Table of Contents
WELCOME .................................................................................................................. 3
ORGANIZATIONAL CHART ....................................................................................... 3
CLINIC HISTORY ........................................................................................................ 3
CLINIC PHILOSOPHY .................................................................................................. 3
OFC MISSION STATEMENT AND VALUES: ............................................................... 3
EMPLOYEE HANDBOOK ............................................................................................ 4
DEFINITIONS ................................................................................................................ 4
EQUAL EMPLOYMENT OPPORTUNITY ..................................................................... 6
EMPLOYEE ORIENTATION AND BENEFIT ELIGIBILITY ...................................... 7
EMPLOYEE RECORDS AND PERSONAL EMPLOYEE INFORMATION ................. 7
GENERAL CONDUCT .................................................................................................. 8
ANTI-HARASSMENT POLICY ..................................................................................... 9
POSSESSION OR CARRYING OF FIREARMS .......................................................... 11
PERSONAL PROBLEMS / CHEMICAL DEPENDENCY .......................................... 12
CONFIDENTIALITY ..................................................................................................... 13
USE OF EMAIL, ELECTRONICS, AND SOCIAL MEDIA .......................................... 14
USE OF CELL PHONES OR OTHER SIMILAR DEVICES ........................................ 14
USE OF SOCIAL MEDIA ............................................................................................ 15
SAFETY ....................................................................................................................... 16
OUTSIDE EMPLOYMENT .......................................................................................... 17
WORK SCHEDULE ....................................................................................................... 17
LEAVES OF ABSENCE ............................................................................................... 19
THE FAMILY AND MEDICAL LEAVE ACT (FMLA) .................................................. 20
WESA LEAVE ............................................................................................................. 23
HEALTH AND DENTAL COVERAGE ....................................................................... 25
COMPENSATION ......................................................................................................... 27
INSURANCE BENEFITS ............................................................................................. 27
DISCOUNT ON SERVICES ........................................................................................... 28
HOLIDAYS .................................................................................................................... 29
EMPLOYEE RETIREMENT BENEFITS ..................................................................... 29
PAID TIME OFF (PTO) ............................................................................................... 30
PTO BANKS: ............................................................................................................... 30
REIMBURSABLE EXPENSES ..................................................................................... 36
TERMINATION PROCEDURES ................................................................................. 36

OFC Employee Handbook Last Revised January 1, 2017
WELCOME

Welcome to the Orthopaedic and Fracture Clinic, P.A. (“OFC” or “the Clinic”). The Physicians and Administration of OFC are pleased that you have chosen to apply your skills and talent to help those in need of orthopaedic care. We sincerely hope that your employment with us will be rewarding to you and the patients we serve.

ORGANIZATIONAL CHART

A copy resides with administration.

CLINIC HISTORY

At the Orthopaedic & Fracture Clinic, P.A. (OFC), we are proud to set the standards for orthopaedic care in our region. As one of the largest orthopaedic groups practicing in Southern Minnesota, we are able to provide our patients with up-to-date care and a breadth of experience. Our physicians are all board certified or board eligible in orthopaedic surgery; several possess expertise in specialty fields of orthopaedics.

When Dr. Paul Gislason founded the OFC in 1957, he had no idea that the Mankato facility would evolve into a group of distinguished physicians with multiple offices in southern Minnesota. He was a caring, skilled, devoted orthopaedic surgeon who wanted to treat his friends and neighbors in a community where he felt comfortable – a place where he and his wife could raise their family.

We are proud of our unassuming roots, and of the way Dr. Gislason and his first partner, Dr. Donald Meredith, nurtured the practice in those early days.

Their philosophy of patient care is still an integral part of our structure. Every day we work hard to give the kind of personalized care that translates into healthier, happier patients – the kind of hometown care that Drs. Gislason and Meredith provided.

CLINIC PHILOSOPHY

The organization and operation of a medical clinic differs from all other commercial ventures in that a clinic does not deal in material goods manufactured and sold for profit. Doctors of medicine deal in a service to mankind and they deal with the ill and distressed who come to them for only one reason – they need help and guidance. The corollary of this statement clearly spells out the basic philosophy of the Clinic, namely to provide those who come to us with the highest quality of medical care available at a cost that is both fair and reasonable.

Our Employees are the Clinic’s most important assets. The Clinic will treat you with respect and dignity, recognizing your contributions to the Clinic. In joining the Clinic, you automatically assume your just share of the responsibility for maintaining the high principles and standards that have been established at the Clinic.

OFC MISSION STATEMENT AND VALUES:

The physicians and staff at The Orthopaedic & Fracture Clinic, P.A. are committed to providing high quality, cost-effective musculoskeletal care in Southern Minnesota. It is our goal to treat our patients professionally and respectfully.
Patient Centered
We treat our patients with respect. We provide a positive experience by focusing on communication, patient education, and individual needs.

Teamwork
We work together in a respectful, professional and collaborative manner.

Integrity
We are honest, dependable, accountable, and responsible. We adhere to moral and ethical principles.

Industry Leader
Our highly qualified and caring staff are the foundation of our success. Ongoing professional development on state-of-the-art equipment, techniques and procedures keeps us at the forefront of industry standards.

Community
We encourage volunteerism to meet the greater needs of the community.

EMPLOYEE HANDBOOK

The policies and procedures described here are not conditions of employment, and the language is not intended to create a contract between OFC and any Employee. OFC may vary from these policies and procedures if, in its opinion, the circumstances require variance. OFC is an "at-will" Employer, which means that we have the right to terminate any Employee at any time, with or without cause and with or without notice. No provision in this Handbook limits the rights of OFC and its Employees to terminate the employment relationship at any time.

The material in this Handbook is not exhaustive. Although we have attempted to cover matters of general applicability to Employees, we know that it doesn't cover every situation that may arise from day to day. The Clinic reserves the right to make any changes to this handbook at any time, with or without notice, by adding to, deleting or changing any existing policy or procedure. The Clinic also reserves the right to interpret these policies and procedures, at its discretion.

Notice that each of the policies is dated and is current as of that date. When there is a change in a policy, we will update this Handbook as soon as we can. Feel free to consult us whenever you have questions. All old handbooks should be discarded. OFC expressly revokes all terms and conditions of any Handbook, and provisions thereof, dated prior to January 1, 2017.

DEFINITIONS

ADMINISTRATION
Administration consists of the CEO, the CFO, and the Office Manager/Patient Services.

AT-WILL EMPLOYMENT
Employment that reserves the right to both the Employer and Employee to terminate the employment relationship at any time, with or without cause, and with or without notice.

“CLINIC”/“COMPANY”/“EMPLOYER”
The Orthopaedic and Fracture Clinic, P.A. (also referred to as “OFC”)
DEPARTMENT HEAD

The head of the department or clinic you work in, who directs your day-to-day activities and duties.

EMPLOYEE STATUS / WORKING HOURS / BENEFIT ELIGIBILITY

The main Clinic is generally open from 8:00 a.m. to 5:00 p.m., Monday through Friday, except for holidays, although each specific department may adjust those hours as needed. At times, it may be necessary for an Employee to work outside of normal hours. Each Employee is expected to remain flexible in relation to this need and to be reasonably available for necessary overtime or unusual working hours. All Employees remain at-will, and nothing contained within this handbook is intended to be a contract or an offer of a contract.

The OFC Express Clinic is generally open from 8:00 a.m. to 8:00 p.m., Monday through Friday, and from 8:00 a.m. to 11:00 a.m. on Saturday. Employees in the departments that will staff this clinic will need to adjust their hours and staffing to accomplish needed coverage. Employees are expected to take their share of after hour and Saturday shifts.

Involved departments include Nursing, Front Desk (Scheduling and Appointments), Physician Assistants (both OPA and PA-C) and Physicians. In the future other departments may become involved. As demand and business judgment dictates, hours and/or staff may be added or reduced at the OFC Express Clinic.

Those employees working from 4:00 to 8:00 p.m. (or until close) Monday through Friday and/or on Saturday morning will receive a shift differential.

All Employees are eligible for benefits based upon the following hours worked:

Full-Time (at least 30 hours per week): for those regularly scheduled for less than 40 hours but at least 30, some benefits are prorated based upon their percentage of an average work-week.

Part-Time (less than 30 hours per week): pro-rated benefits, no health insurance; no life insurance; no disability insurance. The specific benefits offered are set forth in each section.
EXEMPT VERSUS NON-EXEMPT EMPLOYEE

“Non-Exempt Employees” are those who are eligible to receive overtime pay pursuant to the Fair Labor Standards Act for actual hours worked over forty in any work week. “Exempt Employees” are those who are paid on a salary basis and are exempt from receiving overtime pay pursuant to the Fair Labor Standards Act. This handbook applies to all exempt and non-exempt Employees.

INCAPABLE OF SELF-CARE

An Employee’s child who is over the age of 18 who requires active assistance or supervision to provide daily self-care in several of the “activities of daily living”. Activities of daily living include adaptive activities such as caring appropriately for one’s grooming and hygiene, bathing, dressing and eating due to a mental or physical disability.

PAY PERIOD

Paychecks are issued either bi-weekly or semi-monthly, depending upon your position and/or Department.

PERSONNEL COMMITTEE

The Personnel Committee consists of the CEO, CFO, the Office Manager/Patient Services, and a physician representative.

PTO

Paid Time Off (includes Personal Leave Bank, Short Term Illness Bank, and the Catastrophic Illness Bank).

SERIOUS HEALTH CONDITION

For purposes of the Family and Medical Leave Act, a serious health condition is defined as an illness, injury (including work-related), impairment or physical or mental condition requiring inpatient care or ongoing treatment. OFC requires certification of the serious health condition and OFC may require, and must pay for, a second opinion.

SHAREHOLDER

Any Shareholder of OFC, or Physician Board Member.

TEMPORARY EMPLOYEES

Employees hired for a specific project or length of time. Temporary Employees are not eligible for the benefits outlined in this Handbook.

EQUAL EMPLOYMENT OPPORTUNITY

Policy

OFC will comply with all applicable federal and state laws governing equal employment opportunity. This policy extends to all applicants and Employees and to all aspects of the employment relationship, including, but not limited to, recruiting, hiring, promotion, transfer, and compensation.

Procedure

Specifically, OFC will provide equal employment and advancement opportunity on the basis of merit within the context of its unique business environment, and without regard to race/color, creed, religion, national origin, sex/gender, pregnancy, genetic information, disability, age, sexual orientation, marital status, familial status, veteran status, public assistance, and membership or activity in a local commission.
EMPLOYEE ORIENTATION AND BENEFIT ELIGIBILITY

Policy

All new Employees will be provided with orientation and a description of job duties, pay, benefits, personnel policies and procedures. Orientation is essential for assuring that new Employees fully understand what is required of them. Employer may revise, add to, delete or otherwise change these benefits, policies and procedures from time to time.

We realize that all new Employees may feel a little confused and uncomfortable when starting a new job. We want to help you get off to a good start. New Employees should not hesitate to ask questions about the handbook, policies, or any problems that they might encounter.

Procedure

Handbook:

All new Employees will receive the OFC Employee Handbook. It is the responsibility of all Employees to read this Handbook and become familiar with its contents to become orientated with the Clinic. The Clinic can amend, modify, add to, eliminate, or otherwise change the handbook at any time without notice to Employees.

Required notices identifying Employee rights under both federal and state laws can be found posted at each facility in a conspicuous Employee area. Questions should be directed to your Department Head or the Office Manager/Patient Services.

Benefit Eligibility:

Full-time Employees will be eligible to receive the following benefits (subject to relevant benefit waiting periods and other conditions of eligibility):

- Health and Dental Insurance
- Life Insurance
- Long-Term Disability Insurance
- Paid Holidays
- 401k and Profit Sharing Plan
- Paid Time Off (“PTO”) – pro-rated when applicable
- Bereavement Leave

Part-time Employees working more than or equal to 20 hours per week may be eligible to receive certain benefits based upon a pro-rata share of their average work week hours, such as PTO and Holiday Pay, as set forth more specifically throughout this Handbook.

EMPLOYEE RECORDS AND PERSONAL EMPLOYEE INFORMATION

Policy

It is the policy of OFC to keep accurate and complete records for each Employee and to keep Employee information as private as possible.
Procedures

To keep your personnel file current, report the following information to the Payroll Department as soon as changes occur:
- Change of address and/or telephone number
- Number of dependents (only as required for tax and benefit purposes)
- Insurance and retirement plan beneficiary
- Marital status (only as required for tax and benefit purposes)
- Military status
- Person to notify in case of an emergency
- Additional education, registration, and new skills acquired, etc.
- W-4 exemptions

Personnel Records Access

According to the Personal Records Statute, current Employees can make a written request to the Employer to review their personnel records, so long as the Employee has not reviewed their personnel records during the previous six (6) months. Employer will provide for review within seven (7) working days after receipt of the written request for review. The review must be made available during the Employer’s normal business hours and the Employer may have a Department Head or Personnel Committee representative present during the review.

The Statute further provides that all terminated Employees can make a written request to the Employer to review their personnel records once per year for every year following their termination (whether voluntarily or involuntarily) for as long as the Employer maintains their personnel records.

Minnesota statute specifies which records the Employee has the right to review, and those they do not have the right to review.

Personal Employee Information

It is the policy of OFC not to give out any information regarding its current, retired, or terminated Employees other than name, job title and employment dates. No other information will be released to any third party unless required by law or without written permission by the individual, which must be on file with us prior to the release of such information.

Refer all inquiries to Administration. No Employee is to give an opinion or assessment of job performance of other current, retired or terminated Employees. Any Employee who fails to comply with this policy may be subject to discipline, up to and including dismissal.

GENERAL CONDUCT

Policy

The success of any clinic and particularly a clinic such as ours, which is providing a service, is especially dependent on its people. Our success is immediately and directly equated with Patient satisfaction and Employee-Patient relationships must be conducted in such a manner as to inspire the confidence of the Patient.
Procedures

- Professional Conduct: Both verbal and personal contact with the Patient shall be on a professional level. Employees should conduct themselves throughout their work in such a manner as not to cause apprehension in the quality or efficiency of their work. Employees working in the field are in the "public eye" and must conduct themselves accordingly. Pursuant to policy, Employees are prohibited from using personal cellular or smart phones in view of patients, other visitors or guests of OFC at any time.

- Telephone Etiquette: The telephone call is often our first contact with the Patient. We expect each Employee to develop proper telephone etiquette and to treat all Patients and callers with the proper respect.

- Nametags: At the time you begin work at the Clinic, you may be issued a nametag. The requirement to wear your nametag and the location of the nametag on your apparel shall be determined by each Department Head from time to time.

- Dress Code: Each Clinic or Department determines its own dress code and all Employees are expected to abide by this dress code. A well-groomed appearance by the staff will reflect the Clinic’s professionalism. Avoid any extremes in dress, hair, perfume, make-up, jewelry or other means of appearance.

- OFC Branded Apparel: Depending upon your specific Clinic or Department guidelines, some Employees are granted a stipend to purchase approved clothing and/or OFC branded apparel. The amount of the stipend is determined by Administration on an annual basis.

- Solicitation: Employees may not solicit other Employees or patients for purchasing items or services or donating to any organization or fund. Employees may post or discuss personal business, solicitation or donations in the Employee lounge only, and only during break periods.

- Gossip: Avoid all idle and malicious talk with your coworkers. Gossip almost never includes all the facts. It is easy to be unfair or to harm someone unintentionally. Loyalty to the Clinic means loyalty to your coworkers.

- Tattoos and Piercings: While on OFC premises or while working, tattoos should be covered and non-conspicuous. Reasonable, professional-looking ear piercings are allowed. Multiple or non-standard ear piercings are not allowed. No other visible piercings (lip, tongue, eyebrow, etc.) are permitted. Staff with a recent piercing may wear a discrete clear plastic spacer during the healing period. Additional restrictions may be added by your Department Head or the Office Manager/Patient Services depending upon your particular department needs and level of patient or public contact in order to maintain an appropriate level of safety, health concerns, appearance or professionalism.

ANTI-HARASSMENT POLICY

Policy

It is the policy of OFC that all of our Employees should be able to enjoy a work environment free of discrimination and harassment. This policy refers to, but is not limited to, harassment in the following areas:

1. Race
2. Color
3. Creed
4. National origin
5. Religion
6. Sex/Gender
7. Marital Status
8. Familial Status
9. Pregnancy
10. Sexual Orientation
11. Disability
12. Veteran status
13. Public Assistance
14. Age
15. Local human rights commission activity

Harassing conduct is defined as unwelcome conduct, **verbal or physical**, when the conduct either (1) can reasonably be considered to adversely affect the work environment, or (2) results in an employment decision affecting the Employee and is based upon the Employee's acceptance or rejection of such conduct. Some examples of the first category of harassing conduct include displaying sexually or racially demeaning pictures, making jokes or remarks that are offensive to disabled or older Employees or those of a different national origin, or subjecting another Employee to unwelcome sexual advances or touching. Some examples of the second category of harassing conduct include when a supervisor coerces an Employee into an unwelcome sexual relationship and then rewards the Employee, or when a supervisor takes disciplinary action or denies a promotion to an Employee because he or she rejected sexual advances from the supervisor.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or both verbal and physical conduct or communication of a sexual nature when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly of obtaining employment or advancement in employment;

2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment; or

3. That conduct or communication has the purpose or effect of substantially interfering with the individual's employment or creating an intimidating, hostile or offensive employment environment.

OFC will not tolerate any form of illegal harassment at the workplace or in activities related to your job whether that harassment originates from management or from a co-worker. All Personnel shall refrain from any language, gestures, touching or other behavior that may be considered sexual or harassing in nature while in the workplace or when engaging in work-related activities.

Department Heads are expected to immediately halt any harassment of which they become aware by emphasizing the Clinic policy, and when necessary, by more direct disciplinary action.

**Reporting Procedure**

Any Employee who believes that he or she has been the subject of, or has witnessed, an incident of harassing conduct should report the matter promptly to:

- His or her immediate Department Head;
- Any Department Head;
Office Manager/Patient Services;
The CEO;
The CFO; or
A Shareholder.

Anyone, including any individual named above or other staff, who receives a report or complaint of harassment, should immediately report it to the CEO or the Office Manager/Patient Services. If a complaint is made to anyone else, the complainant risks the possibility that it will not come to the attention of the appropriate management and, therefore, may not be acted upon in a timely fashion.

Administration shall act promptly to investigate and resolve reports of harassing conduct. If harassing conduct is found to have occurred, the Administration will take appropriate corrective and disciplinary action, up to and including termination of employment, against all persons who have been found to have engaged in that conduct.

OFC will not tolerate retaliation against any Employee for making a good-faith report of harassing conduct or for conducting, cooperating with, or participating in any investigation of alleged harassing conduct or any stage of any legal proceeding, administrative or judicial that is related. All information provided will be maintained on a confidential basis to the greatest extent possible. The Reporting Procedure described above should also be used if an Employee believes he or she has been subjected to prohibited retaliation or intimidation.

Sexual Relations with Patients

It is the policy of OFC that all physicians and medical staff honor and comply with the code of ethics for their respective licensing board regarding inappropriate behavior.

POSSESSION OR CARRYING OF FIREARMS

Purpose

The purpose of this policy is to establish restrictions on possession or carrying of firearms as an Employee of OFC, in accordance with the Minnesota Citizens' Personal Protection Act of 2003, and other applicable law.

Definitions

a. "Firearm" means a gun, whether loaded or unloaded, that discharges shot or a projectile by means of an explosive, a gas or compressed air.

b. "Pistol" means a weapon as defined in Minnesota Statutes section 624.712, subd. 2.

c. "OFC property" means any building owned, leased, or under the primary control of OFC, and within ten feet (10') surrounding the same.

d. "Visitor" means any person who is on OFC property, but does not include an Employee of OFC acting in the course and scope of their employment.
Procedure

No person is permitted to carry or possess a firearm on OFC property except as provided in this policy.

1. Employees. Employees are prohibited from possessing or carrying a firearm while acting in the course and scope of their employment, either on or off OFC property, regardless of whether the Employee has a permit to carry a firearm, except as otherwise provided in this policy. Employees are also prohibited from using any firearm for threat of harm, aggressive behavior or any other inappropriate use.

2. Visitors. Visitors are prohibited from possessing or carrying a firearm while on OFC property, except as otherwise provided in this policy. Visitors are also prohibited from using any firearm for threat of harm, aggressive behavior or any other inappropriate use. This policy does not apply to visitors who are licensed peace officers under Minnesota Statutes section 626.84, subd.1(c).

3. Employee reporting responsibility. An Employee with a reasonable basis for believing any individual is in possession of or carrying a firearm in violation of this policy has a responsibility to report the suspected act in a timely manner, unless doing so would subject the Employee or others to physical harm. Reports should be made to the Administration. This policy shall not prohibit prompt notification to appropriate law enforcement authorities when an immediate threat to personal safety exists. Employees shall not make reports of a suspected violation knowing they are false or in reckless disregard of the truth.

4. Exceptions. This policy does not prohibit the lawful possession or carrying of firearms in a parking area or parking facility, provided the firearm is locked in a secure trunk or other storage area and/or out of public view.

5. Violations. Violations of this policy by Employees are misconduct subject to discipline, up to and including immediate termination.

6. Referral to Law Enforcement. OFC may refer suspected violations of law to appropriate law enforcement authorities, and provide access to investigative or other data as permitted by law.

PERSONAL PROBLEMS / CHEMICAL DEPENDENCY

Policy

OFC prohibits the use, possession, transfer, and sale of alcohol, inhalants, and illegal drugs while working, and/or while operating any Company machinery or equipment (including vehicles). It also prohibits reporting for work, and working anywhere on behalf of OFC under the influence of illegal drugs, inhalants, alcohol, prescription drugs or other mind-altering chemicals. This policy applies to all official or unofficial break and meal periods, and all other times during the working day in which an Employee has reported for work.

“Illegal drugs” means inhalants and controlled substances, and includes medications that contain controlled substances, which are used for a purpose or by a person for which they were not prescribed or intended.

The use and possession of properly prescribed drugs or medications is permitted provided that it does not interfere with the Employee’s job performance or pose a direct threat to the health or safety of the Employee and/or others.

It is our desire to assist any Employee or immediate family member experiencing personal problems or chemical dependency.
**Procedure**

If you have a problem that you feel is affecting your work, report it to your Department Head or a member of the Personnel Committee. We will be happy to talk with you, in confidence, about such problems in order to determine a satisfactory direction or solution. Violations of any provisions of this policy may result in disciplinary action, up to and including termination from employment.

**CONFIDENTIALITY**

**Policy**

Due to the nature of our business, it is necessary that you understand the need for confidentiality regarding our patients and the business of OFC. Employees of the Clinic will be handling information regarding the personal business of patients and their medical conditions.

**Procedure**

What you see, hear, and do at work is considered confidential. In the course of your personal life, you may be questioned as to OFC’s patients, work with insurance companies, affiliations, etc. You are not to divulge confidential information about patients, insurance, affiliations or any other information of a confidential nature to anyone outside the Clinic or with any unauthorized person. The OFC has a separate policy setting forth what each employee must do to comply with the Health Insurance Portability and Accountability Act (HIPAA). A violation of the OFC’s HIPAA policy will also be considered a violation of the confidentiality provision of this Handbook.

In addition, as an OFC Employee, you may have access to information about other OFC Employees. Personal information about other OFC Employees is also confidential and shall not be divulged to other Employees or persons outside of OFC. It is a violation of this policy to access personal information about other OFC Employees without a legitimate business related reason for doing so.

As a condition of employment, you must agree that all such information is the exclusive property of the Clinic, and that you will not at any time divulge or disclose to anyone, except in the responsible exercise of your job, any such information, whether or not it has been designated specifically as “confidential.”

Employees are expressly prohibited from using or disclosing patient names, health information or contact information by any means, including but not limited to any form of social media.

**Notice to Employees:** Under the Minnesota Wage Disclosure Protection law, you have the right to tell any person the amount of your own wages. Your employer cannot retaliate against you for disclosing your own wages. Your remedies under the Wage Disclosure Protection law are to bring a civil action against your employer and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or 1-800-342-5354. An employer may not retaliate against an employee for asserting rights or remedies under the Minnesota Wage Disclosure Protection law.
USE OF EMAIL, ELECTRONICS AND SOCIAL MEDIA

Policy

All computers, fax machines, telephones, copiers, printers and other equipment are the property of OFC, including all data, files, or information contained therein. All computers, fax machines, copiers, printers, telephones, e-mail systems and Internet usage is to be used solely for business purposes of the Clinic and not for personal purposes of the Employees. Electronic communications should not be assumed to be private and security cannot be guaranteed. While Employees are free to utilize and participate personally in various forms of social media, OFC restricts the posting, transmission or dissemination of business-related and patient information by Employees through their personal social media sites.

Procedures

1. Highly confidential or sensitive information should not be sent through e-mail or over websites.
2. All information, files, documents, websites, and messages that are created, sent, received, reviewed or stored on the Clinic’s e-mail and/or computer system are the sole property of OFC.
3. E-mails created, sent, received, reviewed or stored and websites visited may not contain statements or content that is inappropriate or offensive, and messages such as racial, sexual, or religious slurs or jokes are prohibited. Sexually explicit messages or images, cartoons or jokes are prohibited.
4. OFC reserves the right to inspect, monitor or review all information, files, documents, websites, and messages that are created, sent, received, reviewed or stored on the Clinic’s e-mail and/or computer system. All Employees are hereby informed that he or she does not have a personal privacy right in any matter created, received, reviewed or sent via OFC resources.
5. OFC will comply with the Electronic Communications Privacy Act and the Federal Wiretap Act.
6. No Employee shall copy, install or use any software or data files in violation of applicable copyright or license agreements.
7. No Employee shall install any software on a Clinic computer without prior written approval. Further, resources of any kind, for which there is a fee, must not be accessed without prior approval.
8. The telephones in the Clinic are intended for medical and OFC business use only. Personal phone calls should be kept to a minimum and made only during scheduled breaks, whether using a Clinic telephone or a personal cell phone. Emergency calls, however, are an exception and may be made or received whenever necessary. If you are required to carry a cell phone on your person while on duty, all ringers or other message notification sounds must be muted and/or set to vibrate only. Please advise your family and friends not to call unless there is an emergency. As there are times you must receive or make calls while on duty, they should not interfere with your work. Personal long distance calls should not be made on OFC telephones. Abuse of the telephone may result in disciplinary action, up to and including termination of employment.

USE OF CELL PHONES OR OTHER SIMILAR DEVICES

A. Company Owned and Supplied Devices While Driving

An Employee who uses a company-supplied device is prohibited from using a cell phone, hands on or hands off, or similar device while driving, whether the business conducted is personal or company-related. This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking
for phone messages, or any other purpose related to your employment, the business, our customers, our vendors, volunteer activities, meetings, or civic responsibilities performed for or attended in the name of the company; or any other company or personally related activities not named here while driving. Use of company owned devices for personal business is discouraged.

B. Personally Owned Cell Phones or Similar Devices While Driving

Due to research that indicates that cell phone use while driving is dangerous, and may even approach the equivalent danger of driving while drunk, according to some studies, your company prohibits Employee use of personal cellular phones, either hands on or hands free, or similar devices, for business purposes related in any way to our company, while driving (whether in your personal vehicle or a company-provided vehicle). This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or any other purpose related to your employment, the business, our customers, our vendors, volunteer activities, meetings, or civic responsibilities performed for or attended in the name of the company; or any other company or personally related activities not named here while driving. You may not use your cellular phone or similar device to receive or place calls, text messages, surf the Internet, check phone messages, or receive or respond to email while driving if you are in any way doing activities that are related to your employment.

C. Personally Owned Cell Phones or Similar Devices While at Work

Employees are prohibited from using a cell phone or similar device during your normal work day, except while on designated breaks or meal breaks. This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or any other purpose. Cell phones or similar devices should be shut off or placed on silent mode and stored in a location other than on your person or at your desk, unless required by your job. While in no way minimizing the foregoing statement, OFC has a zero tolerance policy for Employee use of personal cell phones or similar device in view of patients or other visitors of OFC facilities. It is unprofessional and may be perceived as a potential breach of privacy due to the private medical nature of our business.

D. Confidential Patient Information

Employees are prohibited from recording, photographing, transmitting, saving or otherwise disseminating any client records, information or images, whether using a personal cellular telephone or other similar device or one provided by OFC.

E. Enforcement

Employees who violate this policy will be subject to disciplinary actions, up to and including immediate termination.

USE OF SOCIAL MEDIA

The Clinic recognizes the importance of social media for its Employees. However, use of social media by Employees may become a problem if it interferes with the Employee’s work, is used to harass co-workers or patients, creates a hostile work environment, or harms the goodwill and reputation of the Clinic among its patients or the community at large. The Clinic encourages Employees to use social media within the parameters of the following guidelines and in a way that does not produce the adverse consequences mentioned above.
Where no policy or guideline exists, Employees are expected to use their professional judgment and take the most prudent action possible. If you are uncertain about the appropriateness of a social media posting, check with your manager or supervisor.

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

1. Off-duty use of social media. Employees may maintain personal websites or web logs on their own time using their own facilities. Employees must ensure that social media activity does not interfere with their work. In general, the Clinic considers social media activities to be personal endeavors, and Employees may use them to express their thoughts or promote their ideas as long as they do not conflict with Clinic policies or business.

2. On-duty use of social media. Employees may not use Clinic equipment or facilities for non-work-related activities without permission. Social media activities should not interfere with your duties at work. The Clinic monitors its facilities to ensure compliance with this restriction.

3. Respect. Demonstrate respect for the dignity of the Clinic, its owners, its patients, its vendors, and its Employees. A social media site is a public place, and Employees should avoid embarrassing readers, Clinic Employees, patients, vendors, or owners. Do not use ethnic slurs, personal insults, or obscenity, or use language that may be considered inflammatory. Even if a message is posted anonymously, it may be possible to trace it back to the sender. Remember, you are responsible for what you write or present on social media. You can be sued by other Employees, competitors, patients, and any individual that views your social media posts as defamatory, pornographic, proprietary, harassing, libelous, or creating a hostile work environment.

4. Competition. Employees should not use a social media to criticize the Clinic’s competition and should not use it to compete with the Clinic.

5. Confidentiality. Do not identify or reference Clinic clients, patients, or vendors without express permission. Do not post pictures of Clinic property or co-workers on the Internet without express permission. 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. When in doubt, ask before publishing.

6. Logos and Trademarks. Unless given written consent, you may not use the Clinic’s logo or trademarks on your posts or on any social media site, or reproduce the Clinic’s or others’ material.

7. Legal. Employees are expected to comply with all applicable laws, e.g., copyright, trademark, or harassment. All Clinic policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to illegal harassment, code of conduct, noncompetition, protecting confidential and/or proprietary information.

8. Discipline. Violations of this policy may result in discipline up to and including immediate termination of employment. If your posts on social media mention the Clinic, its products or services, Employees, customers, and/or competitors, make clear that you are an Employee of the Clinic and that the views posted are yours alone and do not represent the views of the Clinic.

**SAFETY**

**Policy**

The Clinic will attempt to provide a place of employment that is free from recognized hazards likely to cause accidents or serious injury.
Procedure

- Safety is everyone's business. If you notice an unsafe condition or practice in the office or at a job site, report it immediately to your Department Head. Ask your Department Head if you are in doubt if a job or method is safe. If an accident or injury occurs while at work, be sure to report it immediately to your Department Head. Worker's Compensation Insurance, in accordance with provisions of State Laws, provides coverage for hospital and medical expenses resulting from a work-related accident or injury.

- The Clinic will take every effort to provide all necessary equipment required to perform assigned tasks properly. Each Employee is expected to use equipment for its intended purpose and not damage or abuse it. On occasions when equipment fails or malfunctions, the Department Head must be notified so prompt repairs can be made. Each Employee is responsible for keeping equipment clean and following proper procedure for its use, maintenance and storage. See your Department Head for procedures regarding equipment specific to your Department.

- Work/Office Areas: Your contributions to help maintain your work area and the general office areas will ensure an attractive work environment. The area you personally occupy should be kept clear of all materials not required to perform your job. Proper supplies and equipment necessary to perform your duties should be neat and orderly. Only files currently being worked on should be at your desk; all others should be returned to their proper filing area. Keep your work area clean and organized. When you leave at night, your work area should be cleared of paperwork, computer printouts and any personal items. The Clinic is not responsible for personal possessions that are lost or stolen.

- Clinic/Patient Areas: Your contributions to help maintain Clinic/Patient areas will help to ensure a safe work environment. Each Department may have safety procedures in place regarding specific locations, machinery, equipment or other items unique to your Department. This may include hallways, patient areas, examination rooms, storage rooms or other area of the premises in use by those in your Department, patients or other Employees. Please consult with your Department Head for more information.

- Employee Lounge: The lounge is provided for use during breaks and lunch periods. Coffee, soft drinks and snacks are available. Refrigerators are provided for those who bring their lunch. We also have microwaves available for your use. Please pick up and clean any area, dishes or equipment you use before you leave.

Reporting: Employee safety is of utmost importance to the Clinic. Any unsafe or hazardous working conditions should be brought to the attention of your Department Head immediately. Please report any and all faulty equipment, or building issues which may pose a threat now or in the future if left unrepai ret, unsafe procedures, or other conditions which are unsafe to you, fellow Employees, Patients or other visitors.

OUTSIDE EMPLOYMENT

Policy

OFC does not encourage outside employment.
Procedure

OFC does not condone these activities and will not take any responsibility for them nor will OFC permit any use of its premises, equipment or supplies for that purpose. The Employee should report any significant outside employment to the Clinic and such outside employment shall not hinder your work performance with OFC. Should outside employment be deemed detrimental to your work performance at OFC, you will be requested to resign the outside employment or make other arrangements so as to not interfere with your work performance. Your continued employment at OFC is conditioned upon your successful performance of all essential functions of your position. Failure to do so may result in immediate termination.

WORK SCHEDULE

Policy

OFC needs to have the flexibility to schedule people when needed. We try to accommodate individual needs as much as possible and still meet the needs of the organization. It may, however, be necessary to ask staff to work at times other than their regularly scheduled time.

Procedure

1. Work Week: Generally, the regular Work Week is based on a five-day week of 40 hours from 8:00 a.m. to 5:00 p.m., Monday through Friday. The OFC Express Clinic will be open from 8:00 a.m. to 8:00 p.m., Monday through Friday, with weekend hours as determined by Clinic Administration. Each Department may have varying schedules, including starting and ending times and days of the week worked, as determined and communicated by your Department Head. Schedules may vary depending upon the position or the workload.

2. Break Periods: Neither Federal Law nor Minnesota Statute requires a minimum timed break for Employees other than reasonable bathroom breaks. Break periods are a paid fringe benefit provided by the Clinic.
   a. If you work 7 ½ hours or more a day, you may take up to one 20-minute break during the first half of your work day and up to one 20-minute break during the last half of your work day.
   b. If you work more than 3 ½ hours, but less than 7 ½ hours per day, you may take up to one 20-minute break.
   c. The length and timing of your break(s) may vary depending on your department and the amount of work. If you are not able to take your full Break, you are, at a minimum, entitled to reasonable time to use the restroom. If you are not able to take your full Break, you are not entitled to leave early, adjust your work schedule or in any way “bank” your Breaks to alter your work schedule in any way.
   d. Breaks may not be combined throughout the day.
   e. If you physically leave the Clinic on your break, you must punch in and out and indicate that this was your break period. Please do not abuse this benefit.

3. Meal Breaks: Employees are expected to take Meal Breaks, during which time you are not performing work functions. Arrangements for Meal Breaks will be determined by each Department Head, not to exceed one hour, unless other arrangements are made with the Department Head. A morning or afternoon Break may not be added to your Meal Break to extend it past one-hour. Meal Breaks are unpaid. Adjusting the length of your Meal Break or choosing to eat while performing work functions for the purpose of altering your work schedule is prohibited without the consent of your Department Head.
4. Overtime: Overtime means any hours actually worked in excess of 40 hours in one work-week. Employees are expected to work overtime if needed to meet the goals of their department. Overtime requires approval by your Department Head. Overtime will be paid to all eligible Employees consistent with all federal and state laws and rules.

5. Absences/Tardiness: Our business is engaged in time sensitive activities. Each Employee is vital to Clinic operation; being on the job and being on time are basic requirements. Satisfactory attendance is important to efficient Clinic operations. Any unplanned absence places an unfair distribution of the Clinic workload on your co-workers. However, there are occasions when absence or tardiness is unavoidable.

   a. Absenteeism: If you are ill, you are not expected to report to work, as this could have an adverse effect on other staff, our patients and visitors. If you are unable to report to work for ANY reason and such absence is unplanned and without prior approval, you must notify your Department Head, by telephone, between 8:00 a.m. and 8:15 a.m. the day you will be absent. Obviously, if you can notify your Department Head earlier than this minimum deadline, please do so. If this not possible, contact your Department Head as soon as possible prior to absenteeism. Any important business that needs attention should be related during your call. Excessive, unwarranted and unplanned absenteeism will be considered part of an Employee’s performance review and may be reason for termination of employment.

   b. Tardiness: Every Employee is expected to be in the Clinic on time to begin work in the morning and after all breaks. Your Department Head should be notified in the event a circumstance arises that would cause you to be delayed.

6. Electronic Time Clocks: If you have a computer at your desk, you are required to use it to log in to the electronic time clock system, unless your computer is down due to networking or other IT repair/maintenance issues. If you do not have a computer at your desk, you should log in at the terminal within your Department designated by your Department Head.

LEAVES OF ABSENCE

Policy

Full-time Employees, or those otherwise qualifying under Federal or State law, are entitled to the following leaves of absence:

1. Jury Duty: OFC recognizes the need for its Employees to serve the community if called for Jury Duty, and encourages such participation. Full-time Employees will be paid regular straight-time earnings for a maximum of five days per year due to absences from work while called to Jury Duty. Employees are expected to report to work on any day when excused from Jury Duty during regular working hours.

2. Bereavement Leave:

   a. Immediate Family. When death occurs in an Employee’s immediate family (i.e. spouse, child, stepchild, parent, current step-parent, current mother-in-law or father-in-law), an Employee may request up to three (3) days off, chargeable to your Short Term Illness Bank.

   b. Extended Family. When death occurs in an Employee’s extended family (i.e. sibling, current sister-in-law or brother-in-law), an Employee may request up to two (2) days off, chargeable to your Short Term Illness Bank.
c. Leave in excess of those set forth in 2.a. or 2.b. above or for the funeral or someone other than an Employee’s immediate or extended family member (as defined herein) may be granted at the discretion of Administration and your Department Head. Any such leave will be charged to the Employee’s Personal Leave Bank.

3. Leave of Absence Without Pay. Leave of Absence without pay may be granted when a serious hardship would be imposed on the Employee if he/she were not allowed to be absent. Such instances include illness in the immediate family or personal illness when FMLA is not applicable, or urgent family business. Requests for a Leave of Absence should be made at the earliest possible date and will be considered on a case-by-case basis; a decision will be made according to the needs of the individual and OFC requirements. PTO will not accrue while an Employee is on Leave of Absence. Regardless of the approval by Administration, an Employee on a Leave of Absence has no rights to job restoration or continued employment while on such leave or upon returning and is subject to at-will employment terms.

4. Inclement Weather: It is the Clinic’s policy to continue operations despite weather emergencies unless the emergency threatens to make Employee transportation to and from work impossible or dangerous. If possible, announcements of office closing due to inclement weather conditions will be made on the Mankato radio stations. If the office is officially closed due to a weather emergency, all Employees scheduled to work that day will be paid from the official close time to the end of their scheduled work day. Employees who do not come to work when the Clinic is not officially closed shall be paid from the Employee’s Personal Leave Bank if available. If the Employee has exhausted his or her Personal Leave Bank hours, the remaining time shall be taken unpaid.

5. Other Office Closures: Office closures or downtime due to events other than inclement weather may or may not provide time off to Employees. Department Heads and/or Administration shall determine, in its sole discretion on a case-by-case basis, whether or not the Clinic or department will close and whether Employees previously scheduled to work on the day of closure are paid during such time off, required to use any PTO or allowed to take the time unpaid.

6. Time Off to Vote: Employees are encouraged to vote and permitted the necessary time off. Pursuant to Minnesota Statute, Employees are allowed a reasonable period of time to vote in the event they were unable to do so before or after working hours for the following elections:
   i. Regularly scheduled state primary or general election;
   ii. An election to fill a vacancy in the office of United State senator or United States representative;
   iii. An election to fill a vacancy in the office of state senator or state representative.

Employees are asked to provide notification in advance of the need for time off to vote, and are also asked to coordinate their absences with the Department Head so as to minimize adverse impact on the Clinic.

7. Long-Term Disability: It is the Clinic’s policy to provide for long-term disability insurance for its Employees. See the CEO or the CFO for details.

**THE FAMILY AND MEDICAL LEAVE**

It is the policy of OFC to provide family and medical leave in accordance with the federal Family and Medical Leave Act (FMLA) and Minnesota’s Women’s Economic Security Act (WESA). When an Employee’s absence qualifies under both state and federal laws, the Employee will use his or her entitlement under each law at the same time, to the extent permitted by law. When one law’s provisions provide a greater benefit, the Employee will receive the greater benefit.
If an Employee is not eligible for FMLA or WESA leave, uses up his or her FMLA or WESA leave, or wishes to take leave for a purpose that does not qualify for FMLA or WESA leave, the Employee should consult the company’s other leave policies to determine if other leave might be available.

The company uses a rolling 12-month period measured backward from the date FMLA was used to determine the 12-month period during which the FMLA leave is available for reasons that qualify for up to 12 workweeks of leave.

**Eligibility**

To be eligible for FMLA leave, an Employee must have worked at least 12 months for the company, been employed for at least 1,250 hours during the 12 months preceding the commencement of leave, and must be employed at a worksite where at least 50 company Employees are employed within 75 miles of the worksite.

To be eligible for WESA leave an Employee must have worked for the company at least 12 months preceding a request and for an average number of hours per week equal to one-half the full-time equivalent position in the Employee’s job classification during the 12 month period immediately preceding the leave.

**FMLA Leave**

Under the FMLA, eligible Employees may take up to 12 weeks of unpaid leave in the designated 12-month period for any of the following:

- For incapacity due to pregnancy, prenatal medical care, or child birth;
- To care for the Employee’s child after birth, or placement for adoption or foster care as long as the leave is taken in the 12 months following the child’s birth or placement;
- To care for the Employee’s spouse, son or daughter, or parent, who has a serious health condition;
- For a serious health condition that makes the Employee unable to perform his or her job; or
- For a qualifying exigency, as described below.

**Qualifying exigency leave**

Eligible Employees with a spouse, son, daughter, or parent on covered active duty (or who has been notified of an impending call or order to active duty) in the Armed Forces, including the National Guard and Reserves, may use their 12-week leave entitlement to address certain qualifying exigencies. Covered active duty involves deployment to a foreign country. Qualifying exigencies include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, addressing parental care, and attending post-deployment reintegration briefings.

**Military caregiver leave**

An eligible Employee may take up to 26 weeks of unpaid leave during any single 12-month period (a separate and distinct leave year from the period designated above) to care for the Employee’s spouse, son, daughter, parent, or next of kin who is a covered military servicemember and incurred a serious injury or illness in the line of military duty, or who experienced the aggravation of an existing or pre-existing condition in the line of active duty. The 12-month period is measured forward from the date leave begins. A covered service member is a current or former member of the Armed Forces, including a member of the National Guard or Reserves. A serious injury or illness
for current members is one that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

A serious injury or illness for a covered veteran is one that was incurred in the line of duty or existed before active duty and was aggravated, and manifested itself before or after becoming a veteran and is:

- A continuation of such an injury or illness, or a condition for which the veteran received a U.S. Department of Veterans Affairs Service-Related Disability Rating of 50 percent or greater based on the condition requiring leave,

- A condition that substantially impairs the veteran's ability to keep or obtain gainful employment, or

- An injury on the basis of which the veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

For military caregiver leave for veterans, the veteran must have been discharged or released under conditions other than dishonorable during the five-year period before the first date an Employee takes FMLA leave.

**Duration of leave**

An Employee does not need to use his or her leave entitlement in one block. Leave may be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations.

**Fitness for duty**

When leave is for the Employee’s own serious health condition, the Employee is expected to return to work when released by a health care provider. The Employee will need to provide a Fitness for Duty certification before returning to work if this requirement was indicated in the Designation Notice. The Fitness for Duty certification must be signed by a health care provider.

**Leaves Taken on an Intermittent or Reduced Schedule Basis.**

Intermittent or reduced schedule leaves are available to Employees who qualify for a FMLA leave. Employees who take a leave for a serious health condition may be able to take the leave on an intermittent or reduced schedule basis if medically necessary. In this situation, the leave must be granted by the employer.

Employees who need take a leave for the birth or adoption of a child or the placement of a child for foster care, may be granted on an intermittent or reduced schedule basis if the employer agrees to such arrangement.

**Workers' Compensation**

If an Employee suffers a work related serious health condition qualifying him/her for Workers' Compensation benefits, the Employee’s absence from work shall be treated as FMLA leave, counting against the 12-week leave allotment.
WESA LEAVE

In accordance with Minnesota’s Women’s Economic Security Act (WESA), the company grants leave without pay to an Employee who is a biological or adoptive parent in conjunction with the birth or adoption of a child; or a female employee for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions. The length of the leave shall be determined by the Employee but must not exceed twelve (12) weeks.

The leave shall begin at a time requested by the Employee. The Employee should give their supervisor written notice of their intent to take leave under WESA as soon as he/she determines that leave will be necessary. Unless extenuating circumstances exist, the company requests 30 day’s written notice. The written request shall state the date when the leave will commence and the estimated duration of the leave. The leave must begin within twelve (12) months of the date of the birth or adoption; except that, in the case where the child must remain in the hospital longer than the mother, the leave must begin within twelve (12) months after the child leaves the hospital.

To be eligible for leave under this section the Employee must have worked for the company at least 12 months preceding the request and for an average number of hours per week equal to one-half the full-time equivalent position in the employee’s job classification during the 12 month period immediately preceding the leave.

The Employee’s medical benefits will be maintained for the duration of this leave. The Employee remains responsible for all premiums during said leave.

The company will not retaliate against an Employee for requesting or obtaining WESA leave. For more information on WESA leave contact the Office Manager/Patient Services.

Procedures for Requesting FMLA and/or WESA Leave

When to request leave

Where leave is foreseeable, the Employee should make a request for leave at least 30 days in advance. foreseeable leave should be scheduled so that it does not unduly disrupt the employer’s operations. Where 30 days advance notice of the need for leave is not possible, the Employee must provide notice as soon as practicable and generally must comply with normal call-in procedures. If the circumstances change such that the amount of leave needed changes, the Employee should provide notice of the change within two business days. It is imperative that your Department Head be able to schedule for adequate coverage needs of the Clinic, therefore ongoing and consistent communication between you and your Department Head is imperative. Failure to do so may result in disciplinary action, up to and including termination.

Notifications and certifications

When requesting leave, Employees must provide sufficient information to permit a determination of whether the leave may qualify for FMLA or WESA protection and the anticipated timing and duration of the leave. Employees also must indicate if the requested leave is for a reason for which FMLA or WESA leave was previously taken or certified.

With respect to FMLA leave the company reserves the right to require a second or even third medical opinion, at the company’s expense. Employees also may be required to provide periodic recertification supporting the need for leave as allowed by law, and may be required to report periodically on their status and intent to return to work. The company may waive the certification requirement at its discretion.
Pay and benefits during leave

Generally, family and medical leave absences are unpaid; however OFC requires that fifty percent (50%) of your total Personal Leave Bank scheduled to be accrued during the 12 months following the first day of leave must be used during the leave to allow at least a portion of the leave to be paid. The Personal Leave Bank hours used during your scheduled leave are pro-rated if less than 12-weeks are used. Once these hours have been exhausted, Employees may continue to receive pay while on leave by depleting hours from his or her Short Term Illness Bank. If the Employee has depleted this Short-Term Leave Bank, any remaining portions of the leave will be unpaid, or you can make prior arrangements with Administration to request that additional Personal Leave Bank hours may be used to allow for additional paid time during your leave.

Examples:

- Employee A works 40 hours per week and is eligible to earn 120 PTO hours. He has requested (and was approved for) 12 weeks of leave.
- During FMLA leave, Employee A must use 50% of his total PTO hours, or 60 PTO hours.
- Employee B works 40 hours per week and is eligible to earn 120 PTO hours. He has requested (and was approved for) 6 weeks of leave.
- During FMLA leave, Employee B must use 50% of one-half of his total PTO hours, or 30 PTO hours.

Employees remain responsible for their portion of the insurance premiums, while the Clinic continues to pay the employer portion. While an Employee on leave is receiving paychecks, the Employee premiums must be deducted from those paychecks. Employees may, however, elect to prepay health and dental insurance premiums before commencement of the leave by notifying the payroll department.

During leave, the Employee may maintain health and dental coverage under any group plans on the same terms as if the Employee had continued to work. Upon return from leave, the Employee will be restored to his or her original or equivalent positions with equivalent pay, benefits, and other employment terms.

Returning to work

An Employee will be reinstated to the same job or an equivalent position upon completion of FMLA leave, except where denial of restoration is permitted by the FMLA. If the Employee has exhausted all available leave and is still unable to return to work, the Employee no longer has any job restoration rights under FMLA.

Termination of employment may occur if an Employee fails to return from leave at the time agreed upon (barring circumstances which required an extension of available leave) or if an Employee is found to have taken leave on a fraudulent basis. An Employee may terminate their employment at any point during their leave. The Employee must notify the Clinic of voluntary termination in writing. The date the company receives the letter of resignation will be the official termination date.

Holiday Pay

Employees on leave will not receive holiday pay, consistent with other types of extended leaves.

Employees on an intermittent or reduced schedule leave over a holiday will receive holiday pay based on their status at the time of the holiday.
Additional Information

Employees will continue accruing vacation time or other PTO during leave, consistent with company policy.

HEALTH AND DENTAL COVERAGE

Health and dental coverage will remain in place as if the Employee is not on leave, meaning coverage will continue uninterrupted, conditioned upon the Employee making arrangements with the Payroll Department for payment of the Employee’s portion of all premiums due.

Pregnancy Accommodation

The company will provide reasonable accommodations to an Employee for health conditions related to pregnancy or childbirth if she so requests, with the advice of her licensed health care provider or certified doula, unless the company demonstrates that the accommodation would impose an undue hardship on the operation of the company’s business. A pregnant Employee is not required to obtain the advice of her licensed health care provider or certified doula to obtain the following accommodations: more frequent restroom, food, and water breaks; seating; and limits on lifting over 20 pounds.

If additional accommodations are required on the request of the Employee with the advice of the pregnant Employee’s licensed health care provider or certified doula, the company and the Employee will engage in an interactive process with respect to the Employee’s request for a reasonable accommodation. “Reasonable accommodation” may include, but is not limited to, temporary transfer to a less strenuous or hazardous position, seating, frequent restroom breaks, and limits to heavy lifting. The Company is not required to create a new or additional position in order to accommodate an Employee pursuant to this section, and is not required to discharge any Employee, transfer any other Employee with greater seniority, or promote any Employee.

To be eligible for the accommodations available in this section, the Employee must have worked for the company at least twelve (12) months preceding the request and for an average number of hours per week equal to one-half the full-time equivalent position in the Employee’s job classification during the twelve (12) month period immediately preceding the request.

The company will not retaliate against an Employee for requesting or obtaining an accommodation under this section. The company may not require an Employee to take a leave or accept an accommodation. For more information about leave under this section, contact Office Manager/Patient Resources.

Nursing Mothers

The company will provide reasonable unpaid break time each day to an Employee who needs to express breast milk for her infant child. The break time must, if possible, run concurrently with any break time already provided to the Employee. The company is not required to provide break time under this section if to do so would unduly disrupt the operations of the Company.
The Company will make reasonable efforts to provide a room or other location, in close proximity to the work area that is shielded from view and free from intrusion from coworkers and the public and that includes access to an electrical outlet, where the Employee can express her breast milk in private.

The company will not retaliate against an Employee for asserting rights or remedies under this section.

**Paid Time Off; Care of Relatives; Safety Leave**

An Employee may use paid time off (PTO) benefits for absences due to an illness or injury to the Employee’s child, adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent for reasonable periods of time as the Employee’s attendance may be necessary. An Employee may also use PTO benefits for safety leave for such reasonable periods of time as may be necessary. Safety leave may be used for assistance to the Employee or assistance to the relatives of the Employee mention in this paragraph.

“Safety leave” is leave for the purpose of providing or receiving assistance because of sexual assault, domestic abuse, or stalking. For the purpose of this section, “domestic abuse” has the meaning given in Minn. Stat. § 518B.01; “sexual assault” means an act that constitutes a violation of Minn. Stat. §§ 609.342 to 609.3453 or 609.352; and “stalking” has the meaning given in Minn. Stat. § 609.749.

For the purposes of this section, a child includes a stepchild and a biological, adopted, and foster child. For the purposes of this section a grandchild includes a step-grandchild, and a biological, adopted, and foster grandchild.

This sick and safe leave shall be limited to the maximum hours of PTO the Employee has available in any given twelve (12) month period, but to no more than 160 hours in any twelve (12) month period.

The company will not retaliate against an Employee for requesting or obtaining leave under this section. For more information about leave under this section, contact Human Resources.

**School Conference and Activities Leave**

The company will grant leave without pay to an Employee of up to a total of sixteen (16) hours during any twelve (12) month period to attend school conferences or school-related activities relating to the Employee’s child or foster child, provided the conferences or school-related activities cannot be scheduled during non-work hours. If the Employee’s child or foster child receives child care services as defined by Minn. Stat. § 119B.011, subdivision 7, or attends a prekindergarten regular or special education program, the Employee may use the leave time provided in this section to attend a conference or activity related to the Employee’s child or foster child, or to observe and monitor the services or program, provided the conference, activity, or observation cannot be scheduled during non-work hours. When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the Employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the employer.

To be eligible for this leave, an Employee must have worked for an average number of hours per week equal to one-half the full-time equivalent position in the Employee’s job classification during the twelve
(12) month period immediately preceding the leave. For more information concerning leave under this section, contact Office Manager/Patient Resources.

Military Leave

A military leave of absence will be granted to Employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and other Federal or State military leave laws. Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

The leave will be unpaid. However, Employees may use any available PTO for the absence.

COMPENSATION

Policy

It is our policy to offer pay commensurate with performance, job responsibilities, and profitability of the Clinic. The Clinic adheres to all federal and state payroll withholding requirements.

Procedure

1. Pay Schedule: The Clinic's pay cycle is a two-week cycle beginning on Saturday of each week, paid either bi-weekly or semi-monthly.

2. Electronic Time Clock. The Clinic utilizes electronic time card software to record your working hours. You are compensated from the minute you punch in, so you are expected to begin work immediately after doing so. If you forget to punch in or out, notify your Department Head immediately. Punching in and out for another Employee is strictly prohibited and if done, may result in disciplinary action, up to and including immediate termination. If you physically leave the Clinic on your break, you must punch in and out and indicate that this was your break period. If you have a personal computer terminal, you are required to use it to log in to the electronic time clock system, unless your computer terminal is down due to networking or other IT repair/maintenance issues. If you do not have a personal computer terminal, you should log in at the terminal within your Department designated by your Department Head.

3. Dependent or Spousal Maintenance Requirements: Under Minnesota law and court order, OFC is required to inquire as to whether there are any withholding restrictions regarding your wages.

4. Periodic reviews of each Employee may be conducted to discuss goals, performance and expectations. These reviews may play a part in any salary adjustments.

INSURANCE BENEFITS

Policy

It is OFC's desire that its eligible Employees be given the opportunity to be insured against major financial losses resulting from the cost of health care, disability or death.
Procedure

OFC currently offers health care coverage for all full-time Employees. OFC will pay a portion of the premium for the Employee to be included in the plan. The Clinic reserves the right to increase the Employee share of the cost. The Employee may choose to add family coverage for spouse and/or dependents at the Employee’s expense. A copy of this policy will be provided to each covered Employee. Questions regarding plan specifications and eligibility should be directed to the CFO or Payroll/Benefits Coordinator.

OFC has dental coverage for all full-time Employees. The Employee is responsible for all premiums or other costs of coverage. A copy of this policy will be provided.

Additionally, the Clinic maintains group life and accidental death and dismemberment policies for all full-time Employees. The cost of such coverage will be paid by the Clinic. Employees may choose to have additional coverage for spouse and/or dependents at the Employee’s expense. Copies of such policies will also be provided to each covered Employee. Questions regarding plan specifications and eligibility should be directed to the CFO or Payroll/Benefits Coordinator.

Flexible Spending/Health Savings Account: The Clinic currently offers its Employees the opportunity to participate in a group sponsored flexible spending/Health Savings account for unreimbursed qualifying medical expenses and qualifying childcare expenses. See the CEO or the CFO for plan specifications and eligibility. A copy of this policy will be provided to each covered Employee. Questions regarding plan specifications and eligibility should be directed to the CFO or Payroll/Benefits Coordinator.

DISCOUNT ON SERVICES

Employee Discount Benefit

1. A discount on services shall be provided to current Employees as a benefit of their employment at OFC.

2. For purposes of this policy, “Employee” means an individual who has a bona fide employment relationship with OFC and has actually worked a minimum of 1,000 hours during the 12 months immediately preceding the service.

3. The amount of the discount shall be established on a case-by-case basis at the discretion of the Administration.

4. The discount benefit will apply to Employees of OFC and their spouses and dependent children under 18 or under age 25 if still a full-time student (minimum of 12 credit hours) in an institution of higher learning, subject to paragraph 5 below.

5. The discount benefit will not apply to any services provided: (a) if the individual for whom such services are provided is a Medicare beneficiary and the services are a Medicare covered service for which a claim will be submitted to Medicare, or (b) if doing so will violate any state or federal law or regulation.

Retired Employee Discount Benefit

1. Eligible retired Employees of OFC may receive a discount on services provided under certain conditions.

2. Retired Employees are eligible for the discount benefit if:
a) the former Employee is at least age 55 and was an Employee of OFC for a minimum of 20 years;

b) is retired from all employment (other than incidental part time or seasonable employment on less than a .3 FTE basis during the prior twelve months).

3. The amount of the discount shall be established on a case-by-case basis at the discretion of the Administration.

4. The discount benefit will apply to services provided to eligible retired Employees and their current spouses, except as limited by paragraph 5 below.

5. The discount benefit will not apply to any services provided: (a) if the individual for whom such services are provided is a Medicare beneficiary and the services are a Medicare covered service for which a claim will be submitted to Medicare, or (b) if doing so will violate any state or federal law or regulation.

HOLIDAYS

The following days are observed as paid holidays by full-time Employees after one month of continuous service: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day (exact holidays are subject to change by Administration).

When one or more of these Holidays fall on a Saturday, the Holiday will be celebrated as a “paid Holiday” the Friday before such Holiday. When the Holiday falls on a Sunday, the Holiday will be celebrated as a “paid Holiday” the Monday following such Holiday.

Employees must work on the most recent business day prior to the paid holiday and the next business day after the paid holiday in order to receive holiday pay, unless your Department Head has preapproved the time off over the holiday. If the Employee is not eligible for holiday pay, he or she may choose to either take the holiday unpaid or utilize their Personal Leave Bank time to allow for the time off to be paid. Additionally, if an Employee is not customarily scheduled to work on the day the holiday falls on (or the day the holiday is observed for pay purposes), the Employee will not be eligible for holiday pay.

Full-time Employees working less than 40 hours will be paid a pro-rata share of a holiday based on the average number of hours worked from the previous calendar year. New eligible part-time Employees will be paid based on the number of hours hired to work.

EMPLOYEE RETIREMENT BENEFITS

Policy

It is our desire to promote in each Employee an interest in the successful operation of OFC and to provide an opportunity for Employees to accumulate funds for retirement.

- Full-time and Part-time Employees are eligible to participate in the OFC 401(k) and profit sharing plans:
  - If they work an average of more than 20 hours per week;
  - Have been employed by OFC for at least one year (12 months); and
  - Have worked at least 1,000 hours.
- Complete details may be obtained from the CFO or Payroll/Benefits Coordinator.
- Entry dates are January 1 and July 1 each year.
PAID TIME OFF (PTO)

Policy

To establish an eligibility schedule for accrual of Paid Time Off (PTO) and provide flexibility by allowing Employees to have an understanding of the Clinic’s process and procedures regarding PTO. PTO is to be used for vacation, illness, or other paid absences from work. OFC Employees may have up to three PTO banks to utilize to provide for paid time off for approved absences. Those banks include:

- Personal Leave Bank
- Short Term Illness Leave Bank
- Catastrophic Illness Leave Bank

Procedure

GENERAL TERMS:

1. Coverage. All full-time and those part-time Employees working 12 months of each year are eligible to accrue PTO under this policy. Temporary Employees are not eligible for the benefits covered under this policy unless otherwise designated or informed.

2. Eligibility. Eligibility refers to the number of PTO hours that an Employee may be eligible to take during the calendar year, subject to approval.

3. The Clinic recognizes that it is the responsibility of each Department Head and Employee to ensure the existence of sufficient staff/employment coverage. Therefore, paid time off must be scheduled consistent with our needs and the Employee’s workload. Every effort will be made to accommodate Employee time off requests, recognizing, of course, that the Clinic’s needs come first.

PTO BANKS:

1. Personal Leave Bank:

a. Purpose. Personal Leave Bank time may be used for any absence from work, and is replacing the prior vacation and sick time policies formerly in place. It is intended to eliminate the need for determining the need for your personal time off and to make the record keeping process for both the Employee and the employer easier and more efficient. Further, it allows for more flexibility to the Employee.

b. Accrual and Use of Time. Full-time Employees accrue Personal Leave Time hours according to the following schedule:

<table>
<thead>
<tr>
<th>Years</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Years 1-4</td>
<td>120 (prorated for new hires)</td>
</tr>
<tr>
<td>Years 5-9</td>
<td>160 hours</td>
</tr>
<tr>
<td>Years 10-19</td>
<td>200 hours</td>
</tr>
<tr>
<td>Years 20 and after</td>
<td>240 hours</td>
</tr>
</tbody>
</table>
Personal Leave Bank hours for full-time Employees working less than 40 hours per week and part-time Employees working 20 or more hours per week will be pro-rated based upon their average hours worked per year (or partial year).

Example:

- Employee working an average of 32 hours per week, employed by the Clinic six (6) years, will have 128 PTO hours.
- 32 hours per week x 52 weeks = 1664 annual hours worked
- 1664 / 2080 annual hours worked for a full time Employee = .8
- 160 PTO hours x .8 = 128 PTO hours

Personal Leave Bank hours for all Employees are earned (or “accrued”) at the rate of 1/12 of annual eligibility for each month (or partial month) worked from April through March.

Newly hired Employees are not eligible to take PTO time off during the first 6 months of their employment without prior approval of the Administration and/or your Department Head.

Personal Leave Bank hours may be used before earned; however, any unearned Personal Leave Bank hours used but not yet accrued at the time of termination, whether voluntary or involuntary, will be a debt to OFC and shall be deducted from the Employee’s pay.

Mismanaging the use of PTO hours (e.g., consistently running out of PTO before the end of the benefit year and then taking time off without pay) will result in discipline up to and including termination.

Personal Leave Bank time must be used in thirty-minute (:30) minimum increments for each incident of leave, with fifteen-minute (:15) increments allowed after that.

Example:

- 45 minutes gone will use .75 PTO hour
- An hour gone will use 1.0 PTO hours
- An hour and a half gone will use 1.5 PTO hours

If you are gone from work for an entire regularly scheduled day, PTO for the full day will be deducted (based upon the hours in your regularly scheduled day). For example, if you are traditionally scheduled to work 6-hour days, your PTO bank will be depleted by 6 hours if you take the full day off. The amount of time already worked or to be worked in the week your day off falls has no relation to the amount of Personal Leave Bank hours you take (i.e. even if you work 36 hours Monday through Thursday and take Friday off, you must utilize 8 full hours of Personal Leave Bank time and you will not receive overtime as you did not exceed a 40 hour work week of actual time worked).

c. Scheduling Personal Leave Bank Time Off. The Clinic recognizes that it is the responsibility of each Department Head and Employee to ensure the existence of sufficient staff/employment coverage. Therefore, Personal Leave Bank time off must be scheduled consistent with our needs and the Employee’s workload. Every effort will be made to accommodate Employee time off requests, recognizing, of course, that the Clinic’s needs come first. When more than one Employee requests time off for the same period and both requests cannot be honored, the Department Head will review the requests and make a determination.

As previously stated, satisfactory attendance is important to efficient Clinic operations. Any unplanned absence places an unfair distribution of the Clinic workload on your co-workers. However, there are occasions when absence or tardiness is unavoidable.
If you are unable to report to work for ANY reason and such absence is unplanned and without prior approval, you must notify your Department Head, by telephone, between 8:00 a.m. and 8:15 a.m. the day you will be absent. Obviously, if you can notify your Department Head earlier than this minimum deadline, please do so. If this not possible, contact your Department Head as soon as possible. Any important business that needs attention should be related during your call. Excessive, unwarranted and unplanned absenteeism will be considered part of an Employee’s performance review and may be reason for termination of employment.

d. Carryover Personal Leave Bank Time. Personal Leave Bank time off should be taken during the calendar year in which it is earned. However, in an effort to accommodate Employees and so as to not have Employees lose or forfeit all unused and accrued time at the end of each year, “carryover Personal Leave Bank time” is permitted in accordance with this policy. Up to 40 hours of Personal Leave Bank time will be carried over until October 1 of the following year if an Employee has not used all of their Personal Leave Bank hours by March 31 of the calendar year. Such carryover time must be used first the following year, prior to October 1. Unused Personal Leave Bank hours, in any instance, may be added to the Short Term Illness Bank.

Example:
- Employee eligible for 160 hours.
- Uses 120 hours in calendar year.
- Carried over 40 hours.
- Uses 28 hours of carry over by October 1 of following year.
- Remaining 12 hours are added to the Short Term Illness Bank.

Example:
- Employee eligible for 200 hours.
- Uses 150 hours in calendar year.
- Carried over 40 hours.
- Remaining 10 hours are added to the Short Term Illness Bank.
- Carried over hours must be used before October 1 of following year.

e. Personal Leave Bank Pay Upon Separation of Employment. Employees are eligible to receive payment for accrued but unused Personal Leave Bank hours if the Clinic terminates their employment or the Employee voluntarily terminates his or her position. Unused but accrued Personal Leave Bank pay, for those eligible, is paid at the time of termination on a pro-rata basis. Any unearned Personal Leave Bank hours used but not accrued at the time of termination (whether voluntary or involuntary) will be a debt to OFC and shall be deducted from the Employee’s pay.

f. General Policy.

i. Request for pay in lieu of Personal Leave Bank hours or for unused Personal Leave Bank hours will not be honored.

ii. Personal Leave Bank hours used in any week will not count as hours worked for purposes of calculating overtime pay.

2. Short Term Illness Bank:

a. Purpose. The purpose of the Short-Term Illness Bank is to allow Employees who are away from work due to an illness or serious health condition of themselves or their child, current spouse or parent, causing them to be
away from work for more than three (3) days, to receive paid time off without extinguishing their Personal Leave Bank time, until the Long Term Disability coverage applies or the Catastrophic Illness Bank is applicable. The Short Term Illness Bank does not guaranty time off or provide any additional right to job restoration or continued employment. It is simply a means by which an Employee on approved leave may receive wages during his or her absence from work.

Short Term Illness Bank hours may be used for Employee time off due to the illness of: (i) the Employee; (ii) the Employee’s child under the age of 18 or an adult child who is incapable of self-care; or (iii) the current spouse or parent of the Employee.

Unless required to comply with FMLA, Worker’s Compensation, the ADA or other federal or state law, an Employee away from work has no rights to job restoration or continued employment while on leave or upon returning and is subject to at-will employment terms, regardless of whether that Employee is being paid through benefits provided in his or her Short Term Illness Bank.

b. Accrual and Use of Time. Full-time Employees accrue 32 Short Term Illness Bank hours (or the pro-rated equivalent for full-time Employees working more than 20 hours but less than 40) each year at the rate of 1/12 of annual eligibility for each month (or partial month) worked from April through March.

Any unearned Short Term Illness Bank hours used and not accrued at the time of termination, whether voluntary or involuntary, will be deducted from the Employee’s final paycheck. Unused Short Term Illness Bank hours are forfeited at termination, whether such termination is voluntary or involuntary.

Short Term Illness Bank time cannot be used until:

i. the Employee has been absent from work for three consecutive business days due to illness or family illness; and

ii. has adequate written verification of the illness or need to be away from regular employment due to illness from a physician or physician’s assistant.

Once eligible, the Employee can then be paid for his or her time away from work due to such illness from that point forward up to the time Long-Term Disability coverage begins or a total of 60 days, whichever is shorter, by depleting the hours accrued or rolled into the Short Term Illness Bank. Short Term Illness Bank time must be used in thirty-minute (:30) minimum increments for each incident of leave, with fifteen-minute (:15) increments allowed after that.

Example:

- Employee has 32 hours in the Short Term Illness Bank and becomes injured, requiring five (5) days leave from work (40 hours total).
- Uses 24 hours of Personal Leave Bank time for the first three days of leave.
- Uses 16 hours of Short Term Illness Bank time for the remaining two days of leave.

d. Scheduling Short Term Illness Bank Time Off. You must notify your Department Head by noon on the third consecutive day of time off due to illness that you wish to utilize the Short Term Illness Bank hours and must continue to regularly communicate with your Department Head regarding continued use of the Short Term Illness Leave for scheduling purposes. If the illness is such that you and your physician can anticipate or estimate the time you will be away from work due to such illness, it should be communicated to your Department Head immediately. It is imperative that your Department Head be able to schedule for adequate coverage needs of the Clinic, therefore ongoing and consistent communication between you and your Department Head is imperative. Failure to do so may result in disciplinary action, up to and including termination.
e. Carryover Short Term Illness Bank Time. Short Term Illness Bank time may be carried over from year to year.

f. Termination of Employment. Short Term Illness Bank hours are forfeited if the employment relationship is terminated, whether voluntarily or involuntarily. Unused hours shall not be paid to Employee at the time of termination.


a. Purpose. The purpose of the Catastrophic Illness Bank is to provide extra paid time off to those eligible and participating members, due to certain qualifying events as defined below, but only after they have exhausted their Personal Leave Bank and their Short Term Illness Bank where applicable.

Catastrophic Illness Bank hours may be utilized to provide a source of income in the event that an Employee is away from work due to the unexpected major illness or injury of (i) the Employee; (ii) the Employee’s child under the age of 18 or an adult child who is incapable of self-care; or (iii) the current spouse or parent of the Employee, hereinafter referred to as a “Qualifying Illness or Injury”. It is the intent of the Catastrophic Illness Leave Bank to cover major medical health issues, such as cancer, heart attack and severe injury.

The Catastrophic Illness Bank does not guaranty time off or provide any additional right to job restoration or continued employment. It is simply a means by which an Employee on approved leave may receive wages during his or her absence from work.

Unless required to comply with FMLA, Worker’s Compensation, the ADA or other federal or state law, an Employee away from work has no rights to job restoration or continued employment while on leave or upon returning and is subject to at-will employment terms, regardless of whether that Employee is being paid through benefits provided by the Catastrophic Illness Bank.

Due to the inception of the Catastrophic Illness Bank, OFC will no longer allow Employees to solicit hardship contributions of Paid Time Off for themselves or other Employees. The Catastrophic Illness Bank was adopted as a tool for Employees to utilize for unexpected family emergencies and provide clear terms and conditions for its use.

b. Eligibility and Membership. All full-time and part-time OFC Employees are eligible to be a member of the Catastrophic Illness Leave Bank. Temporary Employees are not eligible to participate.

To be eligible to draw from the Catastrophic Illness Leave Bank, a full-time Employee must contribute eight (8) Personal Leave Bank hours to the Catastrophic Illness Leave Bank each year by April 30th. Part-time Employees shall contribute, by April 30th of each year, a prorated portion of those eight (8) hours determined based upon average hours worked per year.

New Employees shall be eligible to participate after 30 calendar days of continued employment, and must enroll, if they wish to participate, on or before the 30th calendar day of employment. The amount of hours to be contributed for participation for full-time and part-time Employees hired after April 1st of any given year shall be prorated based upon the average hours per year the Employee is hired for and the date of hire. New Employees with a Qualifying Illness or Injury in existence at any time during this 30-day eligibility waiting period shall be deemed ineligible to participate until the Administration determines a new enrollment period, if any.

Other than the initial enrollment on or before January 31, 2005, there will not be regular periods of enrollment. The Personnel Committee will review and monitor the Catastrophic Illness Bank and determine, from time to time, appropriate new enrollment periods. Therefore, Employees may not choose to opt in or opt out on a yearly
basis. Once the Employee chooses to discontinue membership, they may not be eligible to enroll again until the next enrollment period as set by the Personnel Committee.

c. Administration. The Personnel Committee, along with your Department Head, shall govern the Catastrophic Illness Leave Bank. The Personnel Committee shall establish guidelines for receiving and approving requests to draw from the Catastrophic Illness Bank.

d. Operation. A participating member may apply, in writing, to receive benefits from the Catastrophic Illness Bank. The written application must be accompanied by verification from a physician of the Qualifying Illness or Injury. The Committee, upon receipt of the written application, shall meet within seven (7) working days to decide upon the merits of the request, and respond, in writing, to the applicant regarding its decision.

Once the Catastrophic Illness Bank hours have been granted, the member may continue to draw benefits from the Bank to allow for up to a total of 60 paid days off work (counting all days away from work, whether paid by using Personal Leave Bank hours, Short Term Illness Bank hours or the Catastrophic Illness Bank hours) so long as: (i) the absence continues uninterrupted and within the prescribed limits, (ii) the reason for continued absence is verified by the attending physician, AND (iii) there are still hours to draw from in the Bank. The Catastrophic Illness Bank is meant as a supplement source of income to augment the Personal Leave Bank and the Short-Term Illness Bank up to a maximum aggregate payment of no more than sixty (60) consecutive business days within any twelve (12) month time period. OFC uses a rolling 12-month period measured backward from the date Catastrophic Illness Bank time was last used to determine the 12-month period during which the Catastrophic Illness Bank may be available. The availability and approval is at the sole discretion of the Personnel Committee.

Example 1:

- Employee A participates in the Catastrophic Illness Bank. He has just determined that he must be away from work for a total of 75 days (600 hours) due to his own qualified illness. Employee A currently has 120 Personal Leave Bank hours left for the year and 128 hours in his Short Term Illness Bank. Employee A applies for catastrophic illness bank benefits and the request is granted by the Personnel Committee.

- Employee A receives income for 60 of the 75 days he is gone from work, payable as follows:
  - 120 hours is taken from his Personal Leave Bank, extinguishing his Personal Leave Bank.
  - 128 hours is taken from his Short Term Illness Bank, extinguishing his Short Term Illness Bank
  - 232 hours is awarded from the Catastrophic Illness Bank, getting the Employee to the maximum aggregate of 480 hours (60 days).

- Employee A’s job is not protected during any of this leave unless otherwise protected due to federal or state law (e.g. FMLA).

- Employee A is not eligible to use the Catastrophic Illness Bank again for a period of twelve months following his final payment from the Catastrophic Illness Bank.

An Employee may not draw benefits from the Catastrophic Illness Bank while also receiving income benefits from any income protection insurance or other source of income meant to replace the income lost due to his or her absence from work. Additionally, if the Employee receives a judgment, award, settlement or other payment from any third party as a payment of compensation for time away from work, the hours drawn from the Catastrophic Illness Bank and paid to Employee must be reimbursed to the Bank.

Any member wishing to withdraw from participation in the Catastrophic Illness Bank forfeits any rights, days, hours, or other units donated to the Bank. Days contributed to the Bank by the Employee shall be considered cumulative and non-returnable.
REIMBURSABLE EXPENSES

Policy

OFC will reimburse any ordinary and necessary expenses accrued by an Employee in the course of performing his/her job.

Procedure

If an Employee incurs out-of-pocket expenses, the Employee will be reimbursed pursuant to the conditions set forth in this procedure. Receipts are also required for each expense and must be attached to the expense record submitted each month.

- Mileage. If available, OFC encourages the use of the Clinic’s automobile for business travel. If the vehicle is available, OFC will pay for the fuel and all repair and upkeep. If the vehicle is available and the Employee chooses to instead use his or her personal vehicle, OFC will reimburse the Employee for one-half of the IRS Mileage Rate in effect at the time of the travel. If the vehicle is not available, OFC will reimburse the Employee at the IRS Mileage Rate in effect at the time of the travel.

- Continuing Education and Licensing. OFC, at its sole discretion, may pay for or reimburse all or a portion of licensing, continuing education or other training for Employees. Requests should be made to your Department Head and, upon review of the request, you will be notified if OFC agrees to the request and, if so, how much will be paid. See Administration for details.

- Other Expenses. OFC, at its sole discretion, may reimburse all or a portion of other out-of-pocket expenses of Employees. Requests should be made to your Department Head and receipts will be required by the Clinic for verification.

TERMINATION PROCEDURES

a. Voluntary Termination

Policy & Procedure

We recognize that you may choose to terminate your employment with OFC. If you elect to terminate your employment, please make every effort to give the Clinic two weeks’ notice. OFC believes that orderly processing of terminating Employees will enable OFC to identify potential problems for other Employees, which may point out the need for changes in personnel policies or employment practices. It also provides an orderly transition for those patient files you may be associated with.

Employee’s last workday for OFC may include an exit interview. The exit interview may include discussion of Employee’s reason for leaving OFC, benefits, and return of office keys and any OFC equipment.

b. Involuntary Termination

Policy & Procedure

In accordance with the “at-will” status of all OFC Employees, OFC retains the right to discharge or release any Employee at any time. Once again, OFC believes that orderly processing of terminating Employees will enable
OFC to identify potential problems for other Employees, which may point out the need for changes in personnel policies or employment practices.

If applicable, OFC may request that the Employee's last workday for OFC include an exit interview with the Employer. The exit interview may include discussion of Employee's benefits, if any, and return of office keys and any OFC equipment.