



# ZINNIA WELLNESS INC EMPLOYEE HANDBOOK



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## Welcome

Welcome to **ZINNIA Wellness!**

We are delighted that you have chosen to join our organization and hope that you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will take advantage of opportunities to enhance your career and further **Zinnia Wellness's** goals.

You are joining an organization that has a reputation for outstanding leadership, innovation, and expertise. We recognize that our employees have made us the success that we are today and use their creativity and talent to invent new solutions, meet new demands, and offer the most effective services/products in the industry. We enjoy our role in providing high quality home care services to seniors, children and disabled clients throughout the state of Tennessee. With your active involvement, creativity, and support, **Zinnia Wellness** will continue to achieve its goals. We sincerely hope you will take pride in being an important part of **Zinnia Wellness's** success.

To help you become familiar with **Zinnia Wellness** we have prepared this handbook. We believe that it is important to communicate our policies and expectations. Please understand that this handbook only summarizes our policies and practices. It just gives you an overview of what is expected. It is not meant to be a comprehensive description of every policy and procedure. **Zinnia Wellness** reserves sole discretion to interpret this manual and any policy or benefit contained within it. The **Zinnia Wellness** Board of Directors also retains the right to supplement, revise or revoke/rescind any part or all of this manual. Should any federal, state or local law or statute be found in conflict with any of the provisions of this document, the law or statute governs.

Please take time to review the policies contained in this handbook. If you have questions, feel free to ask or to contact the Human Resources Department. Once you have completed your review, we ask that you sign and return a copy of the attached Acknowledgement of Receipt Statement found on page 6 of this handbook. This is an acknowledgement of the fact that you have read the handbook and fully understand its terms and provisions. Throughout this handbook, use of "you" and "your" refers to the employee of Zinnia Wellness, and use of "our" and "we" and the "company" refers to Zinnia Wellness, Inc.

You are now considered a **Zinnia Wellness** seed that has just been planted for growth. We look forward in seeing you bloom into a mature and happy **Zinnia Wellness Flower!**

*David Willier, RN*

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David Willier, RN – Director

*Jennifer Aaron*

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Jennifer Aaron – Director

**Zinnia Wellness, Inc. Directors and HR**



## Receipt of Organization Employee Handbook -Acknowledgement Form

By signing this form, I acknowledge that I have received a copy of the **Zinnia Wellness's** Employee Handbook (sometimes called a Personnel Policy Manual and referred to as the "Manual") which is a compilation of personnel policies, practices, and procedures currently in effect at **Zinnia Wellness Inc.**, an equal opportunity employer.

This manual is designed to introduce you to the organization and familiarize you with the organizational policies. It provides general guidelines for work rules, disciplinary procedures, and other issues related to your employment. It answers many of the questions that may arise in connection with your employment.

I understand that I am expected to read the handbook and familiarize myself with its contents. I confirm that I understand how the policies in the handbook apply to me. I understand that nothing in the handbook constitutes a contract or promise of continued of employment and management may change the policies in the handbook at any time. I understand that this Employee Handbook replaces any and all prior handbooks, policies and procedures of **Zinnia Wellness** or of any company acquired by **Zinnia Wellness**.

I acknowledge that my employment is *at will* by the standards of the State of Tennessee Labor Laws. I understand that I have the right to end this employment relationship at any time for any reason with or without notice, with or without cause, and that the organization has the same right. I understand that I must provide the company proper notice (stated under Section XI. Separation from Employment / Separation from Employment, page 39 of this handbook) in order to separate with a rehire able status.

I acknowledge that neither **Zinnia Wellness** nor I have entered into an employment agreement for a specified period of time, that only the director may make any agreement contrary to the at-will policy, and that any such agreement must be in writing, signed by the director and myself.

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
EMPLOYEE'S NAME (PRINT)

Please sign and date one copy of this notice and return it to Human Resources. Retain a second copy for your reference



## I. Philosophy of Zinnia Wellness

### **MISSION:**

**Zinnia Wellness** is dedicated to providing the highest quality home-based client care with compassion and respect for each person.

### **VALUES:**

**Zinnia Wellness** recognizes and supports these values and their role in fulfilling our mission.

### **WE ARE:**

- **Committed to Our Clients:**

We recognize the unique physical, emotional, and spiritual needs of each person receiving health care in the home. We strive to extend the highest level of courtesy and service to our clients, families, caregivers and visitors.

- **Committed to Leadership:**

We engage in a wide range of continuing clinical education programs for our paraprofessionals.

- **Committed to Excellence:**

We strive to create an environment of teamwork and participation through which continuous performance improvement, health care professionals pursue excellence and take pride in their work, the organization, and their personal development. We believe that the quality of our personnel is the key to continued success. We require our staff to participate in a wide range of continuing clinical educational programs to maintain our quality of care. We maintain financial viability through a cost-effective operation, meeting our long-term commitment to our clientele.



## II. Employment At-Will

Employment at **Zinnia Wellness** is through at-will basis unless otherwise stated in a written individual employment agreement signed by the Owner of the company. This means that either the employee or the company may terminate the employment relationship at any time for any reason, with or without cause/notice.

Nothing in this employee handbook is intended to create an employment agreement, expressed or implied. Nothing contained in this handbook or any other document provided to the employee is intended to be, nor should be, construed as a contract that employment or any benefit will be continued for any period of time.

Any salary figures provided to an employee in annual or monthly terms are stated for the sake of convenience or to facilitate comparison and not intended to create an employment contract for any specific period of time.

Nothing in this statement is intended to interfere with, restrain, or prevent concerted activity as protected by the National Labor Relations Act. Such activity includes employee communication regarding wages, hours, or other terms and conditions of employment. **Zinnia Wellness** employees have the right to engage in or refrain from such activities.



### **III. Equal Opportunity and Commitment to Diversity**

#### **\* EQUAL OPPORTUNITY:**

**Zinnia Wellness** provides equal employment opportunities to all employees and applicants for employment without regard to race, color, ancestry, national origin, gender, sexual orientation, marital status, religion, age, disability, gender identity, results of genetic testing, or military service. Equal employment opportunity applies to all terms and conditions of employment including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

**Zinnia Wellness** expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is absolutely not tolerated.

#### **\* AMERICANS WITH DISABILITIES ACT (ADA) AND REASONABLE ACCOMMODATION:**

To ensure equal employment opportunities to qualified individuals with a disability, **Zinnia Wellness** will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of the business would result. Employees who may require a reasonable accommodation should contact the Human Resources Department.

#### **\* COMMITMENT TO DIVERSITY:**

**Zinnia Wellness** is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the business and are valued for their skills, experience, and unique perspectives. This commitment is embodied in company policy and the way we do business at **Zinnia Wellness**. We believe this is an important principle of sound business management.

#### **\* E-VERIFICATION (E-VERIFY):**

E-Verify is an electronic program through which employers verify the employment eligibility of their employees after hire. The program was authorized by the Immigration Reform and Control Act of 1986 (IIRIRA). In short, employers submit information taken from a new hire's Form I-9 (Employment Eligibility Verification Form) through E-Verify to the Social Security Administration and U.S. Citizenship and Immigration Services (USCIS) to determine whether the information matches government records and whether the new hire is authorized to work in the United States.

E-Verify is administered by the U.S. Department of Homeland Security, USCIS, Verification Division, and the Social Security Administration. The USCIS Verification Division is dedicated to providing program support, administering unparalleled customer service to both employers and workers, developing innovative technological solutions, and performing community outreach to further the mission of E-Verify. By extension, we facilitate federal agency and employer compliance with U.S. immigration law.

#### **\* GENETIC INFORMATION NONDISCRIMINATION ACT (GINA):**

The Genetic Information Nondiscrimination Act of 2008 (GINA) will generally prohibit discrimination in health coverage and employment on the basis of genetic information. GINA, together with already existing nondiscrimination provisions of the Health Insurance Portability and Accountability Act, generally prohibits health insurers or health employers from requesting or requiring genetic information of an individual or the individual's family members, or using it for decisions regarding coverage, rates, or preexisting conditions. GINA protects any Americans from being treated unfairly because of differences in their DNA that may affect their health. Employers are prohibited from using genetic information for hiring, firing, promotion decision, or for any decisions regarding terms of employment.



## IV. Conflicts of Interest and Confidentiality

### \* CONFLICTS OF INTEREST:

**Zinnia Wellness** expects all employees to conduct themselves and company business in a manner which reflects the highest standards of ethical conduct in accordance with all federal, state, and local laws/regulations. This includes avoiding real and potential conflicts of interests.

Conflict of interest or unethical business practices are both moral and legal questions. **Zinnia Wellness** recognizes and respects individual employee rights to engage in private activities, outside of employment and do not in any way conflict with or reflect poorly on the company.

It is impossible to define all the circumstances and relationships which might create conflicts of interest. If a situation arises for which there is a potential conflict of interest, the employee should discuss this with **Zinnia** for guidance on how to proceed. The list below suggests some of the types of activities which indicate improper behavior, unacceptable personal integrity, or unacceptable ethics:

1. Simultaneous employment by another firm which is a competitor of or supplier to **Zinnia Wellness**.
2. Providing, owning an interest in, or assisting any other person or entity that is in competition with **Zinnia Wellness**.
3. Participating in civic or professional organization activities in a manner which divulges confidential company information.
4. Misusing privileged information or revealing confidential data to outsiders.
5. Using one's position or knowledge of company affairs for personal gains.
6. Speculating or dealing in materials, equipment, supplies, services, or property purchased by the company.
7. Accepting substantial gifts or excessive entertainment from an outside organization or agency.
8. Engaging in practices or procedures which violate antitrust laws, commercial bribery laws, copyright laws, discrimination laws, campaign contribution laws, or other laws regulating the conduct of company business.

**Zinnia Wellness** will determine in its sole discretion whether any work or interest constitutes a violation of this policy. Before you begin to directly or indirectly work for, assist or own an interest in any other business venture other than **Zinnia Wellness**, you must notify your supervisor.

### \* CONFIDENTIAL INFORMATION:

The protection of confidential business information and trade secrets is vital to the interests and success of **Zinnia Wellness**. Confidential information is any and all information disclosed to or known by you due to employment with the company. This includes, but is not limited to, client, insurance, and patient information. Examples are: name, address, billing, medical history, payment records, financial/medical history, records forms, etc. This information is highly confidential and is not to be discussed with anyone outside of **Zinnia Wellness**. Knowledge of such confidential information is a trust.

An employee who improperly uses or discloses trade secrets/confidential business information will be subject to disciplinary action up to and including termination of employment along with possible legal action.



## V. Workplace Safety

### \* DRUG FREE WORKPLACE:

It is the policy of Zinnia Wellness to maintain a drug and alcohol free work environment that is safe and productive for employees and its affiliates.

The unlawful use, possession, purchase, sale, distribution, or being under the influence of illegal drugs and/or misuse of legal drugs while on company/client premises, including performing services for the company is strictly prohibited. Zinnia Wellness also prohibits reporting to work, performing services while impaired by the use of alcohol, and consuming alcohol while on duty or during work hours.

To ensure compliance with this policy, substance abuse screening may be conducted in the following situations:

**Pre-employment:** As required by the company for all prospective employees who receive a conditional offer of employment.

**For Cause:** Upon reasonable suspicion that the employee is under the influence of alcohol or drugs which could affect, or has adversely affected the employee's job performance. Or if involved in an on-the-job accident resulting in property damage, a lost-time injury, or an injury resulting in a referral to or treatment by an outside medical facility, doctor, or technician.

**Random:** As allowed, authorized or required by federal or state law.

Compliance with this policy is a condition of employment. Employees who test positive or refuse to submit to substance abuse screening will be subject to termination. Notwithstanding any provision herein; this policy will be enforced at all times in accordance with applicable state and local law.

Any employee violating this policy is subject to discipline, up to and including termination for the first offense.

### \* SMOKE FREE WORKPLACE:

In accordance with Tennessee State law, neither employees nor clients are permitted to smoke or use tobacco products whether in the field or in the office. Employees are not allowed to smoke within 50 feet of the company building or work areas at any time. "Smoking" and "smoke" includes the use of any tobacco products, electronic smoking devices, and e-cigarettes.

For employees who do smoke, this needs to be on your own time, away from the workplace. There are no exceptions and it applies to all employees, whether you are field staff or office staff.

### \* WORKPLACE VIOLENCE PREVENTION:

Zinnia Wellness is committed to providing a safe, violence free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include verbal or physical harassment/abuse, attempts to intimidate others, menacing gestures, stalking, possession of a weapon in Company or client facilities, or any other hostile, aggressive, destructive actions taken for the purpose of intimidation. This policy covers any violent or potentially violent behavior which occurs in the workplace or at company sponsored functions.

All Zinnia Wellness employees bear the responsibility of keeping the work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their supervisor, manager, or the Human Resources Department. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline.



Any individual engaging in violence against the company, its employees, or its property will be prosecuted to the fullest extent of the law. All acts will be investigated and the appropriate action will be taken. Any such act or threatening behavior may result in disciplinary action up to and including termination.

The company reserves the right to inspect all belongings of employees on its premises including briefcases, purses, handbags, gym bags, and personal vehicles on company property.

**\* HARRASMENT AND COMPLAINT PROCEDURE:**

Sexual and other unlawful harassment is a violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, as well as many state laws. Harassment based on a characteristic protected by law such as race, color, ancestry, national origin, gender, sex, sexual orientation, gender identity, marital status, religion, age, disability, veteran status, or other characteristics protected by state or federal law is prohibited.

It is **Zinnia Wellness's** policy to provide a work environment free of sexual and other harassment. To that end, harassment of **Zinnia Wellness's** employees by management, supervisors, coworkers, or non-employees who are in the workplace is absolutely prohibited. Further, any retaliation against an individual who has complained about sexual or other harassment against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. **Zinnia Wellness** will take all steps necessary to prevent and eliminate unlawful harassment.

**Definition of Unlawful Harassment:**

"Unlawful harassment" is conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance, or otherwise adversely affects an individual's employment opportunities due to membership in a protected class. Unlawful harassment includes but is not limited to: epithets, slurs, jokes, pranks, innuendo, stereotyping, or other threatening, intimidating acts based on race, color, ancestry, national origin, gender, sexual orientation, marital status, religion, age, disability, veteran status, and other characteristics protected by state or federal law.

**Definition of Sexual Harassment:**

"Sexual harassment" is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in which:

- Submission to or rejection of such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or basis for employment decisions.
- Such conduct has the effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, offensive work environment.

Other sexually oriented conduct, whether intended or not, is unwelcome and has the effect of creating a hostile work environment which is offensive, intimidating, or humiliating to workers, may also constitute sexual harassment.

While it is not possible to list all the additional circumstances which may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment:

- Unwanted sexual advances, whether they involve physical touching or not.
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments about an individual's body, or comments about an individual's sexual activity, deficiencies, or prowess.
- Displaying sexually suggestive objects, pictures, or cartoons.
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive, insulting comments.
- Inquiries into one's sexual experiences.
- Discussion of one's sexual activities.



All employees should be aware that retaliation against an individual who has complained about sexual harassment and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated.

### **Workplace Bullying:**

To prohibit unlawful harassment due to an individual's protected status, **Zinnia Wellness** also expressly forbids behavior that intimidates, offends, degrades, or humiliates any person regardless of an individual's membership in a protected class or group. Examples of forbidden workplace bullying include:

- An ongoing pattern of verbal abuse including yelling, screaming, offensive language, insults, or belittling of opinions.
- Unwarranted and repeated isolation of an employee from normal work interaction, training and development, or career opportunities.
- Intentionally undermining work performance, deliberately withholding work-related information or resources, or supplying incorrect information.
- Tampering with an employee's personal effects, patient property, or work equipment.

**Zinnia Wellness** encourage a fun work environment, but not at another's expense. It is also important to keep in mind that **Zinnia Wellness's** management has an important job to accomplish. The supervisor's job is to help employees accomplish their job, sometimes through constructive feedback, or appropriate disciplinary action. There is a difference between the legitimate, constructive exercise of authority and workplace bullying. In general, feedback or counseling employees on their work performance does not violate this policy.

### **Complaint Procedure:**

Any employee who believes he or she has been subject to or witnessed illegal discrimination, including sexual or other forms of unlawful harassment, is requested and encouraged to make a complaint. You may, but are not required to, complain to the person you feel is discriminating against or harassing you. You may complain directly to your immediate supervisor, department manager, HR director, or any other member of management with whom you feel comfortable bringing forward such a complaint. Similarly, if you observe acts of discrimination toward, or harassment of another employee, you are requested and encouraged to report this to one of the individuals previously mentioned.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or report of discrimination or harassment. This also includes assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons previously indicated.

All complaints will be investigated promptly to the extent possible with regard for confidentiality.

If the investigation confirms the occurrence of conduct contrary to policy, **Zinnia Wellness** will take immediate corrective action including discipline, up to and including immediate termination.

### **\* COMMITMENT TO SAFETY:**

**Zinnia Wellness** is committed to maintaining a safe work environment for its employees and its patients. Employees are expected to abide by the following safety rules and expected to notify management when any health or safety issues arise. All employees are encouraged to partner with management to ensure maximum safety.

### **Hazardous Chemicals:**

OSHA developed the hazard communication standard with the goal of reducing chances of chemically caused illnesses and injuries to workers by providing you, as an employee, with information regarding the hazards or chemicals you may be exposed to in your work. The standard requires that we have a written hazard communication program which includes information on container labeling, Safety Data Sheets (SDS), and an employee training program.



Although the standard uses the word “Hazardous” to describe chemicals in question, it also includes items we use every day which many of you would not consider hazardous such as: motor oil, coolants, paint, solvents, and glues. These items are commonly used and rarely with any problems, however should be treated as hazardous chemicals. Knowing more the about chemicals we use will make you aware of potential problems and help reduce or eliminate health and safety problems when they are used.

There are three areas you should be familiar with concerning chemical products to which you may be exposed:

- Container Labeling
- Listing of Chemical Products in Use
- Safety Data Sheets (SDS)

### **Container Labeling:**

Chemical containers cannot be shipped from the manufactures or distributors unless they are properly labeled with the identity of the chemical. The label should advise what chemical is in the container, what hazard that the chemical may present, and the name/address of the manufacturer. Labels should not be defaced or removed. Chemical shipments should be accepted, even on a trial basis, without the proper label.

When transferring chemicals from large containers to smaller containers, labels should be applied to the new containers, unless the product is to be immediately and completely used by the person who transferred the chemical.

The basic purpose of labeling requirements are to provide immediate warnings of chemicals inside the containers, and to remind you that more detailed information is available from Safety Data Sheets. If a chemical container has no label, immediately inform your supervisor so that the contents can be labeled appropriately. Do not use the contents of any container that does not have a label.

### **Chemical Product List:**

Each jobsite and office location has a list of chemical products used in our company’s operation. This list is alphabetized by product name and also by manufacturer name. Should you have questions about any chemicals on this list, you can request a copy of the Data Safety Sheet. Make requests through your supervisor.

### **Safety Data Sheets (SDS):**

There are technical bulletins prepared by companies who make chemicals. They should contain the following information:

- The identity of the chemicals, including common names for them.
- Physical and chemical characteristics of the chemicals.
- Known acute and chronic health effects and related health information regarding the chemicals.
- Exposure limits.
- Whether the chemicals are considered carcinogenic.
- Precautionary measures when using the product.
- Names and addresses of the persons who prepared the information.
- Emergency and first aid procedures.

Safe use of chemicals is dependent upon:

- Recognizing hazards: Know the product you are using, read the SDS, become familiar with precautions, and heed warnings by the manufacturer. Use only in accordance with label instructions.
- Controlling exposure: personal protection should be used as recommended. Proper ventilation is required! Follow appropriate storage requirements.

Always consider these three elements when working with chemicals.



### **Chemical exposures:**

The SDS should provide information regarding chemical exposure threshold limits and routes of entry, as these terms are described below.

**Threshold limits** – The quantity of product you can be exposed to without being hazardous. Example: fumes from solvents, adhesives, welding, etc. Small amounts of fume inhaled over short periods of time may or may not affect you. A small amount inhaled continually for 8 hours per day or 40-hours per week, will increase the overall dose and could cause ill effects. On the other hand, large amounts of fume inhaled for a few minutes may be irritating, but may or may not have lasting effects.

**Routes of Entry** – Chemicals enter our system by: inhalation (breathing fumes or vapors), absorption (through skin pores after handling or getting on clothing), and ingestion (swallowing or eating). If you eat lunch, a snack at break time, or smoke a cigarette without washing your hands, you could be consuming chemicals which might be on your hands.

### **Types of Chemicals:**

Some examples of chemicals and how they may affect you:

- Corrosives – Battery acid and sulfuric acid can corrode or eat away metals and steel, so can do the same to your hands and face.
- Irritants – Solvents can irritate the skin or membranes and cause a rash or dermatitis.
- Sensitizers – Epoxy and lacquers affect the nervous system, coordination, muscle control, and brain function.
- Toxins – Carbon monoxide enters the blood stream and is carried to the brain and nervous system. In excessive amounts, will shut them down.
- Carcinogens – Asbestos fibers are proven to cause lung cancer.

### **CONCLUSION:**

Hazard communication is common sense thinking about what you are doing. It's informing yourself, preparing for the task, and taking the necessary precautions. What you do not know CAN HURT YOU! By knowing and checking the SDS, evaluating your use, and controlling your exposure, you can make the best use of chemical products in a safe manner.

### **\* USE OF GLOVES:**

Gloves, as well as other necessary protective gear, are supplied by **Zinnia Wellness**. Gloves must not be large and loose fitting as to easily slip off during use. Disposable gloves will be removed and discarded after contact with each person if exposed to any of the following: chemical or bodily fluid on item surfaces, if torn or punctured, or when their ability to function as a barrier is compromised in any way.

Gloves may not be washed or disinfected for reuse. Gloves are to be changed between tasks and procedures for the same client, after changing or cleaning an incontinent client, after removing an old dressing, and when the integrity of the glove is in doubt. Hands must be washed immediately, or as soon as feasible, after removal of gloves or any other personal protective equipment.

### **\* CLIENT TRANSPORTATION:**

Under no circumstances are clients to be transported by employees of **Zinnia Wellness**.

### **\* DURING WORK ACTIVITIES:**

Employees must comply with job descriptions and must read and follow the Patient Plan of Care, placed in the work area.



## VI. Standards of Conduct / Ethical Behavior

### \* DISCIPLINE AND STANDARDS OF CONDUCT:

As an at-will employer, the company may impose discipline whenever it determines it is necessary or appropriate. Discipline may take various forms, including verbal counseling, written warnings, suspension, demotion, transfers, reassignment or termination. The discipline imposed will depend on the circumstances of each case; therefore, discipline will not necessarily be imposed in any particular sequence. Moreover; at any time the company determines it is appropriate, an employee may be terminated immediately.

Every organization must have certain standards of conduct to guide the behavior of employees. Although there is no possible way to identify every rule of conduct, the following is an explanatory list (not intended to be comprehensive or to limit the company's right to impose discipline for any other conduct it deems inappropriate). Keep in mind that these standards of conduct apply to all employees whenever they are on company property and/or conducting company business (on or off company property). Engaging in any conduct the company deems inappropriate may result in disciplinary action, up to and including termination.

- Dishonesty.
- Falsification of company records.
- Possession or control of illegal drugs, weapons, explosives, or other dangerous and unauthorized materials.
- Fighting, engaging in threats of violence, or use of vulgar and abusive language.
- Horseplay, practical jokes or other disorderly conduct that may endanger others or damage property.
- Insubordination, failure to perform assigned duties, or failure to comply with company's health, safety and other rules.
- Unauthorized and/or excessive absenteeism or tardiness.
- Lack of teamwork, poor communication, unsatisfactory performance, unprofessional conduct, or conduct improper for the workplace.
- Violation of any company policy.

### \* PATIENT CARE / ETHICAL BEHAVIOR:

The agency's conduct policies have been established for the guidance for all employees. All policies and procedures will be enforced in a fair and consistent manner. The purpose of these guidelines is to provide each employee and patient with a safe, healthy, and productive environment.

In a client's home, you are not a guest. You are there to provide services for the client. The following behaviors are strongly discouraged and may be dealt with in a disciplinary manner:

- HIPAA Violations – discussing other clients or Protected Health Information (PHI) with your client or anyone else, including employees.
- Discussing office matters with the client.
- Borrowing money or accepting gifts.
- Fighting or creating a disturbance.
- Idleness or loitering during working hours.
- Reporting for duty under the influence of intoxicants.
- Consuming the client's food or drink.
- Smoking.
- Providing your phone number to your client.
- Offering medical advice.
- Making or receiving phone calls (excluding the office).
- Use of cell phones unless in an emergency.
- Bringing unauthorized personnel to a client's home with you.

A complete policy on Standards of Conduct/Ethical Behavior is located in the Zinnia office for your reference, and can be provided to you by the office administrator during normal business hours.



## VII. Employment Relationship

### \* EMPLOYMENT CLASSIFICATION:

To determine eligibility for benefits and overtime status, ensuring compliance with federal/state laws and regulations, Zinnia Wellness classifies its employees as shown below. Zinnia Wellness may review or change employee classifications at any time.

- **Exempt.** Exempt employees are paid on a salaried basis and are not eligible to receive overtime pay.
- **Nonexempt.** Nonexempt employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked. Employees will be paid an overtime rate of 1 ½ times the regular rate for time worked over 40 hours in one given week. Overtime must be authorized and approved by your supervisor in advance.
- **Full-Time.** Employees who are not in a temporary status and work a minimum of 30 hours weekly and maintain continuous employment status.
- **Part-Time.** Employees who are not in a temporary status are regularly scheduled to work fewer than 30 hours weekly, but at least 20 hours weekly, and who maintain continuous employment status.

On other occasions, Human Resources may make other employment arrangements.

### \* WORK WEEK AND HOURS OF WORK:

The standard workweek is from Monday 12:00 a.m. until Sunday 11:59 p.m. Office hours are Monday – Friday = 8:00 a.m. to 4:30 p.m. Individual work schedules may vary depending on the needs of each department/clients. Some employees will have regular schedules which rarely change from week to week. Others will have schedules that vary, meeting the needs of the department/clients. If an employee has a specific schedule request, efforts may be made to accommodate that request, considering the operational needs of the clients, department, or Zinnia Wellness as a whole. However; in all events, work schedule and schedule changes are determined at the sole discretion of Zinnia Wellness. Any changes to your schedule needs to be reported and approved in advance by staffing/scheduling department. If you work any hours different from your schedule or over you will not get paid for those hours outside your regular schedule.

### Weekend Schedule:

It is mandatory for every employee to fulfill a weekend obligation once a month. This includes PRN's, day and night shift Schedules. The only exemption is if an employee is already assigned a weekend schedule. This requirement does not have to be fulfilled all at once and can be separated into one Saturday-or-Sunday on one weekend and then the other Saturday-or-Sunday on the alternating weekend. However; one Saturday and one Sunday must be fulfilled every month if available and is mandatory for all qualified employees to better serve our client's needs.

### Overtime:

When required due to the needs of the business, you may be asked to work overtime. Overtime is actual hours worked in excess of 40 in a work week. Nonexempt employees will be paid time and one half their regular rate for time worked over 40 hours in one given week. All overtime work must be approved in advance by the staffing/scheduling department, HR or Directors.

### \* TIME RECORDS:

All nonexempt employees are required to complete accurate weekly time reports showing all time worked. These records are required for governmental regulations and are used to calculate regular and overtime pay.

### Field Staff:

At the end of each week, employees must sign time sheets and turn in on time. Time sheets must be accurate, truthful and legible. Illegible timesheets can cause errors in both billing and paychecks.



You will find time sheets in the folder that you were issued on the day we set you up in our office. Remember, a **Zinnia Wellness** work week is Monday, 12:00am to Sunday, 11:59pm (midnight). **ALL** timesheets and aide notes/ nurses notes **MUST** be received no later than **Wednesday 4:30 pm** for the prior work week.

Your timesheets will need to coordinate with the patient care plan, which you will find in the **Zinnia Wellness** Binder at each of your patient's homes. They must be initialed daily and signed by the client at the end of the day or week. Timesheets and nurses notes can be dropped directly at the office during regular business hours, sent via USPS, dropped in the 24 hour black box outside the office, faxed or emailed by Wednesday each week. If you faxed or emailed them you still need to send in the originals to the office no later than the following week, no exceptions are made. Falsification of your timecard (including, but not limited to hours) will result in immediate termination.

**Office Staff:**

It is the employee's responsibility to record hours accurately and on a daily basis. Errors on office computer punch-ins and -outs must be corrected by the billing/payroll director before the end of the day.

As a requirement of the state, **Zinnia Wellness** offers all office staff a minimum 30 minute meal break for all 6 hour consecutive shifts worked daily. Regular office business hours are Monday - Friday from 8:00 am to 4:30 pm CST. Any expected overtime must be approved by the billing/payroll director in advance.

Any employee who misrepresents time worked or punches-in for another employee will be subject to immediate dismissal.

**\* DEDUCTIONS FROM PAY/SAFE HARBOR:**

Certain deductions are required by law to be taken from employees' pay while others are employee authorized. Federal deductions required by law include: federal withholding tax, social security and Medicare contributions. For the state of Tennessee there is no state income tax, however a Tennessee employer is required to assign garnishment in the event that a court order has been filed.

Employees also may voluntarily elect to make certain deductions from pay for certain employee benefits offered from time to time by **Zinnia Wellness**. Employee authorized deductions are those which may include premium payments for benefits.

Below are the Tennessee statutes for wage garnishments:

Wage Assignments.

An employer is not required to honor an assignment of future wages unless the employer agrees to the assignment in writing at the time it is entered into or unless the assignment is ordered by a court to enforce a child support order (*TN Stat. Sec. 50-2-105*).

Child Support Fee Allowed.

Employers may charge up to \$5 per month if ordered to pay an income assignment on behalf of an employee. A 5 percent fee to the clerk of the court is allowed for child support cases (*TN Stat. Sec. 36-5-501*).

**\* PAYCHECKS:**

**Zinnia Wellness's** pay period for all employees is weekly on Friday, with the very first 2 pay periods held. For more detailed information please see payroll calendar Appendix 1.

All **Zinnia Wellness** payroll is processed via direct deposit with the exception of any paychecks which have been suspended and a paper check has been issued for disciplinary or other final check reasons.



**Zinnia Wellness** is not responsible for lost checks after issuance has been received. The employee will incur a \$35.00 stop payment for any checks required to be rewritten and reissued. Direct deposits posted in error will be satisfied by generating a paper check after 24 hours of the next normal business day. It is employee's responsibility to notify the payroll department and resubmit a new direct deposit form in the event that a change in banking has occurred. **Zinnia Wellness** is not responsible for a lost deposit, which is not a company error. **Zinnia Wellness** will however, help assist the situation as much as possible if in the event this has occurred.

**\* ACCESS TO PERSONNEL FILES:**

Employee files are maintained by the Human Resources department and are considered confidential. Managers and supervisors may only have access to personnel file information on a need to know basis. Personnel file access by current and former employees upon request will generally be permitted within 3 business days of the request unless otherwise required under state law. Personnel files are to be reviewed in the Human Resources department. Employee files may not be taken outside the department. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

An employee file is maintained for every employee. It is vital that we keep employee information up-to-date. Please note that HR may ask for updated paperwork at any time.

Please notify Human Resources Department of any changes, for example with:

- Legal Name (if changed by marriage or otherwise)
- Telephone Number (Home and/or Cell)
- Direct Deposit Banking Information
- Available Hours to Work
- Change in Dependents
- Mailing Address
- Request for Time Off (RTOs)
- Emergency Contact Information (name and phone)
- CNA or LPN License
- Insurance Beneficiary
- Marital Status
- Military Status
- Health Issues
- Email
- Driver's License
- Insurance (PPI and/or Auto)

**\* EMPLOYMENT OF RELATIVES AND DOMESTIC PARTNERS:**

Relatives and domestic partners may be hired by the company if (1) Authorized and pre-approved by Directors, (2) the persons concerned will not work in a direct supervisory relationship, (3) the employment will not pose difficulties for supervision, security, safety, or morale. For the purposes of this policy, "relatives" are defined as spouses, domestic partners, children, siblings, parents, or grandparents. A "domestic partnership" is generally defined as a committed relationship between two individuals who are sharing a home or living arrangements. Relatives are not permitted to handle schedules, reports, etc. for any family members.

Current employees who marry each other or become involved in a domestic partnership will be permitted to continue employment with the company provided they don't work in a direct supervisory relationship with each other. If employees who marry or live together do work in a direct supervisory relationship with each other, the company will attempt to reassign one of the employees to another position for which he or she is qualified, if such a position is available. If no such position is available, one of the employees may be required to leave the company.

Directors retain the authority to waive this requirement at their discretion.

**\* INTRODUCTORY PROBATION PERIOD:**

The first three (3) months of employment will be an introductory probation period for all office and field staff employees. At the end of the three months (90 consecutive days), performance will be reviewed and if proven satisfactory or above, employees can be placed into regular working status.



**\* PERFORMANCE REVIEWS:**

Employee performance is reviewed after the first ninety days, and at least annually. It may also be reviewed at any time at the supervisor's discretion, or upon request. Any adjustments to compensation are made based on a number of considerations, including performance. You will know prior your start date, when regular reviews and possible increases will be made. This will be agreed upon during the pre-onboarding stage, at which time you accepted your pay rate. The adjustments to your compensation discussed then, will be the maximum you can receive with that review, but can be lower depending on performance during that period. Any other evaluations/reviews do not include adjustments to compensation unless decided by the directors.

**\* OUTSIDE EMPLOYMENT:**

Employees are permitted to work a second job as long as it does not interfere with their job performance with **Zinnia Wellness**. Employees with a second job are expected to work their assigned schedules. A second job will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, or refusal to work overtime and different hours. We cannot make exceptions, and if another job causes interference in their position with Zinnia, employees will be subject to disciplinary action. This section is still subject to other policies, including Conflict of Interest Section IV of this manual.

We can ask employees to think seriously about the effects that another job may have on their endurance, personal health, wellbeing, performance, and effectiveness with **Zinnia Wellness**. If outside work activities cause or contribute to job-related problems, they must be discontinued, or the employee may be subject to disciplinary action, up to and including termination.



## VIII. Workplace Guidelines

### \* RESPECTFUL WORK ENVIRONMENT:

**Zinnia Wellness** prides itself in providing a respectful work environment. As such, the management consistently strives to treat staff with respect, requiring all employees to be respectful to management, to one another, and to all clients.

### \* WORK AREA:

**Zinnia Wellness** strives to make your working conditions as pleasant as possible. We ask for your cooperation in keeping your work area neat and company equipment in good working order. The need for repairs or adjustments to mechanical equipment should be reported immediately. Secure, confidential work papers and computer files must be put away before leaving your office or work area for the day.

### \* PERSONAL PROPERTY:

All employees are cautioned not to bring valuables or large amounts of cash to work. Purses and wallets should be kept with you, in your vehicle, or stored in a locked place at all times. **Zinnia Wellness** is not responsible for personal property that is lost, stolen, damaged, or destroyed. This includes your personal vehicle or other means of transportation. If you ride a bicycle to work, be sure to securely lock it in the designated space. Employees are responsible for providing their own locking devices.

### \* USE OF ZINNIA WELLNESS EQUIPMENT:

Equipment and resources such as the copier, fax machine, computers, laptops, smart phones, postage machines, e-mail, internet access, telephone, pagers, and voice mail systems are in place to facilitate effective day-to-day business operations. Employees may not use **Zinnia Wellness** equipment or resources for personal use or benefit without prior supervisor approval.

### \* CONDUCT:

The maintenance of extremely high standards of honesty, integrity, performance and conduct is essential to the proper performance of our business, satisfaction of our clients, and the maintenance of our clients' trust. **Zinnia Wellness** expects its employees to have careful regard for our standards and avoid even the appearance of dishonesty or misconduct. Our employees are expected to conduct themselves in a professional and courteous manner, and to exercise good judgment.

Any misconduct or violation of the policies in this manual or otherwise of **Zinnia Wellness** may result in disciplinary action up to and including termination of employment. Following are examples of conduct that may result in such disciplinary action:

1. Unsatisfactory, careless performance or neglect of duties.
2. Failure to use or maintain **Zinnia Wellness** and client property in a proper manner.
3. Altering, removing, or destroying **Zinnia Wellness** or client records and/or property.
4. Deliberate or careless damage to **Zinnia Wellness** or client property.
5. Inappropriate, malicious, disparaging or derogatory oral/written statements concerning **Zinnia Wellness**, or any of its clients, employees and representatives, including online and social media communications.
6. Falsifying personal, client, or **Zinnia Wellness** records, including employment applications, other employment information, or any other records and documents related to **Zinnia Wellness**, its clients, employees or representatives.
7. Excessive tardiness, absenteeism, or abuse of unpaid or paid time off policies.



8. Failure to provide proper notice of an expected absence.
9. Dishonesty, including theft or misappropriation of **Zinnia Wellness** property, its employees, clients, and representatives.
10. Possession of or use and display of any weapon on **Zinnia Wellness** premises or while on **Zinnia** business.
11. Possession, use, or being under the influence of drugs or alcohol on the premises or while on **Zinnia Wellness** business.
12. Endangering conduct, or verbal or nonverbal threats to endanger property, life, safety or health.
13. Disrespect for management, supervisors, employees, or clients of **Zinnia Wellness**. This includes insubordination, failure to perform reasonable assignments, or obscene and abusive language or behavior.
14. Willful violation of HIPAA privacy laws.
15. Violations of **Zinnia Wellness** harassment policies or other forms of unlawful, unethical conduct, harassment or discrimination.
16. Off-duty or pre-employment conduct that reflects or may adversely reflect on **Zinnia Wellness** if the employee were to remain employed.

These examples are not all-inclusive, but merely illustrate the kind of conduct that may be detrimental to **Zinnia Wellness** and its clients or employees. Employees may be discharged or disciplined for conduct not specifically mentioned in this manual, but as determined in the sole discretion of the Directors of **Zinnia Wellness**.

#### **\* ATTENDANCE:**

Employee attendance and schedule adherence is essential to the company's success. When you accept a position with **Zinnia Wellness**, you assume obligations. One of those obligations is to perform the duties of your position during the times specified. You are expected to be punctual and keep absences to a minimum. Absenteeism and tardiness can be a very serious problem for the company, as it is costly, causes unnecessary overtime, imposes additional work on co-workers and supervisors, disrupts schedules, and creates morale problems. The purpose of the **Zinnia Wellness** attendance policy is to establish expectations around employee schedules and time-off guidelines. Employees are expected to communicate when they are unable to work their scheduled shift.

All employees are expected to arrive on time, ready to work, each day they are scheduled to work. If unable to arrive at work on time, or if an employee will be absent for an entire day, the employee must contact the supervisor as soon as possible. Voice mail, text or e-mail messages are NOT acceptable. Doing so will constitute a no-call-no-show and disciplinary action will be taken.

Employee attendance and punctuality are considered along with each employee's work performance for granting hours/schedules, incentives, promotions, compensations or salary increases, and qualification for other benefits. Excessive absenteeism or tardiness may result in disciplinary action, up to and including termination. Failure to show up or call in for a scheduled shift without prior approval may result in termination. If an employee fails to report to work (a "No Call-No Show") OR fails to call in to inform the supervisor of an absence for 3 consecutive days or more, the employee will be considered to have voluntarily resigned employment with no notice (Job Abandonment) and may not be eligible for rehire. (If you provide an acceptable explanation, this policy may not apply. Such explanation may require substantiation and/or verification from other sources).

#### **Attendance for Field Staff:**

Every employee is responsible for knowing and following his/her work schedule, including but not limited to, reading the schedule, schedule updates or changes, start and end times, workdays, shifts and breaks. If on arrival, your client does not respond to the door or buzzer, please call the office immediately. You should never leave without first speaking to the office personnel. Any shift changes that are made through employee-employee generated fill-ins will not be penalized. If you can't make it to a shift, but you find another employee who is able to, simply get pre-authorization from the office to make the switch (both parties will be contacted to verify) and no percussions will be enforced. Multiple



schedule violations, or even a single severe violation, may result in termination. (ABANDONMENT of patient WILL result in termination, regardless of schedule).

Any employee who is scheduled to work weekends or holidays is expected to keep that schedule.

- **Tardiness:** Definition of Tardiness: You are tardy any time you arrive late at your workstation or are not appropriately groomed, dressed and ready to work at the beginning of your scheduled shift. Tardiness or failing to report to work as scheduled can be problematic for clients. Employees must deduct the time not worked from the expected schedule timesheet. Employees will not be paid for the time not worked. Tardiness that exceeds **15 minutes or more**, whether notified or not, are considered a complete unexcused absence on employee's attendance record. If an employee is going to be late, he/she must call the office directly at 931-507-2700 Monday through Friday, 8:00am to 4:30pm CST. If after business hours, he/she must call the On Call Cell Phone directly at 931-743-8269, including all closed holidays. We may contact the client to inform of your tardiness. You are responsible to fulfill the entire shift scheduled. Frequent tardiness is not acceptable and can jeopardize your position with **Zinnia Wellness**. Failure to report any tardiness can result in disciplinary action or immediate termination.
- **Absences and Sick days:** Definition of Absence: Any time (other than tardiness described above) that you are scheduled to work and you fail to be present at the designated work location for all of the scheduled time or shift. This includes if you fail to report to your workstation more than 7 minutes late. It also includes time off for sickness, but does not include pre-approved time off requested at least two weeks in advance, leaves of absence, or for designated holidays when you are not scheduled to work.

**If you miss any time up to half of your scheduled shift ½ day will be deducted from allot days. If more than half of your schedule hrs. are missed, an entire day will be deducted. If more than 12 hrs. are missed 2 days will be deducted. If 2 cases/patients are scheduled within the same day, and both are missed, this will be deducted as 2 days, regardless of the number of hours missed.**

If you are sick, it is imperative that you call the office directly. Employees will not be paid for time not worked. If an employee is sick, he/she must call the office no later than 24 hours before shift begins or at the earliest possibility, call directly at 931-507-2700 Monday through Friday, 8:00am to 4:30pm CST. If after business hours, he/she must call the On Call Cell Phone at 931-743-8269, including all closed holidays. You also must provide a reason for your absence and the expected date of your return.

You will need to submit documentation for verified jury duty, military duty, family bereavement, disaster recovery, Acts of God, vehicular accidents, and immediate family medical crises. Nothing in this policy prohibits **Zinnia Wellness** from excusing such events, unforeseen in this policy.

Requirements for an excused absence if an employee is sick (illness, injury, ER visits):

1. If an employee is out sick 1 or more days, a doctor's note MUST be provided within a week (7 days) from the 1<sup>st</sup> day of occurrence.
2. Doctor note MUST provide an indication of when the employee was seen, days excused from work, and when the employee will be able to return to work, and if able to return to full duty or not.
3. Any non-report to work combined with no communication for 48 consecutive hours will result in the HR department preparing separation under grounds of Job Abandonment with a Non Eligible Rehire Status. Failure to report an absence can result in severe disciplinary action up to immediate termination.

### **Attendance for Office Staff.**

Every employee is responsible for following his/her work schedule and complying with such times. Multiple schedule violations or even a single severe violation may result in termination.

- **Tardiness:** Definition of Tardiness: You are tardy any time you arrive late at your workstation or are not appropriately groomed, dressed and ready to work at the beginning of your scheduled shift. Tardiness or failing to report to work as scheduled can be problematic for clients. Employees will not be paid for the time not worked. Tardiness that exceeds **15 minutes or more**, whether notified or not, are considered a complete unexcused absence on employee's attendance record. If an employee is going to be late, he/she must call the office directly at 931-507-2700 Monday through Friday, 8:00am to 4:30pm CST. If after business hours, he/she must call the On Call Cell Phone directly at 931-743-8269, including all closed holidays. Frequent tardiness is not acceptable and can jeopardize your position with **Zinnia Wellness**.



- **Absences and Sick days:** Definition of Absence: Any time (other than tardiness described above) that you are scheduled to work and you fail to be present at the designated work location for all of the scheduled time or shift. This includes if you fail to report to your workstation more than 7 minutes late. It also includes time off for sickness, but does not include pre-approved time off requested at least two weeks in advance, leaves of absence, or for designated holidays when you are not scheduled to work.

If you are sick, it is imperative that you call the office directly. Employees will not be paid for time not worked. If an employee is sick, he/she must call the office no later than 24 hours before shift begins or at the earliest possibility, call directly at 931-507-2700 Monday through Friday, 8:00am to 4:30pm CST. If after business hours, he/she must call the On Call Cell Phone at 931-743-8269, including all closed holidays. You also must provide a reason for your absence and the expected date of your return. If you call 4 hours or less prior the beginning of your shift this will be considered a no-call-no-show as well.

You will need to submit documentation for verified jury duty, military duty, family bereavement, disaster recovery, Acts of God, vehicular accidents, and immediate family medical crises. Nothing in this policy prohibits **Zinnia Wellness** from excusing such events, unforeseen in this policy.

Requirements for an excused absence if an employee is sick (illness, injury, ER visits):

1. If an employee is out sick 1 or more days, a doctor's note MUST be provided within a week (7 days) from the 1<sup>st</sup> day of occurrence.
2. Doctor note MUST provide an indication of when the employee was seen, days excused from work, and when the employee will be able to return to work, and if able to return to full duty or not.
- 3- Any non-report to work combined with no communication for 48 consecutive hours may result in the HR department preparing separation under grounds of Job Abandonment with a Non Eligible Rehire Status. Failure to report an absence can result in severe disciplinary action or immediate termination.

### **Inclement/Severe Weather.**

**Zinnia Wellness** provides primary care. Therefore, it is always open. We expect employees to make reasonable efforts to report to work during inclement weather. In the event an employee is having difficulty with transportation due to weather, he/she must contact the office or the on call phone to speak with an office staff member. If employees are unable to report to work due to inclement weather, they are not paid. In the event of severe weather warning while at work, take shelter in a designated severe weather shelter area. Ensure that you are protected at all times in severe weather, and that you are aware of the location of designated shelter areas.

### **\* JOB PERFORMANCE:**

Communication between employees and supervisors or managers is very important. Discussions regarding job performance are ongoing and often informal. Employees should initiate conversations with their Office Director/HR Manager if they feel additional ongoing feedback is needed.

Generally, formal performance reviews are conducted annually. These reviews include a written performance appraisal and discussion between the employee and the supervisor about job performance and expectations for the coming year.

### **\* DRESS AND GROOMING:**

**Zinnia Wellness** provides a casual, yet professional work environment for its employees. Even though the dress code is casual, it is important to project a professional image to our customers, visitors, and co-workers. All employees are expected to dress in a manner consistent with good hygiene, safety, and good taste. Please use common sense. Any questions or complaints regarding the appropriateness of attire should be brought to the Directors or Human Resources department.



### **Field Staff Dress Code:**

- Every employee is to wear solid and/or multi-colored uniform scrubs, printed smocks, sneakers or nursing shoes at all times.
- Hair must be clean and pulled away as standardly require.
- Nails to be clean and shortly filed.
- Perfumes or colognes are asked not to be worn to work or kept to a minimum, as our patients may suffer from allergies and/or diseases which the fragrances can have a conflict with.
- Jewelry should be worn as minimal as possible and absolutely no large heavy articles of jewelry are allowed.
- Name badges are a MUST and are required to be worn at all times on the job.
- Tattoos and body jewelry must be concealed.
- Bandages must be kept clean and changed as often as necessary. An employee with an open sore or wound is not permitted to handle food products and may be restricted from other activities.

### **Office Staff Dress Code:**

- Wear **Zinnia Wellness** logo uniform scrubs with sneakers or nursing shoes.
- Hair must be clean and styled as office standardly accepts.
- Nails to be clean and trimmed, you may wear
- Perfumes or colognes are asked not to be worn to work or kept to a minimum as co-workers may suffer from allergies and/or diseases that the fragrances can have a direct conflict with.
- Jewelry should be work responsibly.
- Name badges are a MUST and are required to be worn at all times on the job.
- Tattoos and body jewelry must be concealed.
- Makeup should be appropriate for a professional atmosphere.
- Undergarments should not be seen through on any clothes worn. Light colored skirts, dresses, blouses, and tops must have a proper dress or skirt slip underneath.
- Tight clothing or garments with revealing cleavages are not acceptable office attire and should not be worn.
- Sleeveless dresses and or blouses are acceptable as long as they have a minimum of a 2.5" diameter at the shoulder.
- Exercise attire, yoga pants, camisole tops or tight spandex clothing items are not acceptable in the workplace. Leggings and jeggings are acceptable only if the blouse/top/sweater comes below the buttocks, meeting the upper thigh or lower thigh.
- Shoes, boots, or sandals with heels over 2.5" are unacceptable.
- Flip flops should never be worn to work.
- Jeans free from tears, rips, stains or markings are ONLY allowed on casual Fridays. Clean and pressed jeans with a company **Zinnia Wellness** T-shirt is acceptable.

If any of the unacceptable items are worn at the workplace, you may be asked to go home and return with acceptable attire. You will be required to clock-out and in once you return and will be unpaid time.

### **\* TELEPHONE COURTESY AND PERSONAL USAGE:**

Employees are asked not to make or receive any personal phone calls while on duty. Occasionally, we understand there may be times when calls need to be made to family, or for medical and personal emergencies. This must be brief and in very limited instances. Excessive, personal phone use will lead to disciplinary action and/or up to termination.

A large portion of **Zinnia Wellness** business is conducted over the telephone. We ask all field employees to answer office calls or return a missed call ASAP. We must have a good contact number at all times. Keeping information updated is your responsibility and a must! All calls, whether from customers, fellow employees, or outside business associates should be handled promptly and courteously.



**\* SOLICITATION:**

Employees should be able to work in an environment which is free from unnecessary annoyances and interference with their work. In order to protect employees and visitors, solicitation by employees is strictly prohibited during working time. "Working time" is defined as the time during which an employee is not at a meal, on break, or on the premises immediately before or after his/her shift.

Employees are also prohibited from distributing written materials, handbills, or any other type of literature during working time and at any time in working areas, including all onsite office areas or the client's home. "Working areas" do not include break rooms, parking lots, or common areas shared by employees during non-working time.

Non-employees may not trespass, solicit, or distribute materials anywhere on company property at any time.

**\* SOCIAL MEDIA ACCEPTABLE USE:**

The company encourages employees to share information with co-workers and with those outside the company for the purpose of generating new ideas and learning from the work of others. Social media provides inexpensive, informal, and timely ways to participate in exchanges of ideas and information. However, information posted on a website is available to the public and, therefore, the company has established the below guidelines for employee participation in social media.

**Note:** As used in this policy, "social media" refers to blogs, forums, and social networking sites such as Twitter, Facebook, LinkedIn, YouTube, Instagram, and MySpace among others.

**Off-Duty use of social media.** Employees may maintain personal websites or weblogs on their own time using their own facilities. Employees must ensure that social media activity does not interfere with their work. In general, the company considers social media activities to be personal endeavors, and employees may use them to express their thoughts or promote their ideas.

**On-Duty use of social media.** Employees may engage in social media activity during work time provided it is directly related to their work, approved by their manager, and does not interfere or reference company patients, clients, customers, or vendors. Always follow the HIPAA policy as well. The company monitors employee use of its computers and internet, including employee blogging and social networking activity.

**Respect.** Demonstrate respect for the dignity of the company, its owners, patients, customers, vendors, and employees. A social media site is a public place. Employees should avoid inappropriate comments. For example, do not use ethnic slurs, personal insults, obscenity, or use of language that may be considered inflammatory. Even if a message is posted anonymously, it may be possible to trace it back to the sender.

**Post disclaimers.** If an employee identifies himself or herself as a company employee or discusses matters related to the company on a social media site, the site must include a disclaimer on the front page stating that it does not express the views of the company and that the employee is expressing only his/her personal views. For example: "The views expressed on this website/weblog are mine alone and do not necessarily reflect the views of my employer". Place the disclaimer in a prominent position and repeat it for each posting expressing an opinion related to the company or the company's business. Employees must understand that if they post information on a social media site that is in violation of company policy and/or federal, state, or local law, the disclaimer will not shield them from disciplinary action.

**Competition.** Employees should not use social media to criticize the company's competition and should not use it to compete with the company.



**Confidentiality.** Do not identify or reference company clients, customers, or vendors. Always remember to follow HIPAA policy. Employees may write about their jobs in general but may not disclose any confidential or proprietary information. For examples of confidential information, please refer to the confidentiality policy on this handbook. When in doubt, ask before publishing.

**New ideas.** Please remember that new ideas related to work or the company's business belong to the company. Do not post them on a social media site without the company's permission.

**Links.** Employees may provide a link for the company's website to a social media site during employment (subject to discontinuance at the company's sole discretion). Employees should contact the office to obtain any additional information.

**Trademarks and copyrights.** Do not use company or non-company trademarks on a social media site or reproduce company or non-company material without first obtaining permission for a company Director.

**Avoid statements about the company's future.** Do not write about projected growth, sales, profits, future products or services, marketing plans, etc.

**Legal.** Employees are expected to comply with all applicable laws, including but not limited to copyright, trademark, and harassment laws.

**Company restrictions.** The company may require employees to delete references to it on a website or weblog and stop identifying themselves as an employee of the company.

**Discipline.** Violations of this policy may result in discipline up to and including immediate termination of employment.

*Note: Nothing in these policies are meant to, nor should they be interpreted to, limit your rights under applicable federal, state, or local laws, including your rights under the National Labor Relations Act.*

#### **\* PROFESSIONAL REFERENCES AND BACKGROUND CHECKS:**

**Zinnia Wellness** utilizes pre-employment professional references and background checks as conditions of employment. Employees may be required to complete a background check with a satisfactory result for a contingent job offer to become valid. The company may also request a background check during employment in order to meet contractual requirements. Human Resources will work directly with employees should the need arise, completing any additional background checks during employment.

#### **\* OPEN DOOR:**

**Zinnia Wellness** wishes to create a work environment where there is a free and open flow of communication between employees and the company. The door is always open for a chat or for discussing new ideas or complaints, in good business times and bad. **Zinnia Wellness** listens to employees and takes their comments seriously. The direct personal relationship between employees and their managers ensures the best environment for resolutions of issues.

**Zinnia Wellness** encourages employees to speak up and take advantage of the open-door policy resolving concerns with their managers/supervisors. These issues could include but are not limited to performance-related matters, shift issues, relationships with co-workers, interpretation of company policies, and local site-specific issues.

**Zinnia Wellness** will take corrective action, up to and including termination, against any person who retaliates against employees for raising issues.



Employees are encouraged to use the following suggested steps to resolve issues:

- Discuss concerns with their immediate supervisors in a timely manner.
- If unsuccessful in resolving the issue, escalate to the next level of management.
- If an employee feels uncomfortable discussing a concern with a supervisor, or the supervisor is the subject of the concern, the employee is encouraged to raise the issue with another member of management or Human Resources.

#### **\* REQUEST FOR MEDICAL INFORMATION:**

The company understands that employee medical information is personal. **Zinnia Wellness** is committed to protecting that information. The Health Insurance Portability and Accountability Act (HIPAA) places restrictions on the use and disclosure of health information. The company maintains all such health information in confidential files, as required by law.

#### **\* OWNERSHIP AND ACCOUNTABILITY:**

Effective individual ownership and accountability is a key to **Zinnia Wellness'** success. High levels of ownership and accountability are evident with consistent delivery of services that meet our patients/clients expectations, on time and within budget. The ultimate outcome of our success in this regard is high client confidence in the company's ability to effectively and efficiently meet their needs. Ultimately, **Zinnia Wellness** succeeds or fails as an organization, not as individuals. Success requires the commitment of all employees to take ownership of their part of any service delivered. Additionally, if employees see other parts of the company struggling to be successful, they are asked to pitch in and see if there is an opportunity to help.

##### **Guidelines:**

- If employees are not clear about what is expected of them, they should speak with their supervisors.
- Employees should clearly understand schedules, systems, paperwork and procedures that relate to their work...delivering work "on schedule and within budget" is essential to **Zinnia Wellness** success.
- If employees make personal commitments, they need to keep them.
- "Raise a flag" if problems arise.
- If necessary, openly explain why a commitment cannot be met and re-negotiate that commitment "before the fact".
- Ask for help when it is necessary.
- Take charge of assignment! Employees should take necessary action to improve a situation, and not wait for someone else to do something.
- Help others to succeed whenever opportunities arise.
- Convey a positive attitude to co-workers and clients.
- Challenge observed "symptoms" in lack of ownership or accountability, such as:
  - ❖ Excuses
  - ❖ Finger pointing
  - ❖ Blaming others
- Most importantly, employees should take pride in their work. Nothing shows "ownership and accountability" better than an employee being proud of what they do.

#### **\* DISCLOSURE OF ARRESTS AND CONVICTIONS BY CURRENT EMPLOYEES:**

**Zinnia Wellness** remains committed to maintaining a safe working environment. The company protects the integrity of our business processes and all confidential information, whether it is the company's, our employees', or that of our clients/patients. To comply with this policy, employees have a continuing duty to promptly report to Human Resources, any arrest or convictions (excluding minor traffic violations) as defined below, for violation of federal, state, local, or



international law. Once disclosed, Human Resources will consult with the Directors to determine what action, if any, is necessary.

**Required reporting of arrest and conviction:** Current employees arrested or charged with a crime (other than a minor traffic offense such as speeding, failure to yield or stop, parking infractions, failure to indicate a lane change, etc.) or convicted of a crime must report the arrest or convictions to Human Resources department within 72 hours. The duty to report applies regardless of where the arrest or conviction occurred. Employees are required to provide appropriate documentation concerning the arrest or conviction. Failure to report being arrested, charged, or convicted of a crime will result in appropriate disciplinary action, up to and including termination of employment.

Importantly, **Zinnia Wellness** recognizes that an arrest does not represent a conviction or an admission of guilt. Disclosure of an arrest may result in follow-up questions by Human Resources and/or Directors. The focus is on the employee's underlying behaviors that may be job-related. What ultimately occurs in employees' criminal proceedings following the arrest may influence an action Human Resources and Directors consider taking, but does not dictate the response.

**Timeframe covered by duty to disclose:** This Policy covers arrests or convictions that occur after an employee was hired. Employees should have already disclosed criminal history information during the onboarding process, so this policy references any relevant information since that onboarding period. Employees do not need to re-disclose matters that have already been disclosed previously, or that they are not required to disclose by law (for example, expunged records or juvenile records).

**Inaccurate information or failure to disclose:** Employees are required to provide truthful information regarding arrests and convictions. Failing to comply with the self-disclosure process or intentionally providing false information may result in corrective action, up to and including termination.

**Absences during incarceration:** Any absences during an incarceration will be treated as unscheduled absences that apply toward the relevant attendance policy.

**Employee privacy:** Most arrests, convictions, and citations are a matter of public record in the court files of each jurisdiction. However, Human Resources and Directors will maintain the information disclosed in a confidential fashion, making the information accessible to, and reviewed by, only those with a need to know such information.

**\* ZINNIA WELLNESS' Position on Unions:**

People accomplish more when they work directly with each other, rather than through a third party. **Zinnia Wellness** is a non-union organization, and it is our intention to remain that way. It is **Zinnia Wellness's** position that problems or issues can be resolved without the intervention of outsiders. **Zinnia Wellness** has effective policies and practices to resolve issues promptly and with the least amount of disruption. While we recognize that the employees have the right to join labor organizations, we believe that by working together we make this a profitable, healthy organization.

Employees are encouraged to bring any problems or concerns they have directly to their supervisors, a member of management and/or Human Resources Department. One-on-one communication is the best way to ensure that concerns are addressed. **Zinnia Wellness** provides excellent working conditions and competitive pay. Employees are part of the **Zinnia Wellness** team; together we can make **Zinnia Wellness** a productive and satisfying place to work.

**\* GIFTS:**

To avoid a conflict of interest between our customers and what might be personally advantageous for an employee, we have made the following policy for accepting gifts:



1. Samples, T-shirts, hats, and desk accessories may be accepted, up to a total estimated value of all gifts from a particular customer or vendor at one time of \$15.00, without prior approval of your supervisor. You must report all such gifts to your supervisor.
2. All other vendor or customer gifts, including activities, travel, merchandise, and contests, must be approved by your supervisor.
3. Solicitation of vendors or customers for any gift or money is not allowed.

Acceptance of any non-approved or non-qualifying vendor or customer gifts may result in disciplinary action, up to and including immediate termination of employment.

**\*MEMOS:**

Please be advised that memos are sent out frequently to all staff. These memos can contain new policies and procedures, necessary documentation, or other important information for or from employees. Each employee must sign and return memos, advising the employer of what they have received. If a signed copy is not obtained by the employer, the employer shall contact the employee, to obtain signed memo. If the employee then fails to return the memo, actions such as pay decrease, schedule changes, and/or termination may occur. It is the employee's sole responsibility to return the memos within the time requested by the employer.

**\*CERTIFICATION AND DOCUMENTS:**

Certification and documents are a requirement for this field of work. If the employee fails to turn in document or certification as requested, actions such as pay decreases, removal of shifts, and termination may occur. It is the employee's responsibility to obtain the documents before they expire. Before obtaining employment with **Zinnia Wellness**, all employees are required to have certain documents, and will be given an allotted amount of time to obtain and submit to Human Resources. If these documents are not obtained within this time, Human Resources may see it fit to terminate the employee. Memos, letters, or calls will go out to employees if new documents are requested. All employees are expected to submit the documents by the date requested by the employer.



## IX. Time Off and Leaves of Absence

### \* TIME AWAY FROM WORK (Unpaid Request Time Off = RTO):

We understand things happen and that sometimes you will need time off to spend with your family, to relax, to enjoy leisure activities, or for physician appointments, etc. Employees receive unpaid RTO (Requested Time Off) days to use for such needs. All RTO requests need to be submitted at least two weeks in advance for regular business days and 1 month in advance for holidays, to the HR department. Although every attempt is made to accommodate employees, HR will either approve or deny your request based upon business needs, so RTO's are not guaranteed, as there may be occasions when time off is denied due needs of the agency. Client needs must come first.

Unexcused Absences: Same day absence, no prior approval, and no doctor or verified documentation submitted within 10 days of the day of occurrence.

Excused Absences: Absences which have been approved with the HR department with at least 2 weeks or more notice, provided with a doctor's note or verified documentation within 5 days of the day of the occurrence.

All absences, regardless of the type cannot exceed their limits within a 12 month period. They will reset and restart on your anniversary day each year.

The maximum Unpaid Time Off allowed during your first year of employment period is:

First 90 days of employment*	1 Excused and 1 Unexcused
The remainder of the calendar year**	4 Excused and 4 Unexcused

\* If no time is taken or needed during the 90 day probation period this time for any employee it will roll over as available toward the allotted first calendar year.

The number of RTO days you will receive per year (on your anniversary day) depends on the number of years of service:

Service Period	RTO Accrual
Calendar Years 1-4	10 unpaid RTO day
Calendar Years 5-10	15 unpaid RTO days
Calendar Years 10 and over	20 unpaid RTO days

\*\* Any unused time available does NOT roll over to the next calendar year.

\*\*\* Each year will start a new schedule on your anniversary day.

### \* PAID TIME OFF (PTO):

**Zinnia Wellness** does not offer paid time off. The only exception is if it is offered at the time hired, or through a signed employment offer agreement. A **Zinnia Wellness** employment offer agreement is a stand only document which must be signed by a company Director or the **Zinnia Wellness** HR department. The agreement must be signed by the new hire employee in order to be activated. Such document does supersede the employee handbook on any conflicting matters.

### \* FAMILY MEDICAL LEAVE ACT (FMLA):

**Zinnia Wellness** complies with the Federal Family and Medical Leave Act (FMLA), which requires employers to grant unpaid leaves of absence, up to 12 weeks to qualified workers for certain medical and family-related reasons. This is a job-protected leave. Employees are eligible if they have worked for a covered employer at least one year, and for 1,250 hours over the previous 12 months. In addition, the employee must be employed at a job site in which at least 50 employees are employed within a 75-mile radius.

Unpaid leave must be granted for *any* of the following reasons:

- 1) Care for the employee's child after birth, or placement for adoption or foster care;
- 2) Care for the employee's spouse, domestic partner, son/daughter, or parent who has a serious health condition;  
or
- 3) Serious health conditions which cause the employee an inability to perform the employee's job.



Generally, FMLA leave is unpaid. However, under certain circumstances, FMLA permits an eligible employee to choose to substitute paid leave for FMLA leave if that is an available option.

Advance notice and Medical Certification:

The employee may be required to provide advance leave notice and medical certification. A failure to comply with the notice requirements may affect request for leave.

- 1- The employee ordinarily must provide 30 days advance notice when the leave is “foreseeable”
- 2- An employer may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions. (At the employer’s expense) and a fitness for duty report to return to work.

Job Benefits and Protection:

For the duration of the FMLA leave the employer must maintain the employee’s health coverage under any “group health plan”, at the employee’s expense. Upon return: to FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. The use of FMLA leave cannot result in the loss of any employment benefits that accrued prior to the start of an employee’s leave.

Note: If an employee is unable to return to work after the expiration of federal or state FMLA, an extension may be granted if the condition constitutes a disability under the American with Disabilities Act (ADA) or in certain workers’ compensations cases. If upon physician release, an ongoing disability prevents the employee from performing necessary job requirements, the employee may be separated due to no longer meeting job requirements.

Contact **Zinnia Wellness** HR Department Manager to determine options for leave or FMLA eligibility.

**\*MILITARY LEAVE:**

**Zinnia Wellness** supports the military obligations of all employees and grants leaves for uniformed service in accordance with applicable federal and state laws. Any employee who needs time of for uniformed service should immediately notify the Human Resources department and his/her supervisor, who will provide details regarding the leave. If an employee is unable to provide notice before leaving for uniformed service, a family member should notify the supervisor as soon as possible. Upon return for military leave, employees will be granted the same seniority, pay, and benefits as if they had worked continuously. Failure to report for work within the prescribed time after completion of military service will be considered a voluntary resignation.

**Zinnia Wellness** will request that an employee requesting military leave provide supporting documentation which may include a copy of the duty orders, rest, recuperation order, completion of an authorized health care provider statement or other supporting documentation.

**\*BEREAVEMENT LEAVE**

**Zinnia Wellness** recognize that employees may need unpaid time off when a death occurs in the immediate family. Employees with more than 3 months of service may take unpaid bereavement. The amount of time off is determined by the relationship of the deceased to the employee. See the following table.

Relationship*	Unpaid Time Off
Immediate Family Member	3 Days Unpaid
Close Family Member	1 Day Unpaid

\* **Immediate Family Member includes:** spouse, parents, children, stepchildren, sisters, brothers, grandparents, grandchildren, mother-in-law, father-in-law, and domestic partners. This leave also applies for an employee’s or employee’s spouse’s miscarriage or death of any relation presently residing in an employee’s home.



\* **Close Family Member includes:** aunts, uncles, nieces and nephews; and your spouse's grandparents, brothers and sisters.

**Zinnia Wellness** requires supporting documentation such as a funeral notice from the funeral home or prayer cards from the service.

**\*JURY DUTY:**

Employees are encouraged to meet their civic responsibility when they are called for jury duty. Employees receiving a summons for jury duty should provide a copy of their summons in accordance with company procedure. If employees are required to serve, they must submit a Juror Service Confirmation indicating the number of days they served. **Zinnia Wellness** expects employees to report to work if they are excused from jury duty during normal work hours, unless otherwise arranged prior with scheduling/staffing department.

**\*VOTING:**

Voting is an important responsibility we all assume as citizens. **Zinnia Wellness** encourages employees to exercise their voting rights in all municipal, state and federal elections. Under most circumstances, it is possible for employees to vote either before or after work. If is necessary for employees to arrive late or leave work early to vote in any elections, they should make pre-arrangements with scheduling department as soon as possible to be able to cover your shift if necessary.



## X. Benefits

**Zinnia Wellness** recognizes the value of benefits to employees. For more information regarding benefits programs, please refer to the applicable plan description/document, contact the plan administrator listed in those documents, or contact the Human Resources department. Nothing in the handbook constitutes a contract or promise and management may add, amend, modify, supplement, or terminate any benefit at any time.

A sampling of plans offered include:

- Medical
- Company Paid Life Insurance
- Unpaid Time Off, RTO days (refer to section IX time off and leaves of Absence page 30)
- Company holidays if worked is paid time and a half
- Birthday Unpaid day Off
- 401(k) Retirement
- Short Term Disability
- Accident
- Cancer Care
- Critical Illness
- Dental
- Vision
- Hospitalization
- Workers Compensation Insurance
- Social Security Benefits
- Unemployment Insurance
- Incentive Pay
- Base Pay
- Bonus Pay
- Travel Pay (when applies)

### \* MEDICAL INSURANCE:

Full-time employees working 30 hours or more per week are eligible for insurance on the first month following 90 days of service. To keep coverage in force, every insured employee must work a minimum of 30 hours per week in average per month. Open enrollment period will be once a year, Human Resources will send information on when the annual enrollment periods starts and ends. Changes to this benefit election must be made within 30 days of any qualifying event or eligibility will be forfeited until the next annual open enrollment. A qualifying event is defined as:

- Marriage or divorce
- Death of spouse
- Birth and adoption of a child
- Spouse and/or dependents gain or lose eligibility for coverage.

If Circumstances don't fit one of the above, please contact Human Resources for additional information.

### \* COMPANY PAD LIFE INSURANCE:

**Zinnia Wellness** provides life insurance for full-time employees who work a minimum of 30 hours per week. Employees are eligible for this benefit on the first of the month following 90 days of service. The life benefit is equal to \$25,000. The cost of this coverage is paid for in full by the company.



**\* HOLIDAYS:**

**Field Staff Holidays:**

Due to the nature of the field we work in, **Zinnia Wellness** does not close for any holiday. Employees wishing to observe any particular holiday should follow protocol requesting the time off as unpaid, however there is no guarantee a requested absence will be approved, as it will depend on business needs. If any field employee needs to speak with the office staff during these days please use the on-call cell phone number. Field Staff who work the following holidays (on that specific day only), will receive the following incentive:

\* will be paid \$3.00 more than their hourly base rate for all hours worked on:

- New Year's Day
- Easter Sunday
- Independence Day
- Labor Day

\* will be paid 1.5 times their hourly base rate for all hours worked on:

- Thanksgiving Day
- Christmas Day

**Office Staff Holidays:**

Office staff must fulfil their first 90 days (probation period) to qualify for any company paid holidays on the 91<sup>st</sup> day and thereafter. Qualifying office staff will be paid straight time for those days. In order to receive the company paid holidays, it is required for office staff to work the open business days prior to and directly after the holiday. Holidays are not paid if the holiday falls on a regularly scheduled day off. Normal office business hours are Monday to Friday, 8am to 4:30pm. Office Staff holidays are as follow:

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

(The physical office will be closed on these days)

**\* 401(k) RETIREMENT:**

**Zinnia Wellness** recognizes the importance of saving for retirement and offers eligible employees a 401(k) plan. Eligibility, vesting, and all other matters relating to these plans are explained in the plan document that can be obtained from Human Resources.

**\* SHORT TERM DISABILITY, ACCIDENT, CANCER CARE, CRITICAL ILLNESS, DENTAL, VISION AND HOSPITALIZATION:**

Offered to all employees on the first of the month following 30 days of service. Please contact plan administrator for more information. The average cost of these policies is \$5 to \$15 per week based on your choices. This are available to you through ore-tax weekly payroll deductions.

**\*WORKERS' COMPENSATION:**

**Zinnia Wellness** pays the cost of workers compensation insurance. Employees are covered by Workers' Compensation insurance that is a "no-fault" system for work-related injuries or occupational illness arising out of, and in the course of employment which should be promptly reported to their supervisors and Human Resources. This coverage is administered by the **Zinnia Wellness** designated insurance carrier and regulated by federal and state laws. This designated insurance carrier determines the coverage decisions and may pay medical bills or wages, if applicable, in accordance with state law. Falsifying or filing a fraudulent claim may result in termination and/or legal action.



**Investigations:** Zinnia Directors or their designee will conduct detailed investigations to fully document all incidents of injuries or illnesses. A drug and/or alcohol test is required if there is a work-related injury or illness.

**Absences and Returning to Work:** Absences due to work-related injuries or illnesses will run concurrently with other approved leaves, including FMLA. A return to work release by the treating physician must be completed, releasing the employee to return to work. This form must be approved prior to the employee performing any work. Modified duty may be offered if approved by the employee's physician and **Zinnia Wellness**.

**\*SOCIAL SECURITY BENEFITS (FICA):**

During your employment, you and the company both contribute funds to the federal government to support the social security program. This program is intended to provide you with retirement benefit payments and medical coverage once you reach retirement age.

**\*UNEMPLOYMENT INSURANCE:**

The company pays a state and federal tax to provide employees with unemployment insurance coverage in the event they become unemployed through no fault of their own or due to circumstances described by law. This insurance is administered by applicable state agencies, who determine eligibility for benefits, the amount of benefits (if any), and duration of benefits.

**\*INCENTIVE PAY:**

Incentive pay is intended to be temporary rather than a permanent method, for the purpose of compensating an employee for temporary work-related compensation. Example: if a company incentive is offered to a **Zinnia Wellness** employee, an established employee has an assigned regular scheduled shift; however, another employee has just called out sick. The scheduling department has gone through the **Zinnia Wellness** available work schedules and found an employee to contact. The available employee agrees he or she is available and can perform the open shift, but one issue is that the distance is longer than the available employee is willing to commute. In this case, the company may offer the available employee an "incentive" to cover any extra hardship involved with picking up the temporary shift. On occasions, **Zinnia Wellness** will test a new relationship between a newly assigned employee and a patient on a longer "temporary" schedule. In this case, an "incentive pay" can apply to the employee until the employee is no longer on the specific patients' case for any reason.

**\*BASE PAY:**

Base pay wages are categorized for all field staff by position. This is the guaranteed rate of pay regardless of company incentive, bonus, travel, or any other work related company reimbursement.

Field Staff Base Wages are as follows:

CNA	\$ 8.00 / Hour
LPN	\$ 13.00 / Hour

*Please note that anything over the base pay amounts listed above and given to you at your start date is considered Incentive or Bonus Pay, based/calculated on a point scale decided by your supervisors.*

**\*BONUS PAY:**

**Zinnia Wellness** offers monetary bonuses on a case by case basis, and is figured by a case point scale decided by **Zinnia Wellness** Directors. The bonus pay is typically not a fluctuating figure, but rather a dependable figure. In some cases, however, these figures change and can adjust depending on circumstances. Bonus pay is not a guaranteed and should be understood as a reward toward performance. Bonus pay is not intended as a reliable means of wage, but a monetary form which can come and go, depending on the situation. Bonuses are held at the full discretion of **Zinnia Wellness** at all times. At the point of scheduling, please make sure you understand if a bonus pay is subject to apply.





## **XI. Separation from Employment**

### **\*DISMISSAL/TERMINATION OF EMPLOYMENT:**

If an employee is not able to correct performance problems or if an employee violates a **Zinnia Wellness** policy, serious action will be taken. Specifically, actions that are illegal or purposeful violations of **Zinnia Wellness's** are subject to immediate termination, and do not require a written warning prior to termination.

Employment at **Zinnia Wellness** is "at will" and employees can be terminated with or without good cause, and with or without notice, at any time, at the option of the Director, and/or Human Resources except as otherwise provided by law.

At **Zinnia Wellness**, honesty, respect, and adherence to all appropriate guidelines represent the foundation of the company mission. All policies and procedures will be enforced in a fair and consistent manner. The list below is meant to be representative of the behaviors that are not acceptable, and could lead to disciplinary action, including immediate dismissal:

- No Call / No Show (which is an Employee Job Abandonment)
- Falsifying documentation
- Personally transporting patients while on shift
- Excessive tardiness or absenteeism, including walk-outs and including any type of patient abandonment
- Lying or dishonesty on employment application or subsequent interactions with Supervisory personnel
- While at the agency or when at a client's home, being under the influence of alcohol or illegal drugs
- Disregarding safety regulations
- Disregarding HIPPA
- Theft, destruction, or damage of any property
- Language that is inappropriate, insults, threatens, intimidates, or any verbal abuse clients or other staff members
- Failure to comply with written or verbal instructions, or assigned duties
- Performance that does not meet the supervisor's expectations
- Participation in activities, including off-premises activities, that may be inconsistent with the rules of conduct expected by all employees, including a lack of professionalism, or behavior that reflects poorly on Zinnia Wellness
- Unexcused absenteeism or tardiness
- Failure to maintain contact with Zinnia office staff is classified as Job Abandonment. If Zinnia office personnel have reached out to the employee, but the employee has not made any return contact to Zinnia office personnel for over 5 calendar days, then the employee has voluntarily removed themselves from employment with Zinnia Wellness, Inc. No warning from the company is required, as the employee is the one who has severed communication with Zinnia Wellness.

### **\*RESIGNATION:**

Employees who resign are required to give two week's written notice. Employees who resign and employees who are terminated are required to come in to the office to pick up their last check and to return their ID Badge. Resigning employees and terminated employees are also required to leave all client information and time slips. Employees who resign or are terminated who fail to return their ID badge will be charged \$30 for failing to turn in their Zinnia Wellness ID Badge.

Final payment for all wages if all nurses' notes and time sheets are submitted on time will be made no later than the next regularly scheduled payday.

### **\* EXIT INTERVIEWS:**

If employees voluntary leave the company, they may be asked to complete an exit survey to provide meaningful insight and recommendations for the company. This information may identify problem areas or serve as a guide for remedial action. Although participation in the exit interview is voluntary, **Zinnia Wellness** highly encourages participation.



**\* SEPARATION FROM EMPLOYMENT:**

All company property including identification badges, equipment, supplies, etc. must be turned in no later than a week after your last day of work. If any equipment or supplies are kept by an employee, that employee will be charged for the equipment that is not returned. Unreturned ID badges will incur a charge of \$30. These charges will be applied against the employee's final paycheck.

In all cases of voluntary resignation (when initiated by the employee), employees are asked to provide written notice to their supervisor at least 10 working days in advance of the last day of work. The 10 days must be actual working days. Requests for time off (RTO), holidays not already scheduled, or any other time not worked will not be counted toward the 10-day notice. Employees who provide the requested amount of notice will be considered to have resigned in good standing and will generally be eligible for rehire.

In most cases, Human Resources will send the Separation Notice and if applicable, information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA), to the employee's home address.

Should it become necessary due to business conditions, the company can reduce employee work hours at its discretion.

**\* RE-EMPLOYMENT:**

**Zinnia Wellness** is committed to hiring the most qualified candidates who can contribute to the company meeting its business objectives. The company will consider former employees for re-hire provided they meet the minimum qualifications of the open position and have had a satisfactory employment record with the company and any of its subsidiaries/affiliates.

**Considering a former employee.** Before an employee is considered for re-hire, the hiring manager and Human Resources should review the previous personnel file and records. The hiring manager will then consult with the candidate's former supervisors to ascertain the prior performance of the applicant. Such discussions are part of the company's reference checking and background verification process.

**Service bridging.** If former employees, after a break in service, are rehired into a regular (not temporary) status, they receive credit for prior service based on the following schedule:

	Hired within 30 days of Termination	Hired after 30 days of Termination
<b>Service Bridging</b>	Original Hire Date	New Hire Date (prior service not recognized)
<b>Benefits</b>	New hire benefit waiting period	New hire benefit waiting period
<b>Drug Testing and Background Verification</b>	Not Required	Required



**APPENDIX 1-**

**Payroll Schedule 2020**

<b>Pay Period Begin Date</b>	<b>Pay Period End Date</b>	<b>Pay Date</b>
12/16/2019	12/22/2019	1/3/2020
12/23/2019	12/29/2019	1/10/2020
12/30/2019	1/5/2020	1/17/2020
1/6/2020	1/12/2020	1/24/2020
1/13/2020	1/19/2020	1/31/2020
1/20/2020	1/26/2020	2/7/2020
1/27/2020	2/2/2020	2/14/2020
2/3/2020	2/9/2020	2/21/2020
2/10/2020	2/16/2020	2/28/2020
2/17/2020	2/23/2020	3/6/2020
2/24/2020	3/1/2020	3/13/2020
3/2/2020	3/8/2020	3/20/2020
3/9/2020	3/15/2020	3/27/2020
3/16/2020	3/22/2020	4/3/2020
3/23/2020	3/29/2020	4/10/2020
3/30/2020	4/5/2020	4/17/2020
4/6/2020	4/12/2020	4/24/2020
4/13/2020	4/19/2020	5/1/2020
4/20/2020	4/26/2020	5/8/2020
4/27/2020	5/3/2020	5/15/2020
5/4/2020	5/10/2020	5/22/2020
5/11/2020	5/17/2020	5/29/2020
5/18/2020	5/24/2020	6/5/2020
5/25/2020	5/31/2020	6/12/2020
6/1/2020	6/7/2020	6/19/2020
6/8/2020	6/14/2020	6/26/2020
6/15/2020	6/21/2020	7/3/2020
6/22/2020	6/28/2020	7/10/2020
6/29/2020	7/5/2020	7/17/2020
7/6/2020	7/12/2020	7/24/2020
7/13/2020	7/19/2020	7/31/2020
7/20/2020	7/26/2020	8/7/2020
7/27/2020	8/2/2020	8/14/2020
8/3/2020	8/9/2020	8/21/2020
8/10/2020	8/16/2020	8/28/2020
8/17/2020	8/23/2020	9/4/2020
8/24/2020	8/30/2020	9/11/2020
8/31/2020	9/6/2020	9/18/2020
9/7/2020	9/13/2020	9/25/2020
9/14/2020	9/20/2020	10/2/2020
9/21/2020	9/27/2020	10/9/2020
9/28/2020	10/4/2020	10/16/2020
10/5/2020	10/11/2020	10/23/2020
10/12/2020	10/18/2020	10/30/2020
10/19/2020	10/25/2020	11/6/2020
10/26/2020	11/1/2020	11/13/2020
11/2/2020	11/8/2020	11/20/2020
11/9/2020	11/15/2020	11/27/2020
11/16/2020	11/22/2020	12/4/2020
11/23/2020	11/29/2020	12/11/2020
11/30/2020	12/6/2020	12/18/2020
12/7/2020	12/13/2020	12/25/2020