

OPTIMAL HOME CARE & HOSPICE

Employee Handbook



05/28/2021

ABOUT THIS HANDBOOK/DISCLAIMER

We prepared this handbook to help employees find the answers to many questions that they may have regarding their employment with OPTIMAL HOME CARE & HOSPICE. Please take the necessary time to read it.

We do not expect this handbook to answer all questions. Supervisors and Human Resources also serve as a major source of information.

Neither this handbook nor any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. OPTIMAL HOME CARE & HOSPICE adheres to the policy of employment at will, which permits OPTIMAL HOME CARE & HOSPICE or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

No OPTIMAL HOME CARE & HOSPICE representative other than the President and/or the Vice President may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be in a signed writing.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate OPTIMAL HOME CARE & HOSPICE documents. These OPTIMAL HOME CARE & HOSPICE documents are always controlling over any statement made in this handbook or by any member of management.

This handbook states only general OPTIMAL HOME CARE & HOSPICE guidelines. OPTIMAL HOME CARE & HOSPICE may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and the President and/or the Vice President.

This handbook supersedes all prior handbooks.

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Section 1 - Governing Principles of Employment

1-1. Introduction

For employees who are commencing employment with OPTIMAL HOME CARE & HOSPICE ("OPTIMAL HOME CARE & HOSPICE" or " OPTIMAL HOME CARE & HOSPICE"), on behalf of OPTIMAL HOME CARE & HOSPICE, let me extend a warm and sincere welcome.

For employees who have been with us, thanks for your past and continued service.

I extend my personal best wishes for success and happiness here at OPTIMAL HOME CARE & HOSPICE. We understand that it is our employees who provide the services that our customers rely upon, and who will enable us to create new opportunities in the years to come.

Coleen Murphy-Deorsey, Administrator

Erik Wilson, Hospice Administrator

1-2. Equal Employment Opportunity

OPTIMAL HOME CARE & HOSPICE is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state or local laws and ordinances. OPTIMAL HOME CARE & HOSPICE's management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs and general treatment during employment.

OPTIMAL HOME CARE & HOSPICE will endeavor to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual's: physical or mental disability; sincerely held religious beliefs and practices; and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon OPTIMAL HOME CARE & HOSPICE's business operations.

Any applicant or employee who needs an accommodation in order to perform the essential functions of the job should contact Compliance Specialist to request such an accommodation. The individual should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. OPTIMAL HOME CARE & HOSPICE then will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made. OPTIMAL HOME CARE & HOSPICE will evaluate requested

accommodations, and as appropriate, identify other possible accommodations, if any. The individual will be notified of OPTIMAL HOME CARE & HOSPICE's decision regarding the request within a reasonable period. OPTIMAL HOME CARE & HOSPICE treats all medical information submitted as part of the accommodation process in a confidential manner.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of Compliance Specialist. OPTIMAL HOME CARE & HOSPICE will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact Compliance Specialist. To ensure our workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

1-3. Non-Harassment

It is OPTIMAL HOME CARE & HOSPICE's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information or any other characteristic protected by applicable federal, state or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by OPTIMAL HOME CARE & HOSPICE.

The purpose of this policy is not to regulate our employees' personal morality, but to ensure that no one harasses another individual in the workplace, including while on OPTIMAL HOME CARE & HOSPICE premises, while on OPTIMAL HOME CARE & HOSPICE business (whether or not on OPTIMAL HOME CARE & HOSPICE premises) or while representing the OPTIMAL HOME CARE & HOSPICE. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state or local laws. Because it is difficult to define unlawful

harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual or physical conduct of a sexual nature when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

1. unwelcome flirtations, leering, whistling, touching, pinching, assault, blocking normal movement;
2. requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. obscene or vulgar gestures, posters or comments;
4. sexual jokes or comments about a person's body, sexual prowess or sexual deficiencies;
5. propositions or suggestive or insulting comments of a sexual nature;
6. derogatory cartoons, posters and drawings;
7. sexually-explicit e-mails, text messages or voicemails;
8. uninvited touching of a sexual nature;
9. unwelcome sexually-related comments;
10. conversation about one's own or someone else's sex life;
11. conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
12. teasing or other conduct directed toward a person because of the person's gender.

Reporting Procedures

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to Compliance Specialist. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact any member of management. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality

cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, OPTIMAL HOME CARE & HOSPICE will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

1-4. Drug-Free and Alcohol-Free Workplace

To help ensure a safe, healthy and productive work environment for our employees and others, to protect OPTIMAL HOME CARE & HOSPICE property, and to ensure efficient operations, OPTIMAL HOME CARE & HOSPICE has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for OPTIMAL HOME CARE & HOSPICE.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale or distribution of controlled substances (including medical marijuana), drug paraphernalia or alcohol by an individual anywhere on OPTIMAL HOME CARE & HOSPICE premises, while on OPTIMAL HOME CARE & HOSPICE business (whether or not on OPTIMAL HOME CARE & HOSPICE premises) or while representing OPTIMAL HOME CARE & HOSPICE, is strictly prohibited. Employees and other individuals who work for OPTIMAL HOME CARE & HOSPICE also are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, which may impact the employee's ability to perform their job or otherwise pose safety concerns, except when the use is pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee or individual to report to work. However, this exception does not extend any right to report to work under the influence of medical marijuana or to use medical marijuana as a defense to a positive drug test, to the extent the employee is subject to any drug testing requirement, except as permitted by and in accordance with applicable law. This restriction does not apply to responsible drinking of alcohol at business meetings and related social outings.

Violation of this policy will result in disciplinary action, up to and including discharge.

OPTIMAL HOME CARE & HOSPICE maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. We encourage employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes the health and safety of any OPTIMAL HOME CARE & HOSPICE employee, including themselves.

1-5. Workplace Violence

OPTIMAL HOME CARE & HOSPICE is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to OPTIMAL HOME CARE & HOSPICE and personal property.

OPTIMAL HOME CARE & HOSPICE does not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, OPTIMAL HOME CARE & HOSPICE specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, OPTIMAL HOME CARE & HOSPICE does expect and encourage employees to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in OPTIMAL HOME CARE & HOSPICE policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

Prohibited Conduct

Threats, threatening language or any other acts of aggression or violence made toward or by any OPTIMAL HOME CARE & HOSPICE employee WILL NOT BE TOLERATED. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto OPTIMAL HOME CARE & HOSPICE premises.

Procedures for Reporting a Threat

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede OPTIMAL HOME CARE & HOSPICE's ability to investigate and respond to the complaints. All threats will be promptly investigated. All employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

If OPTIMAL HOME CARE & HOSPICE determines, after an appropriate good faith investigation, that someone has violated this policy, OPTIMAL HOME CARE & HOSPICE will take swift and

appropriate corrective action.

If the employee is the recipient of a threat made by an outside party, that employee should follow the steps detailed in this section. It is important for OPTIMAL HOME CARE & HOSPICE to be aware of any potential danger in its offices. Indeed, OPTIMAL HOME CARE & HOSPICE wants to take effective measures to protect everyone from the threat of a violent act by employees or by anyone else.

Section 2 - Operational Policies

2-1. Employee Classifications

For purposes of this handbook, all OPTIMAL HOME CARE & HOSPICE employees fall within one of the classifications below.

Full-Time Employees - Employees who regularly work at least 40 hours per week who were not hired on a short-term basis.

Part-Time or Contingent Employees - Employees who regularly work fewer than 40 hours per week who were not hired on a short-term basis.

In addition to the above classifications, employees are categorized as either "**exempt**" or "**non-exempt**" for purposes of federal and state wage and hour laws. Employees classified as exempt do not receive overtime pay; they generally receive the same weekly salary regardless of hours worked. Such salary may be paid less frequently than weekly. The employee will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

2-2. Trial Period

The first three months of employees' employment is an introductory period. This is an opportunity for OPTIMAL HOME CARE & HOSPICE to evaluate the employee's performance. It also is an opportunity for employees to decide whether they are happy being employed by OPTIMAL HOME CARE & HOSPICE. OPTIMAL HOME CARE & HOSPICE may extend the introductory period if it desires. Completion of the introductory period does not alter the employee's at-will status.

OPTIMAL HOME CARE & HOSPICE will conduct a formal performance review at the end of the introductory period.

2-3. Your Employment Records

In order to obtain their position, employees have provided personal information, such as address and telephone number. This information is contained in their personnel file.

Employees should keep their personnel file up to date by informing Compliance Specialist of any changes. Employees also should inform Compliance Specialist of any specialized training or skills they acquire, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach employees in a crisis could cause a severe health or safety risk or other significant problem.

2-4. Working Hours and Schedule

OPTIMAL HOME CARE & HOSPICE normally is open for business from 8:30 am to 5:00 pm, Monday through Friday. Our answering service triages calls after hours and on weekends. Home Care services are often provided during evening and weekend hours as needed for patient safety and to prevent hospitalizations.

Office Employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of the business, at some point OPTIMAL HOME CARE & HOSPICE may need to change individual work schedules on either a short-term or long-term basis.

Employees will be provided meal and rest periods as required by law. A supervisor will provide further details.

2-5. Remote Work/Telecommuting

OPTIMAL HOME CARE & HOSPICE may allow employees to work remotely if their job duties and work performance are determined to be eligible for remote work. Eligibility will be decided on a case-by-case basis by OPTIMAL HOME CARE & HOSPICE. Employees also may be required to work remotely during periods of public health emergencies if government orders and mandates recommend such work.

This policy provides general information regarding remote work/telecommuting. Employees who are approved to work remotely should consult their individual agreement for specific details of their remote work/telecommuting arrangement, such as expected work hours, equipment provided, and other important information.

Any remote work/telecommuting arrangement may be discontinued by OPTIMAL HOME CARE & HOSPICE at any time and at the discretion of OPTIMAL HOME CARE & HOSPICE. Employees also may discontinue the arrangement but may not be guaranteed office space at OPTIMAL HOME CARE & HOSPICE's location.

At-Will Employment

This policy and any individual agreement addressing this work arrangement do not create a contract of employment and are not intended to be considered or construed as a promise of continued employment. Employment is at will and may be discontinued at any time by OPTIMAL HOME CARE & HOSPICE or employee without notice, cause, or liability.

Hours of Work

Scheduled hours of work will be set by the employees' manager or supervisor. Employees should maintain regular contact with their supervisors and managers.

Nonexempt employees must accurately record all hours worked pursuant to OPTIMAL HOME CARE & HOSPICE's timekeeping system and take rest and meal breaks as if in OPTIMAL HOME CARE &

HOSPICE's workplace and as required by law. Nonexempt employees may not work beyond scheduled working hours (including working more than 40 hours in a workweek) without prior, written authorization from their manager or supervisor.

Location

Employees will provide, at their expense, a secure, dedicated work area. Employees are responsible for maintaining the work area in a safe, secure, and nonhazardous condition at all times. Employees will maintain security devices and procedures necessary to prevent use by unauthorized persons, including by preventing the connection of any OPTIMAL HOME CARE & HOSPICE-furnished computer system, network, or database to any computer, network, or database other than a computer, network, or database to which connections are provided or authorized by OPTIMAL HOME CARE & HOSPICE.

Duties

Employees are expected to follow all existing OPTIMAL HOME CARE & HOSPICE policies and procedures. The duties, obligations, responsibilities, and conditions of employment with OPTIMAL HOME CARE & HOSPICE remain unchanged. Employees must stay engaged with work throughout the workday and be fully available during normal business hours. If employees do not successfully perform their job duties remotely, this arrangement will be revoked. Employees are expected to follow existing OPTIMAL HOME CARE & HOSPICE policies with respect to scheduled and unscheduled time off, including the obligation to speak with their manager or supervisor before the scheduled start time in the event of an unscheduled absence, tardy, or early departure.

Accidents and Injuries

Employees agree to maintain safe conditions in the remote work space and to practice the same safety habits and rules applied on OPTIMAL HOME CARE & HOSPICE premises. If employees incur an injury arising out of the course and scope of the assigned job duties while working in the remote work space, the workers' compensation provisions in place for the state in which the employees are working will apply. Employees must notify their supervisor or manager immediately and complete all necessary and/or requested documents regarding the reported injury. OPTIMAL HOME CARE & HOSPICE assumes no responsibility for injuries occurring in the remote work space outside normal working hours or for injuries that occur as a result of a reasonably recognizable unsafe remote work space.

Equipment

Employees agree to use electronic equipment that has been encrypted and meets all of OPTIMAL HOME CARE & HOSPICE's security requirements and agrees not to store or print any patient HIPAA protected information. If OPTIMAL HOME CARE & HOSPICE provides equipment for home use, employees agree to provide a secure location for OPTIMAL HOME CARE & HOSPICE-owned equipment and will not use, or allow others to use, such equipment for purposes other than OPTIMAL HOME CARE & HOSPICE business. Employees have no expectation of ownership in such equipment, linkages, property, or other items installed or provided by OPTIMAL HOME CARE & HOSPICE. OPTIMAL HOME CARE & HOSPICE will bear the expense of removal of any such equipment, linkages, and installations provided by OPTIMAL HOME CARE & HOSPICE upon the termination of the remote work/telecommuting arrangement but not modification of or repairs to the work location. Employees hereby release OPTIMAL HOME CARE & HOSPICE from any damage or

liability incurred in the installing or removal of the equipment provided by OPTIMAL HOME CARE & HOSPICE.

Return of OPTIMAL HOME CARE & HOSPICE Property

All equipment, records, and materials provided by OPTIMAL HOME CARE & HOSPICE will remain OPTIMAL HOME CARE & HOSPICE property. Employees agree to return OPTIMAL HOME CARE & HOSPICE equipment, records, and materials upon request. All OPTIMAL HOME CARE & HOSPICE equipment will be returned by employees for inspection, repair, or replacement as needed or requested or immediately upon termination of the remote work/telecommuting arrangement. All equipment must be returned within five (5) business days of written notice to the employees.

Expenses

Upon presentation of receipts and in accordance with the Business Expense Reimbursement policy, OPTIMAL HOME CARE & HOSPICE will reimburse employees for certain preapproved expenses.

Regular household utility charges, such as electricity, water, phone, Internet service, auto, homeowners' insurance, etc., are not reimbursable unless state law requires reimbursement.

Confidentiality

Employees agree that they are subject to OPTIMAL HOME CARE & HOSPICE's policies prohibiting the nonbusiness use or dissemination of OPTIMAL HOME CARE & HOSPICE's confidential business information. Employees will take all appropriate steps to safeguard OPTIMAL HOME CARE & HOSPICE's confidential business information, including segregating it from personal papers and documents, not allowing nonemployees to access such information, and keeping such information in locked drawers or file cabinets when not in use. Employees will maintain confidential information, including, but not limited to, information regarding OPTIMAL HOME CARE & HOSPICE's products or services, processing, marketing and sales, client lists, client e-mail addresses and mailing addresses, client data, orders, memoranda, notes, records, technical data, sketches, designs, plans, drawings, trade secrets, research and development data, experimental work, proposals, new product and/or service developments, project reports, sources of supply and material, operating and cost data, and corporate financial information.

Contact

If employees have any questions concerning this policy or would like to apply to work remotely, they should contact Compliance Specialist.

2-6. Timekeeping Procedures

Employees must record their actual time worked for payroll and benefit purposes. Non-exempt employees must record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason, on forms as prescribed by management.

Altering, falsifying or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

Exempt employees are required to record their daily work attendance and report absences from work

for reasons such as leaves of absence, sick leave or personal business.

Non-exempt employees may not start work until their scheduled starting time.

It is the employee's responsibility to sign time records to certify the accuracy of all time recorded. Any errors in the time record should be reported immediately to a supervisor, who will attempt to correct legitimate errors.

2-7. Overtime

Like most successful companies, OPTIMAL HOME CARE & HOSPICE experiences periods of extremely high activity. During these busy periods, additional work is required from all of us. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) their normal hourly wage for all time worked in excess of 40 hours each week, unless otherwise required by law.

Employees may work overtime only with prior management authorization.

For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Sunday and ends 168 hours later at 12 a.m. on the following Sunday.

2-8. Travel Time for Non-Exempt Employees

Overnight, Out-of-Town Trips

Non-exempt employees will be compensated for time spent traveling (except for meal periods) during their normal working hours, on days they are scheduled to work and on unscheduled work days (such as weekends). Non-exempt employees also will be paid for any time spent performing job duties during otherwise non-compensable travel time; however, such work should be limited absent advance management authorization.

Out-of-Town Trips for One Day

Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time, except for, among other things: time spent traveling between the employee's home and the local railroad, bus or plane terminal; and meal periods.

Local Travel

Non-exempt employees will be compensated for time spent traveling from one job site to another job site during a workday. The trip home, however, is non-compensable when the employee goes directly home from the final job site, unless it is much longer than the regular commute home from the regular worksite. In such case, the portion of the trip home in excess of the regular commute is compensable.

Commuting Time

Under the Portal to Portal Act, travel from home to work and from work to home is generally non-compensable. However, if a non-exempt employee regularly reports to a worksite near their home, but is required to report to a worksite farther away than the regular worksite, the additional time spent traveling is compensable.

If compensable travel time results in more than 40 hours worked by a non-exempt employee, the employee will be compensated at an overtime rate of one and one-half (1-1/2) times the regular rate.

To the extent that applicable state law provides greater benefits, state law applies.

2-9. Safe Harbor Policy for Exempt Employees

It is OPTIMAL HOME CARE & HOSPICE's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Those classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours they may work for OPTIMAL HOME CARE & HOSPICE. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- absences for personal reasons;
- absences for sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing wage replacement benefits for such absences (deductions also may be made for the exempt employee's absences due to sickness or disability before the employee has qualified for the plan, policy or practice or after the employee has exhausted the leave allowance under the plan);
- disciplinary suspensions for infractions of our written policies and procedures;
- Family and Medical Leave Act absences;
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- the first or last week of employment in the event the employee works less than a full week.

Salary may also be reduced for certain types of deductions such as a portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions to a 401(k) or pension plan.

However, unless state law provides otherwise, deductions may be made to accrued leave for full- or partial-day absences for personal reasons, sickness or disability.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to a supervisor. If the supervisor is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), they should immediately contact Controller or any other supervisor in OPTIMAL HOME CARE & HOSPICE with whom the employee feels comfortable.

2-10. Your Paycheck

Employees will be paid bi-weekly for all the time worked during the past pay period.

Payroll stubs itemize deductions made from gross earnings. By law, OPTIMAL HOME CARE & HOSPICE is required to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received.

If there is an error in any employee's pay, the employee should bring the matter to the attention of Controller immediately so OPTIMAL HOME CARE & HOSPICE can resolve the matter quickly and amicably.

Paychecks will be given only to the employee, unless the employee requests that they be mailed or authorizes in writing that another person may accept the check.

2-11. Direct Deposit

OPTIMAL HOME CARE & HOSPICE strictly enforces employees to use direct deposit. Authorization forms are available from Controller.

2-12. Salary Advances

OPTIMAL HOME CARE & HOSPICE does not permit advances on paychecks or against accrued paid time off.

2-13. Performance Review

Depending on the employee's position and classification, OPTIMAL HOME CARE & HOSPICE endeavors to review performance Per Agency Policy. However, a positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management.

In addition to these formal performance evaluations, OPTIMAL HOME CARE & HOSPICE encourages employees and supervisors to discuss job performance on a frequent and ongoing basis.

2-14. Record Retention

OPTIMAL HOME CARE & HOSPICE acknowledges its responsibility to preserve information relating to litigation, audits and investigations. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against OPTIMAL HOME CARE & HOSPICE and its employees and possible disciplinary action against responsible individuals (up to and including discharge of the employee). Each employee has an obligation to contact the Compliance Specialist to inform them of potential or actual litigation, external audit, investigation or similar proceeding involving OPTIMAL HOME CARE & HOSPICE that may have an impact on record retention protocols.

Section 3 - Benefits

3-1. Benefits Overview

In addition to good working conditions and competitive pay, it is OPTIMAL HOME CARE & HOSPICE's policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations and holidays, and insurance and other plan benefits. We are constantly studying and evaluating our benefits programs and policies to better meet present and future requirements. These policies have been developed over the years and continue to be refined to keep up with changing times and needs.

The next few pages contain a brief outline of the benefits programs OPTIMAL HOME CARE & HOSPICE provides employees and their families. Of course, the information presented here is intended to serve only as guidelines.

The descriptions of the insurance and other plan benefits merely highlight certain aspects of the applicable plans for general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon request from Controller. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this handbook.

Further, OPTIMAL HOME CARE & HOSPICE (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement.

While OPTIMAL HOME CARE & HOSPICE intends to maintain these employee benefits, it reserves the absolute right to modify, amend or terminate these benefits at any time and for any reason.

If employees have any questions regarding benefits, they should contact Controller.

3-2. Paid Holidays

Full-time employees will be paid for the following holidays:

New Year's Day

Memorial Day

Independence Day

Labor Day

Thanksgiving Day

Christmas Day

When holidays fall or are celebrated on a regular work day, eligible employees will receive one (1) day's pay at their regular straight-time rate. Eligible employees who are called in to work on a holiday will receive one (1) day's pay at their regular straight-time rate, and an additional payment of straight-time for the actual time they work that day.

If a holiday falls within an eligible employee's approved vacation period, the eligible employee will be paid for the holiday (at the regular straight-time rate) in addition to the vacation day, or the eligible employee will receive an additional vacation day at the option of OPTIMAL HOME CARE & HOSPICE.

If a holiday falls within a jury duty or bereavement leave, the eligible employee will be paid for the holiday (at the regular straight-time rate) in addition to the leave day, or the eligible employee will receive an additional day off at the option of OPTIMAL HOME CARE & HOSPICE.

3-3. Paid Vacations

OPTIMAL HOME CARE & HOSPICE appreciates how hard employees work and recognizes the importance of providing time for rest and relaxation. OPTIMAL HOME CARE & HOSPICE fully encourages employees to get this rest by taking vacation time. Full-time employees accrue paid vacation time as follows:

Year 1:

1 day per month within the first year = Maximum of 12 days (3 days issued following 90 days of full-time employment and successful completion of Orientation Program)

Year 2:

3 Weeks (15 days) PTO + up to 2 Sick Days for first 2 full calendar years

*5 days PTO + 2 Sick days Issued January 1

*10 days accrued between February and October

Year 3:

3 Weeks (15 days) PTO + up to 2 Sick Days for first 2 full calendar years

*5 days PTO + 2 Sick days Issued January 1

*10 days accrued between February and October

Year 4+

4 Weeks (20 days) PTO + up to 2 Sick Days for the 3rd full calendar years

*5 days PTO + 2 Sick days Issued January 1

*15 days accrued between February and October

Vacations should be taken during the year accrued, unless otherwise required by law. Accrued, 5 days of unused vacation time can be carried over to the following calendar year only if approved by Controller and must be used within the first 90 days of the year.

Every effort will be made to grant employees' vacation preference, consistent with operating schedules. However, if too many people request the same period of time off, OPTIMAL HOME CARE & HOSPICE reserves the right to choose who may take vacation during that period. Employees with the longest length of service generally will be given preference. Vacation requests must be submitted to managers at least two (2) weeks in advance of the requested vacation dates.

Vacation and sick time may be used in any 1/4 hour or 1/4 point increments.

Accrued, unused vacation or sick time is not paid out upon separation.

Advanced but unaccrued vacation will be deducted from final paychecks to the extent permitted by law.

3-4. Sick Days

Full-time employees are eligible to receive up to two (2) paid sick days issued on January 1st of each year. If the employees will be out of work due to illness, they must call in and notify their supervisor as early as possible, but at least by the start of the workday. If the employees call in sick for three (3) or more consecutive days, they may be required to provide their supervisor with a doctor's note on the day they return to work.

Sick days must be taken during the year they are received.

3-5. Workers' Compensation

On-the-job injuries are covered by OPTIMAL HOME CARE & HOSPICE's Workers' Compensation Insurance Policy, which is provided at no cost. If employees are injured on the job, no matter how slightly, they should report the incident immediately to their supervisor. Failure to follow OPTIMAL HOME CARE & HOSPICE procedures may affect the ability of employees to receive Workers Compensation benefits.

This is solely a monetary benefit and not a leave of absence entitlement. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

3-6. Jury Duty

OPTIMAL HOME CARE & HOSPICE realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

Employees on jury duty leave will be paid for 2 days of their jury duty service in accordance with state law.

3-7. Bereavement Leave

The death of a family member is a time when employees wish to be with their families. If the employee is full-time and loses a close relative, the employee will be allowed paid time off of up to 2 days to assist in attending to obligations and commitments. For the purposes of this policy, a close relative includes a spouse, domestic/civil union partner, child, parent, sibling, . Paid leave days only may be taken on regularly scheduled, consecutive workdays following the day of death. Employees must inform their supervisor prior to commencing bereavement leave. In administering this policy, OPTIMAL HOME CARE & HOSPICE may require verification of death.

3-8. Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in a statewide election, if required by state law, the employee may take off enough working time to vote. Such time will be paid if required by state law. This time should be taken at the beginning or end of the regular work schedule. Where possible, supervisors should be notified at least two (2) days prior to the voting day.

3-9. Insurance Programs

Full-time employees may participate in OPTIMAL HOME CARE & HOSPICE's insurance programs. Under these plans, eligible employees will receive comprehensive health and other insurance coverage for themselves and their families, as well as other benefits.

Upon becoming eligible to participate in these plans, employees will receive summary plan

descriptions (SPDs) describing the benefits in greater detail. Please refer to the SPDs for detailed plan information. Of course, feel free to contact Controller with any further questions.

3-10. Long-Term Disability Benefits

Full-time employees are eligible to participate in the Short-Term and/or Long-Term Disability plans, subject to all terms and conditions of the agreement between OPTIMAL HOME CARE & HOSPICE and the insurance carrier.

This is solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

3-11. Retirement Plan

Eligible employees are able to participate in OPTIMAL HOME CARE & HOSPICE's retirement plan. Plan participants may make pre-tax contributions to a retirement account.

Upon becoming eligible to participate in this plan, employees will receive an SPD describing the plan in greater detail. Please refer to the SPD for detailed plan information. Of course, feel free to speak to Controller if there are any further questions.

Section 4 - Leaves of Absence

4-1. Personal Leave

If employees are ineligible for any other OPTIMAL HOME CARE & HOSPICE leave of absence, OPTIMAL HOME CARE & HOSPICE, under certain circumstances, may grant a personal leave of absence without pay. A written request for a personal leave should be presented to management at least two (2) weeks before the anticipated start of the leave. If the leave is requested for medical reasons and employees are not eligible for leave under the federal Family and Medical Leave Act (FMLA) or any state leave law, medical certification also must be submitted. The request will be considered on the basis of staffing requirements and the reasons for the requested leave, as well as performance and attendance records. Normally, a leave of absence will be granted for a period of up to eight (8) weeks. However a personal leave may be extended if, prior to the end of leave, employees submit a written request for an extension to management and the request is granted. During the leave, employees will not earn vacation, personal days or sick days. OPTIMAL HOME CARE & HOSPICE can continue health insurance coverage during the leave if employees pay the entire monthly premium payments to OPTIMAL HOME CARE & HOSPICE in a timely manner, subject to the terms of the plan documents.

When the employees anticipate returning to work, they should notify management of the expected return date. This notification should be made at least one (1) week before the end of the leave.

Upon completion of the personal leave of absence, OPTIMAL HOME CARE & HOSPICE will attempt to return employees to their original job or a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed.

Failure to advise management of availability to return to work, failure to return to work when notified or a continued absence from work beyond the time approved by OPTIMAL HOME CARE & HOSPICE will be considered a voluntary resignation of employment.

4-2. Military Leave

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide management with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask management for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law

(including travel). They should give management as much advance notice of their need for military leave as possible so that OPTIMAL HOME CARE & HOSPICE can maintain proper coverage while employees are away.

4-3. Family and Medical Leave

The Leave Policy

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides employees information concerning FMLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA leave, they should contact Controller.

I. Eligibility

FMLA leave is available to "eligible employees." To be an "eligible employee," the employee must: 1) have been employed by OPTIMAL HOME CARE & HOSPICE for at least 12 months (which need not be consecutive); 2) have been employed by OPTIMAL HOME CARE & HOSPICE for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

II. Entitlements

As described below, the FMLA provides eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration.

A. Basic FMLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a rolling 12-month period measured backward from the date the employee uses their FMLA leave. Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee's child after birth or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter or parent (but not in-law) who has a **serious health condition**;
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; and/or
- Because of any **qualifying exigency** arising out of the fact that the employee's spouse, son, daughter or parent is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserves component of the Armed Forces for deployment to a foreign country in support of contingency operation or Regular Armed Forces for deployment to a foreign country.

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 employees from performing the functions of their 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.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

B. Additional Military Family Leave Entitlement (Injured Servicemember Leave)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a **covered servicemember** is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember shall only be available during a single-12 month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A "**covered servicemember**" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." **Covered servicemembers** also include a veteran who is discharged or released from military services under condition other than dishonorable at any time during the five years preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

The FMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

C. Intermittent Leave and Reduced Leave Schedules

FMLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember. Qualifying exigency leave also may be taken on an intermittent basis.

D. No Work While on Leave

The taking of another job while on family/medical leave or any other authorized leave of absence is grounds for immediate discharge, to the extent permitted by law.

E. Protection of Group Health Insurance Benefits

During FMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

F. Restoration of Employment and Benefits

At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause OPTIMAL HOME CARE & HOSPICE substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. OPTIMAL HOME CARE & HOSPICE will notify employees if they qualify as "key employees," if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

G. Notice of Eligibility for, and Designation of, FMLA Leave

Employees requesting FMLA leave are entitled to receive written notice from OPTIMAL HOME CARE & HOSPICE telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) OPTIMAL HOME CARE & HOSPICE's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

OPTIMAL HOME CARE & HOSPICE may retroactively designate leave as FMLA leave with appropriate written notice to employees provided OPTIMAL HOME CARE & HOSPICE's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, OPTIMAL HOME CARE & HOSPICE and employee can mutually agree that leave be retroactively designated as FMLA leave.

III. Employee FMLA Leave Obligations

A. Provide Notice of the Need for Leave

Employees who take FMLA leave must timely notify OPTIMAL HOME CARE & HOSPICE of their need for FMLA leave. The following describes the content and timing of such employee notices.

1. Content of Employee Notice

To trigger FMLA leave protections, employees must inform Controller of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow OPTIMAL HOME CARE & HOSPICE to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant or have been hospitalized overnight;
- they or a covered family member are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active duty status to a foreign country; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious

injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to OPTIMAL HOME CARE & HOSPICE's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which OPTIMAL HOME CARE & HOSPICE has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

2. Timing of Employee Notice

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, or the approximate timing of the need for leave is not foreseeable, employees must provide OPTIMAL HOME CARE & HOSPICE notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with OPTIMAL HOME CARE & HOSPICE and make a reasonable effort to schedule treatment so as not to unduly disrupt OPTIMAL HOME CARE & HOSPICE's operations, subject to the approval of the employee's health care provider. Employees must consult with OPTIMAL HOME CARE & HOSPICE prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both OPTIMAL HOME CARE & HOSPICE and the employees, subject to the approval of the employee's health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, OPTIMAL HOME CARE & HOSPICE may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, OPTIMAL HOME CARE & HOSPICE may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise OPTIMAL HOME CARE & HOSPICE of the reason why such leave is medically necessary. In such instances, OPTIMAL HOME CARE & HOSPICE and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting OPTIMAL HOME CARE & HOSPICE's operations, subject to the approval of the employee's health care provider.

C. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for

Military Family Leave)

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three types of FMLA medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide OPTIMAL HOME CARE & HOSPICE with timely, complete and sufficient medical certifications. Whenever OPTIMAL HOME CARE & HOSPICE requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after OPTIMAL HOME CARE & HOSPICE's request, unless it is not practicable to do so despite the employee's diligent, good faith efforts. OPTIMAL HOME CARE & HOSPICE will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. OPTIMAL HOME CARE & HOSPICE will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, OPTIMAL HOME CARE & HOSPICE (through individuals other than the employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide OPTIMAL HOME CARE & HOSPICE with authorization allowing it to clarify or authenticate certifications with health care providers, OPTIMAL HOME CARE & HOSPICE may deny FMLA leave if certifications are unclear.

Whenever OPTIMAL HOME CARE & HOSPICE deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

1. Initial Medical Certifications

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If OPTIMAL HOME CARE & HOSPICE has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at OPTIMAL HOME CARE & HOSPICE's expense. If the opinions of the initial and second health care providers differ, OPTIMAL HOME CARE & HOSPICE may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by OPTIMAL HOME CARE & HOSPICE and the employee.

2. Medical Recertifications

Depending on the circumstances and duration of FMLA leave, OPTIMAL HOME CARE & HOSPICE may require employees to provide recertification of medical conditions giving rise to the need for leave. OPTIMAL HOME CARE & HOSPICE will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide OPTIMAL HOME CARE & HOSPICE with medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. OPTIMAL HOME CARE & HOSPICE may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

D. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, OPTIMAL HOME CARE & HOSPICE may require employees to provide: 1) a copy of the military member's active duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to covered active duty status and the dates of the military member's covered active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to covered active duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, OPTIMAL HOME CARE & HOSPICE may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, OPTIMAL HOME CARE & HOSPICE may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

E. Substitute Paid Leave for Unpaid FMLA Leave

Employees may use any accrued paid time while taking unpaid FMLA leave.

The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with the employee's FMLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement. Upon written request, OPTIMAL HOME CARE & HOSPICE will allow employees to use accrued paid time to supplement any paid disability benefits.

F. Pay Employee's Share of Health Insurance Premiums

During FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless OPTIMAL HOME CARE & HOSPICE notifies employees of other arrangements, whenever employees are receiving pay from OPTIMAL HOME CARE & HOSPICE during FMLA leave, OPTIMAL HOME CARE & HOSPICE will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If FMLA leave is unpaid, employees must pay their portion of the group health premium through a

"pay-as-you-go" method.

OPTIMAL HOME CARE & HOSPICE's obligation to maintain health care coverage ceases if the employee's premium payment is more than 30 days late. If the employee's payment is more than 15 days late, OPTIMAL HOME CARE & HOSPICE will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse OPTIMAL HOME CARE & HOSPICE for the cost of the premiums OPTIMAL HOME CARE & HOSPICE paid for maintaining coverage during their unpaid FMLA leave.

IV. Exemption for Highly Compensated Employees

OPTIMAL HOME CARE & HOSPICE may choose not to return highly compensated employees (highest paid 10% of employees at a worksite or within 75 miles of that worksite) to their former or equivalent positions following a leave if restoration of employment will cause substantial economic injury to OPTIMAL HOME CARE & HOSPICE. (This fact-specific determination will be made by OPTIMAL HOME CARE & HOSPICE on a case-by-case basis.) OPTIMAL HOME CARE & HOSPICE will notify employees if they qualify as a "highly compensated", if OPTIMAL HOME CARE & HOSPICE intends to deny reinstatement, and of the employee's rights in such instances.

V. Questions and/or Complaints about FMLA Leave

If you have questions regarding this FMLA policy, please contact Controller. OPTIMAL HOME CARE & HOSPICE is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact Controller immediately. OPTIMAL HOME CARE & HOSPICE will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

VI. Coordination of FMLA Leave with Other Leave Policies

The FMLA does not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law that provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult OPTIMAL HOME CARE & HOSPICE's other leave policies in this handbook or contact Controller.

Section 5 - General Standards of Conduct

5-1. Workplace Conduct

OPTIMAL HOME CARE & HOSPICE endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge, in OPTIMAL HOME CARE & HOSPICE's sole discretion. The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Stealing, removing or defacing OPTIMAL HOME CARE & HOSPICE property or a co-worker's property, and/or disclosure of confidential information.
3. Completing another employee's time records.
4. Violation of safety rules and policies.
5. Violation of OPTIMAL HOME CARE & HOSPICE's Drug and Alcohol-Free Workplace Policy.
6. Fighting, threatening or disrupting the work of others or other violations of OPTIMAL HOME CARE & HOSPICE's Workplace Violence Policy.
7. Failure to follow lawful instructions of a supervisor.
8. Failure to perform assigned job duties.
9. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness or unexcused absences.
10. Gambling on OPTIMAL HOME CARE & HOSPICE property.
11. Willful or careless destruction or damage to OPTIMAL HOME CARE & HOSPICE assets or to the equipment or possessions of another employee.
12. Wasting work materials.
13. Performing work of a personal nature during working time.
14. Violation of the Solicitation and Distribution Policy.
15. Violation of OPTIMAL HOME CARE & HOSPICE's Harassment or Equal Employment Opportunity Policies.
16. Violation of the Communication and Computer Systems Policy.
17. Unsatisfactory job performance.
18. Any other violation of OPTIMAL HOME CARE & HOSPICE policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and OPTIMAL HOME CARE & HOSPICE reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. OPTIMAL HOME CARE & HOSPICE will manage each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a given situation. However, OPTIMAL HOME CARE & HOSPICE will endeavor to utilize progressive discipline but reserves the right in its sole discretion to terminate the

employee at any time for any reason.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

5-2. Punctuality and Attendance

Employees are hired to perform important functions at OPTIMAL HOME CARE & HOSPICE. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive and place an unfair burden on fellow employees and Supervisors. We expect excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

We do recognize, however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify Supervisors as early as possible, but no later than the start of the work day. Asking another employee, friend or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the illness and its expected duration, for every day of absenteeism.

Unreported absences of three (3) consecutive work days generally will be considered a voluntary resignation of employment with OPTIMAL HOME CARE & HOSPICE.

5-3. Use of Communications and Computer Systems

OPTIMAL HOME CARE & HOSPICE's communication and computer systems are intended primarily for business purposes; however limited personal usage is permitted if it does not hinder performance of job duties or violate any other OPTIMAL HOME CARE & HOSPICE policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of OPTIMAL HOME CARE & HOSPICE systems.

OPTIMAL HOME CARE & HOSPICE may access the voice mail and e-mail systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when OPTIMAL HOME CARE & HOSPICE deems it appropriate to do so. The reasons for which OPTIMAL HOME CARE & HOSPICE may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that OPTIMAL HOME CARE & HOSPICE operations continue appropriately during the employee's absence.

Further, OPTIMAL HOME CARE & HOSPICE may review Internet usage to ensure that such use with OPTIMAL HOME CARE & HOSPICE property, or communications sent via the Internet with OPTIMAL HOME CARE & HOSPICE property, are appropriate. The reasons for which OPTIMAL HOME CARE & HOSPICE may review employees' use of the Internet with OPTIMAL HOME CARE & HOSPICE property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that OPTIMAL

HOME CARE & HOSPICE operations continue appropriately during the employee's absence.

OPTIMAL HOME CARE & HOSPICE may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

OPTIMAL HOME CARE & HOSPICE's policies prohibiting harassment, in their entirety, apply to the use of OPTIMAL HOME CARE & HOSPICE's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Further, since OPTIMAL HOME CARE & HOSPICE's communication and computer systems are intended for business use, all employees, upon request, must inform management of any private access codes or passwords.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited.

No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including discharge.

5-4. Use of Social Media

OPTIMAL HOME CARE & HOSPICE respects the right of any employee to maintain a blog or web page or to participate in a social networking, Twitter or similar site, including but not limited to Facebook and LinkedIn. However, to protect OPTIMAL HOME CARE & HOSPICE interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not post on a blog or web page or participate on a social networking platform, such as Twitter or similar site, during work time or at any time with OPTIMAL HOME CARE & HOSPICE equipment or property unless used to promote growth of the business.

All rules regarding confidential and proprietary business information apply in full to blogs, web pages and social networking platforms, such as Twitter, Facebook, LinkedIn or similar sites. Any information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed in a blog, web page or social networking site.

Whether the employees are posting something on their own blog, web page, social networking, Twitter or similar site or on someone else's, if the employee mentions OPTIMAL HOME CARE & HOSPICE and also expresses either a political opinion or an opinion regarding OPTIMAL HOME CARE & HOSPICE's actions that could pose an actual or potential conflict of interest with OPTIMAL HOME CARE & HOSPICE, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is his/her personal opinion and not OPTIMAL HOME CARE & HOSPICE's position. This is necessary to preserve OPTIMAL HOME CARE & HOSPICE's good will in the marketplace.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking, Twitter or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous or violent is forbidden.

OPTIMAL HOME CARE & HOSPICE policies apply equally to employee social media usage.

OPTIMAL HOME CARE & HOSPICE encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page, and/or social networking site is received and often misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their manager. Failure to follow these guidelines may result in discipline, up to and including discharge.

5-5. Personal and Company-Provided Portable Communication Devices

OPTIMAL HOME CARE & HOSPICE-provided portable communication devices (PCDs), including cell phones and personal digital assistants, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes, as permitted, the right to monitor personal communications as necessary.

Some employees may be authorized to use their own PCD for business purposes. These employees should work with the IT department to configure their PCD for business use. Communications sent via a personal PCD also may be subject to monitoring if sent through OPTIMAL HOME CARE & HOSPICE's networks and the PCD must be provided for inspection and review upon request.

All conversations, text messages and e-mails must be professional. When sending a text message or using a PCD for business purposes, whether it is a OPTIMAL HOME CARE & HOSPICE-provided or personal device, employees must comply with applicable OPTIMAL HOME CARE & HOSPICE guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles. Using a OPTIMAL HOME CARE & HOSPICE-issued PCD to send or receive personal text messages is prohibited at all times and personal use during working hours should be limited to emergency situations.

If employees who use a personal PCD for business resign or are discharged, they will be asked to remove all information from the device relating to, OPTIMAL HOME CARE & HOSPICE information (such as company contacts, e-mails and photographs).

Please note that whether employees use their personal PCD or a OPTIMAL HOME CARE & HOSPICE-issued device, OPTIMAL HOME CARE & HOSPICE's electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect.

Portable Communication Device Use While Driving

Employees who drive on OPTIMAL HOME CARE & HOSPICE business must abide by all state or local laws prohibiting or limiting PCD (cell phone or personal digital assistant) use while driving. Further, even if usage is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while driving, and permitted by law, employees must use a hands-free option and advise the caller that they are unable

to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a cell phone while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

5-6. Inspections

OPTIMAL HOME CARE & HOSPICE reserves the right to require employees while on OPTIMAL HOME CARE & HOSPICE property, or on client property, to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on OPTIMAL HOME CARE & HOSPICE or client property, and work areas. This includes lockers, vehicles, desks, cabinets, work stations, packages, handbags, briefcases and other personal possessions or places of concealment, as well as personal mail sent to OPTIMAL HOME CARE & HOSPICE or to its clients. Employees are expected to cooperate in the conduct of any search or inspection.

5-7. Smoking

Smoking, including the use of e-cigarettes, is prohibited on OPTIMAL HOME CARE & HOSPICE premises and in all OPTIMAL HOME CARE & HOSPICE vehicles.

5-8. Personal Visits and Telephone Calls

Disruptions during work time can lead to errors and delays. Therefore, personal telephone calls must be kept to a minimum, during working time, and preferable during lunch or break time.

5-9. Solicitation and Distribution

To avoid distractions, solicitation by the employee of another employee is prohibited while either employee is on work time. "Work time" is defined as the time the employee is engaged, or should be engaged, in performing his/her work tasks for OPTIMAL HOME CARE & HOSPICE. Solicitation of any kind by non-employees on OPTIMAL HOME CARE & HOSPICE premises is prohibited at all times.

Distribution of advertising material, handbills, printed or written literature of any kind in working areas of OPTIMAL HOME CARE & HOSPICE is prohibited at all times. Distribution of literature by non-employees on OPTIMAL HOME CARE & HOSPICE premises is prohibited at all times.

5-10. Bulletin Boards/Website

Important notices and items of general interest are continually posted on OPTIMAL HOME CARE & HOSPICE bulletin boards/website. Employees should make it a practice to review bulletin boards frequently. This will assist employees in keeping up with what is current at OPTIMAL HOME CARE & HOSPICE. To avoid confusion, employees should not post or remove any material from the bulletin board.

5-11. Confidential Company Information

During the course of work, employees may become aware of confidential information about OPTIMAL HOME CARE & HOSPICE's business, including but not limited to information regarding OPTIMAL HOME CARE & HOSPICE finances, pricing, products and new product development, software and computer programs, marketing strategies, suppliers and customers and potential customers. Employees also may become aware of similar confidential information belonging to OPTIMAL HOME CARE & HOSPICE's clients. It is extremely important that all such information remain confidential, and particularly not be disclosed to OPTIMAL HOME CARE & HOSPICE's competitors. Any employee who improperly copies, removes (whether physically or electronically), uses or discloses confidential information to anyone outside of OPTIMAL HOME CARE & HOSPICE may be subject to disciplinary action up to and including termination. Employees may be required to sign an agreement reiterating these obligations.

5-12. Conflict of Interest and Business Ethics

It is OPTIMAL HOME CARE & HOSPICE's policy that all employees avoid any conflict between their personal interests and those of OPTIMAL HOME CARE & HOSPICE. The purpose of this policy is to ensure that OPTIMAL HOME CARE & HOSPICE's honesty and integrity, and therefore its reputation, are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal interests or relationships that actually or potentially conflict with the best interests of OPTIMAL HOME CARE & HOSPICE.

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, the situations that would constitute a conflict in most cases include but are not limited to:

1. holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do, business with OPTIMAL HOME CARE & HOSPICE, by any employee who is in a position to directly or indirectly influence either OPTIMAL HOME CARE & HOSPICE's decision to do business, or the terms upon which business would be done with such organization;
2. holding any interest in an organization that competes with OPTIMAL HOME CARE & HOSPICE;
3. being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do, business with OPTIMAL HOME CARE & HOSPICE or which

competes with OPTIMAL HOME CARE & HOSPICE; and/or

4. profiting personally, e.g., through commissions, loans, expense reimbursements or other payments, from any organization seeking to do business with OPTIMAL HOME CARE & HOSPICE.
5. Accepting gifts from patients and/or referral partners.
6. Working for any other Home Health or Hospice Agencies that does not comply with following Medicare Conditions of Participation.

A conflict of interest would also exist when a member of the employee's immediate family is involved in situations such as those above.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

It is the employee's responsibility to report any actual or potential conflict that may exist between the employee (and the employee's immediate family) and OPTIMAL HOME CARE & HOSPICE.

5-13. Use of Facilities, Equipment and Property, Including Intellectual Property

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

Employees should notify their supervisor if any equipment, machines, or tools appear to be damaged, defective or in need of repair. Prompt reporting of loss, damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Supervisors can answer any questions about the employees' responsibility for maintenance and care of equipment used on the job.

Employees also are prohibited from any unauthorized use of OPTIMAL HOME CARE & HOSPICE's intellectual property, such as audio and video tapes, print materials and software.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including discharge.

Further, OPTIMAL HOME CARE & HOSPICE is not responsible for any damage to employees' personal belongings unless the employee's supervisor provided advance approval for the employee to bring the personal property to work.

5-14. Health and Safety

The health and safety of employees and others on OPTIMAL HOME CARE & HOSPICE property are of critical concern to OPTIMAL HOME CARE & HOSPICE. OPTIMAL HOME CARE & HOSPICE intends to comply with all health and safety laws applicable to our business. To this end, we must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to management immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on OPTIMAL HOME CARE & HOSPICE's premises, or in a product, facility, piece of equipment, process or business practice for which OPTIMAL HOME CARE & HOSPICE is responsible should be brought to the attention of management immediately.

Periodically, OPTIMAL HOME CARE & HOSPICE may issue rules and guidelines governing workplace safety and health. OPTIMAL HOME CARE & HOSPICE may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident.

5-15. Hiring Relatives/Employee Relationships

A familial relationship among employees can create an actual or at least a potential conflict of interest in the employment setting, especially where one relative supervises another relative. To avoid this problem, OPTIMAL HOME CARE & HOSPICE may refuse to hire or place a relative in a position where the potential for favoritism or conflict exists.

In other cases, such as personal relationships where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or discharged from employment, at the discretion of OPTIMAL HOME CARE & HOSPICE. Accordingly, all parties to any type of intimate personal relationship must inform management.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. OPTIMAL HOME CARE & HOSPICE generally will attempt to identify other available positions, but if no alternate position is available, OPTIMAL HOME CARE & HOSPICE retains the right to decide which employee will remain with OPTIMAL HOME CARE & HOSPICE.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

5-16. Employee Dress and Personal Appearance

Employees are expected to report to work well groomed, clean, and dressed according to the requirements of their position. Office employees are required to wear logo'd apparel with jeans, logo'd scrubs or business casual attire. Field employees are required to wear logo'd apparel, preferably logo'd scrubs in the field. Field employees must also have an official Optimal Home Care and Hospice badge on at all times. Employees should contact their supervisor for specific information regarding acceptable attire for their position or refer to the dress code policy. If employees report to work dressed or groomed inappropriately, they may be prevented from working until they return to work well groomed and wearing the proper attire.

5-17. Publicity/Statements to the Media

All media inquiries regarding the position of OPTIMAL HOME CARE & HOSPICE as to any issues must be referred to President or Vice President. Only President or Vice President is authorized to make or approve public statements on behalf of OPTIMAL HOME CARE & HOSPICE. No employees, unless specifically designated by President or Vice President, are authorized to make those statements on behalf of OPTIMAL HOME CARE & HOSPICE. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of OPTIMAL HOME CARE & HOSPICE must first obtain approval from President or Vice President.

5-18. Operation of Vehicles

All employees authorized to drive OPTIMAL HOME CARE & HOSPICE-owned or leased vehicles or personal vehicles in conducting OPTIMAL HOME CARE & HOSPICE business must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to management immediately.

Employees must have a valid driver's license in their possession while operating a vehicle off or on OPTIMAL HOME CARE & HOSPICE property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times.

OPTIMAL HOME CARE & HOSPICE-owned or leased vehicles may be used only as authorized by management.

Portable Communication Device Use While Driving

Employees who drive on OPTIMAL HOME CARE & HOSPICE business must abide by all state or local laws prohibiting or limiting portable communication device (PCD) use, including cell phones or personal digital assistants, while driving. Further, even if use is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while

driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employees are driving, and permitted by law, they must use a hands-free option and advise the caller that they are unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a PCD while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

5-19. Business Expense Reimbursement

Employees will be reimbursed for reasonable approved expenses incurred in the course of business. These expenses must be approved by the employee's Supervisor, and may include air travel, hotels, motels, meals, cab fare, rental vehicles, or gas and car mileage for personal vehicles. All expenses incurred should be submitted to Controller along with the receipts in a timely manner.

Employees are expected to exercise restraint and good judgment when incurring expenses. Employees should contact their Supervisor in advance if they have any questions about whether an expense will be reimbursed.

5-20. References

OPTIMAL HOME CARE & HOSPICE will respond to reference requests through the Human Resources Department. OPTIMAL HOME CARE & HOSPICE will provide general information concerning the employee such as date of hire, date of discharge, and positions held. Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to the Human Resources Department.

Only the Human Resources Department may provide references.

5-21. If You Must Leave Us

Should any employees decide to leave OPTIMAL HOME CARE & HOSPICE, we ask that they provide a Supervisor with at least 2 Weeks - Professionals 4 Weeks advance notice of departure. Thoughtfulness will be appreciated. All OPTIMAL HOME CARE & HOSPICE, property including, but not limited to, keys, security cards, parking passes, laptop computers, fax machines, uniforms, etc., must be returned at separation. Employees also must return all of OPTIMAL HOME CARE & HOSPICE's Confidential Information upon separation. To the extent permitted by law, employees will be required to repay OPTIMAL HOME CARE & HOSPICE (through payroll deduction, if lawful) for any lost or damaged OPTIMAL HOME CARE & HOSPICE property. As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

5-22. Exit Interviews

Employees who resign are requested to participate in an exit interview with Compliance Specialist or written format, if possible.

5-23. A Few Closing Words

This handbook is intended to give employees a broad summary of things they should know about OPTIMAL HOME CARE & HOSPICE. The information in this handbook is general in nature and, should questions arise, any member of management should be consulted for complete details. While we intend to continue the policies, rules and benefits described in this handbook, OPTIMAL HOME CARE & HOSPICE, in its sole discretion, may always amend, add to, delete from or modify the provisions of this handbook and/or change its interpretation of any provision set forth in this handbook. Employees should not hesitate to speak to management if they have any questions about OPTIMAL HOME CARE & HOSPICE or its personnel policies and practices.

Section 6 - Michigan Addendum

6-1. Social Security Number Privacy Act

It is the policy of OPTIMAL HOME CARE & HOSPICE to ensure to the extent practicable the confidentiality of employees' Social Security Numbers in accordance with Michigan law.

OPTIMAL HOME CARE & HOSPICE will not intentionally do any of the following acts which result in a prohibited disclosure of employees' Social Security Numbers. Violation of this policy will result in discipline up to and including discharge.

1. Publicly display more than four (4) sequential digits of a Social Security Number
2. Use more than four (4) sequential digits of a Social Security Number as a primary account number or use more than 4 sequential digits of a Social Security Number on any identification badge or card, membership card, permit or license, except where permitted by law.
3. Require employees to use or transmit more than four (4) sequential digits of their Social Security Numbers over the internet or on a computer system or network or to gain access to the internet, computer system or network unless the connection is secure or the transmission is encrypted. Similarly, OPTIMAL HOME CARE & HOSPICE will not require employees to use or transmit more than four (4) sequential digits of their Social Security Numbers to gain access to the internet or a computer system unless the connection is secure, the transmission is encrypted, or a password or other unique personal identification or authentication device is also required.
4. Include more than four (4) sequential digits of Social Security Numbers on the outside of envelopes or packages or visible internal areas.
5. Include more than four (4) sequential digits of Social Security Numbers in documents or information mailed to individuals, except as permitted by law.

OPTIMAL HOME CARE & HOSPICE limits access to Social Security Numbers to those employees and outside consultants whose job duties require that they use this information in connection with OPTIMAL HOME CARE & HOSPICE business. The individuals who have access to Social Security Numbers are those who work in the following areas:

Human Resources

Benefits Administration

Computer and Information Technology

Executive Management

Legal Department

Individuals who, though not employed by OPTIMAL HOME CARE & HOSPICE provide legal, tax, benefits, management or other consulting services for OPTIMAL HOME CARE & HOSPICE.

OPTIMAL HOME CARE & HOSPICE will properly dispose of documents containing Social Security Numbers by ensuring that all such materials are shredded or otherwise destroyed prior to discarding

such information. Data stored in electronic format will be rendered irretrievable before computers are discarded or destroyed.

6-2. Victims of Crime Leave

Employees who are a victim or victim's representative, called to serve as a witness in a judicial proceeding, must notify their supervisor as soon as possible.

Employees will not be compensated for time away from work to participate in a court case, but may use available vacation time to cover the period of absence.

Employees testifying as the victim or representative of a victim in a judicial proceeding will not be disciplined for their absence.

General Handbook Acknowledgment

This Employee Handbook is an important document intended to help employees become acquainted with OPTIMAL HOME CARE & HOSPICE. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because OPTIMAL HOME CARE & HOSPICE's operations may change, the contents of this Handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Handbook.

I have received and read a copy of OPTIMAL HOME CARE & HOSPICE's Employees Handbook. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of OPTIMAL HOME CARE & HOSPICE at any time.

I further understand that my employment is terminable at will, either by myself or OPTIMAL HOME CARE & HOSPICE, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.

I understand that no representative of OPTIMAL HOME CARE & HOSPICE other than the President and/or the Vice President may alter "at will" status and any such modification must be in a signed writing.

I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of OPTIMAL HOME CARE & HOSPICE's Employee Handbook.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this acknowledgment should be given to management - it will be filed in your personnel file.

Receipt of Non-Harassment Policy

It is OPTIMAL HOME CARE & HOSPICE's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information or any other characteristic protected by applicable federal, state or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by OPTIMAL HOME CARE & HOSPICE.

The purpose of this policy is not to regulate our employees' personal morality, but to ensure that no one harasses another individual in the workplace, including while on OPTIMAL HOME CARE & HOSPICE premises, while on OPTIMAL HOME CARE & HOSPICE business (whether or not on OPTIMAL HOME CARE & HOSPICE premises) or while representing the OPTIMAL HOME CARE & HOSPICE. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual or physical conduct of a sexual nature when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of the conduct or advances or requests by an individual is used as

- the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

1. unwelcome flirtations, leering, whistling, touching, pinching, assault, blocking normal movement;
2. requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. obscene or vulgar gestures, posters or comments;
4. sexual jokes or comments about a person's body, sexual prowess or sexual deficiencies;
5. propositions or suggestive or insulting comments of a sexual nature;
6. derogatory cartoons, posters and drawings;
7. sexually-explicit e-mails, text messages or voicemails;
8. uninvited touching of a sexual nature;
9. unwelcome sexually-related comments;
10. conversation about one's own or someone else's sex life;
11. conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
12. teasing or other conduct directed toward a person because of the person's gender.

Reporting Procedures

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to Compliance Specialist. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact any member of management. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, OPTIMAL HOME CARE & HOSPICE will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up

to and including termination.

I have read and I understand OPTIMAL HOME CARE & HOSPICE's Non-Harassment Policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.