



# EMPLOYEE HANDBOOK

## Aptiva Therapy, LLC

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## FOREWORD

Aptiva Therapy, LLC is a firm dedicated to outstanding patient outcomes, helping business partners thrive and treating all associates, both employees and contractors, with dignity and respect. We want to be a great place to work, and hope you will enjoy your work experience here.

Whether you have just joined our staff or have been at Aptiva Therapy (or A Plus Plus Therapy, LLC, our prior company name) for a while, we are confident that you will find our company a dynamic and rewarding place in which to work, and we look forward to a productive and successful association. In a professional services organization such as ours, our employees are the absolute core of our business. We hope you have an enjoyable and rewarding work life at Aptiva Therapy, and this handbook has been written to serve as the guide for the employer/employee relationship.

There are several things to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to the Managing Partner. Neither this handbook nor any other company document confers any contractual right, either express or implied, to remain in the company's employ. Nor does it guarantee any fixed terms and conditions, such as hours worked or rates of pay during your employment. Your employment is not for any specific time and may be terminated at will with or without cause and without prior notice by the company, or you may resign for any reason at any time. No supervisor or other representative of the company (except the Managing Partner) has the authority to enter into any agreement for employment for any specified period of time or to make any agreement contrary to the above.

The procedures, practices, policies and benefits described here may be modified or discontinued from time to time. We will try to inform you of any changes as they occur.

This handbook and the information in it should be treated as confidential. No portion of this handbook should be disclosed to others, except Aptiva Therapy employees and others affiliated with Aptiva Therapy whose knowledge of the information is required in the normal course of business.

Some subjects described in this handbook are covered in detail in official policy documents. Refer to these documents for specific information because the handbook only briefly summarizes those guidelines and benefits. Please note that the terms of the written insurance policies are controlling and override any statements made in this or other documents.

# WORKPLACE EXPECTATIONS

## Confidentiality

Our patients and home health agency customers entrust the company with important and highly confidential business information. Much of this information is also protected by healthcare-specific regulations, particularly the Health Insurance Portability and Accountability Act (“HIPAA”). It is our policy that all information considered confidential will not be disclosed to external parties or to employees without a “need to know.” If an employee questions whether certain information is considered confidential, he/she should err in favor of not divulging the information and check with his/her immediate supervisor.

## Confidential Business Information

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications. One of the most valuable assets of any business is proprietary information about employees, customers, prices, technology and similar business information. Confidential Information includes, but is in no way limited to: financial records; business, marketing, and strategic plans; personnel and payroll records regarding current and former employees; the identity of, contact information for, and any other account information on patients, clients, vendors, and suppliers; inventions, programs, trade secrets, formulas, techniques, and processes; and any other documents or information regarding Aptiva Therapy’s operations, procedures, or practices. In addition, for healthcare businesses, information relating to patients, care plans, service providers, payers, and other clinical information that is not public can be considered proprietary and protected. All of the aforementioned types of non-public information are known as “Confidential Information.”

The nature of the health care industry requires, by law, that any patient, client and employee information is also kept confidential. Normal business operations, as well as client information, must not be discussed outside the office or with persons outside of Aptiva Therapy, other than in the course of providing appropriate patient care, or administration related to that care. In general, employees should not remove Confidential Information from the work location (including a patient’s home) without explicit permission from their supervisor, manager or the Managing Partner. This includes all confidential information such as lists of therapists, patient information, customer information and any other business related information.

Employees and contractors may, from time to time, have the need to use information (or it may be present on) an electronic device, such as a Smart Phone, Tablet or Desktop Computer, where such device is necessary for the orderly flow of information within the company or to Business Associates or Contractors. All electronic devices must be configured with password access and appropriate use of encryption for Confidential Information. If an employee is uncertain as to the level of protection necessary, they should consult the Office Manager for further direction.

All employees are responsible for protecting proprietary and confidential information from release or misuse both during employment and after termination. All staff members that are informed of Aptiva Therapy's policy regarding confidentiality and privacy are expected to maintain appropriate levels of confidentiality on an on-going basis. Clients and contracting agencies are also informed of Aptiva Therapy's policies regarding confidentiality and disclosure of client and employee information.

Confidential Information obtained during or through employment with Aptiva Therapy may not be used by any employee for the purpose of furthering current or future outside employment or activities or for obtaining personal gain or profit. Aptiva Therapy reserves the right to avail itself of all legal or equitable remedies to prevent impermissible use of confidential information or to recover damages incurred as a result of the impermissible use of confidential information.

## **HIPAA PRIVACY STATEMENT**

HIPAA, the Health Insurance Portability and Accountability Act of 1996, imposes additional standards for maintaining the privacy of individual identifiable information that we work with, transmit, or maintain, regardless of the form. The section of the law governing these standards is commonly known as The Privacy Rule. All employees may not disclose an individual's Protected Health Information (PHI) outside the guidelines set forth in the law. PHI is defined as:

- individual information that relates to an individual's past, present or future physical or mental health or condition, or;
- the provision of health care to the individual, or;
- the past, present, or future payment for the provision of health care to the individual, and that identifies the individual for which there is a reasonable basis to believe can be used to identify the individual.

The health care Privacy Rule applies to any health care provider, individual or organization, regardless of size, that transmits PHI electronically. For detailed information, please consult the Department of Health and Human Services website.<sup>1</sup>

Aptiva Therapy, LLC may also serve as a Business Associate in accordance with HIPAA, and contractors, home health agencies and other entities may also be a Business Associate to Aptiva Therapy. Whether you are a clinician or staff employee, it is your responsibility to know, understand and abide by the requirements of HIPAA.

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<sup>1</sup> See <http://www.hhs.gov/ocr/privacy/hipaa/understanding/summary/privacysummary.pdf>

Maintaining confidentiality is a serious responsibility of Aptiva Therapy, LLC. Without clients and employees who trust us with their sensitive information, the company would not be able to continue business or provide employment. Any breach of confidentiality will be addressed under the disciplinary policy set forth below.

## **ETHICS and INTEGRITY**

Aptiva Therapy expects all employees to act with integrity in all actions with patients, customers, and fellow employees. It is part of our culture to treat all people with dignity, compassion and respect. Everyone is expected to use good judgment and common sense in decision-making, to act and work for the betterment of our patients and the company, and to be fair and ethical in their dealings with everyone. Committing to offering the best possible patient care is an important part of who we are as a firm. There may be situations that arise when it is not easy to discern what the right thing to do is. On those occasions, please raise the issue with your supervisor, or any case, with your manager or the Managing Partner.

At the end of the day, we are all judged by our actions. Our goal is to be proud of what we do, and to be able to stand behind every decision that we make with the notion that we acted with the highest sense of integrity and respect. We expect all of our employees to aspire to this standard. And while errors in judgment are inevitable, we try to learn from our mistakes and avoid repeating those errors. Being the best that we can possibly be is important for all of us.

## **DIVERSITY**

### **Equal Employment Opportunity Statement**

Aptiva Therapy provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. Aptiva Therapy complies with applicable state and local laws governing nondiscrimination in employment in every location in which the company has employees or contractors at work. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

Aptiva Therapy expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, genetic information, disability or veteran status. Improper interference with the ability of Aptiva Therapy employees to perform their expected job duties is absolutely not tolerated.

### **Aptiva Therapy's Anti-harassment Policy and Complaint Procedure**

Aptiva Therapy is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Aptiva Therapy expects that all relationships among persons in the office, in the field, in patient homes, and anywhere else we are at work will be business-like and free of bias, prejudice and harassment.

Aptiva Therapy encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of Aptiva Therapy to promptly and thoroughly investigate such reports. Aptiva Therapy prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

### **Definitions of Harassment**

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law or that of his/her relatives, friends or associates, and that a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

### **Individuals and Conduct Covered**

These policies apply to all applicants, employees, contractors and patients whether related to conduct engaged in by fellow employees or someone not directly connected to Aptiva Therapy (e.g., an outside vendor, therapist, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

### **Complaint Process**

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with their immediate supervisor, the Managing Partner or any member of management.

When possible, Aptiva Therapy encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. Aptiva Therapy recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

Aptiva Therapy encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, although no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

To file a complaint, individuals may speak with their immediate supervisor, the Managing Partner or any member of management. Individuals may also file a complaint by e-mail or letter. Anonymous complaints are accepted and will be properly investigated. If possible, please document or record each incident and provide it with your complaint. This should include what was said or done, the date, the time, and the place. Any written records or telephone messages associated with the incident should also be included.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Violation of this policy will result in disciplinary action, up to and including termination for violations of this policy and possible civil penalties.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

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

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action.

## **Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)**

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that when needed provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of Aptiva Therapy to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our company policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

The company will attempt to reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to Aptiva Therapy. Contact the Managing Partner with any questions or requests for accommodation.

# **EMPLOYMENT**

## **Employee Classification Categories**

All employees are designated as either nonexempt or exempt under state and federal wage and hour laws. The following is intended to help employees understand employment classifications and employees' employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment-at-will relationship at any time is retained by both the employee and Aptiva Therapy.

**Nonexempt employees** are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are NOT exempt from the law's requirements concerning minimum wage and overtime. Therefore, these employees should receive overtime pay for all hours worked in excess of forty (40) per workweek.

**Exempt Staff employees** are generally managers or professional, administrative or technical staff who ARE exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor. Possession of a Professional License, coupled with professional discretion inherent in a clinician independently scheduling activities and working under only general supervision exempts clinicians from coverage under the act.

### **Exempt Clinicians**

Clinicians, including Physical Therapists, Physical Therapy Assistants, Occupational Therapists, Certified Occupational Therapy Assistants, and Speech Pathologists are Exempt from the Fair Labor Standards Act. Payment to clinicians may be as a salary or include bonuses based on per patient visits, or be a per visit payment, or be in some combination of these approaches.

## **Background and Reference Checks**

To ensure that individuals who join Aptiva Therapy are well qualified and to ensure that Aptiva Therapy maintains a safe and productive work environment, it is our policy to conduct pre-employment background checks and to request references for all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form. It may also include finger-printing and other more specialized forms of investigation and verification.

All offers of employment are conditioned on receipt of a background check report and references that are acceptable to Aptiva Therapy. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and antidiscrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process, or as requested by Home Health or other affiliated health care agencies as part of satisfaction of company policy, governmental reporting or other statutory record keeping requirements.

If information obtained in a background check would lead Aptiva Therapy to deny employment, a copy of the report will be provided to the applicant, and the applicant will have the opportunity to dispute the report's accuracy. Background checks may include a criminal record check, a sex offender check, or an arrest record check, although a criminal conviction does not automatically bar an applicant from employment.

Additional checks such as a driving record or credit report may be made on applicants for particular job categories where such checks are appropriate and job related.

## **Authorization to Work in the United States**

All offers of employment are contingent on verification of an employee's right to work in the United States. On each employee's first day of work, he/she will be asked to provide original documents verifying his/her right to work and, as required by federal law, to sign a Federal Employment Eligibility Verification Form (Form I-9). If an employee at any time cannot verify his/her right to work in the United States, Aptiva Therapy may be obliged to terminate his/her employment.

## Discipline

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform his/her duties to the best of his/her ability and to the standards as set forth by their manager or as otherwise established by the company.

In our dynamic environment, it is inevitable that the standards and expectations associated with jobs will change. It may mean that employees are expected to learn new processes and procedures and to gain new skills. While the firm wants every individual to succeed, it is incumbent on every employee to continually strive to expand their skills and achieve the performance standards for their role, even as those standards reflect changing expectations. This is consistent with the company's philosophies of constantly striving to improve in everything we do, and to adapt our work and roles to fit the business requirements of the ever-changing business environment. Our culture is one of high performance and adaptability.

Aptiva Therapy supports the use of dialogue and coaching to address issues such as work performance or misconduct. Our discipline policy is designed to provide a process to improve and prevent a recurrence of undesirable behavior and/or performance issues. Our approach is intended to be consistent with our organizational values, HR best practices and employment laws.

Outlined below are processes that our discipline approach may involve. Aptiva Therapy does not necessarily require progressive discipline. Aptiva Therapy reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training, the employee's work record, and the impact the conduct and performance issues have on our organization.

The following outlines steps or processes which Aptiva Therapy's discipline approach may include:

- **Verbal discussion and warnings:** A supervisor verbally counsels an employee about an issue of concern; a written record of the discussion may be placed in the employee's file for future reference.
- **Written warnings:** Written warnings are used for behavior or violations that a supervisor considers serious or in situations when a verbal warning has not helped change unacceptable behavior. Written warnings are placed in an employee's personnel file. Employees should recognize the grave nature of the written warning.
- **Performance improvement plan:** Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be given a final warning which involves modifying their behavior to satisfy specific work requirements and specific goals to accomplish.

- **Dismissal:** The company retains the right to terminate any employee at any time at will. If in the company's sole and absolute discretion it is best to terminate an employee, the company may do so at any time, with or without elaboration or citing a specific reason.

Aptiva Therapy reserves the right to determine the appropriate level of discipline for any performance issue or inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion and discharge. It is important to remember that Aptiva Therapy, LLC has a policy of **employment at will**, and any employee may be discharged at any time for any reason in the company's sole discretion.

## Separation of Employment

Separation of employment within an organization can occur for several different reasons.

- **Resignation:** Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide two weeks' notice, preferably in writing, to facilitate a smooth transition out of the organization. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.
- **Job abandonment:** Employees who fail to report to work or contact their supervisor for two (2) consecutive workdays when they are scheduled or expected to be at work shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the second day. The supervisor shall notify the Managing Partner at the expiration of the second workday and may initiate the paperwork to terminate the employee.
- **Termination:** Employees of Aptiva Therapy are employed on an at-will basis, and the company retains the right to terminate an employee at any time. The company does not provide severance. That noted, Management may, at its sole discretion, elect to provide an employee with pay where it deems such payment is in the firm's best interest.

### Return of Company Property

In general, employees should not possess company property off-site unless it is required for effective workflow and operation. If an item is to be removed, then the employee must inform their supervisor or manager or the Managing Partner that they need to remove the item and why. Contractor lists, customer lists and patient information should not be removed unless expressly authorized by the Office Manager, Director of Staffing or Managing Partner.

The separating employee must return all company property at the time of separation, including company owned cell phones, keys, PCs, lap tops, work related papers, other

company owned items and identification cards. Failure to return some items may result in deductions from the final paycheck.

The separating employee shall contact the Managing Partner as soon as notice is given to schedule an exit interview. The interview will be on the employee's last day of work or another day, as mutually agreed on.

Accrued Vacation and Personal Time Off will be paid in the last paycheck.

An applicant or employee who is terminated for violating company policy or who resigned in lieu of termination from employment due to a policy violation will be ineligible for rehire.

**Non-Solicitation and Non-interference of or with Company Employees, Contractors and Business Partners.**

Employee agrees that for the period of one year following their last date of employment, they will not, directly or indirectly, for themselves or on behalf of any other organization or entity, solicit, recruit, employ, engage, or contract for services of any other employee or interfere in any way with any business relationship between the company and its business partners, contractors, vendors, suppliers, or any other party with whom the company has a relationship on the day of termination of their employment.

## **WORKPLACE SAFETY**

### **Drug-Free Workplace**

Aptiva Therapy has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our equipment and facilities.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment of Aptiva Therapy. The Managing Partner is responsible for policy administration.

#### **Employee Assistance and Drug-Free Awareness**

Illegal drug use and alcohol misuse have a number of adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems is widely available. Employees who feel they have such a problem are encouraged to seek assistance from their healthcare provider.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the

medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so.

### **Work Rules**

The following work rules apply to all employees:

- Whenever employees are working, are operating any vehicle, are present on company or patient premises, or are conducting related work off-site, they are prohibited from:
  - Using, possessing, buying, selling, manufacturing or dispensing an illegal drug.
  - Being under the influence of alcohol or an illegal drug as defined in this policy.
- The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body while performing company business or while in a company facility is prohibited.
- Aptiva Therapy will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.

### **Required Testing**

The company retains the right to require the following tests:

- **Reasonable suspicion:** Employees are subject to testing based on observations by a supervisor of apparent workplace use, possession or impairment. The Managing Partner must be consulted before sending an employee for reasonable suspicion testing.
- **Post-accident:** Employees are subject to testing when they cause or contribute to accidents that seriously damage a vehicle, machinery, equipment or property and/or result in an injury to themselves, a patient or any other person requiring off-site medical attention. In any of these instances, the investigation and subsequent testing should take place immediately following the accident. It is the responsibility and obligation of an employee to present themselves for testing at the earliest opportunity.

**Follow-up:** Employees who have tested positive, or otherwise violated this policy, are subject to discipline up to and including discharge. Depending on the circumstances and the employee's work history/record, Aptiva Therapy may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to the company's terms.

### **Confidentiality**

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the Managing Partner shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files.

### **Inspections**

Aptiva Therapy reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property (including personal belongings such as bags, purses, briefcases, and clothing) that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including discharge.

### **Crimes Involving Drugs**

Aptiva Therapy prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on company premises or while conducting company business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Charges relating to drug offenses may lead to disciplinary action, up to and including immediate termination.

## **Violence in the Workplace**

All employees, customers, vendors and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates or coerces any patient, employee, customer, contractor, vendor or business associate will not be tolerated. Aptiva Therapy resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. Aptiva Therapy treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, the Managing Partner or any member of senior management. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident. If an employee finds themselves in a threatening situation, at work or at a patient location, the employee should immediately leave the situation and report it in detail to their supervisor, manager or the Managing Partner.

Employees should promptly inform the Managing Partner of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence. Aptiva Therapy will not retaliate against employees making good-faith reports. Aptiva Therapy is committed to supporting victims of intimate partner violence by providing referrals to community resources and providing time off for reasons related to intimate partner violence.

Aptiva Therapy will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. Aptiva Therapy will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, Aptiva Therapy may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Aptiva Therapy encourages employees to bring their disputes to the attention of their supervisors or the Managing Partner before the situation escalates. Aptiva Therapy will not discipline employees for raising such concerns.

## Safety

It is the responsibility of each employee to conduct all tasks in a safe and efficient manner and comply with all local, state and federal safety and health regulations and program standards, and with any special safety concerns for use in a particular area or as they relate to patient care. This includes assessing risks to one's own health as well as that of coworkers, consultants, contractors, patients and patient family members. Employees must be vigilant to identify potential risks, and to take appropriate precautions to minimize or reduce those risks. Risks that cannot be eliminated should be identified to the individuals potentially affected by those risks. This is particularly important for risks associated with patients and in patient homes.

Each employee has the responsibility to identify and familiarize her/himself with emergency procedures. This includes procedures for dealing with patient events including slips and falls. Those procedures include, but are not limited to:

- Stabilizing a victim and dealing with any health or urgent care needs, including calling 911 if appropriate.
- Removing oneself or a victim from the unsafe environment, and informing appropriate first responders or agencies of the risk.
- Informing Aptiva Therapy immediately of the issue and steps taken to resolve it.

It is the responsibility of the employee to complete an **Incident Report** for each safety or health risk or infraction that they identify or that may result from their treatment of a patient or where the employee is a therapist or witness. Failure to report such an infraction, regardless of the severity of the injury or accident, may result in employee disciplinary action. The incident report should be completed as soon as practical after an incident, and should include:

- The nature and impact of the risk or event
- date and time
- location
- general conditions

- people present
- source of the risk
- types of injuries or negative consequences
- steps taken to eliminate or reduce the risk or in response to the risk
- outcomes of the steps taken
- current status of the issue
- expected next steps or follow up required in response to the issue.

It is our obligation as employees, contractors, or business associates to assume responsibility for individual and organizational safety. Failure to follow company safety and health guidelines or engaging in conduct that places the employee, patient or company at risk can lead to employee disciplinary action and/or termination.

## **Smoke-Free Workplace**

It is the policy of Aptiva Therapy to prohibit smoking on all work premises in order to provide and maintain a safe and healthy work environment for all employees. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind."

The smoke-free workplace policy applies to:

- All patient homes and healthcare facilities.
- All areas of company work space
- All company-sponsored off-site conferences and meetings.
- All employees, contractors, temporary employees and student interns.

Employees who violate the smoking policy will be subject to disciplinary action.

# **WORKPLACE CONDUCT**

## **Open-Door Policy**

Aptiva Therapy recognizes that employees will have suggestions for improving the workplace, as well as complaints about the workplace. The most satisfactory solution to a job-related problem or concern is usually reached through a prompt discussion with an employee's supervisor or manager. Employees should feel free to contact their Manager with any suggestions and/or complaints. If an employee does not feel comfortable contacting his/her supervisor or is not satisfied with their response, please submit the complaint or suggestion in writing to the Managing Partner. The Managing Partner will review each written submission and provide the employee with a final resolution.

While the company provides employees with this opportunity to communicate their views, please understand that not every complaint can be resolved to their satisfaction. Even so, Aptiva Therapy believes that open communication is essential to a successful work

environment and all employees should feel free to raise issues of concern without fear of reprisal.

## **Conflicts of Interest**

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with situations in which business actions taken on behalf of Aptiva Therapy may conflict with the employee's own personal interests. Company property, information or business opportunities may not be used for personal gain.

### **Conflicts of interest could arise in the following circumstances:**

- Owning or having a substantial interest in a competitor, supplier or contractor.
- Accepting material gifts, discounts, favors or services from a patient, customer/potential customer, fellow clinician, competitor or supplier, unless equally available to all company employees. A material gift is defined as one having a value greater than one hundred dollars (\$100.00). If an employee feels it would be impolite or inappropriate to refuse such gift, then they must consult with their supervisor if possible, and in any case such gift must be disclosed to the Managing Partner.
- Encouraging customers, patients or business associates to utilize, transfer service to, or otherwise facilitating transition to a competitor.

Employees with a conflict-of-interest question should seek advice from management. Before engaging in any activity, transaction or relationship that might give rise to a conflict of interest, employees must seek review from their manager or the Managing Partner.

## **Outside Employment**

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions as outlined below.

Activities and conduct away from the job must not conflict with or compromise the company interests or adversely affect job performance and the ability to fulfill all job responsibilities. Employees are prohibited from performing any services for customers on nonworking time that are normally performed by Aptiva Therapy and/or that potentially could result in business revenue for Aptiva. Nothing prohibits an employee from providing services without receiving fees if the employee is not directly or indirectly compensated for his or her services and it is not in conflict with Aptiva Therapy's business. This may include pro-bono or donated services for charitable purposes for which the employee receives no benefit other than tax benefits. Employees are also prohibited from unauthorized use of or application of any Confidential Information. In addition, employees are not to solicit or conduct any outside business during paid working time.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If Aptiva Therapy determines that an employee's

outside work interferes with performance, the employee may be asked to terminate the outside employment or terminate Aptiva employment.

Employees who have accepted outside employment may not use paid time off (PTO) to work on the outside job. Fraudulent use of PTO will result in disciplinary action up to and including termination.

Employees must inform the Managing Partner prior to engaging in any outside employment.

## **Attendance and Punctuality**

Aptiva Therapy expects employees to report to work on a reliable and punctual basis. Absenteeism, early departures from work, and late arrivals burden fellow employees and the company. If an employee cannot avoid being late to work or is unable to work as scheduled, he/she must call his/her supervisor or manager as soon as possible.

PTO should be scheduled with one's supervisor at least two weeks in advance, and with consideration to when other employees may be off. PTO may be used in the case of emergency or sudden illness without prior scheduling. Patterns of absenteeism or tardiness may result in discipline even if the employee has not yet exhausted available paid time off. Excessive lateness or leaving early is a performance issue and may also result in discipline. Employees working from home must be approved to work from home by the Managing Partner and provide notice in advance to the extent possible relating to the days they plan to work from home. Employees working from home are expected to be available and accessible by both email and phone during their work hours. All employees are expected to know and be able to utilize the phone system including how to forward and un-forward phones.

Not reporting to work when one is expected to be at work, or working at home and not being available, and not calling to report the absence or unavailability are a no-call/no-show event and are a serious matter. The first instance of a no call/no show will result in a final written warning or termination of employment with no additional disciplinary steps. **A no call/no show lasting two days may be considered job abandonment and may be deemed an employee's voluntary resignation of employment.**

## **Attire and Grooming**

It is important for all employees to project a professional image while at work by being appropriately attired. Aptiva Therapy employees are expected to be neat, clean and well groomed while on the job. Clothing must be consistent with the standards for a business environment and must be appropriate to the type of work being performed. Clinicians should give special care to present themselves at clinical work sites and patient homes in a professional manner.

## Electronic Communication and Internet Use

The following guidelines have been established for using the Internet, company-provided cell phones and e-mail in an appropriate, ethical and professional manner:

- Internet, company-provided equipment (e.g., cell phone, laptops, computers) and services may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing or pornographic nature. Such services and/or equipment should only be used for business-related purposes.
- The following actions are forbidden: using disparaging, abusive, profane or offensive language; creating, viewing or displaying materials that might adversely or negatively reflect upon Aptiva Therapy or be contrary to Aptiva Therapy's best interests; and engaging in any illegal activities, including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and company-provided equipment such as cell phones and laptops.
- Employees may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.
- Employees must not use the system in a way that disrupts its use by others. Employees must not send or receive large files that could be saved/transferred via thumb drives.
- Employees should not open suspicious e-mails, pop-ups or downloads. Contact the Office Manager with any questions or concerns to reduce the release of viruses or to contain viruses immediately.
- Internal and external e-mails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the company.
- Employees must exercise caution when transmitting Confidential Information through the e-mail system. Company proprietary information should never be transmitted or forwarded to outside individuals or companies not authorized to receive that information and should not be sent or forwarded to other employees inside Aptiva Therapy who do not need to know the information.
- Employees must follow all security procedures and maintain user ids, passwords and other security measures in a confidential manner. Employees must log in using their assigned identification and protect access to data in a fashion consistent with HIPAA regulation.

### Right to Monitor

All company-supplied technology and company-related work records belong to the company and not to the employee. Aptiva Therapy routinely monitors use of company-supplied

technology. Inappropriate or illegal use or communications may be subject to disciplinary action up to and including termination of employment.

## **Social Media—Acceptable Use**

Below are guidelines for social media use:

Employees may not post financial, confidential, sensitive or proprietary information about the company, patients, employees or applicants.

Employees may not post obscenities, slurs or personal attacks that can damage the reputation of the company, patients, employees or applicants.

When posting on social media sites, employees must use the following disclaimer when discussing job-related matters, *“The opinions expressed on this site are my own and do not necessarily represent the views of my employer.”*

Aptiva Therapy may monitor content out on the Internet. Policy violations may result in discipline up to and including termination of employment.

## **Solicitations, Distributions and Posting of Materials**

Aptiva Therapy prohibits the solicitation, distribution and posting of materials on or at company property by any employee or nonemployee. The sole exceptions to this policy are charitable and community activities supported by Aptiva Therapy and company-sponsored programs related to Aptiva Therapy’s products and services.

Violations of this policy should be reported to the Managing Partner.

## **Employee Personnel Files**

Employee files are maintained by the Managing Partner or the employee’s supervisor or manager and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis.

A manager or supervisor considering the hire of a former employee or transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with antidiscrimination laws.

Although personnel files are considered confidential, there are certain times when information may be given to persons outside of the company. These include:

- Responses to subpoenas, court orders, or orders of administrative agencies;
- Lawsuits in which an employee or Aptiva Therapy are a party;
- To administer employee benefit plans; and
- When required by a health care provider.

Personnel file access by current employees and former employees upon request will be permitted within three days of the request unless otherwise required under state law. Personnel files are to be reviewed in the presence of the Office Manager or Managing Partner. Personnel files may not be taken outside the office.

Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

Keeping an employee's personnel file up-to-date can be important to that employee with regard to pay, deductions, benefits and other matters. If an employee has a change in any of the items listed below, the employee should be sure to notify his/her supervisor as soon as possible:

- Legal name;
- Home address;
- Home telephone number;
- Person to call in case of emergency;
- Number of dependents;
- Change of beneficiary;
- Exemptions on your W-4 tax form;
- Training Certificates; and
- Professional License.

## **COMPENSATION**

### **Performance and Salary Review**

Aptiva Therapy does not have a program of formal performance appraisals or salary increases. However, the company may from time to time consider individual pay situations and adjust pay accordingly, as determined by the employee's supervisor or manager and approved by the Managing Partner. While we will strive to be consistent and communicate pay changes well in advance, rapid adaptation to business circumstances dictates that the Managing Partner retains the right to adjust pay at any time for any reason, whether it is up or down.

Employees should thoughtfully consider their level of pay relative to the value they create and the market rate for people performing similar work. If an employee feels an adjustment is appropriate, they are welcome to raise the issue with their manager or the Managing Partner. While the company may not be willing to pay every employee at their desired pay rate, in general, the company will endeavor to pay fair and reasonable wage to the extent it is economically feasible. Ultimately, pay is determined by the Managing Partner in his or her absolute and sole discretion.

Feedback is an important tool for enhancing performance. Managers and supervisors are encouraged to provide employees ongoing and continuous feedback of both a positive and constructive nature. This feedback should be directed toward improvement of employee performance and delivered with the utmost in respect and empathy. Employees are encouraged to provide their own supervisor with feedback. Feedback should never be

personalized or articulated in a manner that denigrates an individual. It should include fact-based descriptions of the issue and offer guidance and context that helps the employee to perform better in the future. Managers and supervisors are encouraged to observe and commend positive performance to reinforce things that are done well. Managers should avoid calling out or denigrating any individual for performance in a public fashion or in a way that is humiliating or embarrassing to the individual being coached. Positive, constructive feedback is an important part of doing better as a team and as individuals. Everyone should strive to be a good coach.

## **Payment of Wages**

Salary payments are made on either a weekly or biweekly basis, although the firm reserves the right to amend its pay policies and practices at any time. Aptiva Therapy is required by law to make certain deductions from an employee's paycheck each time one is prepared. Among these are federal, state and local income taxes and each employee's contribution to Social Security and Medicare as required by law.

Clinicians may be paid a salary, and or receive a bonus based on visits, or be paid per visit, or a combination of these forms of pay. Pay may be weekly, biweekly or on a monthly basis at the company's discretion.

Overtime payment, which is included with the nonexempt employee's base salary payment, is also paid weekly or biweekly with such payment covering hours worked in the prior period.

It is the company's policy that employee paychecks will be direct deposited or distributed only to that employee personally or mailed to his/her home address.

If the normal payday falls on a company-recognized holiday, paychecks may be distributed one workday before or after the aforementioned schedule.

In the event of a lost paycheck, the Office Manager must be notified as soon as possible and before a replacement check can be issued. In the event the lost paycheck is recovered the employee must remit the amount of the replacement check to the company within 24 hours of the time it is requested.

If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to the payroll associate, Office Manager or Managing Partner.

Except for extreme emergencies, no salary advances will be made. Any such salary advances will be made within the sole and complete discretion of the Managing Partner.

## **Time Reporting for Employees Paid on an Hourly Basis**

A work hour is any hour of the day that is worked and should be recorded to the nearest minute. The workday is defined as the 24-hour period starting at 12:00 a.m. and ending at

11:59 p.m. The workweek covers seven consecutive days beginning on Saturday and ending on Friday. The usual workweek period is 35 hours.

Overtime is defined as hours worked by an hourly or nonexempt employee in excess of 40 hours in a workweek and should be recorded to the nearest tenth of an hour. Overtime must be approved in advance by the manager to whom the employee reports.

Employees will submit their time record weekly as directed by their manager. Each employee is to maintain an accurate daily record of his or her hours worked. All absences from work schedules should be appropriately recorded.

## **Meal/Rest Periods**

The scheduling of meal periods at Aptiva Therapy is set by the employee's immediate manager with the goal of providing the least possible disruption to company operations. Non-exempt employees are expected to take a lunch period that is generally not compensated, but the company may at its discretion compensate people for not-worked meal and rest periods. The meal period will be established by the employee's supervisor and is not compensable.

Employees may seek accommodation in changing schedules to allow for personal appointments, events, etc. and may make up hours in following weeks so long as it does not necessitate overtime pay.

## **Overtime Pay (nonexempt employees)**

Nonexempt employees who exceed 40 hours of work time in a workweek will be paid time and one half.

Paid leave, such as holiday, sick or vacation pay, does not apply toward work time.

The workweek is measured beginning at 12:00 a.m. on Saturday morning and ending at 11:59 p.m. on Friday night.

Employees who anticipate the need for overtime to complete the week's work must notify the supervisor in advance and obtain approval before working hours that extend beyond their normal schedule. Unauthorized overtime work may not be paid.

During busy periods employees may be required to work extended hours.

## **Employee Travel and Reimbursement**

Travel for staff must be authorized in advance. Travelers should verify that planned travel is eligible for reimbursement before making travel arrangements. Upon completion of the trip, and within 30 days, the traveler must submit a summary of the travel expenses and supporting documentation to obtain reimbursement of eligible expenses.

Exempt employees will be paid their regular salary for weeks in which they travel. Nonexempt employees will be paid for travel time in accordance with federal and state wage payment laws.

For employees paid per visit, the costs associated with travel and parking are included in the determination of the amount paid per visit. Gas, depreciation, parking, meals, and any other travel related costs are not eligible for reimbursement by the company for employees paid per visit. That noted, employees are encouraged to document these costs, and may be able to take deductions for these costs on their personal taxes. Employees should consult with their tax advisor to make any such determination and the company bears no responsibility for any employee related tax benefits or tax costs associated with travel on behalf of the company.

## **Holiday Pay**

For exempt and non-exempt staff employees, Aptiva Therapy recognizes six paid holidays each year. Clinicians paid per visit are not eligible for holiday pay. The holidays recognized by the company are as follows:

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

In some cases, it may be necessary for an employee to work on a holiday. In such case, the employee will receive a compensatory day off, or at the company's sole discretion, the employee may receive payment equal to time and a half and no compensatory time off. Clinicians paid per visit may be paid a premium relating to the specific visit.

Should a holiday fall on a weekend, the holiday may be observed on the work day closest to the holiday or as generally observed by the company's customers. If a holiday occurs during a period of an employee's scheduled paid time off, he/she is eligible for the holiday pay. An employee is not eligible to receive holiday pay when he/she is on an unpaid leave of absence.

Non-paid time off may be granted to employees who desire to observe a religious holiday that is not recognized by the company.

## **Vacation Time Off**

The company recognizes that time away from work is an important part of rest and reinvigoration. Eligibility and amount of paid time off are determined by an employees work status and hours worked. The amount and pay rate for vacation time may be determined solely by the company at the company's discretion.

Clinical employees that are paid per visit have all compensation and expenses factored into the per visit rate and hence are not eligible for vacation time in excess of their per visit rate. That said, the company may, in its sole discretion, determine to grant such employees additional pay as an incentive award, bonus or as recognition for performance. The company may also, in its sole and absolute discretion, make payments in lieu of actual visits. Any such supplementary compensation is solely at the discretion of the company and shall not be considered as accrued vacation or an entitled benefit under any circumstances.

Clinical employees that are paid on a salaried or hourly basis or a combination of salary and per visit basis may be eligible for vacation pay as determined solely by the company. Such vacation may be accrued in accordance with a salary accrual formula, or may be made in conjunction with credit toward other types of goals or performance objectives which impact bonus or other types of payment.

Full and part-time exempt and non-exempt office staff employees may be eligible for Vacation and Personal Time Off, depending on their averaged hours worked. Part-time office staff employees working between 20 and 29.9 hours per week on average will earn paid time off on a prorated basis based on their average hours worked the prior year. Full-time employees are those working 30.0-plus hours per week.

Vacation accrual for eligible employees begins the first day of the month following their first six months of employment and then the first day of the year for each year thereafter. Vacation time accrues at a rate of 40.0 hours per year. In some cases, a vacation accrual rate greater than 40.0 hours per year may be individually determined solely at the discretion of the company. Vacation is accrued according to the schedule in this policy. Vacation cannot be used before it is earned without express approval of the Company and without a minimum of two weeks prior notice.

To schedule any time away from work, including vacation time, employees should submit a request in writing via email to their supervisor at least two weeks before taking the requested time. Once approved, the vacation time must be noted by the employee on the company electronic calendar, and for office employees, also on the company posted wall calendar. Employees must ensure that they have enough accrued leave available to cover the dates requested. Requests will be approved based on a number of factors, including department operating and staffing requirements. The supervisor should reply to the leave request to the employee within three business days of the date it is submitted indicating that the request has been approved or denied. If the request for vacation leave is denied, the supervisor should provide an appropriate reason on the response to the employee.

Vacation will be paid at the employee's base rate at the time the leave is taken. Vacation pay is not included in overtime calculation and does not include any special forms of compensation such as incentives, commissions, bonuses or shift differentials. If a holiday falls during the employee's vacation, the day will be charged to holiday pay rather than to vacation pay.

Non-paid leave taken beyond an employee's available vacation balance must be approved at least one month in advance, and before the employee makes any travel arrangement. Granting unpaid leave is solely at the company's discretion and taking unpaid leave without approval may result in immediate termination.

If employment is terminated, accrued unused vacation leave earned through the last day of active employment will be paid at the employee's base rate of pay at termination. In the event of the employee's death, earned unused vacation time will be paid to the employee's estate or designated beneficiary.

## **Personal Time Off (Sick and other Time Off)**

For salaried exempt employees, Aptiva Therapy provides for Personal Time Off (PTO) at the discretion of the Managing Partner or Office Manager. PTO does not accrue and is not eligible for payment upon termination. PTO may be taken for time that is genuinely sick, or the sickness of an immediate family member for whom the employee is caring, or for personal appointments, errands, or other personal issues requiring time during the work week. Minor discomfort does not constitute being sick. Employees that genuinely feel sick or that are contagious should stay home.

For non-exempt employees, Personal Time Off (PTO) may be taken for sickness, for appointments, or as added vacation time. PTO is paid time off and accrues at a rate of 24 hours per year. PTO accrual for eligible employees begins the first day of the month following their first six months of employment and then the first day of the year for each year thereafter. In some cases, a PTO accrual rate greater than 24 hours per year may be individually determined solely at the discretion of the company.

In order to take PTO for an illness, an employee should call, email or text to inform their supervisor that they are sick or need time off, and if possible, have a direct conversation with their supervisor describing their condition and probable timing for returning to work. Employees may text or email that they are sick if they follow it with a call later.

For any other type of PTO, such as appointments, family events and service calls, PTO needed should be communicated in advance.

Any employee who takes PTO in excess of three consecutive working days due to illness must present medical documentation for the absence. Only non-exempt employees are paid for unused PTO upon termination of employment.

## **Unpaid time off and Personal Leave of Absence**

Employees who desire time off for incidental appointments such as service and repair calls, court or medical appointments, or for additional vacation time may also request unpaid personal time off. Such time will be granted solely at the discretion of the company. The employee should notify their supervisor of their need as far in advance as possible. Employees requesting unpaid vacation time must request the time at least 30 days in advance. Taking leave without prior approval may constitute job abandonment.

In order to apply for unpaid time off, an employee must be employed for a minimum of 90 days prior to the request. Job performance, absenteeism and departmental requirements will all be taken into consideration before a request is approved. When employees are absent it places additional strain on fellow employees who remain at work. Unpaid time off

may not be granted if other employees have scheduled vacation, if work flow demands make it impractical, or if timing with key events creates a conflict. Such determinations will be made solely at the discretion of the company. Unpaid time for vacations should be cleared months in advance and travel plans or payments should not be made until the request has been made and approved. For unpaid time greater than one day off, a written record must be maintained and the company calendar updated.

If you are contemplating unpaid time off, please contact the Managing Partner for more information.

The employee must return to work on the scheduled return date or be considered to have voluntarily resigned from his or her employment. Extensions of leave will only be considered on a case-by-case basis.

## **Bereavement and Jury Leave**

An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor immediately.

Bereavement leave will be granted unless there are unusual business needs or staffing requirements.

Paid bereavement leave is granted according to the following schedule:

- Employees are allowed three days of paid leave in the event of the death of the employee's spouse, child, father, father-in-law, mother, mother-in-law, brother, sister, stepfather, stepmother, stepbrother, stepsister, stepson or stepdaughter.
- Employees are allowed two days of paid leave in the event of death of the employee's brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle, grandparent, grandchild or spouse's grandparent.
- The company may adjust these policies in its sole discretion, including for situations for employees required to travel for bereavement related events.

Upon receipt of notification from the state or federal courts of an obligation to serve on a jury, employees must notify their supervisor and provide him/her with a copy of the jury summons. The company will pay regular full-time and regular part-time employees for time off for jury duty up to one week of pay.

## Employee Handbook Acknowledgment and Receipt

**I have received my copy of the Employee Handbook.**

The employee handbook describes important information about Aptiva Therapy, and I understand that I should consult my manager or the Managing Partner regarding any questions not answered in the handbook. I have entered into my employment relationship with Aptiva Therapy voluntarily and acknowledge that there is no specified length of employment. **Accordingly, either I or Aptiva Therapy can terminate the relationship at will, with or without cause, at any time, so long as there is not violation of applicable federal or state law.**

I understand and agree that, other than the Managing Partner, no manager, supervisor or representative of Aptiva Therapy has any authority to enter into any agreement for employment other than at will; only the president of the company has the authority to make any such agreement and then only in writing signed by the Managing Partner of Aptiva Therapy.

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

I understand that, except for employment-at-will status, any and all policies and practices may be changed at any time by Aptiva Therapy, and the company reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Only the Managing Partner of Aptiva Therapy has the ability to adopt any revisions to the policies in this handbook.

**I understand and agree that nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment and that employment at Aptiva Therapy is employment at will, which may be terminated at the will of either Aptiva Therapy or myself. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document.** I understand and agree that employment and compensation may be terminated with or without cause and with or without notice at any time by Aptiva Therapy or myself.

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

---

Employee's Signature

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Employee's Name (Print)

---

Date

***TO BE RETAINED AS EMPLOYEE'S COPY***

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

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Employee's Name (Print)

\_\_\_\_\_  
Date

***TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE***