to third parties including law enforcement agencies.

## **Personal Property**

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NCTCHCC's property, including desks and lockers, is furnished by NCTCHCC as part of the workplace and for the convenience of Employees in performing their jobs. NCTCHCC has the right to monitor the workplace and to inspect, with or without notice to Employees, all Company property.

Employees should not bring any personal property into the workplace that they do not want to have subject to inspection.

Employees are responsible for their own belongings. Those Employees taking the property of others will be subject to disciplinary action, including termination.

This policy does not vary the At Will nature of employment between NCTCHCC and Employees, and may be changed at any time without notice.

## **Employee Relationships and Notification**

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The organization strongly believes that an environment where Employees maintain clear boundaries between Employee personal and business interactions is most effective for conducting business. Romantic relationships between co-workers can lead to personal and professional problems; hence, dating and romantic relationships within NCTCHCC are discouraged.

Employees are required to report in writing their decision to enter into or end a consensual romantic relationship with another Employee to their Manager and the HR Manager. The disclosure of the romantic relationship by the individual it was reported to is strictly prohibited by management unless it's necessary to respond to complaints about discrimination or unlawful conduct by the Employees who are dating.

Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate by a reasonable person while anywhere on company premises, whether during working hours or not.

Employees with a Supervisory role within the same Department must obtain Chief Executive Officer approval to date Employees who are their subordinates or where one of the Employees approves the wages, overtime or expense accounts of the other Employee involved in the relationship.

## **Employment of Relatives**

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Of paramount importance to NCTCHCC is the hiring of the best personnel available to meet our job requirements.

NCTCHCC encourages all individuals, regardless of whether a potential Employee has a relative working for NCTCHCC, to apply for those positions which an applicant believes they are suitable and for which the applicant can make a contribution to the continued growth of NCTCHCC.

Relatives may not have a Supervisory role with respect to any relative/Employee without Chief Executive Officer approval. This includes direct and indirect supervision, such as approving of expense accounts or making a determination on an Employee's performance review or compensation.

## **Non-solicitation**

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NCTCHCC does not allow Employees, visitors or guests to solicit or distribute literature in our workplace at any time without prior authorization from Community Relations. NCTCHCC recognizes that our Employees do participate in activities outside of the workplace, and the distribution of non-work-related materials is limited to non-working hours and outside the workplace.

NCTCHCC bulletin boards are reserved for NCTCHCC's communications with its Employees and for displaying any notices required by governmental agencies. The bulletin boards are not to be used for solicitation.

All non-work related Employee postings are only allowed in the staff lounge.  
This policy of non-solicitation may be varied only where required by federal or state law.

## **Business Ethics**

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Our successful business operations and the reputation our Company enjoys are built upon the principles of fair dealing and ethical conduct of our Employees just as much as the products and services we provide. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of our Company is dependent on trust, and we are dedicated to preserving that trust. Employees owe a fiduciary duty to NCTCHCC that will merit the continued trust and confidence of the people with whom we do business as well as the public.

NCTCHCC is steadfast in its complying with all applicable laws and regulations and expects its Employees to act in accordance with all laws which apply to our business. Any Employee engaging in unlawful acts or activities will be immediately dismissed from employment.

Should you become aware of any improper or unlawful conduct of another Employee, or need to discuss decisions or actions you plan to take in regard to Company business, you should immediately inform an appropriate member of NCTCHCC's management. We will protect your confidentiality to the greatest extent possible.

## **Financial Dealings with Family Members, Customers and Suppliers**

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Employees have a fiduciary Duty to NCTCHCC. Employees are precluded from having a material financial interest in, a significant indebtedness to, or a personal contract or understanding with any entity with whom NCTCHCC does business.

An Employee whose duties involve business dealings with a concern in which the Employee or a family member has a material interest or to which the Employee has a significant indebtedness, or one employing a relative or close friend, is to disqualify him/herself from acting on behalf of NCTCHCC unless properly authorized in writing by NCTCHCC after a full disclosure to NCTCHCC of the relationship.

An Employee may not perform work or services for a competitor or an entity doing or seeking to do business with NCTCHCC and may not be an officer, partner or consultant of such an entity nor allow the Employee's name to be used in a way indicating a business connection with such an entity.

An Employee shall not accept for personal use or benefit, or for the benefit of any relative or friend, any payments, loans, services or gifts involving more than an ordinary social amenity, from any organization doing or seeking to do business with NCTCHCC.

## Confidentiality and Nondisclosure

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### *Business Confidentiality*

One of the greatest assets of NCTCHCC is its business information. Among the type of information which is considered by this Company as business information and is subject to the nondisclosure requirements of this policy are formulas, methods, devices, programs, business and marketing plans, price information, financial information, vendor and customer lists, e-mail addresses, Employee personal information, internal grievances, and legal proceedings. Your obligation of not disclosing our trade secrets and confidential information extends to you even after your employment with NCTCHCC ceases.

### *Patient Confidentiality*

The health care provider stands in a fiduciary relationship with the patient. This relationship is bound by strict duties of secrecy and fidelity. Patients disclose necessary details and intimacies solely for the purpose of diagnosis and treatment, and they expect this information to be kept strictly confidential. For this reason, patient-identifiable information must not be discussed with persons not involved in the health care of the patient. **Do not reveal any information about a patient's medical condition or treatment to anyone, either inside or outside the Center, unless he or she has a legitimate need to know.**

Therefore:

- Original health records will not be removed from NCTCHCC except as required by judicial process (*i.e.*, subpoena).
- Professional staff members granted record access are accountable for the protection of the record and its content while in their possession.
- Patient-identifiable information will be kept in secure areas at all times.
- Patient-identifiable information will not be copied or released to anyone without the express prior permission of the Chief Medical Officer.

Employee obligations of confidentiality are continuing in nature. Any Employee who discloses medical information/records or other confidential information will be subject to disciplinary action, including possible discharge, even if he or she does not actually benefit from the disclosure. In addition, the unauthorized use or disclosure of medical records or other confidential information, whether during or after the employment relationship, may result in personal legal liability, including invasion of privacy.

Any Employee in doubt regarding any aspect of confidentiality obligations is requested and expected to confer with NCTCHCC management regarding their concerns prior to taking any action which might violate the letter or spirit of this policy.

## **HIPAA and HITECH Compliance**

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NCTCHCC is committed to protecting patient privacy. Therefore, we pledge to remain compliant with federal laws pertaining to The **Health Insurance Portability and Accountability Act** of 1996 (HIPAA) and The Health Information Technology for Economic and Clinical Health (HITECH Act) of 2009.

The HIPAA Privacy Rule provides federal protections for individually identifiable health information held by covered entities and their business associates and gives patients an array of rights with respect to that information. At the same time, the Privacy Rule is balanced so that it permits the disclosure of health information needed for patient care and other important purposes.

The Security Rule specifies a series of administrative, physical, and technical safeguards for covered entities and their business associates to use to assure the confidentiality, integrity, and availability of electronic protected health information.

The Health Information Technology for Economic and Clinical Health (HITECH Act) of 2009 expanded the scope of the privacy and security provisions of the HIPAA and its enabling regulations. It was also implemented to promote the adoption and meaningful use of health information technology.

To ensure the privacy of protected health information, which is maintained and transmitted in all forms (paper, electronic, or oral communication) and to ensure meaningful use of electronic health information technology, NCTCHCC has adopted the following compliance procedure: CPI 4000. This procedure is located at the following web link:

<http://sharepoint.netchc.local/departments/hr/Handbook%20and%20Policies/Forms/AllItems.aspx>

If you feel that a violation or breach of HIPAA or HITECH has occurred, please immediately contact the NCTCHCC Compliance Officer.

When an allegation is made, an investigation lead by the Compliance Officer occurs. Depending on the severity of an allegation found to be true, a first offense can result in termination

## Conflict of Interest

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Employees must exercise the highest level of integrity, ethics, and objectivity when engaging in actions or relationships that may affect NCTCHCC. Employees must not misuse the authority or influence of their positions in these relationships, nor engage in activities which give the appearance of such misuse. Success of this policy depends on the full understanding and compliance of Employees at every level.

### *Conflict of Interest Defined*

An actual or potential conflict of interest arises when an Employee is in a position to influence a decision that may result in a personal gain for that Employee or for a relative as a result of NCTCHCC's business activities. For purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the Employee is similar to that of persons who are related by blood or marriage. Any question as to whether or not an interest is in conflict with this policy should be reported to the Chief Executive Officer for a decision. In some cases, prior approval by the Board of Trustees may be required.

### *Prohibited Activities*

Below is a partial list of expressly prohibited activities which violate the NCTCHCC's Conflict of Interest Policy unless an exception is granted in writing by the Chief Executive Officer.

1. *Financial Interests.* Neither an Employee nor the relative of an Employee may have a financial interest in any contract or transaction with the Center. Employees having such an interest shall refrain from participating in the selection, award, or administration of the contract. Exceptions require the approval of the Board of Trustees. If an Employee believes that he/she or a member of his/her immediate family has a financial interest in a contract with the Center, the Employee must immediately disclose this in writing to the Chief Executive Officer.
2. *Gifts from Suppliers or Patients.* Gifts, special considerations, or entertainment which go beyond common courtesies usually associated with accepted business practice shall not be accepted from any actual or potential contractor, consultant, supplier to, or patient of the Center.
3. *Other Employment.* An Employee may not accept pay for services performed for an organization which does or seeks to do business with the Center, or which competes with the Center. An Employee's outside business interests must not conflict with any obligations to the Center or in any way adversely reflect upon the Center. If the Employee believes that no conflict of interest will arise because of a contemplated outside business interest, the Employee may seek approval for involvement in that business interest from the Chief Executive Officer.
4. *Use of Information and Property.* An Employee must not use confidential information about the Center or a patient for the Employee's own benefit, or the benefit of others, nor use property of the Center or of any patient for the Employee's own benefit or the benefit of others.
5. *Nepotism.* Employment of relatives in subordinate or supervisory roles is not allowed without specific approval from the Chief Executive Officer. See the "Fraternization and Relationships Between Employees" section of this Manual.
6. *Fees and Commissions.* Employees must not offer, solicit or accept payments that may, in any way, be construed as an undisclosed commission, kickback or bribe. No payments may be made

to any third party with the intent or understanding that any part of such payment is to be used for any purpose other than payment for lawful goods or services for the benefit of the Center.

7. *Political Participation.* Employees must not use the Center's name, funds, resources, equipment or work time for political purposes. This policy does not, however, prohibit Employees from participating in public affairs on their own time, or from supporting a party or candidates of their choice with personal monetary contributions. A personal political contribution by an Employee may not be reimbursed in any way from Center funds.
8. *Unlawful Acts.* An Employee must not knowingly violate any statute, law, ordinance, judgment or decree which applies to or binds the Center.

### *Policy Enforcement*

Every Employee must promptly bring to the attention of his or her Supervisor any information concerning any violation of this policy by any other Employee. If the Employee believes that the Supervisor may be implicated in the violation, the information should be provided to the Chief Executive Officer.

Appropriate administrative actions, in addition to any legal penalties, may be taken against any individual for violations of this policy. Such administrative actions may include but are not limited to oral warning, written reprimand, reassignment, demotion, suspension or separation.

## Leaves of Absence

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Leaves of absence may be granted for reasons acceptable to NCTCHCC. Except as otherwise noted, leaves of absence are without pay. In order for a leave to be granted, the Employee must make his or her request in writing at least 30 days prior to the requested absence, except in emergency situations. Leaves must be approved by Human Resources.

While on leave of absence, an Employee does not accrue seniority or earn any additional fringe benefits (except as may be required by law for military leave). An Employee on leave may be required to provide periodic written reports regarding his or her status and intention to return to work. Employees on leave must also provide at least 10 days advance written notice of the expected date of return to work.

An Employee who does not return to work on the first regularly scheduled working day following the end of an approved leave of absence will be released from employment for job abandonment unless an extension is requested in writing by the Employee and granted by NCTCHCC before the expiration of the originally approved leave.

NCTCHCC will attempt to place an Employee returning from a leave of absence in the same job as was held prior to the beginning of the leave, or in a job comparable to that which the Employee held before the leave. Except as required by law, however, NCTCHCC gives no assurance that an Employee will be reinstated to any job at the end of a leave. If a position is offered to an Employee returning from a leave of absence and the Employee fails to accept such offer, he or she will be considered as having voluntarily quit.

There are five (5) categories of leave:

1. Family & Medical Leave
2. Military Leave
3. Bereavement Leave
4. Jury Duty Leave
5. Continuing Education Leave

## Family and Medical Leave

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NCTCHCC is in full compliance with the federal Family and Medical Leave Act (FMLA). The FMLA provides a means for Employees to balance their work and family responsibilities by taking unpaid leave for certain reasons. The Act is intended to promote the stability and economic security of families as well as the nation's interest in preserving the integrity of families.

The FMLA entitles eligible Employees to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the Employee had not taken leave.

### General Provisions:

Under the Act, and provided that an Employee has worked at least 12 months and at least 1250 hours during the previous 12-month period, and at a location where at least 50 Employees are employed at the location or within 75 miles of the location, an eligible Employee may take: 12 workweeks of leave for any one of the following circumstances:

- the birth of a child and to care for the newborn child within one year of birth;
- the placement with the Employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- to care for the Employee's spouse, child, or parent who has a serious health condition;
- a serious health condition that makes the Employee unable to perform the essential functions of his or her job;
- any qualifying exigency arising out of the fact that the Employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;" **or**

26 workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible Employee is the servicemember's spouse, son, daughter, parent, or next of kin (military caregiver leave).

The leave must be shared by spouses working for NCTCHCC. The term "year" for this purpose is not the calendar year or fiscal year, but rather the twelve-month period preceding the date the leave (or leave extension) would begin.

NCTCHCC follows Department of Labor requirements for Servicemember Leave. For further information, please visit [http://www.dol.gov/whd/fmla/2013rule/FMLA\\_Military\\_Guide\\_ENGLISH.pdf](http://www.dol.gov/whd/fmla/2013rule/FMLA_Military_Guide_ENGLISH.pdf)

FMLA leave may be taken in increments no shorter than 1 hour.

NCTCHCC prohibits outside employment or moonlighting while Employees are on FMLA leave.

An Employee who is taking FMLA leave on account of his or her serious medical condition or the serious medical condition of a spouse, child, or parent may take leave intermittently or on a reduced-schedule basis, if medically necessary. An Employee on intermittent or reduced-schedule leave may be temporarily transferred to another position, with no loss in pay or benefits, if the temporary position will better accommodate intermittent or reduced-schedule work rather than the Employee's regular position.

Employees taking FMLA leave for any reason other than their own or a family member's serious illness are not entitled to leave on an intermittent or reduced-schedule basis. FMLA leave related to the birth, placement for foster care or adoption of a child CANNOT be taken intermittently AND must be used within one year of the birth or placement of the child. The center reserves the right to transfer the Employee temporarily to an available alternative position with equivalent pay and benefits if: (1) the Employee is qualified for the position; and/or (2) it better accommodates recurring periods of leave than the Employee's regular job.

An Employee seeking leave must provide, to the extent practicable, 30 days' notice that he or she intends to take FMLA leave. If at least 30 days' notice cannot be provided because of emergency or other compelling circumstances, as much notice as possible must be given.

#### Insurance during FMLA Leave

During FMLA leave, an Employee's health insurance will continue on the same basis as when the Employee was on active status. If this requires Employee contribution for health insurance, the Employee must make timely premium payments in order to maintain insurance for himself/herself and dependents. NCTCHCC will work with the Employee to determine the most appropriate method for payment of premiums.

If an Employee voluntarily decides not to return from FMLA leave, NCTCHCC is entitled to collect from the Employee all health premiums paid by NCTCHCC on the Employee's behalf during the FMLA leave. Employees not returning from FMLA leave by 12 weeks and 1 day will be automatically terminated unless the Americans with Disabilities Act applies.

It may be necessary for the Employee to continue other benefits as well, such as any disability or life insurance, in order to be entitled to the same coverage upon return from leave. Employees will be required to pay premiums for any coverage which must be continued during the leave. NCTCHCC will work with the Employee to determine the most appropriate method for payment of premiums.

NCTCHCC prohibits outside employment or moonlighting while Employees are on FMLA leave as benefits are retained.

#### Return to Work

When an Employee returns from leave, the Employee will be restored to the same position or one equivalent to it with all benefits. There are certain exceptions involving key Employees that may apply when a key Employee seeks to return to NCTCHCC. Key Employees should discuss with their Supervisor or Manager an anticipated leave.

#### Certification of Need for Leave

Each Employee requesting FMLA leave on account of a medical condition of the Employee, spouse, child, or parent must provide certification from a health care provider.

Forms for medical certifications are available from NCTCHCC. This form must be completed by the healthcare provider and returned to NCTCHCC by or on behalf of the Employee within 15 days after the request for leave is made. Employees who do not provide the completed certification in a timely manner may be denied leave.

## Reinstatement

At the beginning of FMLA leave, the Employee is to inform NCTCHCC of his or her expected return date. To the extent possible, Employees will be returned to the same position occupied before the leave began. If, however, that position is not available, Employees returning from FMLA leave will be offered a position that is equivalent in pay, benefits, and terms and conditions of employment.

If an Employee takes FMLA leave on account of his or her own serious medical condition, the Employee will be required to present a medical certification of his or her fitness for duty before being permitted to return. If an Employee fails to provide that certification within 15 days after the conclusion of the leave, the Employee will be terminated.

## **Military Service**

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NCTCHCC is in full compliance with the Uniformed Services Employment and Reemployment Rights Act known as "USERRA" which offers Employees the ability to become reemployed after their military service obligations are completed.

The law covers a number of items including time off, wages, a Company's responsibility with respect to the Employees in military service and reemployment upon return from military service.

The Employee must notify NCTCHCC as soon as possible when the Employee receives notice of a military leave requirement. Should the Employee fail to notify NCTCHCC, the Employee may not be entitled to USERRA protection.

NCTCHCC is required to allow Employees time off to fulfill their military obligation. We are permitted to contact a particular Employee's Commander in order to seek a rescheduling of duty or to have someone else perform the duty if the Employee's service causes an undue hardship for our business.

Employees on military duty are deemed under law to be on a leave of absence. Accordingly, wages may not be paid.

USERRA also provides for the reemployment of Employees after conclusion of military service.

NCTCHCC offers equal opportunity to those Employees who apply for reemployment outside of the above dates. We apply the same rules as are applied to any other leaves of absence from NCTCHCC.

USERRA provides that service members activated for duty on or after December 10, 2004 may elect to extend their Employer-sponsored health coverage for up to 24 months. Service members activated prior to December 10, 2004 can elect to extend coverage for up to 18 months.

USERRA applies to all positions except positions where there is "no reasonable expectation that employment will continue indefinitely or for a significant period." Temporary Employees would be an example of this type of position. USERRA prohibits employment discrimination against a person on the basis of past military service, current military obligations, or an intent to serve. The United States Department of Labor, Veterans Employment and Training each are authorized to investigate and resolve complaints filed under USERRA.

For further information, please visit <http://www.dol.gov/compliance/guide/userra.htm>

## **Bereavement Leave**

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In the event of the death of a family member, Employees who complete the 90 day Introductory Period are eligible for up to three paid days per calendar year of bereavement leave. Introductory Employees may request Leave Without Pay for bereavement which will be subject to Manager approval. In the event of extenuating circumstances, requests for additional time may be discussed with the Employee's immediate Supervisor or Manager. Additional time may be granted as PTO or Leave Without Pay for non-temporary status Employees.

## **Jury Duty Leave**

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NCTCHCC recognizes the importance of our Employee's civic obligation to serve on jury duty.

NCTCHCC is in compliance with all Texas laws relating to jury duty and the service by our Employees to meet such obligation. Should an Employee's absence from work while serving on jury duty cause NCTCHCC an unreasonable hardship, NCTCHCC may request a delay of the Employee's jury service. It is therefore important that you inform NCTCHCC as soon as you receive a notice to serve on jury duty. Employees will be reinstated to their former position at the end of such service.

If called to serve, you should show your summons to your Supervisor or Manager promptly so that necessary schedule arrangements can be made. You should also keep your Supervisor or Manager regularly informed of when you expect to return from jury duty. Employees on jury duty leave must report for work on any day or part of a day when excused by the court. Check with your Supervisor or Manager by telephone if in doubt whether you should return for the balance of your shift. When jury duty is completed, you must provide your Supervisor with a statement from the bailiff regarding the number of days you served.

Employees will be paid for proven leave up to 40 hours per calendar year.

Employees can request PTO or leave without pay to cover jury duty which extends beyond 40 hours.

## **Continuing Education Leave**

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Continuing Education Leave is offered for providers pursuant to their contract for licensing purposes or to his or her capabilities relevant to the operation of NCTCHCC, depending on budget constraints.

It is the responsibility of each licensed or certified Employee to keep their documents current. No Employee will be allowed to work with an expired license or certification.

It is not the responsibility of NCTCHCC to offer continuing education hours. Continuing medical education and in-service which is scheduled by NCTCHCC will be considered worked time and will be paid.

Copies of Continuing Education shall be given to the HR Department to remain on file.

## **Time Off To Vote**

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NCTCHCC allows Employees paid time off to vote without loss or reduction of any employment benefit if the Employee does not have two consecutive hours to vote outside of working hours.

## Holiday Leave

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When NCTCHCC is closed in observance of a holiday, regular straight-time holiday pay will be provided to the following Employees who meet the requirements:

**Non-Exempt Employees:** Introductory Employees are not eligible for holiday pay. Eligible Full-time, and regular part-time Employees will be paid for the number of hours he or she would have regularly been scheduled to work had NCTCHCC been open. Part-time Employees do not receive holiday pay. Non-exempt Employees meeting such eligibility requirements must work at least 6 hours the day before and at least 6 hours the day after each holiday in order to have paid time off for the holiday unless prior approval has been received for personal time off. At the discretion of management, an Employee may be sent home prior to the 6 hour requirement. In these instances, the Employee will still be eligible for holiday pay.

**Exempt Employees:** Exempt Employees will be paid their standard salary for the normal work week worked and are not paid any extra amount for holidays.

Paid time off is available for the following holidays:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day

The holiday time off is paid at the Employee's base compensation at the time of the holiday and does not include overtime or any special forms of compensation such as commissions, bonuses or shift differentials. Should a non-exempt Employee be required to work on an observed holiday, the Employee will be paid at one-and-a-half-times his or her straight time pay in addition to the holiday pay.

Holiday pay does not count as hours worked for purposes of overtime compensation. Designated holidays occurring during a period of approved, pre-scheduled Personal Time Off are paid, and are not counted as part of the Personal Time Off.

## Personal Time Off

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NCTCHCC provides a paid time off (PTO) benefit for regular full-time and regular part-time Employees. The PTO benefit combines annual leave (vacation), sick leave, inclement weather, birthday, and personal days into a single PTO account and is designed to provide maximum flexibility in response to Employees' need for time off.

### *PTO Accrual*

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the Employee starts to accrue PTO.

PTO begins accruing at date of hire, is calculated at the end of each pay period, and is available for use upon Supervisor or Manager approval. Introductory Employees are not eligible to take PTO. PTO accrues at the following rate for non-contracted, full time Employees, and is pro-rated for regular part-time Employees:

Upon hire	10 days
After 1 year	17 days
After 5 years	22 days
After 10 years	27 days
After 15 years	32 days

### *PTO Accrual Rates for Regular Part-Time Employees:*

30 hours or more per week but less than 40 hours – 50%  
Less than 30 hours per week – no accrual of PTO

Re-evaluation of the rate above will occur when the hours per week, based on the Manager's justification of the increased/decreased permanent hours, fall into a different prorated category.

### *PTO Use and Scheduling*

PTO time must be scheduled in advance and approved by the direct Supervisor or Manager. Employees needing to use PTO that cannot be scheduled in advance must notify their direct Supervisor or Manager no later than 1 hour BEFORE the start of the scheduled workday. Leaving a message on the Supervisor's email or voicemail or with a co-worker is not considered appropriate notice. Exceptions to this rule include serious injury or hospitalization. A Supervisor or Manager may ask the Employee to bring in a doctor's note or verification of an emergency for any unscheduled PTO before the time is approved.

### *Scheduled PTO*

PTO that is requested and approved at least 24 hours in advance will be considered scheduled. NCTCHCC takes into consideration the previous years' holiday PTO requests prior to approval.

### *Unscheduled PTO*

PTO that is not requested and approved at least 24 hours in advance is considered unscheduled PTO. Unscheduled PTO may reflect negatively on performance reviews and evaluations. Consecutive days are counted as a single incident.

Disciplinary action will be taken, up to and including termination, for taking unscheduled PTO that is not approved by the Supervisor or Manager.

All absences due to illness of three or more consecutive workdays must be verified by written certification from a health care provider of the necessity for missing work and submitted to the Human Resources office. However, a manager or supervisor may ask for a doctor's note for any unscheduled absence.

PTO must be taken in no less than hourly increments for non-exempt Employees. PTO must be taken in no less than 4 hour increments for exempt Employees.

Providers are required to submit leave requests for any absences from the Center during normal working hours which may result in a closure of the provider's schedule regardless of quantity of time taken. Providers are required to provide 4 weeks' notice for PTO requests in order to be considered scheduled.

PTO is granted on a first come basis, and as business needs permit. We will make every effort to permit you to take your PTO during the time period you request. Naturally, the needs of our patients come first, and we reserve the right to set the times when PTO may be taken. All PTO days must be scheduled with the Employee's Supervisor or Manager, who has the right to reschedule the time off upon two (2) weeks prior notice.

Please see the Work Schedules section for information regarding your reporting obligations in the event of absence, and see the Leaves of Absence policies for information regarding leaves due to medical necessity.

*PTO Maximum Accrual*

PTO hours roll over from year to year, but may not exceed a maximum accrual amount. Employees may not accrue more than forty-five (45) days (360 hours). Once the maximum accrual is reached, the Employee will no longer accrue PTO hours. NCTCHCC will not pay Employees in lieu of unused PTO credit exceeding this limitation.

*Payout of PTO Hours*

PTO hours are paid out for involuntary termination due to lay-off and voluntary separation according to the schedule below. Voluntary separation requires written notification. All Employees except management and providers are required to submit a written two week notification. Management is required to submit a 30 day written notification. Providers are required to submit a 90 day written notification pursuant to their contract. The Employee must work his/her notice period in full and may not use PTO during this time. You MUST work a full two weeks (or more depending on the notification period requirement) to receive any form of PTO payout. An absence during this time will be classified as Leave Without Pay regardless of whether or not it was authorized prior. The Human Resource Manager at his/her discretion may override this and approve payout without the Employee working through the notice. PTO hours are not paid out for involuntary termination due to disciplinary issues.

Length of Service	Unused PTO Paid at Termination
12 Months or less	None
13-35 Months	50%
36 Months and More	100%

PTO hours will be paid out (cashed out) to Employees while still employed under the following circumstances:

Employees will be eligible for a partial PTO pay-out during the first week of December every calendar year not to exceed 40 hours. Employee must have a minimum of 40 hour roll over balance after pay out. Exceptions to this include the Executive members of management. Payout requests must be approved by Supervisor or Manager by the announced cut-off date.

#### *Grandfathered Annual/Sick Leave Hours*

Employees who have sick leave hours remaining in their banks will have those hours transferred to an account separate from the PTO bank. The hours will not be combined, but will remain separate as sick leave hours. While the PTO bank will accrue PTO hours, the grandfathered account will no longer accrue hours; however, the grandfathered account hours must be exhausted before PTO hours may be used. Sick leave hours must be used when an Employee is absent from work due to his/her own personal disability (illness, injury, or disability due to pregnancy, surgery or procedure). Sick leave may be used due to the serious health condition of a member of the Employee's family. For purposes of this policy, an Employee's "family" shall be limited to the Employee's spouse, child(ren), and parent(s). NCTCHCC may require written proof of the reason (and need) for the Employee's absence. This leave may not be used for vacation, inclement weather or personal time. Upon termination, all sick leave hours are forfeited and will not be paid out.

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

Employees qualifying for leave under the Family and Medical Leave Act must use grandfathered sick leave hours (if for a reason of illness or disability), and then PTO hours. Employees on designated FMLA leave who are receiving temporary disability benefits or workers' compensation benefits are not required to first use applicable paid vacation or sick leave while receiving those benefits. However, after the exhaustion of those benefits, PTO and sick leave must be exhausted prior to Leave Without Pay.

Paid leave must run concurrently with FMLA. Refer to the Family Medical Leave Act policy for more information.

#### *Inclement Weather*

If NCTCHCC closes or modifies normal business hours due to inclement weather, an announcement will be made on the local TV morning news programs, posted on social media, and texted out to Employees.

Non-exempt Employees may use PTO hours based on the hours for which the Employee would ordinarily be scheduled to work.

## **Leave Without Pay**

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Leave Without Pay (LWOP) is an approved temporary absence from duty in a non-pay status requested by either the Employee or NCTCHCC.

The approval of LWOP is a matter decided by the Employee's Supervisor or Manager.

A Supervisor or Manager may agree to an Employee's request for LWOP, subject not only to the merits of the Employee's request, but also on the operational requirements of the Department. NCTCHCC prohibits outside employment or moonlighting while Employees are on unpaid leave.

For general purposes, it is required that the Employee will exhaust all accrued paid time off prior to LWOP requests.

When operational requirements of a Department necessitate, NCTCHCC may also require that an Employee take LWOP. If LWOP is requested by NCTCHCC, the Employee may request to use PTO in lieu of LWOP. Leaves requested by NCTCHCC will be considered as scheduled time off.

## **Dress Code**

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NCTCHCC's primary objective in having a proper dress code is to encourage our Employees to "dress for success." Proper attire is also necessary for achieving the appropriate standards of safety.

As an Employee, you are a representative of our Company. Your appearance reflects the professionalism and quality of service our Company exemplifies.

NCTCHCC Employees are expected to at all times present a professional, businesslike image to clients, visitors, customers and the public. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with NCTCHCC.

Certain positions may be required to meet special dress, grooming and hygiene standards, such as wearing uniforms or protective clothing, depending on the nature of the job.

At its discretion, a Department may, such as during special occasions, allow staff to dress in a more casual fashion than is normally required. On these occasions, Employees are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing, athletic wear, tight, revealing or otherwise inappropriate clothing.

Any staff member who does not meet the attire or grooming standards set by his or her Department will be required to take corrective action, for example leaving the premises to change clothing. Non-exempt staff will not be compensated for any work time missed because of failure to comply with designated workplace standards.

Below is a general overview of appropriate business casual attire. Items that are not appropriate for NCTCHCC are listed, too. None of the lists are all-inclusive and both are open to change. The lists tell you what is generally acceptable as business casual attire and what is generally not acceptable as business casual attire.

No dress code can cover all contingencies so Employees must exert a certain amount of judgment in their choice of clothing to wear to work. If you experience uncertainty about acceptable, professional business casual attire for work, please ask your Manager or Supervisor or your Human Resources staff.

### **Slacks, Pants, and Suit Pants**

Slacks that are similar to Dockers and other makers of cotton or synthetic material pants, wool pants, dressy capris, and nice-looking dress pants or leggings worn with a mid-thigh length or longer top are acceptable. Inappropriate slacks or pants include jeans of any color, sweatpants, exercise pants, shorts, bib overalls, and any spandex or other form-fitting pants such as people wear for biking.

### **Skirts, Dresses, and Skirted Suits**

Casual dresses and skirts, and skirts that are split at or below the knee are acceptable. Dress and skirt length should be knee length. Leggings must be worn under any dress or skirt that is shorter than knee length. Short, tight skirts that ride halfway up the thigh are inappropriate for work. Mini-skirts, skorts, sun dresses, beach dresses, and spaghetti-strap dresses are inappropriate for the office.

### **Shirts, Tops, Blouses, and Jackets**

Casual shirts, dress shirts, sweaters, tops, golf-type shirts, and turtlenecks are acceptable attire for work. Most suit jackets or sport jackets are also acceptable attire for the office, if they violate none of the listed guidelines. Inappropriate attire for work includes tank tops; hoodies, muscle shirts; midriff tops; shirts with potentially offensive words, terms, logos, pictures, cartoons, or slogans; halter-tops; tops with bare shoulders; undergarments; party or evening apparel; sweatshirts, and t-shirts unless worn under another blouse, shirt, jacket, or dress. Only approved CHC branded jackets may be worn.

### **Shoes and Footwear**

*Non-clinical personnel:* Sandals, conservative athletic or walking shoes, loafers, clogs, boots, flats, dress heels, and leather deck-type shoes are acceptable for work. Stockings are not required. Athletic shoes that flash lights, thongs, and slippers are not appropriate.

*Clinical Personnel:* The above guidelines apply; however, open-toed shoes are not allowed.

### **Jewelry, Makeup, Perfume, and Cologne**

Jewelry, make-up, perfume, and cologne should be worn in good taste. Remember, that some Employees are allergic to the chemicals in perfumes and make-up, so wear these substances with restraint.

### **Hats and Head Covering**

Hats are not appropriate in the office. Religious or national origin accommodations regarding headdress must be discussed with Human Resources.

### **Tattoos and Piercings**

#### **Tattoos and Piercings**

While on duty, only appropriate tattoos displayed on the arms/wrists/hands, legs/feet, upper back/lower neck or behind one's ears are allowed. Face and throat tattoos are not allowed. Employees are expected to be conservative in their display of personal body art. Excessive display of tattoos may be deemed inappropriate. For the purposes of this policy, inappropriate means any tattoo deemed by management to be inconsistent with the standards of a professional, quality health care workplace.

Factors that management will consider to determine whether tattoos may be inappropriate or pose a conflict with the employee's work environment include: Offensiveness to co-workers, customers, vendors or others in the workplace based on racial, sexual, religious, ethnic, or other characteristics or attributes of a sensitive or legally protected nature; Corporate or societal norms; and/or Customer complaints. If management determines an employee's tattoos may present such a conflict, the employee will be encouraged to identify appropriate options, such as covering of tattoos, transfer to an alternative position, or other reasonable means to resolve the conflict.

Body piercings are not allowed except on the ear. Bars, gauges or "earlobe stretchers" are not allowed. Employees must not have any visible facial jewelry (including but not limited to eyebrow, tongue, nose or lip piercings). Employees may wear clear retainer rings as an acceptable way to maintain piercings while at work.

Religious or national origin accommodations must be discussed with Human Resources.

### **Medical Attire**

Non-exempt clinical Employees must wear scrubs. Scrubs and lab coats must be clean, have no holes, frays or stains, and be appropriate in style and size. Scrubs must fit Employees so that their midriff or back is not showing. Jean scrubs are not permitted.

Medical Attire Payroll Vouchers: Staff, approved to wear medical attire, may request a tax-exempt, uniform voucher from Accounting after being employed by NCTCHCC for 30 days. These vouchers may be used at The Uniform Shop only. To aid in the cost, up to 4 equal deductions may be taken from the Employee paycheck.

### **Casual Fridays**

Employees are allowed to participate in casual Fridays by wearing jeans as long as the Employee is also wearing a CHC top. Jeans need to be in good condition (not faded, too tight, torn, heavily worn/frayed or stained). Center shirts also need to be in good condition (no stains, tears and should fit properly). Center shirts must be purchased through NCTCHCC's selected vendor to ensure consistency. Payroll deductions are available for ordering Center shirts.

### **Personal Hygiene**

Each Employee is expected to observe good personal hygiene and dress neatly. Hair and fingernails are to be clean and neatly groomed. Hair color should be appropriate and conservative and of a natural hue; it may not be non-typical colors (i.e. blue, green, purple, etc.). NCTCHCC follows CDC guidelines in regard to acrylic nails: clinical personnel must maintain nails (acrylic or natural) at a length no longer than ¼ inch; dental personnel are not allowed to wear acrylic nails and natural nails must be at a length no longer than ¼ inch. Nail varnish is not allowed for dental personnel per CDC guidelines. Hair that is longer than collar length should be secured back if it interferes with job duties. Jewelry should only be worn if it will not interfere with job duties, especially in regard to safety and infection control.

### **Conclusion**

If clothing fails to meet these standards, as determined by a Supervisor or Manager, the Employee will be asked not to wear the inappropriate item to work again. The Employee may be sent home to change clothes and will receive a verbal warning for the first offense. All other policies about personal time use will apply. Progressive disciplinary action will be applied if dress code violations continue up to and including termination.

## **Business Travel**

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NCTCHCC will check the motor vehicle records on an annual basis for all current Employees who are in positions where driving is an essential function of their job and/or where a rental car must be obtained for business travel purposes. These Employees are required to maintain a valid driver license at all times. In addition, these Employees must obtain the minimum amount of auto insurance coverage set forth by the Texas Financial Responsibility Law. Only Employees with “clean” driving records may drive on behalf of NCTCHCC.

NCTCHCC will reimburse Employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by Executive Management.

Employees whose business travel plans have been approved may receive assistance in making their travel arrangements from Administration.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by NCTCHCC. Employees are expected to limit expenses to reasonable amounts. Expenses that generally will be reimbursed include the following:

1. Airfare or train fare for travel in coach or economy class or the lowest available fare.
2. Car rental fees, only for compact or mid-sized cars.
3. Fares for shuttle or airport bus service, where available; costs of Public transportation for other ground travel.
4. Taxi fares, only when there is no less expensive alternative.
5. Mileage costs for use of personal cars, only when less expensive transportation is not available. See Financial Officer for current approved mileage rates.
6. Cost of standard accommodations in low to mid-priced hotels, motels, or similar lodgings or the site where the conference or seminar is held. Hotel or motel costs will be paid at actual expenditures incurred.
7. Cost of meals, Per Diem rate for the area will be paid.
8. Charges for telephone calls, fax, and similar services required for business purposes.

Any Employee who is involved in an accident while traveling on business must promptly report the incident to the immediate Supervisor or Manager. Vehicles owned, leased, or rented by NCTCHCC may not be used for personal use without prior approval. When renting a vehicle for NCTCHCC use, full auto insurance coverage must be purchased through the rental agency.

Cash advances to cover reasonable anticipated expenses such as fees and dues for meetings may be made to Employees, after travel has been approved. Employees should submit a written request to their Supervisor or Manager when travel advances are needed.

When travel is completed, Employees should submit completed travel expense reports within 10 days. Reports should be accompanied by receipts for all individual expenses.

Employees should contact their Supervisor or Manager for guidance and assistance on procedures related to travel arrangements, travel advances, sales and hotel tax exemption forms, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this Business Travel Expenses policy, including falsifying expense reports to reflect costs not incurred by the Employee, are grounds for disciplinary action, up to and including termination of employment.

The expenses listed below are not allowable expenses. If such expenses are incurred during the trip, the Employee will not be reimbursed for such costs:

1. Personal telephone call charges to hotel statement. Movies or games rented in hotel room.
2. Room service unless meal is part of per diem. Additional meals not allowable that are charged to the hotel statement.
3. Alcoholic beverages of any kind are not allowable costs.
4. Expenses incurred by spouse, friend, acquaintance, etc.
5. When a spouse/child accompanies an Employee on a trip, any charges for air travel may not be charged to NCTCHCC under any circumstances. This must be a separate personal cost and must be paid for initially in full by the Employee.

## **Auto Expense**

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Employees may be reimbursed on a mileage basis at the budget authorized rate for the use of their personal car in connection with job responsibilities.

All Employees using their personal car for agency business must maintain proof of current insurance on file with the HR Manager and must carry at least minimum liability requirements for automobile insurance.

Reimbursement for automobile expenses will be provided only to those Employees whose positions have been authorized as eligible by Executive Management.

Reimbursement will be on a monthly basis at the IRS allowed mileage rate. Reimbursement will be given only for approved mileage.

If two or more Employees are traveling to the same location, it is recommended that the travelers share a ride. Requests for separate travel to the same location must be approved by Executive Management.

## **Progressive Discipline**

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Any Employee's failure to comply with the center's policies and procedures shall be addressed in a timely manner. If the violation reflects an illegal action or threat to the safety of patients or staff, the violator will be terminated and appropriate reports made to outside agencies per the law and center policy. Other specific disciplinary actions to be taken will be evaluated on a case-by-case basis, and will be determined by the severity of the infraction.

Complaints or allegations against any member of the center's staff shall be discussed with the staff member in question and, if deemed appropriate, shall be reported by the supervisor or manager to the center's Compliance Performance Improvement (CPI) Officer, Security Officer, or other manager. As appropriate, it may be reported to the center's Chief Executive Officer or Human Resources Manager, who shall consult with legal counsel, as needed. The Center reserves the right to deal with each infraction on an individual case-by-case basis to ensure that disciplinary actions are appropriate and consistent.

Knowing and not reporting intentional infractions of the policies and procedures shall result in disciplinary actions that can range from formal reprimand, temporary suspension with loss of pay, and other disciplinary action, up to and including, termination. All disciplinary procedures or sanctions will be documented and maintained by the Center as required by law.

Our progressive discipline policy and procedure is designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. It has been designed consistent with our organizational values, HR best practices and employment laws.

Outlined below are the steps of our progressive discipline policy and procedure. NCTCHCC reserves the right to combine or skip steps depending upon facts of each situation and the nature of the offense. This may include termination being recommended as the first step. The level of disciplinary intervention may also vary. Some of the factors that will be considered depend upon whether the offense is repeated despite coaching, counseling and/or training, the Employee's work record and the impact the conduct and performance issues have on our organization. This policy does not vary the At Will nature of the employment between NCTCHCC and Employee.

***Step 1: Counseling and Verbal Warning***

***Step 2: Written Warning***

***Step 3: Final Written Warning which may include Suspension***

***Step 4: Recommendation for Termination of Employment***

## **Complaint Resolution**

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A good working atmosphere is essential to professional business operations. Misunderstandings and unresolved complaints tend to detract from productivity, efficiency, and workforce morale. NCTCHCC believes it is in the best interest of all concerned to resolve problems internally, if possible.

Problems or complaints may be a result of misapplication or misinterpretation of policies, or may result from a disagreement or misunderstanding. Whatever the cause, problems must be identified before they can be resolved, or remedies explored. For this reason, NCTCHCC encourages Employees to raise any problem or complaint regarding any aspect of work.

Should an issue arise between co-workers, usually the most effective way to resolve complaints and concerns is to bring the complaint directly but respectfully to the attention of the co-worker. If the problem is not resolved satisfactorily or the issue cannot be raised directly with the co-worker, the Employee should raise the issue with his or her immediate Supervisor or Manager. If the problem concerns the Employee's immediate Supervisor or Manager, and the matter cannot be resolved together, the Employee should bring the matter to the attention of the Human Resources Manager. If the issue continues and is not resolved, it should be brought forth to the attention of an Executive member of management.

NCTCHCC maintains an "Open Door Policy" but the chain of command should be respected. Problems can be resolved most effectively through a coherent and rational explanation of the problem, with suggestions for possible solutions.

NCTCHCC places no restrictions on the subjects which may be brought to the attention of management. Additionally, retaliation against any Employee for bringing a good-faith complaint to the attention of management will not be tolerated.

When a workplace investigation occurs, it is a part of every Employee's job to participate fully and honestly in the investigation. Refusal to participate in an investigation or dishonesty in any form may result in disciplinary action, up to and including termination.

Formal Grievances. Hopefully, most problems can be resolved informally, but in some instances, it may be best to put a complaint or grievance in writing. All Employees may advance written grievances, and in some instances, management may request that a complaint be put in writing.

All Supervisory and management personnel will provide a written response to a written complaint, and do so within 7 business days. If a problem is not resolved to the satisfaction of the grievant at the initial level, the Employee may ask that the initial complaint and response be forwarded to the next level(s) of management for review. Complaints which are pursued to the Executive Officer level will be decided by the Executive or his/her delegate, whose decision will be final.

## **Whistleblower Protection Act**

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A whistleblower is defined as an informant who exposes wrongdoing within an organization in the hope of stopping it.

The Occupational Safety and Health Administration (OSHA) administers the Employee protection or “whistleblower” provisions of seventeen statutes.

Generally, the Employee protection provisions prohibit covered employers from discharging or otherwise discriminating against any Employee because the Employee engaged in certain activities protected by law.

NCTCHCC will investigate any reports of possible abuse or fraud while protecting the reporting Employee to the most applicable extent of the law.

Any Employee who believes that he or she has been discriminated or retaliated against in violation of any of the statutes may file a complaint with OSHA. Complaints must be filed within 30 days after the occurrence of the alleged violation under the OSH Act, CAA, CERCLA, SWDA, FWPCA, SDWA, and TSCA; within 60 days under ISCA; within 90 days under AIR21, SOX, and AHERA; and within 180 days under STAA, ERA, PSIA, FRSA, NTSSA, and CPSIA.

### **Toll Free Hotline for Whistleblowers**

An individual can report fraud, waste and abuse by completing a form online, or calling the toll free hotline at 1-800-436-6184.

For further detailed information please refer to the Standard Operating Procedure for whistleblowers found in the Employee Handbook.

## **Performance Reviews**

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We believe that affording both NCTCHCC and an Employee the opportunity to discuss job performance is critical to the Employee having appropriate input into the Employee's job and for NCTCHCC to review how the Employee is performing.

The performance review may either be formal or informal. A formal performance review will be scheduled annually upon the anniversary month of hire so that the Employee and NCTCHCC will have an opportunity to prepare for the review. Prior to raises being awarded, all annual compliance training must be completed. The raise date will mirror the anniversary hire date if all training is completed. If annual training is not complete at the time of the evaluation, any raise awarded will mirror the completion date of the training(s) due and not be retroactive.

Informal reviews may occur after a particular project has been completed or during such project, or as NCTCHCC believes is appropriate in order to discuss issues which may arise from the day-to-day operations of NCTCHCC.

Reviews may be conducted by NCTCHCC should an issue arise which may lead to discipline of an Employee for either violating any of the policies in this Handbook or other work-related matters.

Although certain policies in this Handbook may discuss discipline, including termination of employment, the availability to an Employee of the disciplinary process or performance reviews do not vary the At Will nature of the employment between NCTCHCC and Employee.

## Employee Recognition

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Employees are recognized for their long term loyal service to NCTCHCC according to the following schedule:

Service Years:	Recognition:
03 years	3 year service pin
04 years	4 year service pin
05 years	5 year service pin + gift certificate (75)
06 years	6 year service pin
07 years	7 year service pin
08 years	8 year service pin
09 years	9 year service pin
10 years	10 year service pin + gift certificate (150)
15 years	15 year service pin + gift certificate (250)
20 years	20 year service pin + gift certificate (500)

## **Government Agency Inspections**

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From time to time NCTCHCC may be visited by representatives of the federal, state and local governments for purposes of conducting inspections and gathering information. It is not unusual for these inspections to be unannounced.

When a government inspector arrives at NCTCHCC, Employees are to be courteous to the inspectors.

NCTCHCC will be fully cooperative with the inspectors, within an inspector's area of responsibility. The Chief Executive Officer should be promptly contacted when an inspector arrives.

Employees being approached by an inspector either on or off the premises should examine the inspector's credentials, making a record of the inspector's name, title, the name and address of the governmental agency to which the inspector is attached and the date and time of the inspection. This information should be promptly given to a NCTCHCC representative.

While NCTCHCC will be fully cooperative with all inspections, no other information should be given to inspectors except through a NCTCHCC-designated representative nor should the inspector be allowed past the reception area without a Company representative being present.

## **Employee Health Care**

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NCTCHCC Employees and dependents covered by the NCTCHCC's insurance are invited to receive medically necessary healthcare services at NCTCHCC. They will be charged the regular fees for all services. Similarly, Employees will be responsible for all charges incurred from referrals from outside services. When eligible, the current sliding fee scale will be applied to an Employee's account. For Employees and dependents using the Center health insurance and receiving medically necessary treatment at NCTCHCC, copays will be waived.

To ensure confidentiality for Employees, personal income and financial information can be discussed in private with NCTCHCC's Accounting Department for billing purposes. An Employee medical record will look just like any other patient medical record. It is extremely important that all pertinent paperwork and documentation be completed in its entirety and in its proper place. NCTCHCC does not offer free services to NCTCHCC Employees. It is against company policy for any Employee to access his or her own medical or dental record. Simply stated, Employees must undergo the same process as patients to include, but not limited to checking in and out and receiving ancillary services such as lab, pharmacy, or x-ray.

Employees and any family that wish to see NCTCHCC providers must do so off-the-clock. A PTO request form must be submitted and approved should the appointment occur during work hours. This includes the time taken for Labs, X-Rays, Dental procedures, and any other ancillary services. An Encounter will be generated to record any and all services rendered. If desired, an Employee may opt to have the payment for services deducted from his or her paycheck. The Employee should see the Staff Accountant for the proper form.

Hallway consultations with providers are prohibited as all care must be documented.

## **Benefit Plans**

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NCTCHCC provides a comprehensive benefits package which includes but may not be limited to:

- Health Plan
- Dental Plan
- Vision Plan
- Life Insurance Plan
- Cafeteria Plans
- 401k Savings Plan
- Long Term Disability Plan

NCTCHCC provides benefits for Employees who work 30 hours or more per work week.

For medical, dental, vision and life insurance plans, NCTCHCC pays at a schedule that is determined annually for the Employee only. The balance, if any, is paid by the Employee. The Employee's portion of the premium and the premium for any covered Employee's family member are paid by payroll deductions twice per month.

NCTCHCC will provide you with summary plan descriptions as well as eligibility requirements, waiting periods, and other specific plan provisions and benefits. The actual plan documents govern the insurance that is available to our Employees and eligible family members.

Cafeteria plan benefits provided are paid in full by the Employee.

NCTCHCC contributes 6% (3% Safe Harbor and 3% Profit Sharing) for each eligible Employee's 401k plan after a one (1) year waiting period subject to the immediate enrollment period after the waiting period. An Employee may make contributions to the 401k plan on the 1<sup>st</sup> of the month following hire. The vesting schedule is set forth by the 401k plan as adopted by NCTCHCC.

NCTCHCC reserves the right to change or eliminate benefit plans at the company's discretion.

## **COBRA**

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Our Employees covered by Employee benefit plans and have enrolled in such plans are permitted to continue coverage under such plans should the Employee be separated from employment for any reason (except gross misconduct) including a reduction in force or the number of hours worked. Such continuation is always subject to the provisions of the Consolidated Omnibus Budget Reconciliation Act, known as COBRA, and similar state law.

There are strict requirements that Employees must follow in order to qualify for COBRA, and once qualified, to maintain such Coverage.

In the event of separation of Employment with NCTCHCC, Employees will be notified of the steps necessary for continuation of Coverage.

## **Exiting Employment, Return of Company Property, On-Going Responsibility and Future References**

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When an Employee's employment ends, there are certain procedures that are followed.

As all Company property is entrusted to the Employee solely for the purpose of NCTCHCC's business, all such property must be immediately returned to NCTCHCC. Employees may not take any Company documents, software, copies of e-mail or computer files with them when employment ends.

Separation from employment, regardless of the reason, does not allow an Employee to use at another employer or in the Employee's own business NCTCHCC's confidential, proprietary and trade secret information which was learned or developed while employed with us. After employment ends, the Employee has the continued obligation to keep all such information confidential and not to discuss or reveal such information to another employer.

Should another employer desire information on a former Employee, NCTCHCC will only provide the Employee's hire date, date of separation, final rate of pay, final position, and whether rehire eligibility unless the Employee authorizes NCTCHCC in writing to give out other information. Additional information will be disclosed only if required or authorized by law (such as in connection with an unemployment compensation claim) or necessary for the conduct of NCTCHCC business (such as in response to governmental inquiries or investigations).

NCTCHCC would like to have an exit interview with the Employee to discuss the reasons for leaving. Personnel files are held in archives in accordance with all applicable legal requirements.

Employees will not be eligible for rehire for reasons including, but not limited to: termination for cause or not working out the required notice period. .