



# JM Staffing/Medi-Stat Employee Handbook

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# 1. Introduction

## 1.1 Handbook Disclaimer

*The contents of this handbook serve only as guidelines and supersede any prior handbook. Neither this handbook, nor any other policy or practice, creates an employment contract, or an implied or express promise of continued employment with the Agency. Employment with JM Staffing/Medi-Stat is "AT-WILL." This means employees or JM Staffing/Medi-Stat may terminate the employment relationship at any time, for any reason, with or without cause or advance notice. As an at-will employee, it is not guaranteed, in any manner, that you will be employed with JM Staffing/Medi-Stat for any set period of time.*

*This handbook may provide a summary of employee health benefits, however actual coverage will be determined by the express terms of the benefit plan documents. If there are any conflicts between the handbook or summaries provided and the plan documents, the plan documents will control. The Agency reserves the right to amend, interpret, modify or terminate any of its employee benefits programs without prior notice to the extent allowed by law.*

*The Agency also has the right, with or without notice, in an individual case or generally, to change any of the policies in this handbook, or any of its guidelines, policies, practices, working conditions or benefits at any time. No one is authorized to provide any employee with an employment contract or special arrangement concerning terms or conditions of employment unless the contract or arrangement is in writing and signed by the president and the employee.*

## 1.2 Welcome Message

Dear Valued Employee,

Welcome to JM Staffing/Medi-Stat! We are pleased with your decision to join our team.

JM Staffing/Medi-Stat is committed to providing superior quality and unparalleled

customer service in all aspects of our business. We believe each employee contributes to the success and growth of our Agency.

This employee handbook contains general information on our policies, practices, and benefits. Please read it carefully. If you have questions regarding the handbook, please discuss them with your supervisor or the HR Manager.

Welcome aboard. We look forward to working with you!

Sincerely,

The HR Manager

### **1.3 Changes in Policy**

Change at JM Staffing/Medi-Stat is inevitable. Therefore, we expressly reserve the right to interpret, modify, suspend, cancel, or dispute, with or without notice, all or any part of our policies, procedures, and benefits at any time with or without prior notice. Changes will be effective on the dates determined by JM Staffing/Medi-Stat, and after those dates all superseded policies will be null and void.

No individual supervisor or manager has the authority to alter the foregoing. Any employee who is unclear on any policy or procedure should consult a supervisor or the HR Manager.

## **2. General Employment**

### **2.1 At-Will Employment**

Employment with JM Staffing/Medi-Stat is "at-will." This means employees are free to resign at any time, with or without cause, and JM Staffing/Medi-Stat may terminate the employment relationship at any time, with or without cause or advance notice. As an at-will employee, it is not guaranteed, in any manner, that you will be employed with JM Staffing/Medi-Stat for any set period of time.

The policies set forth in this employee handbook are the policies that are in effect at the time of publication. They may be amended, modified, or terminated at any time by JM Staffing/Medi-Stat, except for the policy on at-will employment, which may be modified only by a signed, written agreement between the President and the employee at issue. Nothing in this handbook may be construed as creating a promise of future benefits or a binding contract between JM Staffing/Medi-Stat and any of its employees.

### **2.2 Immigration Law Compliance**

JM Staffing/Medi-Stat is committed to employing only United States citizens and aliens who are authorized to work in the United States.

In compliance with the Immigration Reform and Control Act of 1986, as amended, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with JM Staffing/Medi-Stat within the past three years, or if their previous I-9 is no longer retained or valid.

JM Staffing/Medi-Stat may participate in the federal government's electronic employment verification system, known as "E-Verify." Pursuant to E-Verify, JM Staffing/Medi-Stat provides the Social Security Administration, and if necessary, the Department of Homeland Security with information from each new employee's Form I-9 to confirm work authorization.

## **2.3 Equal Employment Opportunity**

JM Staffing/Medi-Stat is an Equal Opportunity Employer. Employment opportunities at JM Staffing/Medi-Stat are based upon one's qualifications and capabilities to perform the essential functions of a particular job. All employment opportunities are provided without regard to race, religion, sex (including sexual orientation and transgender status), pregnancy, childbirth or related medical conditions, national origin, age, veteran status, disability, genetic information, or any other characteristic protected by law.

This Equal Employment Opportunity policy governs all aspects of employment, including, but not limited to, recruitment, hiring, selection, job assignment, promotions, transfers, compensation, discipline, termination, layoff, access to benefits and training, and all other conditions and privileges of employment.

The Agency will provide reasonable accommodations as necessary and where required by law so long as the accommodation does not pose an undue hardship on the business. The Agency will also accommodate sincerely held religious beliefs of its employees to the extent the accommodation does not pose an undue hardship on the business. If you would like to request an accommodation, or have any questions about your rights and responsibilities, contact your HR Manager. This policy is not intended to afford employees with any greater protections than those which exist under federal, state or local law.

JM Staffing/Medi-Stat strongly urges the reporting of all instances of discrimination and harassment, and prohibits retaliation against any individual who reports discrimination, harassment, or participates in an investigation of such report. JM Staffing/Medi-Stat will take appropriate disciplinary action, up to and including immediate termination, against any employee who violates this policy.

## **2.4 Equal Employment Opportunity (California Employees)**

JM Staffing/Medi-Stat is an Equal Opportunity Employer. Employment opportunities at JM Staffing/Medi-Stat are based upon one's qualifications and capabilities to perform the essential functions of a particular job. All employment opportunities are provided without regard to race, religion, color, sex, national origin, age, military status, veteran status, disability, genetic information, ancestry, medical condition,

marital status, gender identity, gender expression, sexual orientation, or any other characteristic protected by law.

This Equal Employment Opportunity policy governs all aspects of employment, including, but not limited to, recruitment, hiring, internships, selection, job assignment, promotions, transfers, compensation, discipline, termination, layoff, access to benefits and training, and all other conditions and privileges of employment.

JM Staffing/Medi-Stat strongly urges the reporting of all instances of discrimination and harassment, and prohibits retaliation against any individual who reports discrimination, harassment, or participates in an investigation of such report. Appropriate disciplinary action, up to and including immediate termination, will be taken against any employee who violates this policy.

## **2.5 Employee Grievances**

It is the policy of JM Staffing/Medi-Stat to maintain a harmonious workplace environment. JM Staffing/Medi-Stat encourages its employees to express concerns about work-related issues, including workplace communication, interpersonal conflict, and other working conditions.

Employees are encouraged to raise concerns with their supervisors. If not resolved at this level, an employee may submit, in writing, a signed grievance to the HR Manager.

After receiving a written grievance, JM Staffing/Medi-Stat may hold a meeting with the employee, the immediate supervisor, and any other individuals who may assist in the investigation or resolution of the issue. All discussions related to the grievance will be limited to those involved with, and who can assist with, resolving the issue.

Complaints involving alleged discriminatory practices shall be processed in accordance with JM Staffing/Medi-Stat's Sexual and other Unlawful Harassment Policy.

JM Staffing/Medi-Stat assures that all employees filing a grievance or complaint can do so without fear of retaliation or reprisal.

## **2.6 Internal Communication**

Effective and ongoing communication within JM Staffing/Medi-Stat is essential. As such, the Agency maintains systems through which important information can be shared among employees and management.

Bulletin boards are posted in designated areas of the workplace to display important information and announcements. In addition, JM Staffing/Medi-Stat uses the Intranet and email to facilitate communication and share access to documents. For information on appropriate email and Internet usage, employees may refer to the Computer, Email, and Internet Usage policy. To avoid confusion, employees should not post or remove any material from the bulletin boards.

All employees are responsible for checking internal communications on a frequent and regular basis. Employees should consult their supervisor with any questions or concerns on information disseminated.

## **2.7 Outside Employment**

Employees may hold outside jobs as long as the employee meets the performance standards of their position with JM Staffing/Medi-Stat.

Unless an alternative work schedule has been approved by JM Staffing/Medi-Stat, employees will be subject to the Agency's scheduling demands, regardless of any existing outside work assignments; this includes availability for overtime when necessary.

JM Staffing/Medi-Stat's property, office space, equipment, materials, trade secrets, and any other confidential information may not be used for any purposes relating to outside employment.

## **2.8 Anti-Retaliation and Whistleblower Policy**

This policy is designed to protect employees and address JM Staffing/Medi-Stat's commitment to integrity and ethical behavior. In accordance with anti-retaliation and whistleblower protection regulations, JM Staffing/Medi-Stat will not tolerate any

retaliation against an employee who:

- Makes a good faith complaint, or threatens to make a good faith complaint, regarding the suspected Agency or employee violations of the law, including discriminatory or other unfair employment practices;
- Makes a good faith complaint, or threatens to make a good faith complaint, regarding accounting, internal accounting controls, or auditing matters that may lead to incorrect, or misrepresentations in, financial accounting;
- Makes a good faith report, or threatens to make a good faith report, of a violation that endangers the health or safety of an employee, patient, client or customer, environment or general public;
- Objects to, or refuses to participate in, any activity, policy or practice, which the employee reasonably believes is a violation of the law;
- Provides information to assist in an investigation regarding violations of the law; **or**
- Files, testifies, participates or assists in a proceeding, action or hearing in relation to alleged violations of the law.

Retaliation is defined as any adverse employment action against an employee, including, but not limited to, refusal to hire, failure to promote, demotion, suspension, harassment, denial of training opportunities, termination, or discrimination in any manner in the terms and conditions of employment.

Anyone found to have engaged in retaliation or in violation of law, policy or practice will be subject to discipline, up to and including termination of employment. Employees who knowingly make a false report of a violation will be subject to disciplinary action, up to and including termination.

Employees who wish to report a violation should contact their supervisor or Human Resources directly. Employees should also review their state and local requirements for any additional reporting guidelines.

JM Staffing/Medi-Stat will promptly and thoroughly investigate and, if necessary, address any reported violation.

Employees who have any questions or concerns regarding this policy and related reporting requirements should contact their supervisor, the HR Manager or any state or local agency responsible for investigating alleged violations.

## 3. Employment Status & Recordkeeping

### 3.1 Employment Classifications

For purposes of salary administration and eligibility for overtime payments and employee benefits, JM Staffing/Medi-Stat classifies employees as either exempt or non-exempt. Non-exempt employees are entitled to overtime pay in accordance with federal and state overtime provisions. Exempt employees are exempt from federal and state overtime laws and, but for a few narrow exceptions, are generally paid a fixed amount of pay for each workweek in which work is performed.

If you change positions during your employment with JM Staffing/Medi-Stat or if your job responsibilities change, you will be informed by the HR Manager of any change in your exempt status.

In addition to your designation of either exempt or non-exempt, you also belong to one of the following employment categories:

#### **Full-Time:**

Full-time employees are regularly scheduled to work greater or equal to 40 hours per week. Generally, regular full-time employees are eligible for JM Staffing/Medi-Stat's benefits, subject to the terms, conditions, and limitations of each benefit program.

#### **Part-Time:**

Part-time employees are regularly scheduled to work less than 40 hours per week. Regular part-time employees may be eligible for some JM Staffing/Medi-Stat benefit programs, subject to the terms, conditions, and limitations of each benefit program.

#### **Temporary:**

Temporary employees include those hired for a limited time to assist in a specific function or in the completion of a specific project. Temporary employees generally are not entitled to JM Staffing/Medi-Stat benefits, but are eligible for statutory benefits to the extent required by law. Employment beyond any initially stated period does not in any way imply a change in employment status or classification.

Temporary employees retain temporary status unless and until they are notified, by

JM Staffing/Medi-Stat Management, of a change.

### **3.2 Personnel Data Changes**

It is the responsibility of each employee to promptly notify their supervisor or the HR Manager of any changes in personnel data. Such changes may affect your eligibility for benefits, the amount you pay for benefit premiums, and your receipt of important company information.

If any of the following have changed or will change in the coming future, contact your supervisor or the HR Manager as soon as possible:

- Legal name
- Mailing address
- Telephone number(s)
- Change of beneficiary
- Exemptions on your tax forms
- Emergency contact(s)
- Training certificates
- Professional licenses

### **3.3 Expense Reimbursement**

JM Staffing/Medi-Stat reimburses employees for necessary expenditures and reasonable costs incurred in the course of doing their jobs. Expenses incurred by an employee must be approved in advance by the HR Manager.

Some expenses that may warrant reimbursement include, but are not limited, to the following: mileage costs, air or ground transportation costs, lodging, meals for the purpose of carrying out company business, and any other reimbursable expenses as required by law. Employees are expected to make a reasonable effort to limit business expenses to economical options.

To be reimbursed, employees must submit expense reports to the HR Manager for approval. The report must be accompanied by receipts or other documentation substantiating the expenses. Questions regarding this policy should be directed to

your supervisor.

### **3.4 Termination of Employment**

Termination of employment is an inevitable part of personnel activity within any organization.

#### **Notice of Voluntary Separation**

Employees who intend to terminate employment with JM Staffing/Medi-Stat shall provide JM Staffing/Medi-Stat with at least two weeks written notice. Such notice is intended to allow the Agency time to adjust to the employee's departure without placing undue burden on those employees who may be required to fill in before a replacement can be found.

#### **Return of Company Property**

Any employee who terminates employment with JM Staffing/Medi-Stat shall return all files, records, keys, and any other materials that are the property of JM Staffing/Medi-Stat prior to their last date of employment.

#### **Final Pay**

JM Staffing/Medi-Stat will provide employees with their final pay in accordance with applicable federal, state and local laws.

#### **Benefits Upon Termination**

All accrued and/or vested benefits that are due and payable at termination will be paid in accordance with applicable federal, state and local laws.

Certain benefits, such as healthcare coverage, may continue at the employee's expense, if the employee elects to do so. JM Staffing/Medi-Stat will notify employees of the benefits that may be continued and of the terms, conditions, and limitations of such continuation.

If you have any questions or concerns regarding this policy, contact JM Staffing/Medi-Stat's HR Manager.

## **4. Working Conditions & Hours**

### **4.1 Company Hours**

JM Staffing/Medi-Stat is open for business from Monday - Friday 8:00 AM to 5:00 PM. This excludes holidays recognized by JM Staffing/Medi-Stat. The standard workweek is 40 hours.

Supervisors will advise employees of their scheduled shift, including starting and ending times. Business needs may necessitate a variation in your starting and ending times as well as in the total hours you may be scheduled to work each day and each week.

### **4.2 Emergency Closing**

At times, emergencies such as severe weather, fires, or power failures can disrupt company operations. In extreme cases, these circumstances may require the closing of a work facility. The decision to close or delay regular operations will be made by JM Staffing/Medi-Stat management.

When a decision is made to close the office, employees will receive official notification from their supervisor.

### **4.3 Workplace Safety**

JM Staffing/Medi-Stat is committed to providing a clean, safe, and healthful work environment for its employees. Maintaining a safe work environment, however, requires the continuous cooperation of all employees. JM Staffing/Medi-Stat and all employees must comply with all occupational safety and health standards and regulations established by the Occupational Safety and Health Act and state and local regulations. In addition, all employees are expected to obey safety rules and exercise caution and common sense in all work activities.

#### **Complaint and Reporting Procedure:**

Employees should immediately report any unsafe conditions to their supervisor

without fear of reprisal. In the case of an accident that results in injury, regardless of how seemingly insignificant the injury may appear, employees must notify their supervisor. If you believe it would be inappropriate to report the matter to your supervisor, you can report it directly to:

Human Resources

hr@jmstaffing.com

909-599-1494

Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report or, where appropriate, remedy such situations may be subject to disciplinary action, up to and including termination of employment.

#### **Retaliation Prohibited:**

JM Staffing/Medi-Stat expressly prohibits retaliation against anyone who reports unsafe working conditions or work-related accidents, injuries or illnesses. Any form of retaliation will be subject to disciplinary action, up to and including termination of employment.

Questions or concerns regarding this policy should be directed to your supervisor or the HR Manager.

#### **4.4 Security**

The purpose of JM Staffing/Medi-Stat's security policy is to protect Agency assets and to maintain a safe working environment for all employees.

#### **Facility Access :**

All regular JM Staffing/Medi-Stat employees will be issued a key to gain access to JM Staffing/Medi-Stat facilities. Employees who are issued keys are responsible for their safekeeping. All lost or stolen keys must be reported to your supervisor as soon as possible.

Upon separation from JM Staffing/Medi-Stat, and at any other time upon JM Staffing/Medi-Stat's request, all keys must be returned to your supervisor.

## **Closing Procedures:**

The last employee, or a designated employee, who leaves the office at the end of the business day assumes the responsibility to ensure that: all doors are securely locked; the alarm system is armed; thermostats are set on appropriate evening and/or weekend setting; and all appliances and lights are turned off with the exception of the lights normally left on for security purposes.

Employees are not permitted on company property after hours without prior written authorization from the HR Manager.

## **4.5 Meal & Break Periods**

Non-exempt employees will be provided with meal and break periods in accordance with applicable federal, state, and local rules. Break periods of less than 20 minutes will be paid. Break periods lasting longer than 20 minutes will generally be unpaid.

Non-exempt employees must be fully relieved of their job responsibilities and are not permitted to work during unpaid break and meal periods of more than 20 minutes. If for any reason a non-exempt employee does not take the applicable meal and rest period that they are provided, the employee must notify his or her supervisor immediately.

JM Staffing/Medi-Stat will schedule meal and break periods in order to accommodate Agency operating requirements.

## **4.6 Meal & Break Periods (California Employees)**

Depending on the length of an employee's shift, he or she may be entitled to meal and/or break periods as outlined in this policy. Non-exempt employees must be fully relieved of their job responsibilities and are not permitted to work during breaks and unpaid meal periods.

### **Meal Periods:**

Employees working 5 or more hours in a workday are entitled to a 30-minute meal

period. Employees working 10 or more hours in a workday are entitled to a second 30-minute meal period. For non-exempt employees, the meal period is unpaid. Non-exempt employees must record the beginning and ending of their meal periods using JM Staffing/Medi-Stat's timekeeping system.

In the limited circumstances described below, with the employee's and the Agency's mutual consent, employees may waive their meal periods:

- If an employee's workday ends within six hours;
- If an employee's workday will not exceed twelve hours, then the employee may waive their second meal period but only if the first meal period was not waived.

If an employee voluntarily waives a meal period, the employee must submit a written request and receive written authorization from their supervisor to do so.

In very limited situations, non-exempt employees may take a paid on-duty meal period. Non-exempt employees may only do so when the nature of their work requires it, and only after the employee and JM Staffing/Medi-Stat agree in writing. Employees may revoke this agreement in writing at any time.

### **Rest Periods:**

Non-exempt employees are also entitled to paid break periods in accordance with the following schedule:

- One 10 minute break period for shifts from 3.5 to 6 hours in length;
- Two 10 minute break periods for shifts of more than 6 hours and up to 10 hours;
- Three 10 minute break periods for shifts of more than 10 hours and up to 14 hours.

Supervisors will schedule meal and break periods in order to accommodate the Agency's operating requirements. Where possible, breaks will be scheduled in the middle of each work period. Employees must take their meal and break periods, but if for any reason a non-exempt employee does not take the applicable meal or break period, the employee must notify his or her supervisor immediately.

If a non-exempt employee is discouraged, deterred, or otherwise impeded from taking a meal or break period they are entitled to, notify the HR Manager immediately.

For questions regarding this policy, please speak with the HR Manager.

#### **4.7 Break Time for Nursing Mothers**

JM Staffing/Medi-Stat accommodates employees who wish to express breast milk during the workday by providing reasonable break times to do so. The Agency will provide a designated room, other than a bathroom, that is shielded from view, free from intrusion from coworkers and the public and is in compliance with all other applicable laws for this purpose.

Employees who use regularly scheduled rest breaks to express breast milk will be paid for the break time. If the lactation break does not run concurrently with the employee's regularly scheduled compensated break, the lactation break time will be unpaid.

For questions related to this policy, please contact the HR Manager.

#### **4.8 Break Time for Nursing Mothers (California Employees)**

Employees who need to express breast milk for their infant child have the right to request lactation accommodations. JM Staffing/Medi-Stat accommodates employees who wish to express breast milk during the workday by providing reasonable break time for this purpose. The break time will be provided each time the employee needs to express milk.

If possible, the break time should run concurrently with any break time already provided to the employee. Break time that does not run concurrently with the rest breaks already provided will be unpaid for a non-exempt employee.

##### **Lactation Room :**

Unless it would impose an undue hardship as defined by state law, JM Staffing/Medi-Stat will provide a private room or other location that:

- Is in close proximity to the employee's work area, shielded from view, and free from intrusion while the employee is expressing milk;
- Is safe, clean, and free of hazardous materials;
- Contains a surface to place a breast pump and personal items;
- Contains a place to sit; and

- Has access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump.

The room or location will not be a bathroom. JM Staffing/Medi-Stat will also provide access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the employee's workspace. If a refrigerator cannot be provided, JM Staffing/Medi-Stat may provide another cooling device suitable for storing milk, such as an employer-provided cooler.

The room or location may include the place where the employee normally works if it otherwise meets the requirements stated above.

### **Requesting Lactation Accommodations:**

Employees should make requests for lactation accommodations to their supervisor or the HR Manager. JM Staffing/Medi-Stat will respond to all such requests.

When possible, employees should give reasonable oral or written notice that they intend to express milk upon returning to work after a child's birth. This will allow the time needed to make necessary preparations.

### **Retaliation Prohibited:**

JM Staffing/Medi-Stat prohibits retaliation against an employee for exercising or attempting to exercise their rights to lactation accommodations.

### **Complaints:**

Employees have the right to file a complaint with the California Labor Commissioner if they believe their rights to lactation accommodations have been violated.

Questions regarding this policy should be directed to the HR Manager.

# 5. Employee Benefits

## 5.1 Health Insurance

JM Staffing/Medi-Stat's health insurance benefits are intended to protect you and your family from financial loss resulting from hospital, surgical, or other health-related expenses.

Eligible employees may elect to begin health insurance benefits On the first day of the month after completing the introductory period.

This policy provides a summary of the benefits which may be provided at the Agency's discretion. Actual coverage is determined by the express terms of the plan documents. We encourage both you and your family to review the plan's Summary Plan Description (SPD) materials carefully.

If there are any conflicts between the handbook or summaries provided and the plan documents, the plan documents will control. The Agency reserves the right to amend, interpret, modify or terminate any of its employee benefits programs without prior notice to the extent allowed by law.

For details on the specific health insurance plans offered through JM Staffing/Medi-Stat, as well as copies of the plan documents, contact the HR Manager.

## 5.2 Health Insurance Continuation

The Consolidated Omnibus Budget Reconciliation Act (COBRA) is a federal law that requires most employers sponsoring group health plans to offer a temporary continuation of group health coverage when coverage would otherwise be lost due to certain specific events.

Through COBRA, employees and their qualified beneficiaries have the right to continue group health insurance coverage after a "qualifying event." The following are qualifying events:

- Resignation or termination of the employee
- Death of the covered employee
- A reduction in the employee's hours

- For spouses and eligible dependents, the employee's entitlement to Medicare
- Divorce or legal separation of the covered employee and his or her spouse
- A dependent child no longer meeting eligibility requirements under the group health plan

Under COBRA, the employee or beneficiary pays the full cost of health insurance coverage at JM Staffing/Medi-Stat's group rates plus an administration fee. However, the American Rescue Plan Act provides a 100% COBRA subsidy for qualified employees and dependents who lose coverage as a result of an involuntary termination or a reduction in hours (assistance eligible individuals or AEIs). This subsidy is available only for periods of coverage from April 1, 2021 through September 30, 2021. For more information, contact the HR Manager.

#### **Notification Requirements:**

The employee, or family member, has the responsibility to inform the HR Manager of a divorce, legal separation, or a child losing dependent status. The employee, or a family member, has 60 days after the qualifying event to provide such notice, unless a longer period is permitted under rules of the plan. JM Staffing/Medi-Stat has the responsibility to notify the Plan Administrator of the employee's death, termination of employment, or reduction in hours.

Once the notification has been made to the Plan Administrator, the Plan Administrator will inform the employee that he or she has the right to choose continuation of coverage. If employees choose to continue coverage, JM Staffing/Medi-Stat is required to provide coverage that is identical to the coverage provided under the plan to similarly situated employees or family members.

#### **Period of Coverage:**

Continuation of coverage is extended from the date of the qualifying event for a period of 18 to 36 months. The length of time for which continuation coverage is made available (i.e., the "maximum period" of continuation coverage) depends on the type of qualifying event that gave rise to the employee's COBRA rights.

An employee's continuation of coverage may be cut short for any of the following reasons:

- JM Staffing/Medi-Stat no longer provides group health coverage to any of its employees
- The premium for the employee's continuation coverage is not paid in full on a

timely basis

- The employee becomes covered under another group health plan that does not contain any exclusion or limitation with respect to any pre-existing condition
- The employee becomes entitled to Medicare

This policy provides a summary of health insurance continuation benefits. Actual coverage is determined by the express terms of the plan documents. We encourage both you and your family to review the plan's Summary Plan Description (SPD) materials carefully.

If there are any conflicts between the handbook or summaries provided and the plan documents, the plan documents will control. The Agency reserves the right to amend, interpret, modify or terminate any of its employee benefits programs without prior notice to the extent allowed by law.

For further details on health insurance continuation available through JM Staffing/Medi-Stat, as well as copies of the plan documents, contact the HR Manager.

### **5.3 Retirement Plan**

JM Staffing/Medi-Stat employees have the opportunity to participate in a company-sponsored retirement plan following 30 days of service. Full-time and part-time employees are eligible to participate in the plan.

This policy provides a summary of the benefits which may be provided at the Agency's discretion. Actual coverage is determined by the express terms of the plan documents. We encourage you to review the plan's Summary Plan Description (SPD) materials carefully.

If there are any conflicts between the handbook or summaries provided and the plan documents, the plan documents will control. The Agency reserves the right to amend, interpret, modify or terminate any of its employee benefits programs without prior notice to the extent allowed by law.

For details on the specific retirement plans offered through JM Staffing/Medi-Stat, as well as copies of the plan documents, contact the HR Manager.

## **5.4 Paid Sick Leave (California Employees)**

Eligible employees are entitled to paid sick leave under the Healthy Workplaces, Healthy Families Act.

### **Eligible Employees:**

To be eligible for paid sick leave, employees must work in California for JM Staffing/Medi-Stat for 30 or more days within a year of their hire date. Employees can begin using accrued paid sick leave after 90 days of service with JM Staffing/Medi-Stat.

### **Basic Leave Entitlement:**

Eligible employees may take up to 24 hours or 3 days (whichever is more) of accrued paid sick leave per year for:

- The diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member; or
- To attend legal proceedings, or to obtain care, counseling or other victims' services for domestic violence, sexual assault, or stalking.

Employees accrue paid sick leave at a rate of one hour for every 30 hours worked, up to a maximum of 48 hours or six days per year. Accrued leave may generally be carried over into the following year; however, employees may not use more than three days of paid sick leave per year.

Upon separation from JM Staffing/Medi-Stat, employees are not entitled to compensation for accrued, but unused paid sick days.

### **Notice:**

To the extent possible, employees must provide reasonable advance notice of their need for leave under this policy. If the need for leave is not foreseeable, an employee must provide notice as soon as practicable.

### **Benefits Continuation:**

Leave under this policy will not constitute a break in the employee's continuous service for the purpose of JM Staffing/Medi-Stat benefits and seniority.

### **Job Restoration:**

Upon expiration of the leave, an employee will generally be reinstated to his or her position with equivalent seniority, benefits, pay and other terms and conditions of employment.

### **Relationship with Other Leave Policies :**

If a law, regulation or policy provides for greater accrual or use of sick days, the law, regulation or policy with the greater protection may apply. For questions regarding the interplay between your entitlement to leave under other laws, regulations or Agency policies and your entitlement to leave under the Act, please contact the HR Manager.

## **5.5 Employee Referral Program**

JM Staffing/Medi-Stat offers an employee referral program to encourage employees to recommend qualified candidates. Our referral program provides employees with a referral bonus for successful hires made based upon an employee's recommendation. If a recommended candidate is hired and completes 30 days of service, the employee who provided the referral will be entitled to a bonus.

All referred candidates will be considered and evaluated based on experience and qualifications and will be subject to the same pre-employment standards as all other candidates.

Questions regarding this policy should be directed to the HR Manager.

## **5.6 Family and Medical Leave**

JM Staffing/Medi-Stat Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides information regarding FMLA eligibility and administration. Questions regarding FMLA should be directed to the HR Manager.

### **Eligibility Requirements:**

Employees eligible for leave under the FMLA are those who: (1) have worked at least 12 months for JM Staffing/Medi-Stat; (2) have worked for at least 1,250 hours

during the 12 month period immediately preceding the start date of the requested leave; and (3) are employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

**Note:** A covered company is one which has employed 50 or more employees for at least 20 workweeks in the current or preceding calendar year.

### **Basic FMLA Leave Entitlement:**

The FMLA grants up to 12 weeks of unpaid leave to eligible employees for the following reasons: (1) to care for the employee's child following birth or placement for adoption or foster care; (2) to care for the employee's spouse, son, daughter or parent (but not in-law) who has a serious health condition; (3) for the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care, or child birth) that makes the employee unable to perform one or more of the essential functions of the employee's job; or (4) because of any qualifying exigency arising out of the fact that an employee's spouse, son, daughter, or parent is a covered military member who is a member of a regular component of the Armed Forces on active duty or who has been notified of an impending call or order to active duty status for deployment to any foreign country in the regular or reserve components of the Armed Forces, including the National Guard or Reserves.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

### **Additional Military Family Leave Entitlement:**

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

A covered servicemember means a member of the Armed Forces, including a member of the National Guard or Reserves, and/or a veteran of the Armed Forces, including a veteran of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary retired list, for a serious injury or illness. Such veteran is considered a covered servicemember if he/she was a member of the Armed Forces, including the National Guard and Reserves, at any time during the five-year period preceding the date on which the veteran undergoes medical treatment, recuperation or therapy.

#### **Intermittent Leave and Reduced Leave Schedules :**

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

#### **Protection of Group Health Insurance Benefits :**

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

#### **Restoration of Employment and Benefits :**

At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause the Agency substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. The Agency will notify employees if they qualify as "key employees", if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA leave will not

result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

### **Notice of Eligibility for, and Designation of, FMLA Leave:**

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

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

### **Notice of the Need for Leave:**

Employees who take FMLA leave must timely notify JM Staffing/Medi-Stat of their need for FMLA leave. The following describes the content and timing of such employee notices.

### **Content of Employee Notice:**

To trigger FMLA leave protections, employees must inform the HR Manager of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow the Agency to determine that the leave is FMLA-qualifying.

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

If employees fail to explain the reasons for FMLA leave, the leave may be denied.

When employees seek leave due to FMLA-qualifying reasons for which the Agency has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

#### **Timing of Employee Notice:**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide the Agency notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

#### **Medical Certifications :**

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. It is the employee's responsibility to provide JM Staffing/Medi-Stat with timely, complete and sufficient medical certifications. Employees must provide the requested certifications within 15 calendar days following the Agency's request, unless it is not practicable to do so. Where JM Staffing/Medi-Stat informs an employee that the certification is incomplete or insufficient, JM Staffing/Medi-Stat will give the employee with at least seven days to cure the deficiencies. JM Staffing/Medi-Stat may deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days notice of medical leave, they should submit the medical certification before leave begins.

With the employee's permission, JM Staffing/Medi-Stat may contact the employee's health care provider to authenticate or clarify completed medical certifications. If the employee fails to authorize such contact, and medical certification remains unclear, JM Staffing/Medi-Stat may deny FMLA leave. If JM Staffing/Medi-Stat has reason to doubt the employee's initial medical certification, JM Staffing/Medi-Stat may require the employee to obtain a second opinion at JM Staffing/Medi-Stat's

expense.

### **Recertification:**

Depending on the circumstances and duration of FMLA leave, JM Staffing/Medi-Stat may require the employee to provide recertification of the medical condition giving rise to leave. JM Staffing/Medi-Stat will notify the employee if recertification is required and the employee will have at least 15 calendar days to provide recertification.

### **Return to Work:**

Unless JM Staffing/Medi-Stat advises otherwise, employees returning to work from FMLA leave taken because of their own serious health condition must provide medical certification that they are able to return to work and perform the essential functions of their job, with or without accommodation.

### **Certifications Supporting Need for Military Family Leave:**

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

When leave is taken to care for a covered servicemember with a serious injury or illness, JM Staffing/Medi-Stat may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember.

### **Health Insurance Continuation:**

During FMLA leave, employees are entitled to continue group health plan coverage under the same terms and conditions as if they had continued to work, however they may be responsible for their portion of the group health premium. Contact your HR Manager to determine your benefits rights and responsibilities while on FMLA leave.

### **Substitution of Paid Leave for Unpaid FMLA Leave:**

Employees must use any accrued paid time while taking unpaid FMLA leave. The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leaves; the paid time will run concurrently with an employee's FMLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement.

### **Coordination of FMLA Leave with Other Leave Policies:**

The FMLA does not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law which provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please contact the HR Manager.

### **No Retaliation:**

JM Staffing/Medi-Stat will not interfere with, restrain or deny the exercise of any right provided under the FMLA. JM Staffing/Medi-Stat will not discharge or discriminate against any individual for opposing any practice made lawful by the FMLA or for being involved in any proceeding relating to the FMLA. Contact your supervisor or HR Administrator immediately if you feel your rights under this policy have been violated. JM Staffing/Medi-Stat will conduct a prompt and thorough investigation of any FMLA complaint and take appropriate remedial action, up to and including termination.

## **5.7 Military Leave**

JM Staffing/Medi-Stat grants employees unpaid time off for service, training and other obligations in the uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and any other applicable state law.

All employees requesting time off for military service must provide advance notice to their immediate supervisor, unless military necessity prevents such notice or it is otherwise impracticable. Continuation of health insurance benefits is available

during military leave subject to the terms and conditions of the group health plan and applicable law.

Employees are eligible for reemployment for up to five years from the date their military leave began. The period an individual has to apply for reemployment or report back to work after military service is based on time spent on military duty and on applicable law. For reinstatement guidelines, contact the HR Manager.

Employees who qualify for reemployment will return to work at a pay level and status equal to that which they would have attained had they not taken military leave. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

JM Staffing/Medi-Stat complies with all rights and protections under all applicable state laws granting time off for service, training and other obligations in the uniformed services. This includes, but is not limited to, benefits entitlement and continuation, notice and recertification requirements, and reemployment application requirements.

Questions regarding this policy should be directed to the HR Manager.

## **5.8 Family Military Leave (California Employees)**

Employees may be eligible to take up to 10 days of leave when their spouse is on leave from deployment during a period of military conflict.

To be eligible, an employee must work an average of at least 20 hours per week.

Employees must provide 2 days advance notice of their need for such leave to the extent possible. Employees must be prepared to provide JM Staffing/Medi-Stat with certification from the proper military authority to verify the employee's eligibility for family military leave.

When possible, employees should consult with their supervisor to schedule the leave so that it does not unduly disrupt JM Staffing/Medi-Stat's operations.

Family military leave is unpaid; however, employees may opt to use accrued paid time off for this purpose.

## **5.9 Jury Duty**

JM Staffing/Medi-Stat encourages employees to fulfill their civic responsibilities when called upon to serve as a juror. Employees must provide their immediate supervisor with a copy of their jury summons as soon as possible so that the supervisor may make arrangements to accommodate their absence.

Employees on jury duty must report to work on workdays, or parts of workdays, when they are not required to serve. Either JM Staffing/Medi-Stat or the employee may request an excuse from jury duty if it is determined that the employee's absence would create serious operational difficulties.

Jury duty will be paid if required by applicable state law. If paid, jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. . If exempt employees miss work because of jury duty, they will receive their full salary, unless they miss the entire workweek. However, JM Staffing/Medi-Stat may offset any jury-duty fees received by an exempt employee against the salary due for that workweek.

## **5.10 Workers' Compensation**

Employees who are injured on the job at JM Staffing/Medi-Stat are eligible for Workers' Compensation benefits. Such benefits are provided at no cost to employees and cover any injury or illness sustained in the course of employment that requires medical treatment.

Lost time or medical expenses incurred as a result of an accident or injury which occurred while an employee was on the job will be compensated for in accordance with workers' compensation laws. This protection is paid for in full by JM Staffing/Medi-Stat. No premium is charged for this coverage and no individual enrollment is required. JM Staffing/Medi-Stat will provide medical care and a portion of lost wages through our insurance carrier.

All job-related accidents or illnesses must be reported to an employee's supervisor immediately upon occurrence. Supervisors will then immediately contact the HR Manager to obtain the required claim forms and instructions.

### **5.11 Bone Marrow Donation Leave (California Employees)**

Employees may be eligible to take up to 5 days of paid leave to undergo a medical procedure to donate bone marrow in any one-year period.

To the extent possible, employees must provide reasonable advance written notice of their need for leave under this policy including verification by a physician of the purpose and length of each requested leave.

When possible, employees should consult with their supervisor to schedule the leave so that it does not unduly disrupt JM Staffing/Medi-Stat's operations.

During the period of time the employee is granted such leave, JM Staffing/Medi-Stat will maintain the same level of coverage of benefits the employee had prior to taking leave.

Upon expiration of the leave, an employee will generally be reinstated to his or her position with equivalent seniority, benefits, pay and other terms and conditions of employment.

Employees must use up to 5 days of earned but unused paid time off for this purpose.

### **5.12 Organ Donation Leave (California Employees)**

Employees may be eligible to take up to 30 days of paid leave for organ donation in any one-year period. Effective January 1, 2020, employees may also be eligible for an additional unpaid leave of absence of up to 30 days in a one-year period.

To the extent possible, employees must provide reasonable advance written notice of their need for leave under this policy including verification by a physician of the purpose and length of each requested leave.

When possible, employees should consult with their supervisor to schedule the leave so that it does not unduly disrupt JM Staffing/Medi-Stat's operations.

During the period of time the employee is granted such leave, JM Staffing/Medi-Stat will maintain the same level of coverage of benefits the employee had prior to taking leave.

Upon expiration of the leave, an employee will generally be reinstated to his or her position with equivalent seniority, benefits, pay and other terms and conditions of employment.

Employees must use up to 2 weeks of earned but unused paid time off for this purpose.

### **5.13 Civil Air Patrol Leave (California Employees)**

Members of the Civil Air Patrol may be allowed a leave of absence to respond to an emergency service operation. To be eligible the employee must have been employed by JM Staffing/Medi-Stat for at least a 90-day period immediately preceding the commencement of leave.

Civil Air Patrol leave is limited to a total of 10 days per year. Leave for each emergency operational mission may not exceed 3 days, unless the government entity that authorized the mission extends it and JM Staffing/Medi-Stat approves the additional time off.

Employees requesting time off must notify their direct supervisor as soon as possible after learning the intended dates upon which such leave will begin and end. Employees must be prepared to provide JM Staffing/Medi-Stat with certification from the proper Civil Air Patrol authority to verify the employee's eligibility for the leave requested.

Upon expiration of the leave, an employee will generally be reinstated to his or her position with equivalent seniority, benefits, pay and other terms and conditions of employment.

Civil Air Patrol leave is unpaid; however, employees may use accrued paid time off for this purpose.

### **5.14 Court Proceedings Leave for Crime Victims (California Employees)**

An employee may be entitled to leave if the employee, or their covered family member, is a victim of a serious or violent felony, or a felony related to theft or embezzlement. This leave may be taken to attend legal and court proceedings

related to the crime.

For purposes of this policy, covered family members are a spouse, registered domestic partner, child, child of registered domestic partner, stepchild, sibling, stepbrother, stepsister, parent, and stepparent.

Upon expiration of the leave, an employee will generally be reinstated to their position with equivalent seniority, benefits, pay and other terms and conditions of employment.

**Employee Notice:**

The employee must provide JM Staffing/Medi-Stat with a copy of the notice of each scheduled proceeding that is provided to the victim, unless advance notice is not feasible. When advance notice is not feasible, the employee must be prepared to provide JM Staffing/Medi-Stat with certification of the judicial proceeding from the proper authority within a reasonable time following the leave. The documentation may be from the court or government agency setting the hearing, the district attorney or prosecuting attorney's office, or the victim/witness office that is advocating on behalf of the victim.

**Substitution of Paid Leave:**

Under this policy, leave is unpaid; however, employees may use accrued paid time off for this purpose.

**Retaliation Prohibited:**

JM Staffing/Medi-Stat will not take adverse action against an employee for exercising their rights under the law.

**Questions Regarding Leave:**

Employees who have any questions or concerns regarding this policy should contact their supervisor or the HR Manager.

**5.15 Time off for Emergency Personnel (California Employees)**

Employees that are volunteer firefighters, reserve peace officers or emergency rescue personnel may be eligible for up to 14 days of leave per calendar year to engage in fire, law enforcement or emergency rescue training.

To the extent possible, employees must provide advance notice of their need for leave under this policy. Requests must be submitted to the employee's supervisor.

Employees must be prepared to provide JM Staffing/Medi-Stat with certification from the respective emergency department to verify the employee's eligibility for such leave.

This leave is unpaid; however, employees may opt to use accrued paid time off for this purpose.

### **5.16 Voting Leave (California Employees)**

JM Staffing/Medi-Stat requests that, whenever possible, employees vote before or after work hours to avoid interference with business operations. However, if an employee does not have sufficient time outside of work hours to cast his or her ballot, the employee may be eligible for up to two hours of paid time off to vote on Election Day.

JM Staffing/Medi-Stat may specify the hours during which the employee may take leave to vote. Such time will generally be limited to the beginning or end of a working shift, whichever allows the most time for voting and the least time off from a regular working shift, unless otherwise mutually agreed.

To the extent possible, employees must provide at least two working days' notice of their need for leave under this policy.

Employees must be prepared to provide JM Staffing/Medi-Stat with certification, such as a voter's receipt, to prove that he or she voted.

### **5.17 Literacy Assistance (California Employees)**

JM Staffing/Medi-Stat is committed to providing reasonable accommodations to employees who need assistance to participate in an adult literacy education program, provided the accommodation does not impose an undue hardship on the Agency.

Assistance from JM Staffing/Medi-Stat may include, but is not limited to, unpaid time off or an adjusted work schedule so that the employee may participate in a literacy

program; providing the employee with locations of local literacy education programs; or arranging for a literacy education provider to visit the jobsite.

If you need assistance in enrolling in such a program, please inform your supervisor or the HR Manager.

### **5.18 Rehabilitation Leave (California Employees)**

An employee may be entitled to rehabilitation leave if the employee voluntarily enters and participates in an alcohol or drug rehabilitation program. Such leave may be taken as an adjusted work schedule or a leave of absence provided the leave does not impose undue hardship on JM Staffing/Medi-Stat.

An employee requesting rehabilitation leave must inform his or her supervisor as soon as practicable of the need for such leave.

Employees must be prepared to provide his or her supervisor with certification to verify the employee's participation in such a program. JM Staffing/Medi-Stat will attempt to safeguard the privacy of an employee's participation in the rehabilitation program.

Rehabilitation leave is unpaid; however, employees may use accrued paid time off for this purpose.

### **5.19 School-Related Activities Leave (California Employees)**

Employees may be eligible to take leave for up to 8 hours per calendar month, and 40 hours in one calendar year, to find or enroll their child in school or with a licensed child care provider and to attend their child's school activities. Additionally, employees may take a reasonable amount of time off to appear at their child's school following their child's suspension. Employees may also be eligible to take leave when their child cannot remain at school due to behavioral or discipline problems, closures, or attendance issues.

To be eligible for such leave, the employee must be the parent, guardian, stepparent, foster parent, grandparent, or person who stands in place of a parent to a child.

To the extent possible, employees must provide reasonable advance notice of their need for such leave under this policy. When possible, employees should consult with their supervisor to schedule the leave so that it does not unduly disrupt JM Staffing/Medi-Stat operations.

Employees may be required to provide documentation from the school or licensed child care provider that they participated in the school-related activity during leave.

Leave is unpaid; however, employees may use accrued paid time off for this purpose.

For questions related to this policy, please contact the HR Manager.

## **5.20 Pregnancy Disability Leave & Pregnancy Accommodation (California Employees)**

Employees who are temporarily disabled because of pregnancy, childbirth, or related medical conditions may take up to 4 months of leave either before or after childbirth.

### **Intermittent or Reduced Schedule Leave:**

Leave may be taken on an intermittent basis or the employee may work a reduced work schedule if advised by their health care provider. JM Staffing/Medi-Stat may require the employee to transfer temporarily to an alternative position with equivalent pay and benefits that would better accommodate recurring periods of leave.

### **Notice:**

To the extent possible, employees must provide 30 days advance notice of their need for leave under this policy. JM Staffing/Medi-Stat will respond to the request made by the employee as soon as practical but no later than 10 days after receiving the request. JM Staffing/Medi-Stat will make every effort to respond to such request prior to the date leave is due to begin.

### **Medical Certification:**

Employees must be prepared to provide JM Staffing/Medi-Stat with medical certification by a health care provider to verify the employee's eligibility for the leave

requested.

**Benefits Continuation:**

Employees taking pregnancy disability leave are entitled to maintain the same level of benefits and seniority with JM Staffing/Medi-Stat for the duration of the leave as if the employee continued employment.

**Reasonable Accommodation:**

Employees who are limited in their abilities to perform their jobs because of pregnancy, childbirth, and related medical conditions may request a reasonable accommodation as is necessary. Reasonable accommodations include, but are not limited to:

- Modifying work duties, practices or policies
- Modifying work schedules
- More frequent breaks
- Transfer to a less strenuous position
- Providing furniture, or acquiring or modifying equipment or devices
- Providing a reasonable amount of break time to express breast milk
- Time off to recover from pregnancy, childbirth or related medical condition

**Compensation:**

Leave under this policy is unpaid; however, employees may use accrued paid time off for this purpose.

**Return to Work:**

Employees returning from leave will be reinstated to the same position or a comparable position to the position held when leave began unless doing so is not possible due to legitimate business reasons unrelated to the employee taking such leave. Employees may be required to submit a release to return to work by their health care provider.

**Relationship with Federal Family and Medical Leave and Other Leave Policies:**

To the extent allowed by law, pregnancy disability leave must be taken concurrently with leave taken under the federal Family and Medical Leave Act. Employees are entitled to take pregnancy disability leave in addition to any leave entitlement provided under the California Family Rights Act. To the extent the Agency offers the

employee leave through another plan or policy, the plan or policy with the greatest protection will apply.

### **Questions Regarding this Policy:**

JM Staffing/Medi-Stat will not retaliate against an employee for requesting or using leave or a reasonable accommodation under this policy. Employees should speak with the HR Manager to discuss their need for leave or reasonable accommodation, or if they have questions about this policy.

### **5.21 Paid Family Leave (California Employees)**

Employees in California are eligible for up to 6 weeks (increasing to 8 weeks effective July 1, 2020) of wage replacement benefits within a 12-month period from the State of California for absences from work for the following reasons:

- To care for a child, spouse, domestic partner, parent, parent-in-law, grandparent, grandchild or sibling with a serious health condition;
- To bond with a new child; or
- To bond with a new child in connection with the adoption or foster care placement of that child.

Beginning January 1, 2021, employees may also be entitled to wage replacement benefits to participate in a qualifying exigency related to the covered active duty or call to covered active duty of their spouse, domestic partner, child, or parent in the Armed Forces of the United States.

Employees must provide a medical certification when filing a Paid Family Leave claim to provide care for a seriously ill family member.

Paid Family Leave is limited to the first year after the birth, adoption or foster care placement of a child.

Employees may be required to use up to 2 weeks of accrued paid time off prior to receiving Paid Family Leave benefits.

California Paid Family Leave does not provide employees with job protection. Rather, eligible employees are entitled to receive certain paid benefits from the State of California if the employee is absent from work for the reasons stated above.

The State of California will determine whether you are eligible for Paid Family Leave

benefits, including the amount of benefits you may receive. Your entitlement to benefits is subject to the terms and conditions established by the State of California.

Generally, employees entitled to leave under the federal Family and Medical Leave Act, the California Family Rights Act, or the New Parent Leave Act must take Paid Family Leave concurrently with leave taken under those acts.

Employees who are interested in any additional information about these benefits should contact the HR Manager.

## **5.22 Family and Medical Leave (California Employees)**

Eligible employees may be entitled to a leave of absence under the California Family Rights Act ("CFRA"). Below is a summary of rights and obligations under the CFRA.

### **Eligible Employees**

To be eligible for CFRA leave, employees must:

- Have been employed for at least 12 months (52 weeks) with [Company Name], *and*
- Have performed at least 1,250 hours of work for during the 12 months preceding leave.

In addition, JM Staffing/Medi-Stat must have at least five employees.

### **Basic Leave Entitlement**

Eligible employees may take up to 12 weeks of CFRA leave in a 12-month period:

- For the birth of a child, including bonding with a child after birth;
- For the placement of a child with the employee for adoption or foster care;
- To care for a spouse, child (including a child of a domestic partner), parent, domestic partner, grandparent, grandchild, sibling, or parent-in-law with a serious health condition;
- To care for an employee's own serious health condition; or
- Because of a qualifying exigency related to the covered active duty or call to covered active duty of an employee's spouse, domestic partner, child, or

parent in the Armed Forces of the United States

A serious health condition means an illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or continuing treatment by a healthcare provider.

### **Notice**

To the extent possible, employees must provide reasonable advance notice of their need for leave. When the need for leave is not foreseeable, employees must provide as much advance notice as practical.

### **Medical Certification**

Employees must be prepared to provide a medical certification supporting the need for leave from their health care provider for their own serious health condition or the health care provider of their child, parent, grandparent, grandchild, sibling, spouse, or domestic partner who has a serious health condition.

### **Benefits Continuation**

Employees actively enrolled in 's group health plan prior to taking leave will continue to receive health benefits at the same level and under the same conditions as if the employee had continued to work. Employees will continue to accrue any seniority and employment benefits while on CFRA leave to the same extent such benefits would accrue under any other leave granted by the Agency.

### **Compensation**

CFRA leave is generally unpaid. Where applicable, employees may substitute accrued, available paid leave for CFRA leave.

### **Return to Work**

Under most circumstances, an employee is entitled, upon return from leave, to be reinstated to the position he or she held before going on leave, or to be placed in a comparable position with comparable employment benefits, pay and other terms and conditions of employment. An employee, however, has no greater right to reinstatement or to other benefits and conditions of employment than if they had been continuously employed during the CFRA leave period.

### **Relationship with Federal Family and Medical Leave and Other Leave Policies**

Generally, leave taken under the CFRA must be taken concurrently with leave taken under the federal Family and Medical Leave Act (“FMLA”), except for any leave taken under the FMLA for disability on account of pregnancy, childbirth, or related medical conditions. Where applicable, when an employee’s leave qualifies under CFRA and under the federal FMLA, the leave used counts against the employee’s entitlement under both laws. To the extent the JM Staffing/Medi-Stat offers employees leave through another plan or policy, the plan or policy with the greatest protection will apply.

### **Retaliation Prohibited**

JM Staffing/Medi-Stat will not take adverse action against an employee for exercising their rights under the law.

### **Questions Regarding Family Leave**

Employees who have any questions or concerns regarding this policy should contact their supervisor or the HR Manager.

## **5.23 Domestic Violence and Other Crime Victims Leave (California Employees)**

An employee may be entitled to a reasonable amount of leave if the employee is:

- A victim of domestic violence, sexual assault, or stalking.
- A victim of a crime that caused physical injury or that caused mental injury and a threat of physical injury.
- An individual whose immediate family member is deceased as the direct result of a crime.

This leave may be used to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or their child.

If JM Staffing/Medi-Stat has 25 or more employees and the employee qualifies under any one of the three categories above, the employee may also be entitled to up to 12 workweeks of leave in a 12-month period:

- To seek medical attention for injuries caused by the crime or abuse.
- To obtain services from a domestic violence shelter, program, rape crisis

center, or victims' services organization as a result of the crime or abuse.

- To obtain psychological counseling or mental health services related to an experience of crime or abuse.
- To participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation.

For the purposes of this policy, an immediate family member is:

- Regardless of age, a biological, adopted, or foster child, stepchild, or legal ward, a child of a domestic partner, a child to whom the employee stands as a parent, or a person to whom the employee stood as a parent when the person was a minor.
- A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or an employee's spouse or domestic partner, or a person who stood as a parent when the employee or the employee's spouse or domestic partner was a minor child.
- A person to whom the employee is legally married under the laws of any state, or a domestic partner of an employee as registered under the laws of any state or political subdivision.
- A biological, foster, or adoptive sibling, a stepsibling, or a half-sibling.
- Any other individual whose close association with the employee is the equivalent of a family relationship described above.

### **Employee Notice:**

When feasible, an employee requesting leave must provide their supervisor with reasonable notice prior to the need for leave. When advance notice isn't feasible, employees must be prepared to provide JM Staffing/Medi-Stat with certification to verify the employee's eligibility for the leave taken, such as:

- A police report;
- A court order;
- Documentation from a medical professional, victim advocate, health care provider, or counselor; or
- Any other form of documentation that reasonably verifies that the crime or abuse occurred, including but not limited to, a written statement signed by the employee, or an individual acting on the employee's behalf, certifying that the absence is for a covered reason.

### **Substitution of Paid Leave:**

Under this policy, leave is unpaid; however, employees may use accrued paid time off for this purpose.

**Retaliation Prohibited:**

JM Staffing/Medi-Stat will not take adverse action against an employee for exercising their rights under the law.

**Questions Regarding Leave:**

Employees who have any questions or concerns regarding this policy should contact their supervisor or the HR Manager.

**5.24 COVID-19 Supplemental Paid Sick Leave 2022 (California Employees)**

Employees may be entitled to COVID-19 supplemental paid sick leave under state law. This policy applies retroactively to January 1, 2022 and will remain in effect through September 30, 2022. The leave provided under this policy is in addition to any leave to which employees are entitled under the state's paid sick leave law (see the *Paid Sick Leave (California Employees)* policy).

**Eligibility:**

For employees to be eligible for leave under this policy, JM Staffing/Medi-Stat must have more than 25 employees.

**Basic Leave Entitlement:**

Employees who work 40 or more hours (or JM Staffing/Medi-Stat considers the employee full time) are entitled to up to 40 hours of COVID-19 supplemental paid sick leave if the employee is unable to work or telework because they:

- Are subject to a quarantine or isolation period related to COVID-19.
- Have been advised by a healthcare provider to isolate or quarantine.
- Are attending a vaccine or vaccine booster appointment for the employee or a family member.
- Are experiencing symptoms from a vaccine or caring for a family member who is experiencing symptoms (this can be limited to three days or 24

hours, unless the employee provides verification from a healthcare provider that the employee or family member is continuing to experience symptoms).

- Are experiencing symptoms of COVID and seeking medical diagnosis.
- Are caring for a family member who is subject to a quarantine or isolation period or who has been advised to isolate or quarantine.
- Are caring for a child whose school or place of care is closed or otherwise unavailable for reasons related to COVID.

*Additional Leave Allotment:*

In addition to the leave described above, employees are entitled to take up to 40 hours of paid sick leave if the employee, or a family member for whom the employee is providing care, tests positive for COVID-19. Employees aren't required to exhaust the other bank of COVID-19 supplemental paid sick leave before accessing the 40 hours additionally provided as a result of a positive COVID-19 test.

Under this policy a family member includes a spouse, registered domestic partner, parent (including parent if a spouse or domestic partner), child (regardless of age or dependency), grandparent, grandchild, and sibling.

**Use:**

Employees may use COVID-19 supplemental paid sick leave immediately and are entitled to use their full allotment of leave as long as they start the leave on or before September 30, 2022.

**Pay During Leave:**

During COVID-19 supplemental paid sick leave, a nonexempt employee will be compensated at a rate at least equal to one of the following:

- Calculated in the same manner as the regular rate of pay for the workweek in which the employee uses paid sick time, regardless of whether the employee actually works overtime in that workweek.
- Calculated by dividing the employee's total wages, not including overtime premium pay, by the employee's total non-overtime hours worked in the full pay periods occurring within the prior 90 days of employment.

An exempt employee will be compensated at a rate calculated in the same manner as JM Staffing/Medi-Stat calculates wages for other forms of paid leave.

*Cap:*

Under this policy, the amount paid for leave is limited to \$511 per day and \$5,110 in the aggregate for each employee.

**Retroactive Payments :**

If an employee believes they are entitled to retroactive payments for leave taken on or after January 1, 2022, they should contact the HR Manager.

**Interaction with Other Leave Policies :**

If JM Staffing/Medi-Stat pays another supplemental benefit for leave taken on or after January 1, 2022, that is payable for the reasons listed above and that compensates the employee in an amount equal to or greater than above, JM Staffing/Medi-Stat may count it toward meeting the leave under this policy. As mentioned above, this will not include any leave to which employees are entitled under the state's paid sick leave law (see the *Paid Sick Leave (California Employees)* policy).

JM Staffing/Medi-Stat will not require an employee to use other paid or unpaid leave prior to or in lieu of using COVID-19 supplemental paid sick leave.

**Retaliation Prohibited:**

JM Staffing/Medi-Stat will not take adverse action against an employee for exercising their rights under the law.

If you have questions about this policy, contact your supervisor or the HR Manager.

**5.25 Paid Time Off (PTO)**

Paid Time Off (PTO) is an all-purpose time off policy for eligible employees to use for vacation, illness, injury, or personal business. PTO combines traditional vacation and sick leave plans into one flexible, inclusive policy. PTO is payable in the same manner as the regular salary and is subject to the same withholding elections.

Employees in the following employment classification(s) are eligible to earn and use PTO as described in this policy: Full-time and part-time employees

Upon entering an eligible employment classification, employees will begin to earn PTO according to the following schedule:

After 1 year(s) of service employees are eligible for 24 PTO Days.

Unless JM Staffing/Medi-Stat is required by state or local law to carry over unused PTO to the following year, employees must use their earned time prior to December 31 of the calendar year; otherwise the time will be forfeited. For details on carryover or other provisions of this policy, contact HR Manager.

Paid time off is paid at your base pay rate at the time of the absence. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differential.

Employees with an unexpected need (i.e. sudden illness or emergency) to request PTO should notify their direct supervisor as early as possible. Employees must also contact their direct supervisor on each additional day of absence.

Work-related accidents and illness are covered by Workers' Compensation Insurance, pursuant to the requirements of the laws in the state(s) in which JM Staffing/Medi-Stat operates. The PTO policy outlined above does not apply to those illnesses or injuries that are covered by an applicable Workers' Compensation policy.

#### **5.26 Paid Time Off Policy Supplement (California Employees)**

Paid time off provided by JM Staffing/Medi-Stat will accrue at the rate established within our Paid Time Off (PTO) policy. All employees are encouraged to use their available PTO each year. However, in the event an employee does not use their accrued PTO, the time will not be forfeited and will be carried over from year to year.

Employees can earn up to two times their annual rate of PTO before a cap will be placed on the accrual of additional time off. Once this cap is reached, employees must use a portion of their accrued PTO before they can continue to accrue additional time off.

Upon termination of employment, JM Staffing/Medi-Stat will pay employees their earned and unused paid time off at his or her final rate of pay.

Questions surrounding paid time off with the Agency should be directed to the HR Manager.

# 6. Employee Conduct

## 6.1 Standards of Conduct

JM Staffing/Medi-Stat's rules and standards of conduct are essential to a productive work environment. As such, employees must familiarize themselves with, and be prepared to follow, the Agency's rules and standards.

While not intended to be an all-inclusive list, the examples below represent behavior that is considered unacceptable in the workplace. Behaviors such as these, as well as other forms of misconduct, may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal/possession of property
- Falsification of timekeeping records
- Possession, distribution, sale, transfer, manufacture or use of alcohol or illegal drugs in the workplace
- Fighting or threatening violence in the workplace
- Making maliciously false statements about co-workers
- Threatening, intimidating, coercing, or otherwise interfering with the job performance of fellow employees or visitors
- Negligence or improper conduct leading to damage of company-owned or customer-owned property
- Violation of safety or health rules
- Smoking in the workplace
- Sexual or other unlawful or unwelcome harassment
- Excessive absenteeism
- Unauthorized use of telephones, computers, or other company-owned equipment on working time. Working time does *not* include break periods, meal times, or other specified periods during the workday when employees are not engaged in performing their work tasks.
- Unauthorized disclosure of any "business secrets" or other confidential or non-public proprietary information relating to the Agency's products, services, customers or processes. *Wages and other conditions of employment are not considered to be confidential information.*

This policy is not intended to restrict an employee's right to discuss, or act together to improve, wages, benefits and working conditions with co-workers or in any way

restrict employees' rights under the National Labor Relations Act.

Other forms of misconduct not listed above may also result in disciplinary action, up to and including termination of employment. If you have questions regarding JM Staffing/Medi-Stat's standards of conduct, please direct them to your supervisor or the HR Manager.

## **6.2 Disciplinary Action**

Disciplinary action at JM Staffing/Medi-Stat is intended to fairly and impartially correct behavior and performance problems early on and to prevent reoccurrence.

Disciplinary action may involve any of the following: verbal warning, written warning, suspension with or without pay, and termination of employment, depending on the severity of the problem and the frequency of occurrence. JM Staffing/Medi-Stat reserves the right to administer disciplinary action at its discretion and based upon the circumstances.

JM Staffing/Medi-Stat recognizes that certain types of employee behavior are serious enough to justify termination of employment, without observing other disciplinary action first.

These violations include but are not limited to:

- Workplace violence
- Harassment
- Theft of any kind
- Insubordinate behavior
- Vandalism or destruction of company property
- Presence on company property during non-business hours
- Use of company equipment and/or company vehicles without prior authorization
- Indiscretion regarding personal work history, skills, or training
- Divulging JM Staffing/Medi-Stat business practices or any other confidential information
- Any misrepresentation of JM Staffing/Medi-Stat to a customer, a prospective customer, the general public, or an employee

### **6.3 Confidentiality**

JM Staffing/Medi-Stat takes the protection of Confidential Information very seriously. “Confidential Information” includes, but is not limited to, computer processes, computer programs and codes, customer lists, customer preferences, customers’ personal information, company financial data, marketing strategies, proprietary production processes, research and development strategies, pricing information, business and marketing plans, vendor information, software, databases, and information concerning the creation, acquisition or disposition of products and services.

Confidential Information also includes the Agency’s intellectual property and information that is not otherwise public. Intellectual property includes, but is not limited to, trade secrets, ideas, discoveries, writings, trademarks, and inventions developed through the course of your employment with JM Staffing/Medi-Stat and as a direct result of your job responsibilities with JM Staffing/Medi-Stat. *Wages and other conditions of employment are not considered to be Confidential Information.*

To protect such information, employees may not disclose any confidential or non-public proprietary information about the Agency to any unauthorized individual. If you receive a request for Confidential Information, you should immediately refer the request to your supervisor.

The unauthorized disclosure of Confidential Information belonging to the Agency, and not otherwise available to persons or companies outside of JM Staffing/Medi-Stat, may result in disciplinary action, up to and including termination of employment. If you leave the Agency, you may not disclose or misuse any Confidential Information.

This policy is not intended to restrict an employee’s right to discuss, or act together to improve, wages, benefits and working conditions with co-workers or in any way restrict employees’ rights under the National Labor Relations Act.

Questions regarding this policy should be directed to the HR Manager.

### **6.4 Personal Appearance**

The purpose of JM Staffing/Medi-Stat's personal appearance policy is to ensure a safe and sanitary workplace for all employees. JM Staffing/Medi-Stat strives to maintain a professional working environment that promotes efficiency, positive employee morale and promotes a professional image. During business hours or when representing JM Staffing/Medi-Stat, employees are expected to use common sense and good judgment in order to meet the goals of this policy.

Generally, employees should wear appropriate clothing, observe high standards of personal hygiene, and dress and groom themselves according to the requirements of their positions. While not intended to be an all-inclusive list, the examples below are considered appropriate workplace attire:

- Slacks
- Blouses
- Button-down shirts
- Suit and tie
- Khaki pants
- Polo shirts

If management designates "casual days," an employee's casual dress must still be clean, neat and project a professional image.

Generally, employees should maintain a clean and neat appearance and should refrain from wearing stained, wrinkled, frayed, or revealing clothing to the workplace. Employees are urged to use their discretion when determining what is appropriate to wear to work. Employees who wear inappropriate attire to work may be sent home to change their clothing.

JM Staffing/Medi-Stat understands that in certain situations, the Agency may need to make exceptions to this policy based on an employee's religion, disability, or other characteristic protected under federal, state or local law. In accordance with all applicable laws, the Agency will make every effort to provide reasonable accommodation as necessary unless doing so would cause an undue hardship on JM Staffing/Medi-Stat.

Questions regarding appropriate workplace attire should be directed to your supervisor or the HR Manager.

## **6.5 Workplace Violence**

JM Staffing/Medi-Stat strictly prohibits workplace violence, including any act of intimidation, threat, harassment, physical violence, verbal abuse, aggression or coercion against a coworker, vendor, customer, or visitor.

Prohibited actions, include, but are not limited to the following examples:

- Physically injuring another person
- Threatening to injure another person
- Engaging in behavior that subjects another person to emotional distress
- Using obscene, abusive or threatening language or gestures
- Bringing an unauthorized firearm or other weapon onto company property
- Threatening to use or using a weapon while on company premises, on company-related business, or during job-related functions
- Intentionally damaging property

All threats or acts of violence should be reported immediately to your supervisor or security personnel. Employees should warn their supervisors or security personnel of any suspicious workplace activity that they observe or that appears problematic. Employee reports made pursuant to this policy will be investigated promptly and will be kept confidential to the maximum extent possible. JM Staffing/Medi-Stat will not tolerate any form of retaliation against any employee for making a report under this policy.

JM Staffing/Medi-Stat will take prompt remedial action, up to and including immediate termination, against any employee found to have engaged in threatening behavior or acts of violence.

## **6.6 Drug & Alcohol Use**

JM Staffing/Medi-Stat is committed to maintaining a workplace free of substance abuse. No employee or individual who performs work for JM Staffing/Medi-Stat is allowed to consume, possess, sell, purchase, or be impaired by alcohol or illegal drugs, as defined under federal and/or state law, on any property owned by or leased on behalf of JM Staffing/Medi-Stat, or in any vehicle owned or leased on behalf of JM Staffing/Medi-Stat or while on Agency business.

The use of over-the-counter drugs and legally prescribed drugs is permitted as long

as they are used in the manner for which they were prescribed and provided that such use does not hinder an employee's ability to safely perform their job. Employees should inform their supervisor if they believe their medication will impair their job performance, safety or the safety of others, or if they believe they need a reasonable accommodation when using such medication.

JM Staffing/Medi-Stat will not tolerate employees who report for duty while impaired by the use of alcohol or drugs. All employees should report evidence of alcohol or drug abuse to their supervisor or the HR Manager immediately. In cases in which the use of alcohol or drugs creates an imminent threat to the safety of persons or property, employees are required to report the violation. Failure to do so may result in disciplinary action, up to and including termination of employment.

As a part of our effort to maintain a workplace free of substance abuse, JM Staffing/Medi-Stat employees may be asked to submit to a medical examination and/or clinical testing for the presence of alcohol and/or drugs. Within the limits of federal, state, and local laws, JM Staffing/Medi-Stat reserves the right to examine and test for drugs and alcohol at our discretion.

As a condition of your employment with JM Staffing/Medi-Stat, employees must comply with this Drug & Alcohol Use Policy. Be advised that no part of the Drug & Alcohol Use Policy shall be construed to alter or amend the at-will employment relationship between JM Staffing/Medi-Stat and its employees.

Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

## **6.7 Sexual & Other Unlawful Harassment**

JM Staffing/Medi-Stat is committed to a work environment in which all individuals are treated with respect. JM Staffing/Medi-Stat expressly prohibits discrimination and all forms of employee harassment based on race, color, religion, sex, pregnancy, national origin, age, disability, military or veteran status, or status in any group protected by state or local law.

Sexual harassment is a form of discrimination and is prohibited by law. For purposes of this policy sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a

sexual nature when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment. Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

Sexual and unlawful harassment may include a range of behaviors and may involve individuals of the same or different gender. These behaviors include, but are not limited to:

- Unwanted sexual advances or requests for sexual favors.
- Sexual or derogatory jokes, comments, or innuendo
- Unwelcomed physical interaction
- Insulting or obscene comments or gestures
- Offensive email, voicemail, or text messages
- Suggestive or sexually explicit posters, calendars, photographs, graffiti, or cartoons
- Making or threatening reprisals after a negative response to sexual advances
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters
- Verbal sexual advances or propositions
- Physical conduct that includes touching, assaulting, or impeding or blocking movements
- Abusive or malicious conduct that a reasonable person would find hostile, offensive, and unrelated to the Agency's legitimate business interests
- Any other visual, verbal, or physical conduct or behavior deemed inappropriate by the Agency

Harassment on the basis of any other protected characteristic is also strictly prohibited.

### **Complaint Procedure:**

JM Staffing/Medi-Stat strongly encourages the reporting of all instances of

discrimination, harassment, or retaliation. If you believe you have experienced or witnessed harassment or discrimination based on sex, race, national origin, disability, or another factor, promptly report the incident to your supervisor. If you believe it would be inappropriate to discuss the matter with your supervisor, you may bypass your supervisor and report it directly to:

Human Resources

hr@jmstaffing.com

909-599-1494

Any reported allegations of harassment or discrimination will be investigated promptly, thoroughly, and impartially.

Any employee found to be engaged in any form of sexual or other unlawful harassment may be subject to disciplinary action, up to and including termination of employment.

#### **Retaliation Prohibited:**

JM Staffing/Medi-Stat expressly prohibits retaliation against any individual who reports discrimination or harassment, or assists in investigating such charges. Any form of retaliation is considered a direct violation of this policy and, like discrimination or harassment itself, will be subject to disciplinary action, up to and including termination of employment.

### **6.8 Sexual and Other Unlawful Harassment (California Employees)**

JM Staffing/Medi-Stat is committed to a work environment in which all individuals are treated with respect. JM Staffing/Medi-Stat expressly prohibits discrimination and all forms of harassment against employees, interns, contractors and volunteers.

The California Fair Employment and Housing Act (FEHA) defines sexual harassment as harassment based on sex or of a sexual nature; gender harassment; and harassment based on pregnancy, childbirth, or related medical conditions. Harassment on the basis of any other protected characteristic, including sex, race, national origin, color, ancestry, age, disability, religion, military status, veteran status, genetic information, medical condition, marital status, gender,

gender identity, gender expression, sexual orientation, or any other characteristic protected by law is also strictly prohibited.

The law prohibits sexual harassment by coworkers, supervisors and managers, and non-employees, (such as vendors and customers), whether the person is the same or a different gender as the harasser. The definition of sexual harassment includes many forms of offensive behavior, including harassment of a person of the same gender as the harasser and harassment of a Agency employee by a non-employee. These behaviors include, but are not limited to:

- Unwanted sexual advances
- Offering employment benefits in exchange for sexual favors
- Actual or threatened retaliation
- Leering; making sexual gestures; or displaying sexually suggestive objects, pictures, cartoons, or posters
- Making or using derogatory comments, epithets, slurs, or jokes, including racial, ethnic or religious jokes, slurs or remarks
- Sexual comments including graphic comments about an individual's body; sexually degrading words used to describe an individual; or suggestive, discriminatory or obscene letters, notes, or invitations, including sending harassing emails or text messages and messages on social media
- Physical harassment including touching or assault, as well as impeding or blocking movements

### **Complaint Procedure:**

JM Staffing/Medi-Stat strongly encourages the reporting of all instances of discrimination, harassment, or retaliation. Promptly report the incident to your supervisor if you believe you have experienced or witnessed harassment or discrimination based on any characteristic protected by law. Supervisors are instructed to promptly report any complaints of misconduct to the HR Manager.

If you believe it would be inappropriate to discuss the matter with your supervisor, you may bypass your supervisor, contact the HR Manager, or report the matter directly to:

Human Resources  
909-599-1494  
hr@jmstaffing.com

Any reported allegations of harassment or discrimination will be investigated

promptly, thoroughly, and impartially, providing all parties due process.

The Agency will keep the investigation confidential but only to the extent possible to conduct an impartial and thorough investigation. The Agency will document and track the investigation to ensure reasonable progress, and will provide appropriate resolution at the conclusion of the investigation. Any employee found to be engaged in any form of sexual or other unlawful harassment may be subject to disciplinary action, up to and including termination of employment.

### **Filing a Complaint with the Department of Fair Employment and Housing (DFEH):**

Employees who believe that they have been sexually harassed may also file a complaint of discrimination with DFEH within one year of the harassment. DFEH is part of the State of California and serves as a neutral fact-finder, attempting to help parties resolve such disputes.

If DFEH finds sufficient evidence to establish that discrimination occurred and settlement efforts fail, DFEH may file a formal accusation. This will lead to either a public hearing or a lawsuit filed by DFEH on behalf of the complainant. If DFEH finds that harassment has occurred, it may order certain remedies to the complainant. For more information see DFEH-159 "Guide for Complainants and Respondents".

Contact DFEH toll free at (800) 884-1684, TTY (800) 700-2320 or visit their website at [www.dfeh.ca.gov](http://www.dfeh.ca.gov).

### **Retaliation Prohibited:**

JM Staffing/Medi-Stat expressly prohibits retaliation against any individual who reports discrimination or harassment, or participates in an investigation of such charges. Any form of retaliation is considered a direct violation of this policy and, like discrimination or harassment itself, will be subject to disciplinary action, up to and including termination of employment.

Any questions or concerns regarding this policy can be directed to the HR Manager.

## **6.9 Telephone Usage**

JM Staffing/Medi-Stat telephones are intended for the sole use of conducting company business. Personal use of the Agency's telephones and individually owned cell phones during business hours should be kept to a minimum or for emergency purposes only. We ask that personal calls only be made or received outside of working hours, including during lunch or break time. Long distance phone calls which are not strictly business-related are expressly prohibited.

Any employee found in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

## **6.10 Personal Property**

Employees should use their discretion when bringing personal property into the workplace. JM Staffing/Medi-Stat assumes no risk for any loss or damage to personal property.

Additionally, employees may not possess or display any property that may be viewed as inappropriate or offensive on JM Staffing/Medi-Stat premises.

## **6.11 Use of Company Property**

Company property refers to anything owned by the company: physical, electronic, intellectual, or otherwise. The use of company property is for business necessity only.

When materials or equipment are assigned to an employee for business, it is the employee's responsibility to see that the equipment is used properly and cared for properly. However, at all times, equipment assigned to the employee remains the property of the Agency, and is subject to reassignment and/or use by the Agency without prior notice or approval of the employee. This includes, but is not limited to, computer equipment and data stored thereon, voicemail, records, and employee files.

JM Staffing/Medi-Stat has created specific guidelines regarding the use of company equipment. Below is a list of employee responsibilities and limitations with regards to company property.

### **Personal use of company property:**

Company property is not permitted to be taken from the premises without proper written authority from company management.

### **Company Tools:**

All necessary tools are furnished to employees in order to assist them in their required duties. Each employee is, in turn, responsible for these tools. Tools damaged or stolen as a result of an employee's negligence will, to the extent permitted by federal, state and local law, be charged to the employee.

### **Care of Company Property:**

Office areas should be kept neat and orderly and all equipment should be well-maintained. The theft, misappropriation, or unauthorized removal, possession, or use of company property or equipment is expressly prohibited.

Any action in contradiction to the guidelines set herein may result in disciplinary action, up to and including termination of employment.

## **6.12 Smoking**

JM Staffing/Medi-Stat provides a smoke-free environment for its employees, customers, and visitors. Smoking, including the use of e-cigarettes and vaporizers, is prohibited throughout the workplace. We have adopted this policy because we have a sincere interest in the health of our employees and in maintaining pleasant working conditions.

## **6.13 Visitors in the Workplace**

To ensure the safety and security of JM Staffing/Medi-Stat and its employees, only authorized visitors are permitted on Agency premises and in Agency facilities.

All visitors must enter through the main reception area and sign in and out at the front desk. All visitors are also required to wear a "visitor" badge while on JM Staffing/Medi-Stat premises. Authorized visitors will be escorted to their destination and must be accompanied by a representative of the Agency at all times.

#### **6.14 Computer, Email & Internet Usage**

Computers, email, and the Internet allow JM Staffing/Medi-Stat employees to be more productive. However, it is important that all employees use good business judgment when using JM Staffing/Medi-Stat's electronic communications systems (ECS).

##### **Standards of Conduct and ECS**

JM Staffing/Medi-Stat strives to maintain a workplace free of discrimination and harassment. Therefore, JM Staffing/Medi-Stat prohibits the use of the Agency's ECS for bullying, harassing, discriminating, or engaging in other unlawful misconduct, in violation of the Agency's policy against discrimination and harassment.

##### **Copyright and other Intellectual Property**

Respect all copyright and other intellectual property laws. For the Agency's protection as well as your own, it is critical that you show proper respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks and other intellectual property, including the Agency's own copyrights, trademarks and brands. Employees are also responsible for ensuring that, when sending any material over the Internet, they have the appropriate distribution rights.

JM Staffing/Medi-Stat purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, JM Staffing/Medi-Stat does not have the right to reproduce such software for use on more than one computer. Employees may only use software according to the software license agreement. JM Staffing/Medi-Stat prohibits the illegal duplication of software and its related documentation.

##### **ECS Guidelines**

The following behaviors are examples of previously stated or additional actions and activities under this policy that are prohibited:

- Sending or posting discriminatory, harassing, or threatening messages or images about coworkers, supervisors or the Agency that violate the Agency's policy against discrimination and harassment.
- Stealing, using, or disclosing someone else's code or password without authorization.
- Pirating or downloading Agency-owned software without permission.
- Sending or posting the Agency's confidential material, trade secrets, or non-public proprietary information outside of the Agency. *Wages and other conditions of employment are not considered confidential material.*
- Violating copyright laws and failing to observe licensing agreements.
- Participating in the viewing or exchange of pornography or obscene materials.
- Sending or posting messages that threaten, intimidate, coerce, or otherwise interfere with the job performance of fellow employees.
- Attempting to break into the computer system of another organization or person.
- Refusing to cooperate with a security investigation.
- Using the Internet for gambling or any illegal activities.
- Sending or posting messages that disparage another organization's products or services.
- Passing off personal views as representing those of JM Staffing/Medi-Stat.

### **Privacy and Monitoring**

Computer hardware, software, email, Internet connections, and all other computer, data storage or ECS provided by JM Staffing/Medi-Stat are the property of JM Staffing/Medi-Stat. Employees have no right of personal privacy when using JM Staffing/Medi-Stat's ECS. To ensure productivity of employees, compliance with this policy and with all applicable laws, including harassment and anti-discrimination laws, computer, email and Internet usage may be monitored.

This policy is not intended to restrict an employee's right to discuss, or act together to improve, wages, benefits and working conditions with co-workers or in any way restrict employees' rights under the National Labor Relations Act.

Violations of this policy may result in disciplinary action, up to and including termination of employment. Questions or concerns related this policy should be

directed to your supervisor or the HR Manager.

### **6.15 Company Supplies**

Only authorized persons may purchase supplies in the name of JM Staffing/Medi-Stat. No employee whose regular duties do not include purchasing shall incur any expense on behalf of JM Staffing/Medi-Stat or bind JM Staffing/Medi-Stat by any promise or representation without express written approval.

# 7. Timekeeping & Payroll

## 7.1 Attendance & Punctuality

Absenteeism and tardiness place an undue burden on other employees and on the Agency. JM Staffing/Medi-Stat expects regular attendance and punctuality from all employees. This means being in the workplace, ready to work, at your scheduled start time each day and completing your entire shift. Employees are also expected to return from scheduled meal and break periods on time.

All time off must be requested in writing, in advance, as outlined in the Agency's Paid Time Off (PTO) policy. If an employee is unexpectedly unable to report for work for any reason, he or she must directly notify their supervisor as early as possible, and preferably prior to their scheduled starting time. It is not acceptable to leave a voicemail message with a supervisor, except in extreme emergencies. In cases that warrant leaving a voicemail message or when an employee's direct supervisor is unavailable, a follow-up call must be made later that day.

If an illness or emergency occurs during work hours, employees should notify their supervisor as soon as possible.

Employees, who are going to be absent for more than one day, should contact their supervisor on each day of their absence. JM Staffing/Medi-Stat reserves the right to ask for a physician's statement in the event of a long-term illness (three consecutive days), or multiple illnesses or injuries.

If an employee fails to notify their supervisor after three consecutive days of absence, JM Staffing/Medi-Stat will presume that the employee has voluntarily resigned. JM Staffing/Medi-Stat will review any extenuating circumstances that may have prevented him or her from calling in before the employee is removed from payroll.

Should undue or recurrent absence and tardiness become apparent, the employee will be subject to disciplinary action, up to and including termination of employment.

This policy is not intended to restrict an employee's right to discuss, or act together to improve, wages, benefits and working conditions with co-workers or in any way restrict employees' rights under the National Labor Relations Act.

## **7.2 Timekeeping**

It is the Agency's policy to comply with applicable laws that require records to be maintained of the hours worked by our employees. Every employee is responsible for accurately recording time worked.

In addition to recording arrival and departure time, non-exempt employees are required to accurately record the start and end of each meal period as well as any departure for non-work related reasons. Any errors in time records, must be immediately reported to your supervisor.

Absent prior authorization, non-exempt employees are not permitted to start work until their scheduled starting time or work past their scheduled ending time.

JM Staffing/Medi-Stat strictly prohibits non-exempt employees from working off the clock for any reason. All time spent working must be logged and accounted for; this includes time spent using electronic devices for work-related purposes.

Vacation days, sick days, holidays, and absences for jury duty, funeral leave or military training must be specifically recorded by all employees.

It is the responsibility of all employees to submit and approve their time records each week.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action up to and including termination of employment.

## **7.3 Paydays**

JM Staffing/Medi-Stat employees are paid on a Weekly basis. In the event that a regularly scheduled payday falls on a holiday, employees will be paid on the day preceding the holiday, unless otherwise required by state law.

Paychecks will not, under any circumstances, be given to any person other than the employee without written authorization. Paychecks may also be mailed to the employee's listed address or, upon advance written authorization, deposited directly into an employee's bank account. Employees who elect payment through direct deposit will receive an itemized statement of wages when the Agency makes direct

deposits.

In the event of employee termination, the employee will receive their accrued pay in accordance with applicable federal, state and local laws.

#### **7.4 Payroll Deductions**

JM Staffing/Medi-Stat makes deductions from employee pay only in circumstances permitted by applicable law. This includes, but is not limited to, mandatory deductions for income tax withholding and Social Security and Medicare contributions as well as voluntary deductions for health insurance premiums and other related contributions.

If you believe that an improper deduction has been made from your pay, raise the issue with the HR Manager immediately. JM Staffing/Medi-Stat will promptly investigate. If the investigation reveals that you were subjected to an improper deduction from pay, you will be reimbursed promptly.

#### **7.5 Overtime (California Employees)**

The nature of our business sometimes requires employees to work overtime. Supervisors will notify employees when overtime is required. Employees are not permitted to work overtime without prior authorization from their supervisor.

Non-exempt employees will be paid overtime in accordance with state and federal overtime requirements as follows:

- One and one-half times (1.5) the regular rate of pay for all hours worked in excess of eight (8) hours in any workday;
- One and one-half times (1.5) the regular rate of pay for all hours worked in excess of 40 hours in the same workweek;\*
- Two times the regular rate of pay (or double time) for all hours worked in excess of twelve (12) in any workday;
- One and one-half times (1.5) the regular rate of pay for the first eight (8) hours on the seventh consecutive day in the same workweek;\*
- Two times the regular rate of pay (or double time) for all hours worked in

excess of eight (8) on the seventh consecutive day in the same workweek.\*

There may be exceptions to these standards where allowed by law. Employees are encouraged to speak with their supervisor or the HR Manager for more information.

Please be reminded employees are not permitted to work overtime unless it has been authorized in advance by their supervisor.

Employees are generally entitled to a day of rest after working six consecutive days in the same workweek, unless their work hours never exceed 30 in any workweek or six on any day of the workweek. Employees aren't encouraged to forgo their day of rest, but they may voluntarily choose to do so. Before foregoing a day of rest, notify the HR Manager in writing. If the nature of the job requires an employee to work seven or more consecutive days, the employee will receive, in each calendar month, the equivalent of one day's rest in seven.

\* The workweek is defined as any seven consecutive days, starting with the same calendar day each week, as determined by JM Staffing/Medi-Stat. For more information, employees are encouraged to speak with their supervisor or the HR Manager.