



DIGNITY · INDEPENDENCE · SELF WORTH · GOOD HEALTH

Employee Handbook

Mary E. Bivins Foundation
Lee Bivins Foundation
Betty Bivins Childers Foundation
Bivins Village
Bivins Village Phase II
(The Bivins Foundations)

January 15, 2013

This handbook replaces all previous handbooks and supersedes all earlier oral and written materials about company policies and procedures. The Mary E. Bivins Foundation, Lee Bivins Foundation, Betty Bivins Childers Foundation and Bivins Villages reserve the right to change, add or delete benefits and policies as necessary. This handbook does not create a contract for employment for any specified period or definite duration.

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DIGNITY . INDEPENDENCE . SELF WORTH . GOOD HEALTH

Welcome to the Bivins Foundations

(Mary E. Bivins, Lee Bivins Foundation and Betty Bivins Childers Foundation
Bivins Village and Bivins Village Phase II)

Dear Employee:

You and the Bivins Foundations have made an important decision: the Company has decided you can contribute to our success, and you've decided that one of the Bivins Foundations is the organization where you can pursue your career productively and enjoyably.

We believe we've each made the right decision, one that will result in a mutually profitable relationship. The minute you start working here, you become an integral part of the Bivins Foundations and its future. Every job in our company is important, and you will play a key role in the continued growth of our company.

As you will quickly discover, our success is based on delivering high-quality services to the residents of our communities and all of our customers, including each other by providing unsurpassed customer service. How do we do it? By working very hard, thinking about our residents' and customers' needs, and doing whatever it takes to meet their needs. We do it by treating each other and customers with respect. We do it by acting as a team.

Should you have any questions concerning this handbook, your employment, or benefits, please feel free to discuss them with your supervisor, manager, or the Human Resources Department.

Again Welcome!

Judy Day
President and CEO

BIVINS OPERATIONAL VALUES

- **Compassion** – Caring for every person every day with dignity and respect.
- **Commitment** – Dedicating ourselves to improving the lives of others.
- **Service** – Providing a safe and supportive environment to ask, learn and heal.
- **Excellence** – Leading in quality through expertise, innovation and technology.
- **Balance** – Using resources efficiently and effectively.

COMPASSION

- Incorporates integrity and honesty into every action and interaction on behalf of the Lee Bivins Foundation.
- Creates a welcoming, caring and non-judgmental environment through tone and body language.
- Makes eye contact and greets everyone with a smile as appropriate.
- Responds to the needs and requests of residents, families and co-workers.
- Listens empathetically to others' issues, including co-workers, residents and families.
- Demonstrates a professional and caring attitude at all times.
- Treats all individuals with dignity and respect.
- Refrains from inappropriate conversations such as gossip, talking over patients or having conversations that do not include the resident.
- Compliments and encourages others, reinforcing a job well done.

COMMITMENT

- Embraces our values and openly supports organizational decisions through actions and works.
- Takes personal ownership of issues and concerns, stays involved through resolution.
- Arrives on time and begins work promptly with enthusiasm and a positive attitude.
- Attends work when scheduled.
- Takes an active role in working as a team across inter-departmental lines.
- Seeks to understand how our work relates to others.

- Identifies problems; offers solutions and strives to improve work processes.
- Accepts and provides constructive feedback.

SERVICE

- Takes initiative to assist residents, visitors and co-workers.
- Introduces self; describes role and reason for interaction and ends by asking...”Is there anything else I can do for you?”
- Answers phone promptly, courteously giving name, department and asking “How may I help you?”
- Takes personal responsibility for requests and follows through...responds to call lights, billing requests, etc. per standards.
- Displays a strong sense of urgency in everything you do.
- Acts as an advocate for residents; i.e., escorts residents when they need directions, is sensitive to resident and family needs, checks for resident comprehension of care instructions.
- Communicates waiting times to residents and families and explains any delays according to departmental policies.
- Seeks learning opportunities and shares knowledge with residents, families, co-workers and the community both formally and informally.
- Seeks certification in the field of expertise.
- Maintains a clean and neat appearance, adheres to department dress code and wears name badge visibly.
- Washes hands before and after patient contact.
- Ensures patient information is kept confidential in accordance with HIPAA guidelines.
- Maintains resident privacy; i.e., knocks before entering, closes curtain or door during procedure.

EXCELLENCE

- Serves as a role model for co-workers and holds self and others accountable for actions.
- Seek to use knowledge, expertise and innovation to continuously improve the work environment and processes.
- Identifies opportunities to improve efficiency, eliminate waste, reduce costs and improve work processes.

- Stays current on latest technology, trends, best practices and industry standards and applies appropriately.
- Incorporates best practice models into everyday work to ensure quality outcomes.
- Initiates and supports change that ensures Bivins Foundations continued success.
- Works collaboratively across service lines and departments to ensure smooth interactions and maximization of outcomes.
- Maintains a safe and clean work environment and reports deficiencies appropriately.
- Ensures resident safety by acting in accordance with regulatory standards.
- Assists in keeping the organization in compliance with all regulatory standards; (i.e., OSHA, HIPAA, EEOC, TDADS, etc.)

BALANCE

- Approaches decision making from a broad, comprehensive perspective.
- Takes initiative to become exposed to different ideas, values and thoughts.
- Ensures all perspectives are valued.
- Understands and incorporates organization, departmental and professional goals and objectives into daily actions and decisions.
- Uses resources appropriately including time management skills.
- Learns and understands the financial operations of the department and the budgetary impact of personal actions and decisions.
- Acts as an advocate for work – life balance.

EXPECTATIONS

What you can expect from BIVINS:

- You can expect to be treated with dignity, respect and understanding.
- You can expect your relationship with BIVINS to be based on treating all people fairly, consistently and equitably.
- You can expect BIVINS to hire the most capable people and take all appropriate steps to train them to be effective in their jobs.
- You can expect an environment that lends itself to having fun.

What BIVINS expects of you as an employee:

- You are expected to abide by the established policies and practices of your assigned community.
- You are expected to treat all people in a courteous manner.
- You are expected to be at work on time and work your full scheduled working hours.
- You are expected to act in a professional manner that places resident care above all else.
- You are expected to learn the specific requirements of your job and work with your fellow employees as an enthusiastic team member.
- You are expected to have fun at work.

Description of the Bivins Foundations

About Mary E. Bivins and Lee Bivins

Mary Elizabeth Gilbert was born on February 12, 1861 in old Lebanon, Collin County, Texas. She was educated at Mary Nash College in Sherman, Texas and later married her childhood sweetheart, Lee Bivins, on August 18, 1882. Lee and Mary had four children, two boys and two girls.

Lee and Mary moved their family to the Texas Panhandle in 1890. With an interest in cattle-raising since he was a boy, Lee acquired his first Panhandle ranch a few years before the family moved, calling it the Mulberry Pasture of South Claude. It was there that the Bivins made their home.

By the time the family left Claude and settled in Amarillo (close to the turn of the century), Lee Bivins was one of the largest cattle operators in the world, owning over 1,000,000 acres of land and often running over 60,000 head of cattle at a time.

Lee and Mary became involved in a wide range of civic and philanthropic activities in Amarillo. Lee Bivins served as a city commissioner for eight years, and was elected mayor in 1925. He held that office until his death on January 17, 1929. Mary Bivins was a dedicated philanthropist, giving to a wide range of public charities and providing numerous private gifts to needy individuals.

In 1949, with the determination of leaving the world a better place than she found it, Mrs. Bivins established the Mary E. Bivins Foundation. The mission of the Mary E. Bivins Foundation at that time was to build and maintain a home for worthy, aged and needy persons. The Foundation's mission also included aiding and assisting worthy religious undertakings, and worthy charitable organizations that served the elderly.

Before her death in 1951, Mary E. Bivins was able to see the first fruits of her Foundation through the construction of the Elizabeth Jane Bivins Home for the Aged. The home was built and dedicated to fulfill Mrs. Bivins' heartfelt desire to care for her aging friends and other elderly citizens in her community. Located on T-Anchor Boulevard, over 20,000 people attended the dedication ceremony. It was the only facility of its kind in the state of Texas and became the industry standard for quality.

For over 60 years, the Mary E. Bivins Foundation has continued the vision and legacy of this special woman, striving to improve and enrich the quality of life of individuals living in the 26 counties of the Texas Panhandle by meeting their physical, mental, social and spiritual needs.

What began as a family with a pioneering spirit and a desire to help others, grew to become an organization that is dedicated to making life better for all, and is now a legacy of giving that will reach into future generations.

About Betty Bivins Childers

Betty Bivins Childers, as the daughter of Miles and Myda Truscott Bivins and granddaughter of Lee and Mary E. Bivins, was a long time Amarillo civic leader and member of a pioneer family.

She served as vice chairman of the board of the Mary E. Bivins Foundation, named for her grandmother, and as a member of the Amarillo Art Center board of directors. She served as the first chairman of the board of trustees of the Amarillo Art Center Association which was founded in 1966. She was a leading force in the creation of the art center, now known as the Amarillo Museum of Art.

Betty Bivins Childers was an Amarillo High School graduate and was inducted in 1977 into the Sandie Hall of Fame along with former Amarillo Mayor L. Ray Vahue. The selection was based on contributions they made to society after their graduation. She attended Randolph Macon College in Virginia and the University of Texas, where she graduated.

She was actively involved with the Board of City Development, the Junior League of Amarillo, the advisory committee for the West Texas State University School of Nursing and Amarillo Art Alliance.

She also was active in the Texas Art Alliance, the Amarillo Senior Citizens Association, Kappa Alpha Theta and St. Andrew's Episcopal Church, where she was a member.

She served on the Amarillo College Board of Regents; the board of Kids Inc., River Road Independent School District Board, and the Child Welfare Board. She passed away in 1982.

Introduction

We are pleased to welcome you to BIVINS. This handbook is written for you, to inform you of the various policies and procedures that serve as guidelines for our Company and to provide you with a summary of available benefits. It is a convenient and helpful source of information.

As an employee of BIVINS, the importance of your contribution cannot be overstated. Our goal is to provide quality services to the individuals we support. By satisfying their needs, they will continue to do business with us and recommend us to others.

You are an important part of this process because your work directly influences our organization's reputation.

This handbook is intended to be a ready reference to help you learn about our general employment guidelines, answer your questions concerning our policies and benefits, and provide an established reference point for use in determining the need for modifying existing policies and benefits. We realize, however, that it is impossible to cover all exceptions and special cases in a handbook such as this. Areas not covered in this handbook are subject to general policies, practices, and business needs. As our Company grows and situations change, our policies and procedures may also change. We intend to inform you as changes occur.

If you have any questions, your supervisor or the Human Resources Department is the best source of information and interpretation about our Company's policies. They will be glad to answer your questions or direct you to someone who can.

We are glad you are with us, and we welcome you to the Bivins Foundations (BIVINS) family!

Philosophy of Care

The BIVINS philosophy of care is to recognize each elder as a very important individual. Each of the elders are treated as individuals, recognizing their differences as to state of health, how old they feel, how old they actually are in personality, motivation, ambition, dependency, personal security and sometimes even their will to live.

We feel our challenge is to maintain and preserve whatever skills and abilities our elders bring with them, and to draw out and improve hidden resources.

The goal we strive to attain is to assist our elders to help themselves achieve and maintain the highest standards possible in dignity, independence, self-worth and good health.

Your Employment

Equal Employment Opportunity Policy

BIVINS provides equal opportunity in all of our employment practices to all qualified employees and applicants without regard to race, color, religion, gender, national origin, age, disability, marital status, military status, genetic information or any other category protected by federal, state, and local laws. This policy applies to all aspects of the employment relationship, including recruitment, hiring, compensation, promotion, transfer, disciplinary action, layoff, return from layoff, training and social, and recreational programs. All such employment decisions will be made without unlawfully discriminating on any prohibited basis.

Employment At-Will

All BIVINS staff are employed At-Will, which means their employment may be terminated at any time and for any reason, or no reason with or without notice. Employees are also free to quit at any time. Any employment relationship other than at-will must be set out in writing and signed by the BIVINS CEO and Director of Human Resources.

Pre-Employment Drug Screening, Immunization Policy, Medical Exam and Background Checks

BIVINS requires that all applicants that are offered employment submit to a test for intoxicants, a physical examination, and criminal history background checks. Failure or refusal to submit to a drug test for intoxicants, physical exam, or criminal history background check will result in

withdrawal of a conditional offer of employment. No applicant will be asked to take a drug test for intoxicants, physical exam, or criminal history background checks unless an offer of employment has been made. All offers of employment are conditional upon a negative test or negative criminal history background check.

Immunization Policy

As a condition of employment, BIVINS requires all employees to have annual influenza vaccinations or possess an approved exception as stipulated in the *Influenza Vaccination for Bivins Employees* policy and procedure.

As of Sept 1, 2012, all employees will be required to provide documentation of MMR, Varicella and Tdap immunizations or receive the immunizations administered by BIVINS' Occupational Nurse. Blood titers may be obtained to determine immunization status and immunizations provided based on lab results.

If BIVINS medical personnel administer the immunization or Titer testing, BIVINS will pay 50% of the cost associated with titer testing and the immunizations. Cost associated with immunizations and Titer testing may be payroll deducted over four (4) pay periods.

All employees will be screened for Tuberculosis using a two-step process as part of the pre-employment physical assessment and one time annually thereafter. TB screening requires an intra-dermal injection of PPD with follow up in 48 to 72 hours to determine results of the screening. Should an employee miss the 48 to 72 hour deadline, a \$25.00 re-administration fee will be assessed to the employee. Cost associated with TB screening may be payroll deducted over one (1) pay period.

Physical Assessment

All new employees are required to complete health-screening procedures, including a urine drug test, subsequent to the offer of employment but prior to the beginning of employment. Tests and consultations required for assessment are performed at no cost to the employee.

Any offer of employment that an applicant receives from BIVINS is contingent upon, among other things, satisfactory completion of this assessment and a determination by BIVINS and its Employee Health Nurse and/or examining physicians that the applicant is capable of performing the essential functions and responsibilities of the position that has been offered, with or without a reasonable accommodation. If an employee has begun work before all results are received, and those results are unsatisfactory, the employee will be subject to termination, depending on the circumstances.

As a condition of continued employment, employees may also be required to undergo medical examinations, and/or alcohol and drug screenings, at a time specified by BIVINS. (See Drug Free Workplace Policy for more information)

Introductory Period of Employment

The first ninety days (90) of employment are considered an introductory period. It is designed for you to become familiar with BIVINS and to learn the job. It also allows supervisors to evaluate your performance. Your length of service will be calculated from your first day of work; you may be eligible for benefits according to the guidelines set forth in the summary plan description or the benefits section of this handbook. Exempt employees will be paid according to the FLSA and State law for partial day absences.

Orientation

General orientation is presented on your first day of employment or shortly thereafter. All new employees are required to attend the orientation programs within the first 14 days of employment. You are responsible for knowing the location of and for using any protective attire or equipment furnished for you, as well as utilization of Universal Precautions where applicable.

Languages Spoken at Work

Every employee is expected to treat others with respect in all aspects of their working relationships. Employees are prohibited from making offensive remarks or gestures toward fellow employees or visitors to the Company who are not fluent in English. In turn, we urge employees not to use their fluency in another language in any way to humiliate or offend your fellow employees or visitors to our Company.

Categories of Employment

BIVINS *Regular Full-Time Employees* are eligible for all benefits and are regularly scheduled to work a thirty-six hour workweek. Falling below 36 hours for two (2) consecutive pay periods may cause the employee's status to change from full-time to part-time, and therefore, the employee would lose his/her full-time benefits.

Regular Part-Time Employees are employed on a continuing basis, and are regularly scheduled to work less than forty hours per week. Regular part-time employees who work 25 or more hours per week are eligible for some benefits, such as PTO.

Substitute and Temporary Employees are those who receive an assignment, on an hourly or per diem basis, for a specified period of time.

Volunteers are those who elect to provide services to BIVINS without being paid and are formally approved to work as a volunteer by the Administrator or Manager of the facility or housing complex that is coordinated through the Human Resources Department.

Non-exempt Employees are hourly or salaried employees who are covered by the overtime provisions of the Federal Fair Labor Standards Act (FLSA) or applicable stated wage and hour laws. Non-exempt employees are entitled to an overtime premium in accordance with state and federal law.

Exempt Employees are salaried employees whose work duties exempt them from the overtime provisions of the FLSA and any applicable state wage and hour laws.

Work schedules for employees may vary throughout the company. Staffing needs and operational demands may necessitate variations in shifts, starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Employment of Relatives and Friends

BIVINS does not permit relatives or individuals who cohabit with coworkers to work in the same department with or supervise each other, regardless of the category of employment. We believe opportunities for employment or promotion should not be influenced by family relationships; conflict or favoritism based on personal relationships is discouraged.

Please advise the Director of Human Resources if you are related, by marriage or otherwise, to any of your co-workers. If possible, we will arrange a reassignment to ensure compliance with this policy. If a transfer cannot be arranged, termination may result.

Outside Employment -- (Moonlighting)

Outside employment (Moonlighting) is allowed only with prior written approval of the department director and/or the Administrator, Housing or Culinary Center Manager in coordination with the Human Resources Department. Management has the final authority to approve or deny outside employment. Our Company's work requirements, including overtime and emergency conditions, will have precedence over any outside employment obligations of employees.

Employees may engage in outside employment so long as such employment does not interfere with the performance of BIVINS' job responsibilities and schedules. Outside employment cannot represent a conflict of interest with the business or professional endeavors of BIVINS. Before a second job is taken, you must notify the Human Resources Department to avoid a conflict. If BIVINS identifies a problem with outside employment, the employee will be advised and may be required to discontinue that other job or be subject to disciplinary action as BIVINS deems appropriate.

Use of Photographs and Likeness of Employees

Occasionally, employee's photographs, names or likeness may be used in marketing, training, orientation or other company materials. By accepting employment, employees expressly give permission for their photographs or likeness to be used by the Company for all reasonable business pursuits, including, but not limited to, marketing, research, training, orientation, patient development and other business reasons..

Confidential Information and Conflict of Interest

General Confidentiality Obligations

Information that pertains to any BIVINS business organization, including all nonpublic information concerning the Company, its vendors and suppliers, is strictly confidential and must not be given to people who are not employed by BIVINS. Unauthorized release of any Company confidential information will lead to the disciplinary process up to and including termination of your employment.

Please help protect confidential information – which may include, for example, trade secrets, customer lists and company financial information – by taking the following precautionary measures:

- Discuss work matters only with other BIVINS employees who have a specific business reason to know or have access to such information.
- Do not discuss work matters in public places.
- Monitor and supervise visitors to all BIVINS communities to ensure that they do not have access to confidential information.
- Destroy hard copies of documents containing confidential information that is not filed or archived.
- Secure confidential information in desk drawers and cabinets at the end of every business day.

Your cooperation is particularly important because of our obligation to protect the security of our residents and our own confidential information. Use your own sound judgment and good common sense, but if at any time you are uncertain as to whether you can properly divulge information or answer questions, please contact your supervisor, manager, department director, Facility Administrator, Housing or Culinary Center Manager or the Human Resources Department.

Confidentiality

All BIVINS information related to residents and/or their families is strictly confidential and cannot be made public without the express written consent of the appropriate individuals. This includes program logs, progress notes, case records, medical records, assessments, correspondence, photographs or videotapes, and all other information not generally known by or disclosed by BIVINS to the public as in accordance with HIPAA regulations.

Conflict of Interest

Employees must avoid any interest influence or relationship which might conflict or appear to conflict with the best interests of BIVINS. You must avoid any situation in which your loyalty may be divided and promptly disclose any situation where an actual or potential conflict may exist.

Examples of potential conflict situations include:

- Having employment with another company or a financial interest in any business transaction with any BIVINS facility or company;
- Owning or having a significant financial interest in, employment, or other relationship with a BIVINS competitor, customer or supplier; and
- Accepting gifts, entertainment or other benefit of more than a nominal value from a BIVINS competitor, customer or supplier.

Anyone with a conflict of interest must disclose it to management and remove themselves from employment, negotiations, deliberations, or votes involving the conflict.

Licensure and Certification

All allied health personnel who must be licensed or certified must maintain such licensure/certification. It is the responsibility of the Human Resources Department to verify and ensure that all appropriate newly hired personnel have licensure or certified status. Any employee who does not renew a required license/certification or who does not provide proof of such license/certification will be subject to termination. It is each *employee's* responsibility to bring a copy of their renewed license/certification to the Human Resources Department.

Employee Records

An employee's personnel file consists of the employee's employment application, withholding forms, reference checks, emergency information and any performance appraisals, benefits data or other appropriate employment-related documents.

It is the employee's responsibility to notify the Human Resources Department of any changes in name, address, telephone number, marital status, number of dependents, military service status, beneficiaries or person to notify in case of an accident.

You may be dismissed and your employment terminated for misrepresenting any fact on your application or in your information in your personnel file.

Personnel records are considered Company property and are not available for review by employees unless specifically authorized by management.

Personal Information

You must keep information about your personal status current by reporting to the Human Resources Department any change in name, address, telephone number, marital status, number of dependents, or insurance beneficiary. You also need to keep current the name and phone number of a person to contact in case of emergency. Your address, as it is carried on BIVINS records

appears on your earnings statement. If you change your name, you must come in person to the Human Resources Department. Other changes may be handled by mail, e-mail or telephone.

Education & Training

Employee Education and Training

All staff will receive education and training through e-learning and /or classroom learning. All employees will be responsible to complete required e-learning courses assigned to them. Employees will be notified of upcoming in-services through postings and e-mail.

Computers are provided throughout each campus for employees to complete their e-learning, (Silverchair Learning System), throughout each month. Courses must be completed during a scheduled shift and not completed away from work. All employees must have a passing score on the post test to receive credit for the course. Ask your Supervisor or Manager if you have any questions or needs that may arise regarding the required course training.

Occasional classroom training will occur in the Childers Place Training Room, Facility Dining Rooms or other areas. Some training requires mandatory attendance.

Failure to attend or complete mandatory assigned educational topics or classroom training could result in corrective action.

Tuition Assistance

BIVINS encourages professional growth and continuing education. Tuition assistance is available to full-time employees enrolled in sources directly related to their current position and dependent upon budgetary funding each year. To qualify, you must have completed one year of employment at BIVINS with a satisfactory evaluation. Written request, including the course description(s), must be approved in advance by the Director of Human Resources. A grade of “C” or higher must be obtained for you to receive tuition reimbursement, (or “pass” in a pass/fail graded course) in the future.

The program is designed as a loan of fifty percent, (50%), for books and tuition, not to exceed one Thousand dollars, (\$1000), per year. The loan is forgiven by 50% for each subsequent year the employee remains with the Company. The loan will be forgiven after two, (2), years of full-time employment once the degree/certification has been completed. Employees who resign or are discharged for any reason other than position elimination, before satisfying the time commitment, must repay the full amount of the tuition reimbursement. Discharge due to position elimination or layoff will not result in an obligation to reimburse the Company.

Once the request has been approved, the money will be paid prior to the start of the semester directly to the institution once proof of enrollment is received from the employee. A promissory note will be issued at the beginning of each semester after the money has been paid to the institution.

Failure to abide by the contract agreement will result in legal action pursued by the Company.

Scholarships

Mary E. Bivins Foundation E. T. Evans Memorial Scholarship

Scholarship Purpose

The scholarship is established to honor the memory and service of long-time board member, E.T. Evans. One scholarship will be provided to an employee of the Mary E. Bivins Foundation, Lee Bivins Foundation, Betty Bivins Childers Foundation *or* Bivins Villages annually to attend a college or university to pursue an Associate, Bachelor or Master degree.

Scholarship Awards

The scholarship is awarded on an annual basis and is for \$500 per semester or \$1,000 per year to be used for tuition, books and academically related fees. All awards will be issued in the form of a check to the scholarship recipient's college or university.

Application Process

Prospective applicants will be required to apply for the scholarship annually. The application process will begin in January of each year with scholarships awarded no later than the end of May of the same year. Prospective applicants will be required to participate in an interview with an appointed committee.

Please contact Human Resources for further details.

Performance Evaluations

BIVINS will endeavor to formally evaluate each employee in writing upon completion of 90-days of service and annually thereafter. Evaluations will generally be held at the chosen time, but may be conducted more or less frequently, depending upon the business needs of the employer. The evaluation may be conducted by your immediate supervisor. The evaluation shall cover job performance, development plans, and progress toward goals, attendance, and disciplinary actions. The evaluation will be discussed with the employee and the employee will be given an opportunity to discuss the evaluation with the reviewer. Your signature on the evaluation acknowledges that you have read and discussed the evaluation with your supervisor. You must write down any disagreements or clarifications; otherwise, we must assume that you agree fully with the evaluation. Each evaluation shall become part of your personnel file. In addition, your supervisor may give you continuing verbal or written input as to your performance.

If the employee receives a promotion or job transfer, the annual performance review may be completed annually from the time the new assignment began instead of the employee's original employment date.

Administrative Office Hours

The regular hours of BIVINS administrative offices are 8:30 a.m. to 5:00 p.m. Monday through Friday. The regular workday will constitute eight (8) hours. The regular workweek will comprise forty (40) hours. Breaks will be given in accordance with federal/state law.

Working from Home

Employees are permitted to work from home only with prior approval from their supervisor in coordination with the Director of Human Resources. Employees must be accessible via both telephone and e-mail, and leave instructions on how they may be reached. Although BIVINS appreciates the effort of employees willing to work from home during unexpected illness or absence, we prefer the employee take the opportunity to rest and/or attend to the situation so they may return expeditiously.

Attendance and Absenteeism

Policy Statement

Employees are required to report for and work their assigned shifts. Management recognizes that circumstances beyond an employee's control may cause the employee to be absent from all or part of an assigned shift. Unauthorized absences will not be condoned and can result in disciplinary action, up to and including termination. (**Note:** An unauthorized absence is one in which the employee fails to get permission from their supervisor to be absent from work and as determined by the supervisor).

Policy Interpretation and Implementation

1. All employees are expected (and required) to report for work as scheduled and to be at their assigned work areas on time. Poor attendance, reporting late, quitting early, etc., will not be allowed. Employees are expected to be punctual in reporting for work. Repeated or habitual tardiness will be reported to the department manager.
2. It is the responsibility of the employee to notify his/her supervisor when illness or other circumstances prevent the employee from reporting to work.
3. An employee must provide his/her supervisor with at least a four (4) hour advance notice of his/her inability to report for his/her assigned shift. The supervisor will determine if the absence is an excused or unexcused absence.

4. In giving this notice, the employee must provide the reason(s) why he/she will not be able to report to work, as well as when he/she expects to return to duty. Should an employee fail to provide the reason(s) for his/her absence, an unauthorized absence will be recorded in the employee's personnel file. Unauthorized absences may result in disciplinary action.
5. Upon the employee's return to duty, the employee must provide his/her supervisor with a **written** reason for his/her absence. Such document must be signed and dated by the employee and supervisor and filed in the employee's personnel or medical record, depending on the type of document given.
6. Should an employee have an authorized absence for medical reasons during three (3) or more consecutive days, the employee must provide to his/her supervisor a signed and dated physician's statement certifying that the employee is medically and physically able to return to work without restrictions and perform his/her assigned duties. The original copy of this certification must be filed in the employee's medical record. (**Note:** The purpose of this requirement is to determine if the employee can perform the essential functions of his/her job and to identify any reasonable accommodations that may be necessary for the employee to perform the essential functions of his/her job position.)
7. Employees absent for one day without reporting in will be considered as having "voluntarily quit". Failure to notify your supervisor that you will be absent is considered to be an instance of being a No-Call-No-Show (NCNS). **Note:** If the employee can provide an acceptable explanation that is approved and accepted by the supervisor, this rule may not apply. Such explanation may require substantiation and/or verification.
8. Department directors are responsible for maintaining daily absentee reports and submitting such data to the Payroll Coordinator.
9. Policies and procedures governing employment benefits retained by employees during authorized absence for family and medical leave are outlined in the "Leave of Absence - Family and Medical Leave" section of these policies.
10. For the company's policies regarding compensation for authorized leaves of absence, see following individual sections of these policies:
 - a. Funeral/Bereavement Leave;
 - b. Jury/Witness Duty;
 - c. Leaves of Absence - Family and Medical Leave;
 - d. Military Leaves;
 - e. Vacations; and/or PTO
11. Exempt employees will receive their regular rate of pay for any day in which they work a portion thereof regardless of the absence(s) taken during that week with the exceptions of:
 - a. Absences lasting a full day or more for personal reasons (PTO and sick) and
 - b. Leaves of absence for family and medical leave as set forth in the policy entitled "Leaves of Absence - Family and Medical Leave" which is included in this manual.

12. Employees are expected to be at their designated work areas at their starting times and at their prescribed times after meal and break periods. There will be no employee breaks allowed during the following meal times (all staff on the Bivins West Campus may be asked to assist with the residents dining process):
 - a. Bivins Memorial Nursing Home and Childers Place Nursing Home = 8:00 a.m. thru 9:00 a.m.; 12:00 noon thru 1:00 p.m.; and 6:00 p.m. thru 7:00 p.m.
 - b. E.J.B. Culinary Center = 11:30 a.m. thru Noon . . . this time is the designated lunch period for E.J.B. Culinary Center employees.
13. Official tardiness is defined as clocking in fifteen (15) or more minutes past the employee's scheduled starting time. Employees are expected to follow the company's policy of clocking in & out. Employees with habitual tardiness will be referred to the disciplinary process.
14. Non-exempt employees reporting late and/or tardy will be paid only for the time actually worked. (**Note:** Non-exempt employees may not work or clock out late to make up time missed due to tardiness or for being late in reporting for work.)
15. Work attendance records will be used in determining promotions, demotions, job transfers, wage increases, overtime requests, etc.
16. Any violation of this policy may result in disciplinary action.
17. This policy does not create a contract, either expressed or implied. This policy does not alter the employment-at-will status of any employee of this Company.

Attendance Records

Hourly employees are responsible for accurately recording their hours worked by using the UniTime Hand Scan System with the time clock on the Bivins West Campus. All hourly employees are required to "clock-in" and "clock-out" at the beginning and at the end of the shift and at the beginning and at end of the lunch break. Clock-in and clock-out time periods begin and end not later than five (5) minutes before or after the scheduled shift period unless otherwise directed by a supervisor.

If an employee is leaving work earlier than the regularly scheduled time because of personal reasons or illness, he/she should clock-out prior to leaving the premises. Altering, falsifying or tampering with time clocks may result in disciplinary action, up to and including termination.

Meal Periods / Breaks

Although we are not required by law to give rest breaks, you are expected to take a 30-minute meal break on your own time. If, for any reason, you are unable to take your meal break, you must notify your supervisor. Your supervisor will inform you of your mealtime. You should also have the opportunity to take two (2) 15-minute breaks. These breaks may vary from department to department and will be coordinated and at the discretion of the employee's supervisor. In the

unlikely event of an emergency or unusual condition, the supervisor may ask an employee to change or postpone his/her break. BIVINS provides break rooms for all employees to use.

Compensation

We strive to do several things in our basic pay policies:

1. Remain competitive in our pay levels with similar operations in our general area within the economic and financial limits of BIVINS.
2. Maintain equity and fairness in compensation between various positions with the organization.
3. Give due recognition to individual performance.

We believe our compensation packages directly reflect the points listed above and that you have received a very competitive wage. Our compensation program is reviewed periodically to ensure that we continue to measure up to these standards. Compensation and related benefits offered remain at the sole discretion of the Company.

Our ability to maintain fair and equitable compensation packages is directly related to efficiency, productivity and the overall success of the Company.

Transfers and Promotions

BIVINS prefers to promote from within. Notices of available positions are posted in the workplace. This notice is usually posted for five (5) working days and includes the title, job description, requirements and EEO statement. BIVINS will endeavor to interview all qualified candidates from within the organization who apply for posted positions.

When an employee is promoted, the Administrator, Manager or Supervisor shall establish a three (3) month introductory period for the new position. Promotion may involve an assignment of new duties, involving increased responsibilities and a change in salary. A transfer is the assignment of an employee from one position to another of the same level without an increase in salary.

Payroll Information

Pay Period

BIVINS payroll is based on a bi-weekly schedule; there are twenty-six (26) pay periods each year. The pay period covers fourteen (14) days beginning on Tuesday and ending on Monday. Payday is the Thursday following the ending of the pay period for the Mary E. Bivins Foundation and Bivins Villages. Payday is the Friday following the ending of the pay period for Bivins Memorial Nursing Home, Childers Place Nursing Home, and the EJB Culinary Center.

You must have your pay deposited directly to your account with any financial institution. These deposits are made by electronic transfer, and your money is usually available at the beginning of the bank day on Thursday for the Mary E. Bivins Foundation office and Bivins Village employees and on Friday following the end of the pay period for all other employees. Check with your financial institution to see when your deposit is posted and available.

Statement of Earnings will be distributed to each department on Thursdays for employees of the Mary E. Bivins Foundation and Bivins Villages and for all other Bivins facilities on Fridays following the end of the pay period at the workplace after 1:00 pm. Department supervisors are responsible for distributing the Statements of Earning to their employees. Bivins will not issue advances against anticipated future earnings.

Pay Errors

You must immediately report any error in your pay to your supervisor. Overpayments and underpayments will be corrected the following pay period. If there is a payroll error you could not have foreseen by checking the time and attendance display, and the error results in an underpayment of one or more full shifts, a special payroll check will be issued within three (3) accounting work days of the error being reported or as directed by the BIVINS Chief Financial Officer. The error must be reported no later than noon on the Monday following the Statement of Earnings distribution; otherwise, the correction will be made on the following pay period.

Overtime

There may be occasions when it is necessary for you to work overtime. Your cooperation is both expected and appreciated. No overtime will be paid unless the overtime is approved and scheduled by your supervisor. Every effort will be made to provide adequate advance notice when mandatory overtime is required.

Non-exempt employees (i.e., those required by law to be paid overtime), will receive time and one half (1 1/2) their regular rate of pay for those hours worked in excess of forty (40) hours per week. (See also Holiday Policy for exception to this policy.)

Other than emergency situations, non-exempt employees may not work overtime without prior written approval by the supervisor/department head. Doing so may result in disciplinary action, up to and including termination.

Resignation, Termination and Discharge

Return of Company Property

When an employee's employment with Mary E. Bivins Foundation/Lee Bivins Foundation/Betty Bivins Childers Foundation/Bivins Villages terminates, for whatever reason, the employee is required to immediately return all company-owned property used during his/her employment, and all documents, and other materials containing proprietary or confidential information

belonging to the Company. This includes without limitation, keys, credit cards, computers, vehicles, communication devices, identification cards or badges, and any other equipment, materials, or items purchased, leased, owned, or otherwise belonging to the above facilities.

Upon separation, employees must return any originals or duplicates of any written or other tangible items, whether maintained in hard copy, film, or electronic medium, belonging to the Company, its subsidiaries, affiliates, successors, or assigned, including without limitation, correspondence, reports, memoranda, records, data, charts, notes, devices, specifications, drawings, customer lists, and any other item containing trade secret information or confidential information relating to Mary E. Bivins Foundation/Lee Bivins Foundation/Betty Bivins Childers Foundation/Bivins Village products, services, designs, formulas, developmental or experimental work, computer programs, databases, customers/clients, marketing strategies, business plans, financial information, and employee information. The items are property of Mary E. Bivins Foundation/Lee Bivins Foundation/Betty Bivins Childers Foundation/Bivins Villages.

Giving Notice

We ask that exempt employees give four, (4), weeks notice and non-exempt employees give two, (2), weeks notice.

Exit Interview

Exit interviews will be conducted by the Human Resources Department. Upon receiving written notification of an employee's intended termination date, a mutually agreeable time to conduct the interview will be scheduled. In order to receive a disbursement of any amounts due from the Retirement Plan, the employee is required to complete and sign a distribution form and submit it to the Human Resources Department.

Employees may choose the continuation or waiver of comprehensive medical coverage under COBRA. Specific information is available in the Human Resources Department. Employees may also continue supplemental insurance by making arrangements with the provider of these policies.

Final Paycheck

Employee's final paycheck will be mailed during the next normal pay period. If there are unpaid obligations to the Company, the final paycheck will reflect the appropriate deductions. If you are terminated for cause, your final paycheck will be mailed and/or direct deposited into your financial account within six (6) working days of your termination date.

Reference Checks

All inquiries regarding a current or former employee of BIVINS must be referred to the Human Resources Department. Under no circumstances should any employee release any information about any current or former employee over the phone. In response to an outside request for

information regarding a current or former employee, the Human Resources Department will furnish or verify only an employee's name, dates of employment, job title, and department.

Benefits Information

Health, Dental, Vision, Prescription and Life Insurance

After successful completion of the first three (3) months of employment, full-time non-exempt employees may become eligible for health, dental, vision, prescription, and life insurance. Exempt employees are eligible for health, dental, vision, prescription and life insurance on their first day of employment or the first of the month following the date of hire depending on the benefit plan. BIVINS full-time employees may receive Life and Accidental Death and Dismemberment insurance coverage in the amount specified by BIVINS. Additional voluntary insurance may be available for full-time employees through payroll deduction.

Any PRN employee who works an average of 36 hours per week during their first 90 days of employment and they become a regular, fulltime employee, the 90 day waiting period for benefit eligibility will be waived.

Pinecone Perks Program



“While the world changes its seasons, the evergreen remains fresh and green. And while people move through the seasons of their lives, the Bivins Foundations remain at the forefront, committed to caring for older adults. For this reason, you’ll find the pinecone presented as a symbol for the heritage of the Bivins Foundations”.

This program is designed with the intent to enhance “our” culture and provide full-time employees with perks of employment related to the Lee Bivins Foundation, Betty Bivins Childers Foundation, Bivins Village, and Mary E. Bivins Foundation. As a member of the BIVINS team, we understand that each of you is unique and independent of one another. Celebrating this, this program is designed to provide you with maximum flexibility in how you utilize the perks extended to you. As a member of the team, you are in complete control of your “Pine Cone Perks”.

The Basics

Upon you becoming a member of our team, and during the time you spend with us, you will have opportunities to collect points in a variety of ways. Pinecone perk points will be extended for length of tenure, employee recognition programs and various awards. Managers will have promotional points that can be awarded to you for job specific successes. For instance, referring

a friend to work with the organization, a family complimenting your job performance, and doing tasks outside of your routine job duties are just a few examples of how to earn points (managers will determine amounts in these circumstances in accordance with their peers).

These points will be credited to a pinecone perk card that every employee will be assigned upon joining the team. The card will serve three functions for you. First, it will serve as your name badge and should be displayed appropriately at all times. Second, the card will double as your “Pinecone Perk” card. Lastly, this card will allow you access into different areas of our communities.

At any time during your employment, you can use the points you have acquired to utilize any of our services such as the Employee Bistro, Java Garden, Java Junction, or Serenity Salon. In addition, should you choose to use perks outside of the BIVINS services, we will (in the near future) offer many different ways you can use your points to get gift cards for popular restaurants and retailers.

Program Rules

These perks are to be used while you are an active employee. There is NO CASHOUT option available.

- All points stay with the company upon resignation or termination. No points will be liquidated in any format due to separation of employment.
- With the exception of internal point usage, all other exchange of points for gift cards will be coordinated through the Human Resources Department.
- An employee cannot extend their points to another employee. Everyone’s points are their own.
- All perk points remain active as long as you are an “active employee.”
- Any disciplinary action will freeze all “Pinecone Perk” points for a period of 30 days. The department manager has the discretion of freezing perk points for an additional 30 days after the initial period.
- Managerial promotional points will be approved through a committee of their peers.
- Lost or misplaced pinecone perk cards will be \$30 to replace (at the expense of the employee).

Point Exchange (will be available in the future)

- Internal merchandise or BIVINS Venues is 1 point = \$0.25
- Outside vendor exchange or gift card purchase is 1 point = \$0.125. Exchanges for gift cards must be made in increments of 80 points or \$20.00.
- Maximum per month exchange for outside service vendors is 3200 points per month.

TENURE DISTRIBUTION

- New Hire = 60 Pinecone Perk Points
- 1 year = 400 Pinecone Perk Points
- 5 years = 2,000 Pinecone Perk Points
- 10 years = 4,000 Pinecone Perk Points
- 15 years = 6,000 Pinecone Perk Points
- 20 years = 8,000 Pinecone Perk Points
- 25 years = 10,000 Pinecone Perk Points

Voluntary Insurance Products

BIVINS has several voluntary insurance products (such as cancer, accident, hospitalization, etc.) that are available to employees at their own expense. If you have any questions about these products, please contact the Human Resources Department.

Social Security Benefits

BIVINS follows the guidelines of the U.S. Social Security Administration.

401 K Retirement Plan

BIVINS offers employee participation in a 401K retirement plan. This allows pre-tax savings up to the maximum amount determined annually by the IRS. (Employees must complete the 90-day Introductory Period prior to enrollment. An employee may begin pre-tax payroll deductions the month following an enrollment period.)

Pension Plan

At this time, BIVINS places six (6) percent of exempt and non-exempt employee's annual base salary into the pension plan. The Executive Management Staff (as defined by the Chief Executive Officer) receive nine (9) percent of their annual base salary into the pension plan. The first three (3) is placed into a "safe harbor" pension plan (which the employee will be 100 percent vested) immediately after 90-days of employment and an enrollment period. Additionally, BIVINS places the remaining three (3) percent (for exempt and non-exempt) and six (6) percent of the Executive Management Staff (as defined by the CEO) of an employee's annual base salary. An employee must work 1,000 hours and be employed on the last day of the year to receive the contribution. This part of the pension plan is based on the following vesting schedule:

Years of Service	Vested Percentage (%) of matching contributions
0-1 years	0%
2 years	20%
3 years	40%
4 years	60%
5 years	80%
6 years	100%

There are certain applicable IRS restrictions. Pension Plan documentation will be supplied to all employees once eligibility to participate in the plan has been determined.

HIPAA Portability Rights

If you should terminate your health plan coverage, you may need to provide evidence of your prior coverage in order to enroll in another group health plan, to reduce a waiting period in another group health plan, or to get certain types of individual coverage. This policy describes certain protections available to you under the Health Insurance Portability and Accountability Act (HIPAA) when changing your health insurance coverage. If you should have any questions regarding your HIPAA portability rights, please contact the Human Resources Department.

Employees who are interested in any additional information about these benefits should contact the Human Resources Department.

COBRA

The right to continuation coverage for group health plan benefits was created by a federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to you when you would otherwise lose your group health coverage. It can also become available to other members of your family who are covered under the group health plan when they would otherwise lose their group health coverage. For additional information about your rights and obligations under the group plan and under federal law, you should review the plan's Summary Plan Description (SPD) or contact the Human Resources Department.

Employee Dining

Lunch is available on the West Campus (for Bivins Memorial Nursing Home, Childers Place Nursing Home, and the EJB Culinary Center) to all employees during the workweek (Monday thru Friday).

Time Off Information

Holidays

Six (6) paid holidays shall be granted each year to full-time employees. There is a 90-day waiting period before full-time employees will be compensated for holidays. BIVINS will pay eligible employees for the following holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day. After you have completed one full year of continuous full-time employment, you will receive one (1) "floating" holiday. You may elect the floating holiday as your own personal holiday, providing you arrange for this day off with pay by consulting your supervisor well in advance.

Non-exempt/hourly, full-time employees required to work holidays will be paid an additional 8 hours of regular time. (This double time pay will be treated as an overtime premium for purposes of applicable wage and hour laws). Unexcused absences on a holiday or the scheduled duty day before or after the holiday will result in loss of pay for that holiday and/or termination of employment.

Holiday staff scheduling is at the discretion of supervisors. The month of December is an extremely busy time of year, therefore PTO days will only be approved at the discretion of the supervisors between December 1 and December 25.

Paid Time Off (PTO)

Paid Time Off (PTO) is provided for the purpose of rest, relaxation and a planned interruption from the workplace or to attend to personal affairs. PTO is to be taken within the year accrued in order to receive the personal replenishment value intended. Supervisors and staff have the responsibility to plan schedules that meet operating requirements of departments and the time off needs of staff. In order to balance and meet service and staffing requirements, staff members and supervisors should plan time off schedules well in advance.

BIVINS time off plan combines the traditional time off benefits of vacation time, personal time and sick time into a single category called PTO. A PTO benefit is available to the Executive Management Staff (as designated by the President of the Bivins Foundations); all full-time exempt employees starting on the first day of employment; and all new, full time non-exempt employees. Non-exempt employees will accrue 32 hours of PTO after 90 days of employment and an additional 32 hours for each 90 days worked thereafter during their first year of employment. A PTO benefit is available to part-time employees working a minimum of **25** hours per week beginning after one-year of employment on the anniversary date of employment.

Executive Management Staff will accrue PTO hours as follows:

- 152 hours of PTO will be granted on the 1st day of employment.
- 152 hours of PTO will accrue after one year of employment.
- 176 hours of PTO will accrue after two through four years of employment.
- 200 hours of PTO will accrue after five through nine years of employment.
- 232 hours of PTO will accrue after ten years of employment on the anniversary date of employment.

Exempt employees of BIVINS will accrue PTO hours as follows:

- 128 hours of PTO will be granted on the 1st day of employment.
- 128 hours of PTO will accrue after one through four years of employment.
- 168 hours of PTO will accrue after five through nine years of employment.
- 208 hours of PTO will accrue after ten years of employment on the anniversary date of employment.

Non-Exempt employees of the Foundation will accrue PTO hours as follows:

- 32 hours of PTO will accrue after 90 days of employment and an additional 32 hours for each 90 days worked thereafter during the first year of employment.
- 128 hours of PTO will accrue after two through four years of employment.
- 168 hours of PTO will accrue after five through nine years of employment.
- 208 hours of PTO will accrue after ten years of employment on the anniversary date of employment.

Part-time employees that work for more than 1250 hours in each year will accrue 40 hours of PTO time each year after their first year of employment. Part-time employees must use all PTO hours accrued before their next anniversary date. Part-time employees cannot carry over PTO hours from one anniversary year into the next anniversary year.

Executive Management Staff and full-time employees may carry over a maximum of 32 hours of unused PTO time into the following anniversary year. The 32 hours of carried over PTO time must be used within the first 90 days of the new anniversary year or the hours will be forfeited.

All full-time employees that are eligible for PTO are required to take a minimum of two (2) weeks off per year. All part-time employees that are eligible for PTO must use their 40 hours of PTO time each year. All unused PTO hours that exceed 80-hours will convert to sick leave, at the end of each employees benefit year (anniversary date), with the exception of the maximum PTO carryover days already in place, as stated above. The sick leave balance is available for employees to use for extended illness situations, after they have exhausted their PTO benefit each year according to current approved policies.

Requests for PTO must be approved by your supervisor. You must give written notice to your immediate supervisor at least two weeks prior to the dates you intend to use PTO. PTO is not formally granted until you receive signed approval from your supervisor. All requests will be considered in the order they are received and supervisors will attempt to grant an employee the dates requested based on departmental needs. Due to scheduling demands, clinical staff should make requests 30 days in advance when possible.

All leave pay, including but not limited to PTO, Holiday, Compassion Leave, Jury Duty, and Floating Holiday, will be paid at the employee's base or regular pay rate. Floating Holiday time cannot be carried over from year to year and employees cannot receive any cash reimbursement for a Floating Holiday that is not used.

PTO will be paid out upon resignation according to the following schedule when employees voluntarily resign and give proper notice. ***Exempt employees must give four (4) weeks notice and non-exempt employees must give two (2) weeks notice. Please note that employees may not use PTO time after a resignation has been submitted.*** If employees do not give the proper notice, or if they are terminated for misconduct for any reason, they cannot receive any cash payment for their unused PTO hours.

- An employee's length of service at the anniversary year beginning from date of hire through four (4) years of employment cannot receive any cash payment for unused PTO hours after turning in their resignation in accordance with the above criteria.

- An employee’s length of service at the anniversary year beginning from five (5) years through nine (9) years of employment may receive a cash payment of 50% of their unused PTO hours after turning in their resignation in accordance with the above criteria.
- An employee’s length of service at the anniversary year beginning from ten (10) years through fourteen (14) years can receive a cash payment of 75% of their unused PTO hours after turning in their resignation in accordance with the above criteria.
- An employee’s length of service at the anniversary year beginning from 15 years or more service can receive a cash payment of 100% of their unused PTO hours after turning in their resignation in accordance with the above criteria.

Donation of PTO Time

You may wish to donate some of your PTO time to another employee (with the approval of the Director of Human Resources and your supervisor) when that employee has experienced an extended personal emergency or family illness and has no available sick or PTO time. You must have been employed on a full-time basis for one year in order to donate unused PTO time. You must specify, on a PTO donation form, the employee to whom the time is being donated and the amount (in hours) being donated. Donor time will be converted to the receiving employee’s PTO time at the receiving employee’s hourly rate of pay anonymously.

Sick Leave Bank

Employees may have a carryover bank of sick time. This time can be used only in the event of the employee’s own extended medical illness. Employees are required to submit medical documentation to their supervisors at the beginning of the sick leave period. Payments will be made for unused sick days or sick leave bank time upon cessation of employment according to the following schedule.

Length of Service at Anniversary Year Beginning	Paid Time per Anniversary Year
0 to 9 years	0% unused sick time
10 years to 13 years	25% unused sick time
14 years to 17 years	50% unused sick time
18 years and over	75% unused sick time

Family and Medical Leave Act (FMLA)

Basic Leave Entitlement

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

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee’s child after birth, or placement for adoption or foster care;

- To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee’s job.

Military Family Leave Entitlements

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

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

Benefits and Protections

During FMLA leave, the employer must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Employees are responsible for paying their portion on all insurance premiums that are maintained by BIVNS. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

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

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles the primary location of the employer.

Definition of Serious Health Condition

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

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

Use of Leave

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

Paid Leave for FMLA Leave

BIVINS requires employees to use all accrued leave, (PTO, Sick Leave, etc.), when taking FMLA Leave.

Employee Responsibilities

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

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

BIVINS Responsibilities

The Bivins Foundation is considered a covered employer. BIVINS must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, BIVINS must provide a reason for the ineligibility.

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

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

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

Enforcement

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

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

FMLA section 109 (20 USC section 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. section 825.300(a) may require additional disclosures.

For additional information: 1-866-4USWAGE (1-866-487-9243) TTY: 1-877-889-5627
www.dol.gov/whd U.S. Department of Labor/Employment Standards Administration/Wage and Hour Division.

Other Leave Programs

Compassionate Leave

Upon request to the Administrator or Manager, full-time employees may be granted up to a maximum of three (3) days with pay for a maximum of 24-hours of pay, in the event of death of an immediate family member. Part-time employees will be granted compassionate leave at the discretion of their immediate supervisor and as approved by the Administrator or designee. BIVINS reserves the right to request documentation to validate the reason for the employee's absence.

Immediate family is defined as spouse, parent, parent of current spouse, child, sibling, sibling of spouse, brother-in-law, sister-in-law, step-parent, step-parent of current spouse, step-child, step-siblings, grandparents, grandchild, and grandparent of a current spouse, aunt, or uncle of the employee. Compassionate leave shall not accrue from year to year.

Personal Leave of Absence

Personal leave of absence without pay, for reasons other than family or medical leave, may be granted with the approval of the Administrator or Manager to be coordinated by the Director of

Human Resources. Leaves of absence will not be granted for more than ninety (90) days. An extension of another ninety (90) days can be considered by the department director or Administrator or Manager. PTO must be used during such a leave. During the leave, employees may continue benefits at their own expense under COBRA. Seniority will not accrue during the employee's absence. An employee is not considered to be on leave unless written approval is granted by the immediate supervisor, appropriate Administrator, appropriate Manager and the Director of Human Resources.

Jury Duty or Compliance with a Valid Subpoena

All employees called upon to serve jury duty will receive a leave of absence. Full-time employees called to perform jury duty or required by valid subpoena to appear will be granted fifteen (15) days of paid leave per year. This leave requires official verification of the duty and immediate notice to the supervisor. Nonexempt employees may use PTO to cover days off due to jury service continuing over 15 days. Exempt employees will receive their full salary for any workweek interrupted by jury duty. Upon receipt of a jury summons, the employee must submit a copy to their supervisor and the Human Resources Department. BIVINS will comply with all applicable state laws regarding compensation to employees for jury duty.

The employee is expected to report to work whenever the jury schedule permits. If called and not selected, the employee should report to work if four (4) or more hours of the employee's shift remains.

Time Off From Work in Connection With Court Cases

We recognize that an employee might be subpoenaed or otherwise required to serve as a witness in a court case or arbitration. If you are called to serve as a witness, notify your manager as soon as possible.

Unless otherwise required by state or local law, you will not be paid for the time you are away from work participating in a court case or arbitration, but may use available PTO days to cover the time off.

Employees will not be disciplined or terminated solely for their absence while appearing in response to a subpoena.

Military Leave

YOUR RIGHTS UNDER USERRA -- (THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT)

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

Re-Employment Rights

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- You ensure that your employer received advance written or verbal notice of your service;
- You have five years or less of cumulative service in the uniformed services while with that particular employer;
- Your return to work or apply for employment in a timely manner after conclusion of service; and
- You have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

Right to be Free from Discrimination and Retaliation

If you:

- Are a past or present member of the uniformed service;
- Have applied for membership in the uniformed service; or
- Are obligated to serve in the uniformed service;

then an employer may not deny you:

- Initial employment;
- Reemployment;
- Retention in employment;
- Promotion; or
- Any benefit of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

Health Insurance Protection

- If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally

without any waiting periods of exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

Enforcement

- The U.S. Department of Labor, Veterans Employment and Training Service (VETS) are authorized to investigate and resolve complaints of USERRA violations.
- For assistance in filling a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at <http://www.dol.gov/vets>. An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/elaws/userra.htm>.
- If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice for representation.
- You may also bypass the VETS process and bring a civil action against an employer for violation of USERRA.

The rights listed here may vary depending on the circumstances.

If you are an employee and enter the military service of the United States, you are eligible for an unpaid military leave of absence.

During your absence, your length of service accumulates and, within guidelines determined under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and State laws, employees will be reinstated and will receive the current rate of pay at that time for your position and other seniority-based benefits that may have accrued during your absence. Benefit continuation will be provided in accordance with applicable law and our benefit plan documents.

If you are required to attend Reserve or National Guard duty or serve in the U.S. Armed Forces, you can apply for an unpaid military leave of absence. This time off will not affect your Paid Time Off allowance, unless you elect to use that time to supplement your military pay. All Paid Time Off balances will be reset on the employee's anniversary date in accordance with the Paid Time Off policy.

Please give your supervisor as much advance notice as possible so that we can arrange for proper coverage during your absence. Immediately upon receiving notice that you will be called upon to serve in the Reserves, Armed Forces or National Guard, you should present your duty orders to your Administrator, Manager or designee.

Policy Prohibiting Harassment and Discrimination

BIVINS strives to maintain an environment free from discrimination and harassment, where employees treat each other with respect, dignity and courtesy.

This policy applies to all phases of employment, including but not limited to recruiting, testing, hiring, promoting, demoting, transferring, laying off, terminating, paying, granting benefits and training.

Prohibited Behavior

BIVINS does not and will not tolerate any type of discrimination or harassment of our employees, applicants for employment, or our customers. Discriminatory conduct or conduct characterized as harassment as defined below is prohibited.

The term harassment includes, but is not limited to, slurs, jokes, and other verbal or physical conduct relating to a person's gender (including pregnancy), race, color, religion, national origin, age, disability, military status, genetic information, refusal to submit to genetic test, or any other protected category under federal, state, or local law, that unreasonably interferes with a person's work performance or creates an intimidating, hostile work environment.

Sexually harassing behavior in particular includes unwelcome conduct such as: sexual advances, requests for sexual favors, offensive touching, or other verbal or physical conduct of a sexual nature. Such conduct may constitute sexual harassment when it:

- Is made as an explicit or implicit condition of employment;
- Is used as the basis for employment decisions;
- Unreasonably interferes with an individual's work performance; or
- Creates an intimidating, hostile or offensive working environment.

The type of conduct covered by this policy includes demands or subtle pressure for sexual favors accompanied by a promise of favorable job treatment or a threat concerning employment.

Specifically, it includes sexual behavior such as:

- Repeated sexual flirtations, advances or propositions;
- Continued and repeated verbal abuse of a sexual nature, sexually related comments and joking, graphic or degrading comments about an employee's appearance or displaying sexually suggestive objects or pictures including cartoons and vulgar e-mail messages; and
- Any uninvited physical contact or touching, such as patting, pinching or repeated brushing against another's body.

Such conduct may constitute sexual harassment regardless of whether the conduct is between members of management, between management and staff employees, between staff employees, or directed at employees by nonemployees conducting business with the Company, regardless of gender.

Harassment by Nonemployees

BIVINS will also endeavor to protect employees to the extent possible, from reported harassment by nonemployees in the workplace, including customers, clients and suppliers.

Complaint Procedure and Investigation

Employees, who experience or witness sexual or other unlawful harassment or discrimination in the workplace, must report it immediately to their supervisor. If the supervisor is unavailable, or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Director of Human Resources. If the Director of Human Resources is unavailable or the employee believes it may be inappropriate to contact the Director of Human Resources, the employee should immediately contact the Human Resources Specialist, the Human Resources Assistant or the Occupational Health Nurse.

BIVINS will conduct a prompt investigation as confidentially as possible under the circumstances. Employees who raise concerns and make reports in good faith can do so without fear of reprisal; at the same time, employees have an obligation to cooperate with BIVINS in enforcing this policy and investigating and remedying complaints.

Anyone found to have engaged in such wrongful behavior will be subject to appropriate discipline, which may include termination of employment. Also, any employee who makes a false accusation of harassment of any kind will be subject to appropriate discipline, which may include termination of employment.

Retaliation

Any employee who files a complaint of harassment or other discrimination in good faith will not be adversely affected in terms and conditions of employment and will not be retaliated against or discharged because of the complaint. However, employees who make false complaints that are not in good faith will be subject to appropriate discipline, which may include termination.

In addition, we will not tolerate retaliation against any employee who, in good faith, cooperates in the investigation of a complaint. Anyone who engages in such retaliatory behavior will be subject to appropriate discipline, up to and including termination.

What To Do If You Feel This Policy Has Been Violated:

In the event that any sort of sexual, ethnic, racial, religious, or other harassment or similarly abusive verbal or physical conduct interferes with any individual's work performance or creates an intimidating, hostile, or offensive work environment, you must immediately contact either your Supervisor or the Director of Human Resources. Charges of harassment or discrimination will be promptly and thoroughly investigated and a report will be made to you concerning the results of the investigation.

Remedial Relief: If it is determined that discrimination or harassment has occurred, appropriate relief for the employee bringing the complaint and appropriate disciplinary action against the

harasser, up to and including discharge, will follow. A non-employee who subjects an employee to harassment in the workplace will be informed of our policy and appropriate action will be taken. In all cases, we will make follow-up inquiries to ensure that the harassment has not resumed.

Reporting: Please do not assume that BIVINS is aware of your problem. We encourage all employees to report any concerns or questions about our prohibition against harassment and discrimination. If the request is not acted upon quickly or you need an immediate response, please contact the Director of Human Resources.

Americans with Disabilities Act

It is BIVINS policy that we will not discriminate against qualified individuals with disabilities with regard to any aspect of their employment. BIVINS is committed to complying with the ADA Amendments Act of 2008, the Americans with Disabilities Act of 1990 and its related Section 504 of the Rehabilitation Act of 1973, as applicable. BIVINS recognizes that some individuals with disabilities may require accommodations at work. If you are currently disabled or become disabled during your employment, you should contact your manager to discuss reasonable accommodations that may enable you to perform the essential functions of your job. We are not required to provide an accommodation that could cause the business an undue hardship as defined by law.

The Americans with Disabilities Act defines “disability” as: (1) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (2) a record of such impairment; or (3) being regarded as having such impairment. “Major life activities” include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

In accordance with the Americans with Disabilities Act, employees with AIDS will be treated like any other ill employee. If the individual is fit to work, he or she will be provided with work in accordance with normal procedures. Usually, no special precautions in the workplace are indicated. However, employees with AIDS may request reasonable accommodation by contacting the company’s medical officer or the Human Resources Department. We are committed to safeguarding the health of all employees and maintaining productivity.

Communicable Diseases

Company decisions involving persons who have communicable diseases will be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighting of the identified risks and the available alternatives for responding to an employee with a communicable disease.

Communicable diseases include, but are not limited to, measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS - related complex (ARC), leprosy, Severe Acute Respiratory Syndrome

(SARS) and tuberculosis. The Company may choose to broaden this definition within its best interest and in accordance with information received through the Centers for Disease Control and Prevention (CDC).

The Company will not discriminate against any job applicant or employee based on the individual having a communicable disease. Applicants and employees will not be denied access to the workplace solely on the grounds that they have a communicable disease. The Company reserves the right to exclude a person with a communicable disease from the workplace facilities, programs and functions if the organization finds that, based on a medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace.

The Company will comply with all applicable status and regulations that protect the privacy of a person who has a communicable disease. Every effort will be made to ensure procedurally sufficient safeguards to maintain the person confidence of employees with communicable diseases.

Zero Tolerance of Discrimination/Harassment

All employees are expected to conduct themselves in the workplace in a manner that is professional, respectful, and consistent with this policy.

It is the policy of BIVINS that all employees will have an environment free from any type of discrimination or harassment. We are committed to providing equal employment opportunities to all employees and applicants for employment. Insulting or unprofessional comments or conduct, especially those demeaning an employee's age, ethnic background, race, sex, religious, or other protected characteristics do not belong in the workplace and will not be tolerated.

Workplace Violence

Introduction

All forms of violence and threats of violence are strictly prohibited in the workplace, and to that end the Bivins Foundations. BIVINS has by this Workplace Violence Policy adopted a zero tolerance for such conduct. Employees who violate this policy will be subject to immediate termination from employment.

Zero Tolerance for Workplace Violence

To ensure a workplace safe and free of violence for all employees, the Company prohibits the possession or use of weapons anywhere on company property, including company-owned or leased buildings and surrounding areas such as walkways, driveways and parking lots. Unless otherwise permitted by federal, state or local law, employees are prohibited from bringing or otherwise carrying firearms inside company buildings, structures, or other area or structures where employees, staff, management, customers or other members of the public gather as a result of company business, events or activities. This policy also applies to all company-owned

or leased vehicles and all vehicles that come onto company property. To enforce this policy and protect our employees' safety, we reserve the right to search all company-owned or leased vehicles and all vehicles, packages, containers, purses, briefcases, backpacks, lockers, desks or persons entering or located on Company property. Any violation of this policy, including refusal to promptly permit a search under this policy, will result in prompt disciplinary action, up to and including termination.

Compliance with All BIVINS Policies

To assure orderly operations and provide a safe and productive work environment, BIVINS expects its employees to comply with all rules of conduct contained in BIVINS policies, handbooks and procedure manuals as condition of continued employment. This Policy is a supplement to all other policies. In the event of an apparent conflict between this Policy and other policies and BIVINS procedures, this Policy will be used in all cases of workplace violence. Security personnel are required to comply with this Policy except that their possession and use of authorized weapons (if any) will be addressed by separate police rules, standards and procedures.

Specific Conduct

Threatening employees, customers, visitors, members of the public or vendors, or engaging in threatening or violent behavior on our premises or at our sponsored events is a serious matter. Employees engaging in such activities will be subject to appropriate corrective action up to and including immediate termination of employment, and perhaps legal action from the victim(s) of their conduct. Although it is not possible to list all the forms of behavior that are considered a violation of this Policy, the following are examples of infractions:

- Possession, distribution, sale, transfer, or use of any weapon while on BIVINS premises or attending a Company sponsored function;
- Verbal or physical assaults directed at any person while on BIVINS premises or attending a Company sponsored function;
- Communicating by word or gesture threats of violence, retaliation or harassment against any person or property while on BIVINS premises or attending an Organization sponsored function;
- Engaging in any potentially disruptive or harmful activity in the workplace;
- Engaging in insubordination, disrespectful or unprofessional conduct;
- Committing acts of sexual or other unlawful harassment;
- Using belligerent speech, excessive arguing, or sabotage of BIVINS or customer property;
- Bringing weapons or firearms (including hunting rifles) of any kind on company premises, in company parking lots, in personal or company vehicles, or while conducting Organization business; and/or
- Using any object in a threatening or weapon-like manner.
- Possession, distribution, sale, transfer, or use of dangerous or unauthorized materials, such as explosives or harmful chemicals, while on BIVINS premises or attending an organization sponsored function;
- Failing to report any known or suspected violation of this Policy.

Threats of Violence by Outside Third Parties:

Unfortunately, sometimes non-employees may try to bring their personal disputes into our workplace. To protect your safety and the safety of your co-workers, please immediately report to your supervisor, member of BIVINS management, or Human Resources any personal situations that may bring violence to our workplace. By being forewarned we can take appropriate measures to try to protect you and/or your co-workers. Employees who report potential workplace violence from a domestic or personal dispute do not need to fear corrective action or retaliation.

Workplace Bullying

BIVINS is committed to providing our employees with a healthy and safe work environment that is free from bullying.

Bullying is repeated unreasonable behavior directed toward an employee, or group of employees, that creates a risk to health and safety. Examples of bullying include:

- Verbal abuse and yelling.
- Humiliating someone through sarcasm, criticism or insults.
- Constant criticism.
- Exclusion of a person from workplace activities.
- Giving someone the majority of unpleasant tasks.

The Company expects all employees to behave in a professional manner and to treat each other with dignity and respect.

What to Do If You Are Threatened, or Are a Victim of Workplace Violence:

Physical or verbal acts of violence, threats, harassment, intimidation, and other disruptive behavior in our workplace will not be tolerated. All reports of incidents will be taken seriously and will be dealt with appropriately.

If you are threatened, or the victim of a violent act in the workplace, or if you observe behavior that is violent or potentially violent (as described above), you are **required** to immediately report it to your supervisor, any other member of management, or Human Resources. This includes threats or violent acts by coworkers, customers, visitors, members of the public or others who have come onto our premises or are attending our sponsored functions.

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. We will maintain confidentiality when possible (*i.e.*, release information only to those with a business need-to-know). We will not tolerate retaliation against any employee who reports workplace violence. However, employees who make false complaints that are not in good faith will be subject to appropriate discipline, which may include termination.

Dress Code

Policy Statement

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image BIVINS presents to elders and visitors.

Policy Interpretation and General Guidelines

1. Cleanliness, personal hygiene, and appearance are important first impressions! They are also important in health related organizations. In keeping with the mission of the Bivins Foundation, an employee's personal appearance is considered to be an important part of his/her overall effectiveness. Employees are expected to be neat, clean, and well groomed at all times.
2. Employees should bathe daily. Body odors are offensive to the residents and co-workers. Supervisors experiencing such problems should discuss these matters privately with the employee. Continued problems may result in disciplinary actions.
3. An employee's hair should be kept clean and arranged neatly so as not to interfere with the employee's assigned duties. Depending on job assignment or work area, an employee with long hair may be required to wear a hair net, or pull it up off their shoulders.
4. Buttons, insignia, excessive jewelry, slogans and other such items which might be considered unsafe and could be offensive in nature to elders, visitors or other employees are not permitted to be worn, as determined by your supervisor.
5. Body piercing jewelry, for males or females, including but not limited to, nose, tongue, lips, eyebrows, and torso are prohibited. Pierced ears are acceptable (no more that two piercings per ear). If hoops are worn, they must be no more that one inch in diameter.
6. Visible tattoos and similar body art must be covered while at work.
7. Perfume, cologne, and other personal products with a fragrance should be avoided altogether, as some elders and co-workers may be sensitive to strong fragrances.
8. False fingernails are not to be worn by care partners due to infection control issues and the nurse practice act provisions. If fingernails are painted, a clear coat should be used.
9. Men should keep facial hair clean, combed and neatly trimmed.
10. Women's makeup should not be offensive in nature. Hairstyles can be contemporary, but not distracting or juvenile.
11. Employees will not be permitted to work when they are improperly dressed. Should an employee report to work improperly dressed or groomed, his/her Supervisor must instruct

the employee to return home to change. Employees being sent home to change will not be compensated for the time they are away from work.

12. Employees violating our dress code may be subject to disciplinary action, up to and including termination.

Note: At the Bivins West Campus, the Leadership Team has the discretion and reserves the right to change, modify, add, delete, or edit any of the specifics of this policy.

Care Partner Required Dress

1. All care partners are required to wear an approved shirt or blouse with appropriate logo insignia of respective entity. (See list of approved shirts or blouses and colors by entity)
2. All care partners are required to wear khaki material pants or better (navy, khaki, brown, gray or black). The pants may have pockets on the side for additional storage. In an effort to transition from a medical model of care to a hospitality model of care, no scrub material or jeans will be acceptable.
3. In the appropriate season, women may wear Capri pants (defined as six inches or more below the knee). No shorts will be acceptable.
4. Shoes should be comfortable and safe, non-skid soles, approved by BIVINS, (see Human Resources Department for approved list). No open-toed shoes are acceptable.
5. All care partners should not wear company logo clothing in public after normal working hours unless approval is obtained from their supervisor to attend an outside authorized function.

Guidelines for Care Partners working in an office setting for any BIVINS entity

1. Any female care partner may wear dresses and skirts appropriate for business wear as long as they are accompanied by a jacket or sweater that has the logo insignia on it and compliment approved color scheme for respective entities. Dress slacks with approved logo insignia blouses are acceptable as opposed to pants.
2. Casual styles, including jeans, faded, acid washed or stone washed denim skirts, T-Shirts and tennis shoes are not permitted. Short skirts, mini-skirts, short pants are not acceptable at any time.
3. Bare shoulder or narrow shoulder dresses must be accompanied by jackets or vests.
4. In the appropriate season, women may wear Capri pants (defined as six inches or more below the knee). No shorts will be acceptable.
5. False fingernails are acceptable, but must be solid color and kept well manicured.

6. Short, scanty attire of any sort, low-cut revealing blouses/dresses, sweat suits or mini skirts may not be worn under any circumstances.
7. Any male care partner is expected to be in an approved logo insignia shirt with a collar and khaki material slacks or better.
6. Shoes should be comfortable and safe, non-skid soles, approved by BIVINS (see Human Resources Department for approved list). No open-toed shoes are acceptable.

Guidelines for Fridays

1. Jeans will be allowed on Fridays under the following conditions:
 - Jeans must be in good condition; no holes, fraying or cut off bottoms
 - Must fit properly; not too baggy, not too tight, no hip huggers or low riders
 - **You must wear a CULTURE CLUB logoed top; (Shirt, Blouse, Sweater, etc.). No tee-shirts or sweat shirts.**

All other regular dress code guidelines will apply and footwear must meet our regular daily requirements. Please see pages 40 – 43 of your handbook for our dress code and footwear policies.

You can order your Culture Club shirts/tops through Lands End. When ordering CULTURE CLUB apparel, make sure your order specifies the CULTURE CLUB logo and you circle the company for which you work.

Approved *Lands End* colors for Bivins Memorial and Rehab

Colors Available: White, True Navy, True Blue, Light Sea Blue, Dark Cobalt Blue

Approved *Lands End* colors for Childers Place

Colors Available: White, Desert Khaki, Spice Brown, Pale Emerald, Aegean Green, Autumn Orange

Approved *Lands End* colors for Serenity Spa and Cuttin' Crossroads

Colors Available: Burgundy, Desert Khaki, Hyacinth, White

Approved *Lands End* colors for Mary E. Bivins Foundation

Colors Available: White, True Navy, True Blue, Light Sea Blue, Dark Cobalt Blue

Approved *Lands End* Colors for Elizabeth Jane Bivins Culinary Center

Colors Available: Yellow, Charcoal Heather, Classic Red, Gray Heather, White

Approved *Lands End* Colors for the “Culture Club”

Colors Available: Red, Pink, Black, Orange, Purple, Yellow, Burgundy

Proper Footwear or Shoe Requirements for all Employees

Policy Statement

All employees shall receive information concerning the authorized shoes or footwear that all staff members are required to wear while on duty with the Bivins Foundations. Failure to wear the proper authorized shoes while working on any Foundation property, in vehicles, or grounds may subject the employee to disciplinary action. Failure to wear the authorized footwear or shoes while at work may cause the employee's entitlement to continuing benefits under the Lee Bivins Foundation's "Occupational Injury Employee Benefit Plan", which compensates an employee for lost time, medical expenses, and loss of life or dismemberment from an injury arising out of or in the course of work, to be denied. Additionally, it is important to remember that employees must report any accident or injury immediately to their supervisor, the Occupational Health Nurse or the Director of Human Resources so that first aid, emergency medical treatment, and paperwork can be completed. Employees must make accident reports of a personal injury before leaving the facility and before his or her work shift is completed.

Policy Interpretation and Implementation

1. All employees will be required to attend New Employee Orientation (NEO). During NEO, employees will receive information and training on the Proper footwear or shoes that will be authorized before starting to work at the Lee Bivins Foundation.
2. The Bivins Foundations' focus is on preventing injuries resulting from falls, slips, and tripping while on duty. The Foundation has authorized the following footwear or shoes that employees working on the Bivins West Campus may wear while on duty:

Note: Shoes or footwear (i.e., boots, slip-on covers, clogs, etc.) must be slip-resistant.

Some shoes and/or footwear under the following brand names may not be slip-resistant. If the product (shoe or footwear) is not slip-resistant, they are not authorized for employees to wear while on duty. The following is the current list of approved slip-resistant shoes or footwear that has been approved:

- a. Any slip-resistant shoe or footwear sold by the "Shoes for Crews" company. "CrewGuard" slip-on shoe covers from "Shoes for Crews" are available at Central Supply for employees to wear while at work at no cost to employees (however, the slip-on shoe covers must be left at work.
- b. Any slip-resistant shoe or footwear under the brand name "Tred-Safe".
- c. Any slip-resistant shoe or footwear under the brand name "Deer Stags".
- d. Any slip-resistant shoe or footwear under the brand name "K-Swiss".
- e. Any slip-resistant shoe or footwear under the brand name "Clogs USA".
- f. Any slip-resistant shoe or footwear under the brand name "Worx by Red Wing Shoes".
- g. Any slip-resistant shoe or footwear under the brand name "Wolverine Durashocks".
- h. Any slip-resistant shoe or footwear under the brand name "Sketchers".
- i. Any slip-resistant shoe or footwear under the brand name "Nurse Mates".
- j. Any slip-resistant shoe or footwear under the brand name "SPIRA Classic".
- k. Any slip-resistant shoe or footwear under the brand name "ECCO".

- l. Any slip-resistant shoe or footwear under the brand name “Lands End Clogs”.
 - m. Any slip-resistant shoe or footwear under the brand name “Dickies”.
 - n. Any slip-resistant shoe or footwear under the brand name “Rocky Boots”.
 - o. Any slip-resistant shoe or footwear under the brand name “ARIAT Boots”.
 - p. Any slip-resistant shoe or footwear under the brand name “CAT” Boots”.
 - q. Directors, Managers, Supervisors, and administrative/clerical staff that work in a non-clinical or office environment on the Bivins West & East Campus may use “Safe Step” sole pads that can be placed on the bottom of shoes sold under the brand name of Shoe Gear. All other departments and staff are required to wear appropriate slip resistant shoes or footwear as designated above at all times. All administrative staff including, nursing department managers that are required to work the floor instead of a non-clinical or office environment must wear appropriate slip-resistant shoes or footwear as designated above.
3. Employees may not wear any footwear or shoes that are not listed in item 2 above while working at any Bivins Foundation facility on the west or east campus.
 4. The only additions and/or changes to the above approved list of footwear or shoes must be approved in writing by the Director of Human Resources.

Use of Vehicles

Private Vehicles

Employees who utilize their own vehicles in performance of their job duties (excluding travel to and from work) will be reimbursed at a rate determined periodically by the Chief Financial Officer for BIVINS. These employees must maintain a log of work-related miles to be submitted monthly to the facility business office on an expense voucher. Employees who utilize their own vehicles in performance of their job duties must maintain adequate automobile insurance and are directed to notify their insurance providers that the vehicle is used for business purposes. Auto insurance (including collision coverage) is not provided by BIVINS for employee vehicles used in the performance of work duties. BIVINS is not responsible for damages to your vehicle.

Bivins Foundation Vehicles

All vehicles owned and/or operated by BIVINS are to be used only for official business of the BIVINS business and never for personal and/or unauthorized purposes. Any employee who uses a BIVINS vehicle for personal and/or unauthorized purposes is subject to immediate termination of employment. Employees who drive BIVINS vehicles must be insurable by BIVINS’ insurance company.

Employees are expected to drive safely, to use defensive driving techniques, and to obey all speed limits and parking ordinances. The employee/driver is responsible for any and all moving violations, parking tickets, towing charges and any other expenses that are incurred as a result of the employee/driver’s actions. BIVINS will not pay for any costs incurred due to unlawful driving or parking of BIVINS vehicles.

BIVINS requires all employees to wear their seatbelts while driving on company business. BIVINS also requires all employees to pull off the road when using a cell phone unless utilizing a “hands free” device in a lawful, safe and careful manner. Failure to follow these requirements can result in disciplinary action up to and including termination.

Working Offsite / Different Site

Employees shall advise supervisors of scheduled off site hours. BIVINS support staff shall be provided with off site contact phone numbers and projected schedules. Employees working off site shall routinely call into the regular work site for messages and to advise support staff of their location and schedule. Employees working at a secondary site must advise supervisors when being at the different site if it is outside their regularly scheduled time to be away from the primary site.

Materials and Supplies

All equipment, office furniture and supplies necessary for job performance are provided by BIVINS. If you need additional supplies, please contact your supervisor. Requests for the purchase of materials or equipment shall be submitted on appropriate BIVINS forms and shall be submitted for supervisory approval prior to submission to the Administrator, Bivins Village Manager or EJB Culinary Center Manager or designee for final authorization.

Letterhead stationery is to be used for all official BIVINS mail and can be used only by authorized staff. The BIVINS letterhead cannot be distributed to individuals or outside organizations, or used for personal communications.

Equipment or materials belonging to BIVINS shall not be removed from BIVINS property without the approval and written consent of the Administrator, Bivins Village Manager or EJB Culinary Center Manager, and with a signed property agreement form. Upon termination of employment, all equipment, office furniture, supplies and without limitation, documents, files, records, manuals, information stored on a personal computer or on a computer disc must be returned to BIVINS.

In an effort to safeguard the property of our employees, clients and all property belonging to the Company, BIVINS reserves the right to inspect property owned and/or supplied by the Company. Company-supplied property (including but not limited to offices, desks, file cabinets, computers and software, company vehicles, lockers and other storage facilities) are Company property and are subject to inspection by managers at any time, with or without notice. Therefore, employees should have no reasonable expectation of privacy in property owned and/or supplied by the Company. Employees may be permitted to store personal items in facilities. However, the Company is not responsible for loss, damage or theft of employees' personal belongings, so employees should exercise discretion in storing any personal items on Company property.

Communication, E-Mail, Internet, Telephone and Use of Electronics

We communicate important information to employees via our email system and Touchtown TV. Check your company email on a daily basis and watch for important announcements on the Touchtown TV monitors.

E-Mail / Internet

E-mail, Internet, telephone, and other electronic communication systems are provided by BIVINS to assist in the conduct of business within the company, and are not to be used for personal gain or pursuits. All electronic communications and stored information transmitted, received, or archived in the Company's information system are the property of the Company. The Company reserves the right to access, monitor, copy, use, and disclose all messages sent via email. Even when a message is erased, it is still possible to retrieve and read that message. All computer pass codes must be provided to supervisors. No pass code may be used that is unknown to the Company. Employees should not attempt to gain access to another employee's messages without the latter's permission. **Utilization of our electronic communication systems constitutes consent for monitoring, reviewing, or otherwise intercepting any communication.**

The e-mail/Internet system is not to be used to create and/or send any offensive or disruptive messages. Among those which are considered offensive are: any messages which contain sexual implications, racial slurs, gender-specific comments or any other comment that offensively addresses someone's age, sexual orientation, religious beliefs, national origin, disability, or any other characteristic protected by applicable federal, state, or local law. Doing so will result in disciplinary action, up to and including termination

The e-mail/Internet system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information or similar materials without prior authorization.

Notwithstanding BIVINS' right to retrieve and read any electronic mail messages, such messages should be treated as confidential by other associates and accessed only by the intended recipient. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them. Any exception to this policy must receive prior approval.

Employees are reminded that they should not use personal social networking sites, weblogs and personal websites during normal business hours. Additionally, employees are not to disclose or discuss any Company business related matters on such web sites when using these sites on their own personal time away from work, be aware that some readers may view you as a Company representative or spokesperson.

Any employee who discovers a violation of this policy shall immediately notify the Human Resources Department.

Social Media

In order to comply with HIPAA regulations and privacy rights, BIVINS strives to protect the privacy of patients/residents, families, employees, physicians and all BIVINS contacts. This policy provides guidance regarding employees' responsibilities pertaining to the posting of work-related information on social networking websites, such as Facebook, Twitter, YouTube, personal blogs and all other online media.

Social networking is widespread, and we recognize that employees may participate on a regular basis. BIVINS strives to instruct its employees to use discretion and avoid posting anything on the internet that could be damaging to BIVINS, the facilities, employees, customers, partners and affiliates, and others (including competitors). All company-related posts, photos and videos, must have prior written approval from management prior to posting.

It is the policy of BIVINS to prohibit posting information regarding co-workers, management, patients/residents, families, physicians, vendors, competitors and referral sources:

- Accessing Social Network: Personal blogging or logging onto any social network are not business-related activities and are strictly prohibited during work hours.
- Blogs hosted by employees, or blogs in which employees participate are considered a public space. All postings by employees must be professional, in good taste and respectful to BIVINS, the facilities, employees, customers, partners, referral sources, competitors, physicians and affiliates.
- BIVINS recognizes the individual's rights to actively participate in social networking activities. BIVINS reserves the right to protect itself from slander, defamation, privacy violations, unfavorable comments and embarrassment. Employees are considered to be representatives of the facility's reputation in all circumstances. Personal postings depicting employees in sexual, illegal, drug induced or alcohol induced activities may damage the good faith patients/residents and families place in the professionalism of staff in the facility. Such postings may result in immediate discipline, up to and including suspension or termination.
- Facility-sponsored blogging must be authorized in writing by supervisors, the administrator or the director of marketing, prior to posting.
- Posting any BIVINS-related or facility-related photographs or videos is strictly prohibited without prior written approval of supervisors, administration or the director of marketing, as appropriate.
- Disclosing information about or photographs of patients, residents or their families is strictly prohibited. Photos of patients/residents, family members, co-workers, physicians, vendors, managers or competitors without identification are strictly prohibited. This applies to deceased patients/residents - and to posts on secure areas of social media profiles, accounts or blogs.

Social Media Policy and Guidelines

Today, virtually every employee of BIVINS has some form of technology account and the capacity to access and surf the Internet.

Large companies, including BIVINS, strive to have a beneficial relationship with Facebook and other Social Media websites.

Progressive organizations recognize that encouraging employees to use Facebook and other Social Media tools can have much greater benefit than drawback.

BIVINS supports the use of Social Media to establish the organization at the fore front of the “online environment”.

Following are some simple guidelines to keep in mind when using Blogs, Social Media sites and any other form of digital communication with the public. These guidelines are based on existing policies located within the employee handbook.

BIVINS requires employees to read, understand, and adhere to policies on the use of Blogs, email communications, Social Media sites and other uses of technology that convey messages to the public. Here are the highlights in broad terms:

Don't Betray our Patients'/Residents' Trust & Don't Get Arrested

Disclosing confidential patient Protected Health Information, (PHI), in an inappropriate manner is a federal offense. The penalties include significant fines and/or arrest. BIVINS employees should never publicly make comments about the care of a specific patient, especially online. *Even acknowledging the care of a patient is an unacceptable disclosure of PHI.*

Don't Get Fired

Your employment at BIVINS is based upon the premise that your value is at least equivalent to your salary. *If you use Social Media (or any other medium) to harm the reputation of BIVINS in any way, then your value to the organization has diminished greatly; regardless of your job performance. This is not to say that everything you say in the public domain about your employer has to be flattering.* Please remember there is a significant difference between occasional constructive criticism and statements that are harmful to the organization's reputation.

- DON'T post work-related information that may compromise BIVINS business practices or patient privacy and security.
- DON'T engage in any form of harassment, including derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes, sexual preference, or health condition.
- DON'T violate copyrighted or trademarked information.

Don't Cheat Your Employer

It has been BIVINS policy to only block web sites that are clearly inconsistent with our values. We do not consider Facebook or other Social Media as such sites. However, many find Social Media sites addictive in nature. While BIVINS policy does not ban access to Social Media sites at work, employees should not be checking their Facebook updates when they are supposed to be doing their job.

Don't Think Your Facebook Posts are Private

Even though there are privacy controls on sites such as Facebook and other Social Media sites, you should assume that anything posted on a website that has not been examined by the IT department will be seen by the general public, as well as your employer.

Remember:

- “Friends” can copy your posts and make them available in public
- “Friends” can take screenshots and post your content even if you deleted the original content
- Friends” might have connections to patients’ families, which could easily connect YOU to the unlawful posting of content that jeopardizes your employment and could, in addition, be admitted as evidence if you are charged with violating HIPAA statutes.
- It is easy for your privacy settings to be set to something other than what you had planned. BIVINS is not responsible for employees having improper security settings on an employee’s public or private media account that causes employees to knowingly or unknowingly be engaging in the public broadcasting of information that violates our policies and those of HIPAA. You are responsible for your accounts.
- **General Rule of thumb for posting: *If you don't want the entire world to see it, don't post it!***

Don't Jeopardize Your Reputation and/or Future Employment Opportunities

You should consider that everything you post online begins to build a lifetime record of you. Increasingly, employers will search this online history using Google or web sites like pipl.com: <http://tinyurl.com/nfcgbg>.

Don't Alienate Your Co-workers

Remember, you have to work with these people. Use common sense. Remember what your mother told you about gossip. Furthermore, remember that BIVINS policy contains strict language regarding employee gossiping activities.

BIVINS loves the Internet

At BIVINS we believe in the power of the Internet and Social Media sites. We encourage our employees to appropriately use and participate in Social Media activities.

We need a Tech Savvy Workforce

The skills you develop using the Internet and Social Media improve the IT skills that we need BIVINS employees to possess to compete in the future.

In the near future, BIVINS’ best advertising will come from employee’s sharing with their communities how we are living the promise every day. A well written Facebook

post about a new service or the care that we provide to our residents/patients will have far greater effect than a paid TV commercial. While that post may not have the same reach, the fact that it is coming from a person that is trusted in their community will mean the message has more weight. People listen to people. Corporate voices are discounted to a large degree, no matter how glossy the pictures are well-written the copy.

The Best Advertising Used to be Word-of-Mouth
– Now it is –
Word-of- the-Keyboard

We are encouraging employees to talk about work online. But in a responsible, legal manner avoiding the pitfalls we have outlined above. We hope employees will write about positive experiences you have working with your co-workers. We hope employees will write about thank-you notes they receive from appreciative residents/patients. We are hoping employees educate their communities about the services we provide that can benefit their family and friends.

Share Your Knowledge

Everyone that works at BIVINS has knowledge, talent, and special skills. BIVINS employees are encouraged to share this information on Social Media sites. There is a halo effect to doing so. If you share information with someone they will remember you and your organization when it comes time to get those services. People at BIVINS are doing that today. Many are using Social Media sites to share their knowledge, talents, and skills with others. This reflects positively on them and on BIVINS.

These individuals are routinely contacted by others, including the media, through the Social Media tools they used based on the contributions they have made. As they are cited by the media as experts in their fields, that has a positive reflection on BIVINS. If you are contacted by the media as a result of your Social Media activities, you are REQUIRED (as stated in the Employee Handbook) to contact the Marketing Director. Marketing not only wants to track these experiences, they can also assist in providing you guidance in responding in knowledgeable and articulate manner, as well as shielding you from unwittingly violating HIPAA.

Before the creation of Social Media, companies could restrict and restrain the communication(s) that its company set forth to the public. Public Relations workers often assisted with this task, helping give a company's messages to the local media--Newspapers, radio stations, TV stations. With Social Media, we have all been made into personal broadcast outlets. How we conduct ourselves in these efforts is ultimately a reflection of not only ourselves, but also of our employers. Companies are now looking at potential employees' social media accounts to get a sense of "who" they are hiring (or NOT hiring). With great powers, comes great responsibility. Before you post, think through the outcomes of your post.

Personal Telephone Calls

BIVINS telephones are for business use. BIVINS requires employees to turn off personal cell phones during working hours and set beepers to vibrate. In some instances, cell phones are necessary to conduct daily business and maintain business operations and will be allowed for that purpose. BIVINS Reasonable use of BIVINS phones for local personal calls, during break times, is permitted. Long distance personal calls are permitted only in emergency circumstances. Employees must reimburse BIVINS for personal long distance calls made on company phones. Incoming personal phone calls should be brief and infrequent. Every effort should be made to take care of personal matters on break and only those of an emergency nature should be taken care of while on duty.

Personal Mail

Employees must have personal mail delivered to their home addresses. Personal use of the BIVINS postage meters may result in immediate termination.

Telephone Service Monitoring

BIVINS reserves the right to monitor employee phone calls made on Company phone lines (including Company provided cell phones) in order to ensure that employees are using the phone system for its intended purposes. Employees may not use Company telephone systems for personal correspondence, or other personal activities, such as soliciting for commercial ventures, political or religious causes or other outside organizations. BIVINS has the right to listen in on calls, and even record phone calls in compliance with the Electronic Communications Privacy Act. Phone calls may be monitored for the purposes of training and /or quality control, or if reasonable suspicion exists of violation of Company rules. Employees do not need to be informed in advance as to when phone calls may be monitored. Only authorized personnel will be allowed to monitor phone calls. Once the supervisor has established that an employee is discussing private matters, the supervisor will immediately discontinue monitoring. Employees found violating our telephone policy, are subject to any form of disciplinary action that the Company feels necessary.

Prohibited Use of Personal Cell Phone

Unless otherwise authorized, a Company cell phone may be used only for business purposes. In addition, employees should use a Company-provided cell phone only when a less costly alternative does not exist. Employees must fully reimburse the Company for any personal use of a Company-provided cell phone. Violation of this policy may subject an employee to disciplinary action, up to and including termination of employment.

Use of Cell Phone While Driving

This policy applies to (1) the operation of Company-provided vehicles at any time; and (2) the operation of private vehicles while an employee is on work time or conducting business for the Company.

The use of a cell phone while driving may present a hazard to the driver, other employees and the general public. Employees must adhere to all federal, state or local rules and regulations regarding the use of cell phones while driving. Accordingly, employees must not use cell phones while driving as such conduct is prohibited by law, regulation or other ordinance.

Employees' use of instant messaging should be limited to work-related matters. Employees should not use instant message system to "visit" with colleagues about non-work related subjects.

When using instant messaging, employees are to follow company security procedures.

Employees should not use instant messaging to transmit confidential, proprietary, or trade secret information or personal information.

Instant messages are not to be used as a substitute for oral communication with nearby co-workers or telephone calls to key vendors or customers. Generally, verbal communications are preferred when practical.

Recording Devices / Camera Phones

In an effort to secure employee privacy, trade secrets and other business information of the Mary E. Bivins Foundation/Lee Bivins Foundation/Betty Bivins Childers Foundation/Bivins Village, prohibits employee use of recording devices such as cameras, camera phones, tape recorders or any other recording device which may pose a threat to employee and Company privacy.

This policy is applicable to all employees and their visitors while on Company premises. Employees are responsible for making their visitors aware of this policy and that all recording devices should be left in their vehicles.

Prohibited Use of Personal Communications Devices

The use of personal communication devices shall be limited in the workplace to alleviate distractions and the disruption of regular work routines. Personal communication devices are defined as, but not limited to, cellular or two-way and audible pagers. Personal communication devices are prohibited from use during work hours and in work areas, unless the Company has provided or authorized the use of such devices to the employee for business use only. Any employee carrying a non-company issued cell phone or pager with an audible alarm or ring must ensure the sound is turned off during work hours and in work areas. Employees must not take, return or receive calls on personally-owned communication devices during work hours or in work areas.

Limited and temporary exceptions to this policy permitting the use of personally-owned communications devices for ongoing personal emergency situations (such as the imminent birth of a child) can be made only with the prior and continued approval of the employee's supervisor. In the case of an accident involving a family member or other urgent personal emergency where the employee's supervisor cannot be immediately contacted for permission, reasonable and appropriate use of a personal communication device is permitted.

Violations of this policy may be grounds for discipline, up to and including termination of employment.

Communication with the Media

All contact with the media regarding BIVIINS, is the responsibility of the Administrator, Bivins Village Manager or EJB Culinary Center Manager or designee. If contacted by the media, employees must immediately notify their supervisor. Release of information forms must be utilized for all resident related media contact. No photographs or film of residents are to be taken for public purposes without the express written consent of the individual and/or guardian.

Expenses Vouchers

Receipts for all expenses must be included with expense vouchers.

As a nonprofit organization, BIVINS is exempt from most state sales taxes. Appropriate forms are available from supervisors and shall be utilized.

All travel on behalf of BIVINS must be approved by the Administrators, Bivins Village Manager or EJB Culinary Center Manager or department directors prior to any travel expenses being paid. Travel expense vouchers department director must state the purpose for travel, points of origin, destination, total mileage, less the normal commute.

Transportation costs for approved plane, train, bus, and taxi business travel will be reimbursed by BIVINS. The most economical and appropriate commercial rates available shall be accessed.

Expense vouchers shall be submitted to supervisors on a monthly basis for payment processing.

Employee signatures on expense vouchers verify that the expenses submitted are legitimate costs for the BIVINS operations. Submission of incorrect, false, or misleading vouchers will result in disciplinary action, up to and including termination.

HIPAA Privacy and Security Compliance

It is the intent of BIVINS to safeguard and protect the privacy and security of its applicants and employees' "protected health information" as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Neglect, Exploitation and Abuse

Neglect, exploitation, and/or abuse of a resident in any form, including the use of improper behavior management for persons receiving services from BIVINS will not be tolerated and is

grounds for immediate dismissal. In accordance with the Texas Nursing Home Licensure law, any employee who has cause to believe that a resident's physical or mental welfare has been or may be adversely affected by abuse or neglect caused by another person or persons are required to immediately report to the Abuse Coordinator for your facility. There will be no retaliation against an employee who files a complaint or who assists in the investigation of such a complaint.

Solicitation and Distribution

We believe that employees should not be harassed, disturbed, or disrupted in the performance of their job duties. For this reason, solicitation of any kind by an employee of another employee is prohibited while either person is on work time. Similarly, the distribution of advertising material, handbills, printed or written literature of any kind in working areas of BIVINS is prohibited at all times. Employees may solicit products or petitions to other employees during break times with the Administrator's permission.

To avoid harassment by strangers, solicitation of any kind by non-employees is prohibited at all times. The distribution of literature by non-employees on BIVINS premises also is prohibited at all times.

Substance Abuse Policy

You are expected and required to report to work on time and in appropriate mental and physical condition for work. Therefore, you are forbidden to report to work under the influence of alcohol or drugs, whether prescription, over-the-counter or illegal drugs. It is BIVINS intent and obligation to provide a drug-free, healthful, safe and secure work environment.

The use, possession, sale, or transfer of illegal drugs on BIVINS property, in BIVINS property, in BIVINS vehicles, or while engaged in BIVINS activities are strictly forbidden.

The use, possession, sale, or transfer of any prescription drug that has not been properly prescribed to you while on BIVINS property, in BIVINS vehicles, or while engaged in BIVINS activities is also strictly forbidden. If you are using any medication, which may impede safe work performance, you must notify the Director of Human Resources prior to starting work to avoid the substantial risk of significant harm to others; failure to make such notification may result in the disciplinary process, up to and including termination of your employment.

The Company will conduct drug testing under one or another of the following circumstances:

- **RANDOM TESTING:** Employees may be selected at random for drug testing at any interval determined by the Company.
- **FOR CAUSE TESTING:** The Company may ask an employee to submit to a drug test at any time it feels that the employee may be under the influence of drugs or alcohol, including but not limited to the following circumstances; evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity,

unusual conduct on the employees part that suggests impairment or influence of drugs or alcohol, negative performance patterns, or excessive and unexplained absenteeism or tardiness.

- **POST-ACCIDENT TESTING:** Any employee involved in an on-the-job accident or injury under any circumstances will be asked to submit to a drug and/or alcohol test.

An employee that tests positive may request a second test within twenty-four (24) hours at his/her own expense. Test results are kept confidential; but, may be provided to the employee upon written request.

Non-Compliance with Testing Requirements

Employees who refuse to sign the *Drug and Alcohol Testing Authorization* form or who refuses to be tested will be terminated. Employees who refuse medical treatment will not be excused from the testing requirement and will be terminated for doing so. Employees who tamper with samples or otherwise interfere with the actual testing procedure will be terminated.

Disciplinary Action for Positive Test Results

When an employee either voluntarily admits that he/she has a problem related to dependency on drugs or alcohol or when use of illegal drugs or alcohol is detected by testing:

1st Offense: either termination or the employee may be required to complete a company approved rehabilitation program

2nd Offense: May result in immediate termination

If an employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of this policy, the employee may be subject to appropriate disciplinary action, up to and possibly including discharge from employment. In such a case, the employee will be given the opportunity to explain the circumstances prior to any final employment action becoming effective.

Rehabilitation Requirements

Drug abuse and alcoholism are recognized diseases for which there is treatment and rehabilitation. Employees, who suspect they may have a drug or alcohol problem, even in its early stages, are encouraged to seek diagnosis, and to follow through with the treatment prescribed by qualified professionals.

Any employee seeking such treatment will receive the same careful consideration and offer of treatment that is presently extended to all employees receiving other medical care, under existing benefit plans. The same benefits and insurance coverage that are provided for all other diseases under established benefit plans will be available to employees who accept medically approved treatment for drug and alcohol abuse.

Employees participating in a rehabilitation program are assured that neither job security nor promotional opportunities will be jeopardized, as long as the employee continues to meet existing job performance requirements, complies with established work rules, and follows prescribed medical treatment.

General Work Rules and Regulations

No conduct which is immoral, unethical, disruptive, unprofessional, or illegal will be tolerated. Violations of any BIVINS work rules will lead to disciplinary action, which, based on the circumstances of the individual case, could result in corrective action, up to and including termination of employment.

The following are examples of ZERO Tolerance actions and unacceptable conduct. These lists are not all-inclusive and are not meant to limit BIVINS' rights in any way, including the mutual right to terminate employment at will.

The following is a list of actions that will have a Zero Tolerance level within BIVINS, which may result in immediate termination of employment:

- Any occurrence of being a No-Call-No-Show for any scheduled work assignment (i.e. any employee who failed to come to work or call his or her supervisor to report that they can't report to work).
- Any employee that has been convicted of a felony crime after they are hired.
- Any abuse, neglect, or exploitation of the residents supported by BIVINS. Failure of any employee to report incidents of abuse, neglect, or exploitation of residents or failure to follow current Foundation policies concerning abuse, neglect or exploitation.
- Not following the Foundations "No-Lift" Policy.
- Any acts of work place violence (e.g. fighting, hitting, shoving, loud verbal arguments between employees, or threats of any of the actions listed in this item, etc).
- Falsification or alteration of records.
- Making a false accusation of harassment of any kind, work place violence, work place bullying, and/or false reporting of violations of any Company policy.
- Lying and/or misrepresenting the truth in any situation.
- Theft or attempted theft of property belonging to BIVINS, fellow employees, residents, volunteers or visitors.
- Being under the influence of intoxicants.
- Possession, use, transfer, distribution, or sale of intoxicants or drugs (on our property or elsewhere if on business for BIVINS).
- Destruction or damage to BIVINS, co-worker, or resident property, tools, equipment, or supplies.
- Carrying weapons of any kind at any time on BIVINS property or while on any BIVINS business at any time is prohibited.
- Unauthorized disclosure of confidential information regarding BIVINS or resident information.
- Gambling on BIVINS property.

- Discriminatory or harassing conduct of any kind as defined by the Civil Rights Act.

The following is a list of unacceptable behaviors that may result in the disciplinary process up-to-and-including termination of employment:

- Not following the Foundation's Dress Code Policy.
- Not wearing the appropriate slip resistance shoes as required by Lee Bivins Foundation and Betty Bivins Childers Foundation Policy.
- Violation of established safety and fire regulations, including our smoking policy.
- Excessive tardiness or absenteeism; unauthorized absence from work area during scheduled time for work.
- Poor job performance.
- Any conduct in violation of a rule, or policy or actions not in the best interest of BIVINS, its employees, or residents.
- Causing strife amongst employees, supervisors, or residents of BIVINS.
- Gossip.
- Belittlement.
- Undermining authority.
- Negative attitude.
- Threatening behavior.
- Insubordination will not be permitted by employees – including acts such as failure to follow instructions, inappropriate comments, poor attitude, rolling of eyes, sighs, slamming of doors, moans, groans, or muttering.

BIVINS may consider an employee's job performance, prior violation of our work rules, and other relevant circumstances in determining whether to counsel, warn, suspend, or discharge an employee. It is up to the employee's supervisor and the BIVINS administration to decide whether corrective action, up to and including dismissal, is appropriate. If you believe that an adverse personnel action is unfair, you can ask to have it reviewed through our Complaint Resolution Procedure.

Policy Interpretation and Implementation

1. It is not the intent of this Company to punish employees. However, to assure that our mission of providing continuous care is not misinterpreted we may find it necessary to counsel employees through the corrective action and disciplinary procedures process. It is the intent of this process to correct deficient performances and secure compliance with our working policies.
2. Prompt and courteous attention to the needs of our elders is mandated following the established position description for each employee, work assignment, infection control techniques, etc.
3. We expect and require all employees to observe the Company's rules of conduct and job safety. It is each employee's responsibility to report violations of our personnel policies, safety regulations, operational policies and procedures, resident abuse, etc., to their supervisor.

4. To ensure that fair and impartial treatment is administered, our Company may use a three (3) step procedure in applying disciplinary action for infractions of our established policies and procedures.

They are:

First Offense – Oral Reprimand:

- The department director supervisor and the Director of Human Resources will fully investigate the allegation of the offense to determine if disciplinary action is required. If the investigation determines the offense has been committed, then they will meet with the employee to discuss the infraction and inform the employee that they will receive an oral reprimand and that further infractions will result in the continuation of the disciplinary process, up to and including termination of employment. The Director of Human Resources shall prepare a written report of the counseling session.

Second Offense – Written Warning, 1st & Final Written Warning, Probation, and/or Three-Day Suspension (without pay).

- The Department director and the Director of Human Resources will fully investigate the allegation of the offense to determine if disciplinary action is required. If the investigation determines a second offense has been committed then they will meet with the employee to discuss the infraction and inform the employee that they will receive a Written Warning, Probation, and/or a suspension without pay for one (1) to three (3) days. Any further infractions will result in the continuation of disciplinary process, up to and including termination of employment. The Director of Human Resources shall prepare a written report of the counseling session. A copy will be made available to the employee and a copy of the action will be placed in the employee's human resource record. (Note: The signatures of the employee, the Department director and/or supervisor, and the Director of Human Resources should be obtained).

Third Offense – Termination of Employment

- The Department director and the Director of Human Resources will fully investigate the allegation of the offense to determine if disciplinary action is required. If the investigation determines a third offense has been committed, they will meet with the employee to discuss the infraction and inform the employee that the employee's employment has been terminated. The Director of Human Resources shall prepare a written report of the counseling session.
5. In cases involving serious misconduct, resident abuse, safety violations, law violation, etc., the employee may be suspended by the Director of Human Resources until an investigation report has been made and reviewed by the Administrator or the Director of the facility involved.
 6. A complete investigation shall be made of the charges within five (5) working days of such a suspension. The Director of Human Resources will investigate the infraction and report the findings to the Administrator or the Director of the facility involved.

7. If the investigation reveals unwarranted charges, the employee shall be reinstated to their former position and shall be paid for all time lost.
8. All employees that receive a disciplinary action will be required to sign the action. By signing the disciplinary action, the employee is acknowledging that they have received the disciplinary action . . . their signature does not indicate that they agree with the action taken. Should an employee refuse to sign a warning notice, such information must be recorded and witnessed by the Department director and the Director of Human Resources. All disciplinary actions must be maintained in the employee's Human Resource file.
9. Should an employee feel they have been unfairly disciplined, they are encouraged to file a grievance using the Company's Complaint Resolution Process.
10. The aforementioned disciplinary procedures are discretionary procedures. The Company retains the right to alter, amend, modify, delete, bypass, add to, and/or eliminate any and/or all of the procedures set forth in this policy.
11. This policy does not create a contract, either expressed or implied. This policy does not change the employee at-will status of any employee of this Company.

Workplace Search Policy

The purpose of the Workplace Search Policy is to monitor compliance with reasonable work and safety rules and that all employees are subject to a workplace search.

A search may include the employees, their work areas, lockers, vehicles if driven or parked on company premises or used on company business, and other personal items brought onto any Bivins Foundations property. All of the aforementioned areas are subject to search at any time.

If a search is requested, it is not an accusation of theft or other wrongdoing; it is merely part of company investigation.

Smoking Policy

Smoking is prohibited in all BIVINS work sites and BIVINS vehicles. Smoking breaks at designated outdoor areas may be taken by using your two 15 minute breaks and lunch break (lunch breaks must be taken in accordance with the Fair Labor Standards Act (FLSA)). Also, remember that the two 15 minute breaks must be taken with the approval of your supervisor and are not guaranteed by state or federal law. Additional time for smoking is strictly prohibited. When smoking outside, do not leave cigarette butts on the ground or anywhere else. Dispose of them properly in the receptacles provided for that purpose.

Gambling in the Workplace

Gambling is not permitted on Company property at any time (during work hours, during breaks, during lunch periods, in the Company cafeteria, while traveling on Company business, at Company functions, or while entertaining clients. Company facilities and equipment may not be used to gamble (e.g. poker games over the internet, telephone calls to place off-track bets, etc.). Gambling paraphernalia, such as betting slips, video software games, cards or dice is not permitted on Company facilities or in Company vehicles.

Gambling includes, but is not limited to, poker, video poker games, horse betting sports games pools, fantasy football bets, lotteries and raffles.

Any drawings, contests or similar advertising promotions must be approved by the facility administrators and/or directors in coordination with the Human Resources Department to ensure that the promotion is not an illegal lottery.

Employees' desks, offices, belongings, lockers, vehicles, internet usage, email, faxes, telephone logs and computers may be inspected in accordance with Company policy to ensure compliance.

Employees are expected to cooperate with any investigation of a violation of this policy.

Employees who violate this policy are subject to discipline, up to and including termination of employment.

Complaint Resolution Procedure

BIVINS is committed to establishing and maintaining a harmonious working environment, and ensuring that we continue providing quality care to every individual we support. Therefore, we encourage you to voice your questions, suggestions, and complaints. Your opinions and experiences are valued as a means to improve our Company and the services we provide.

What is a Complaint?

A complaint includes any work related problem, concern, or feeling of dissatisfaction concerning issues related to either conditions of employment or resident care. Briefly stated, if something is wrong please tell us immediately!

Complaint Procedure

1. Complaints should refer to the provision or provisions of Company policy, practice, procedure, rule, or regulation that you believe has been violated, and adequately set forth the facts pertaining to the alleged violation. Written complaints are easier to process, but verbal reports can help to start the process.
2. In consideration of the differences in human nature, the Company recognizes that problems are best resolved on an individual basis. The Director of Human Resources will speak with

the individuals involved to get to the “bottom of the issue” quickly. No employee will be penalized or retaliated against for using the Company's Complaint Resolution Procedure.

3. The time limit at any stage of the complaint procedure may be extended to ensure complete consideration.
4. If an employee fails to appeal from one step to another within the established time limits, the problem will be considered resolved. Failure on the part of the Company's representative to answer within the time limit set forth in any step should be addressed by the employee promptly asking to go to the next step.

Step One

- A. Unless the situation makes doing so uncomfortable, employees should initially direct their concerns with whom their complaint exists. The employee's supervisor or the Director of Human Resources should be the first source of assistance.
- B. The complaining employee shall present a complaint in writing to his/her immediate supervisor. Discussions will be informal for the purpose of resolving differences in the simplest and most direct manner.
- C. The immediate supervisor shall notify the Director of Human Resources in order to expedite this process and reach a decision and communicate it in writing to the complaining employee within five (5) working days from the date the complaint was presented.
- D. If the complaint is with the employee's supervisor, the employee should schedule an appointment to meet with his/her immediate supervisor to discuss the problem giving rise to the complaint within five (5) working days in which the incident occurred. The immediate supervisor should respond in writing to the informal complaint within the five (5) working days following their meeting.

Step Two

- A. If the discussion with the immediate supervisor does not resolve the problem to the mutual satisfaction of the employee and the supervisor, or if the supervisor does not respond to the complaint, the employee may submit a written complaint to the department head. A copy should be forwarded confidentially to the Director of Human Resources.
- B. The submission of the written complaint is due within five (5) working days of the supervisor's initial response, and must include:
 1. The problem and the date when the incident occurred.
 2. Suggestions on ways to resolve the problem.
 3. The verbal or written response from their immediate supervisor, if provided, and the date when the employee met with their immediate supervisor.
- C. Within five (5) working days of receiving the formal complaint, the director/department head must schedule a meeting with the employee to discuss the complaint.
- D. The director/department head should issue a decision both in writing and orally to the employee filing the complaint within approximately five (5) working days after the meeting, unless such time is mutually extended in writing.

Step Three

- A. If the employee is dissatisfied with the decision of the director/department head, the employee may within five (5) working days, appeal this decision in writing to the Director of Human Resources to investigate the complaint.
- B. The Director of Human Resources should try to meet with the complaining employee within ten (10) working days after receipt of the complaint, unless such time is extended in writing.
- C. The Director of Human Resources may call a meeting with the parties directly involved to facilitate a resolution, or may refer complaints to a review committee if he/she is of the opinion that the complaint raises serious questions of fact or interpretation of policy. Human Resources may gather further information from involved parties.
Note: All involved individuals, other than Human Resources, will be asked not to discuss the situation with any other employee or with the complaining employee to permit everyone to address the situation accurately and to avoid embarrassing anyone.
- D. Human Resources will ascertain the facts and forward recommendations to the Administrator, Bivins Village Manager or EJB Culinary Center Manager within five (5) working days after the meeting (unless this period is extended in writing.)
- E. The Administrator, Bivins Village Manager or EJB Culinary Center Manager shall have seven (7) working days to consult with any of the parties involved and render a decision in writing to the employee, unless this period is extended in writing by mutual agreement.

The decision of the Director of Health Services and/or Administrator, Bivins Village Manager or EJB Culinary Center Manager and Director of Human Resources at Step 3 shall be final and binding on the parties.

Personal Business and Other Non-Agency Related Arrangements with Resident and Residents' Relatives

Employees of BIVINS shall not enter into any form of personal business or non BIVINS related financial arrangements with any resident or relative of a BIVINS resident.

Employees shall not enter into any private arrangements to accept or hold any monies or properties of any kind for or on behalf of a resident or residents' relatives.

Gifts

Employees may not accept tips or gifts from any customer (i.e. residents, doctors, guests). The philosophy behind offering gifts concerns reward for services better than one would usually expect. We are already dedicated to giving the best possible service to our customers. Please refer anyone wishing to make a donation or gift to the Bivins Foundations to the Administrator, Bivins Village Manager, EJB Culinary Center Manager or CFO. If you are unable to politely decline a gift from a resident, bring it to Administration immediately.

Safety, Health, Security and Sanitation

Safety

BIVINS is committed to maintaining safe working conditions and reducing the number of on-the-job employee accidents and injuries. In the event of an on-the-job accident, the employee's direct supervisor must inform the Administrator immediately. Documentation of the accident is required and should be forwarded to the Occupational Health Nurse the next working day. The Accident Policy is to be followed to provide guidance. All employees share the responsibility for keeping BIVINS free from accidents. Employee suggestions offer the best solutions to potential dangers. Employees should refer to the work related injury section of this handbook in the event of a work-related injury.

Security

BIVINS provides a security officer at night to ensure employee safety. The Security Officer will remain in the back parking lot during shift change and an employee may request the Security Officer to escort them to their car if an employee is uncomfortable going to their car alone.

Fire

Every employee has a responsibility in case of fire. It is the responsibility of each employee on the Bivins west campus and Bivins east campus to learn the location of fire extinguishers, fire exits, to review all evacuation procedures, and to participate in fire drills (see Safety Operations Manual).

Disaster

All BIVINS employees are a part of an organized plan that has been prepared to help BIVINS meet any emergency situation. You are expected to know your responsibilities and to function in the event of a disaster. Copies of the Disaster Plan are available in your department and should be reviewed periodically.

On the Bivins West Campus, disaster drills are conducted at the facility at least twice a year to test your knowledge and efficiency. Disasters and disaster drills are announced over the public address system with the term "Code Black"

Inclement Weather

The Administrator, Bivins Village Manager and EJB Culinary Center Manager, using information supplied by the local and/or National Weather Service, will make decisions regarding administrative office closings due to inclement weather. The President will make the decision for the Mary E. Bivins Foundation office staff. Exempt staff will be paid their salary when the facility is closed for the entire day due to inclement weather.

Work Related Injuries

On-the-job injuries, no matter how minor they may seem at the time, must be reported immediately to the supervisor, who is responsible for the prompt submission of the necessary reports, including all physician documentation to the Occupational Health Nurse who will communicate with the Director of Human Resources. Every employee is required to complete a drug screen. BIVINS requires employees released for duty by their physician, to notify Human Resources and to report to work. If you miss more than two (2) weeks (10 consecutive days) of work, you will be placed on leave of absence status for a period of time commencing with the first date of absence and not to exceed the greater of (a) three calendar months, or (b) one calendar month of each full year of employment, up to an aggregate of twelve months. Work assignments will be assigned according to level of ability as determined by the employee's physician and our evaluation of potential reasonable accommodations. Such work may not be on your usually scheduled days or at your usually scheduled hours. Depending on your physical limitations, you may be returned at a pay rate of 100% of your base salary. If you do not wish to accept the limited work status, your employee injury benefits will cease as of the date of the release to return to work. For additional information see the **Employee Safety and Health Manual**.

Employees who do not immediately report an accident or injury and follow proper procedure may preclude an employee's coverage under the BIVINS insurance.

Hepatitis

Because certain BIVINS employees are in a high-risk group for acquiring Hepatitis B, they are offered the Hepatitis B vaccine series free of charge. To prevent transmission of Hepatitis B, employees must be aware of the modes of transmission and the appropriate precautions in taking care of infected residents or handling their clinical specimens.

Employees must use Universal Precautions when performing any task involving contact, or potential contact with blood or body fluids.

Control of Medication Areas

On the Bivins West Campus, all medication areas including medication carts are under the strict security of the on-duty charge nurse. Only authorized staff and residents, under visual supervision may be admitted to the medication rooms. The medication rooms and carts will be locked when unattended.

Identification Badges

Following employment, each employee will be issued an identification badge giving his/her name and title of a "CARE PARTNER". Your badge must be worn with the name showing at all times while you are on duty.

Employees will be held responsible for the cost of replacing a missing badge. If an employee reports for work without his/her badge, you must go get it. Time spent getting the badge will not be compensated.

Keys / Company Property

Any keys, property, phones, etc. issued to you are your responsibility although they remain the property of BIVINS. When your employment terminates, you must return them to the Human Resources Department along with any other Company property that has been issued to you during your employment. Otherwise, a payroll deduction will be processed in accordance with the Fair Labor Standards Act.

Duplication of any BIVINS Homes keys will be cause for disciplinary action, including suspension or termination of employment.

Background Checks

As a part of our commitment to safety, BIVINS verifies that prospective employees are qualified for the jobs that they seek and trained in the safe use of all equipment that they will use.

Criminal history checks are performed on all employees upon hire. Employees must notify the Company of any change in status that would have been relevant to a hiring background check. For instance, if an employee is convicted of a crime, is involved in an accident, or loses a necessary license, the employee must notify the Company immediately. After employment, BIVINS will perform annual Criminal History Checks on all employees. Employees are required to report any criminal convictions during their employment with BIVINS. Failure to report such conviction may lead to the disciplinary process, up to and including termination of employment.

Employees with permission to drive a Company vehicle must report all traffic citations and accidents in which they are involved. Employees must also report any DWI or related convictions.

Investigations, Searches and Inspections

BIVINS reserves the right to conduct searches to monitor compliance with rules concerning safety of employees, security of the Company, and individual property, drugs and alcohol, and possession of other prohibited items. "Prohibited Items" includes illegal drugs, alcoholic beverages, prescription drugs or medications not used or possessed in compliance with a current valid prescription, weapons, any items of an obscene, harassing, demeaning, or violent nature, and any property in the possession or control of an employee who does not have authorization from the owner of such property to possess or control the property. "Control" means knowing where a particular item is, having placed an item where it is currently located, or having any influence over its continued placement. In addition to Company premises, the Company may search employees, their work areas, lockers, personal bags, purses, briefcases, backpacks, lunch boxes, and other containers. In requesting a search, the Company is by no means accusing anyone of theft, some other crime, or any other variety of improper conduct.

There is no general or specific expectation of privacy in the workplace of BIVINS either on the premises of the Company or while on duty. In general, employees should assume that what they do while on duty or on the company premises is not private. All employees and all of the areas listed above are subject to search at any time; if an employee uses a locker or other storage area at work including a locking desk drawer or locking cabinet, the Company will either furnish the lock and keep a copy of the key or combination, or else allow the employee to furnish a personal lock, but the employee must give the Company a copy of the key or combination. If a key or combination is not given to the Company, BIVINS reserves the right to break the lock at any time. The areas in question may be searched at any time, with or without the employee being present. As a general rule, with the exception of items relating to personal hygiene or health, no employee should ever bring anything to work or store anything at work that he or she would not be prepared to show and possibly turn over to Company officials and/or law enforcement authorities.

All employees of BIVINS are subject to this policy. However, any given search may be restricted to one or more specific individuals, depending on the situation. Searches may be done on a random basis or based on reasonable suspicion. "Reasonable suspicion" means circumstances suggesting to a reasonable person that there is a possibility that one or more individuals may be in possession of a prohibited item as defined above. Any search under this policy will be done in a manner protecting employees' privacy, confidentiality, and personal dignity to the greatest extent possible. BIVINS will respond severely to any unauthorized release of information concerning individual employees.

No employee will ever be physically forced to submit to a search. However, an employee who refuses to submit to a search request from BIVINS will face disciplinary action, up to and possibly including immediate termination of employment.

General Information

TouchTown TV

TV monitors displaying announcements and important information are strategically placed on the West Campus. All employees on the West Campus should check the TouchTown TV monitors daily for information.

Bulletin Boards

Administrators, the Bivins Village Manager, EJB Culinary Center Manager and Department directors are responsible for the information posted on the bulletin boards located by the time clock. These postings will provide important information from management and will be updated as necessary. Therefore, the bulletin boards should be reviewed regularly for new postings.

Employees will be held responsible for awareness and understanding of the information posted.

Lost and Found

As a part of our responsibility to our guests and fellow employees, we ask that ALL articles found on Company premises be turned in immediately to the Lost and Found, which is located at the receptionist desk. If an inquiry about a lost item is received, do not give out information on the article but refer the inquiry to the Human Resources Department/Administration.

Employee Parking

Employees are required to park in the designated employee parking area as determined by the facility administrators or department directors. Under no circumstances may employees park in areas reserved for guests or use parking lots for social gatherings before, during, or after work hours. The Company assumes no responsibility for employees' vehicles damaged while parked or while moving on the parking lot, nor is the Company responsible for personal articles left in employee vehicles.

Receipt of Employee Handbook

I have received today a copy of the Employee Handbook for BIVINS which contains management guidelines only. I understand that it is my responsibility to read and be familiar with the information contained in the Employee Handbook. BIVINS and the benefit plan administrators shall have the maximum discretion permitted by law to administer, interpret, modify, discontinue, or enhance any policy, program, rule, benefit, or plan. No statement or representation by a supervisor, whether oral or written, can supplement or modify this handbook. Changes may be made only in writing by the President of the Bivins Foundations with the approval of the Board of Directors. No statement or policy, whether oral or written, changes the BIVINS employment at-will policy.

I understand that neither this handbook nor any other communication by a management representative, whether oral or written, is intended to in any way create a contract of employment. Since employment with BIVINS is voluntarily entered into at-will, I am free to resign at any time. Similarly, BIVINS may at-will terminate my employment relationship whenever it believes it is appropriate without liability, cause or notice.

Employee Signature

HR Representative Signature (witness)

Print Employee Name

Print HR Representative's Name

Date