

# IntelyPro Employee Handbook 2025

Neither this Handbook nor any other Company guidelines, policies or practices create an employment contract or agreement or confers any contractual rights whatsoever. Employment with the Company is at-will and may be terminated at any time with or without cause or notice by the employee or the Company. The Company is not bound to follow any policy, procedure, or process in connection with employee discipline, employment termination, or otherwise. No representative of the Company is authorized to provide any employee or employees 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 CEO.

IntelyPros receive and acknowledge the IntelyPro ***Terms of Service*** <https://www.intelycare.com/terms-of-service/> which references this handbook, state amendments and the Clinical Employee Orientation & Training Handbook, which guides expectations, practice and standards of conduct.

IntelyCare's corporate office is located in Quincy, Massachusetts and to reach our contact center, you can call 844-683-5922, 617-971-8344 with support available 24 X 7 or by email to: [Careteam@IntelyCare.com](mailto:Careteam@IntelyCare.com).

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## Handbook Overview

IntelyCare, Inc. (“us,” “we,” “IntelyCare” or the “Company”) is the most comprehensive healthcare talent platform where care settings of every kind promote their unique value and type of work to the largest community of quality nurses looking for opportunities that better fit their lives.

With leading technology driven on-demand nursing, IntelyCare simplifies the staffing & scheduling process to match qualified Nursing Professionals (“IntelyPros”) with shifts at post-acute, long-term care, home health, skilled nursing healthcare facilities, and acute care facilities.

IntelyCare believes its most important asset is its employees. That’s why our IntelyPros get the pay, freedom, and flexibility – all from one smart and easy-to-use mobile app and platform. We strive to provide a work culture which is open and friendly, where honesty, mutual respect, teamwork, and high standards are valued, and where professional growth is encouraged and supported. We believe this allows us to attract and retain quality employees who can contribute to the continued growth and success of the Company.

This handbook, along with state references, (collectively the “Handbook”), describes policies and procedures which apply to your employment as a skilled nurse at IntelyCare.

The information will help you, our IntelyPros, understand the Company’s position on a number of employment-related matters and expectations, specific to our IntelyPro team members.

This Handbook replaces and supersedes any prior Company handbooks, manuals, and policies, written or verbal. Please note that the information contained in the Handbook is general in nature and is intended only as guidance to employees. It is not intended to be an exhaustive compilation of all Company policies, nor is it intended to establish mandatory procedures in any instance. IntelyCare may modify any of its benefits, policies, or procedures, including the information contained in this Handbook, at any time without notice, unless otherwise restricted by applicable law.

Additionally, many matters covered by this Handbook, such as employee benefits, are also described in separate documents, including summary plan descriptions which will prevail over any statement in this Handbook.

### **AN IMPORTANT NOTE ABOUT STATE LAW**

AS STATE LAWS DIFFER, THIS EMPLOYEE HANDBOOK INCLUDES STATE INFORMATION THAT MAY BE APPLICABLE AT THE TIME OF PUBLICATION; WHERE POSSIBLE, ADDITIONAL INFORMATION IS PROVIDED. ANY CONFLICT BETWEEN THIS EMPLOYEE HANDBOOK AND AN APPLICABLE STATE GUIDELINES, THE STATE GUIDELINES WILL CONTROL.

# INTELYCARE INTELYPRO (PER DIEM) HANDBOOK

**Effective January 2025**

This IntelyPro (per diem) Handbook supersedes all prior IntelyPro (per diem) Handbooks. All prior IntelyPro (per diem) Handbooks are **revoked** and replaced with this Handbook.

## **IMPORTANT NOTICE – DISCLAIMER**

**THIS INTELYPRO (PER DIEM) HANDBOOK IS A GUIDE TO THE GENERAL EMPLOYMENT PROCEDURES AND POLICIES OF INTELYCARE (THE “COMPANY”). IN SOME STATES, THIS INTELYPRO (PER DIEM) HANDBOOK MAY BE ACCOMPANIED BY A STATE SUPPLEMENT, WHICH INCLUDES POLICIES DIFFERENT FROM THOSE IN THIS INTELYPRO (PER DIEM) HANDBOOK. IN THE EVENT OF ANY CONFLICT BETWEEN THIS INTELYPRO (PER DIEM) HANDBOOK AND AN APPLICABLE STATE SUPPLEMENT, THE STATE SUPPLEMENT WILL CONTROL. THIS INTELYPRO (PER DIEM) HANDBOOK AND ANY APPLICABLE STATE SUPPLEMENT ARE REFERRED TO COLLECTIVELY AS “HANDBOOK” (I.E., “THE HANDBOOK” OR “THIS HANDBOOK”).**

**THIS HANDBOOK IS FOR INFORMATIONAL PURPOSES ONLY, AND IS NOT A CONTRACT OF EMPLOYMENT. ANY COMPANY PROCEDURE OR POLICY, INCLUDING ANY POLICY, PROCEDURE, OR PROVISION IN OR REFERRED TO IN THIS HANDBOOK, MAY BE MODIFIED, AMENDED, OR DELETED BY THE COMPANY AT ANY TIME, WITH OR WITHOUT CAUSE, AND WITH OR WITHOUT NOTICE, EXCEPT FOR THE AGREEMENT TO ARBITRATE.**

**THIS HANDBOOK DOES NOT AND IS NOT INTENDED TO ADDRESS EVERY POSSIBLE EMPLOYER/EMPLOYEE SITUATION. THE COMPANY RESERVES THE RIGHT TO TAKE ACTION OR MAKE A DECISION WHICH IS INCONSISTENT WITH THE PROVISIONS OF THIS HANDBOOK TO ADDRESS UNIQUE SITUATIONS, ON A CASE-BY-CASE BASIS, IN THE COMPANY’S SOLE DISCRETION.**

**THIS HANDBOOK DOES NOT IN ANY WAY ALTER THE EMPLOYMENT STATUS OF EMPLOYEE, WHICH IS “AT-WILL.” THIS MEANS THAT EITHER THE EMPLOYEE OR THE COMPANY CAN TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY OR NO REASON, WITH OR WITHOUT CAUSE, AND WITH OR WITHOUT NOTICE. NO CONTRARY STATEMENT BY ANY COMPANY EMPLOYEE, CONTACT CENTER, OR AGENT SHALL HAVE ANY FORCE OR EFFECT, UNLESS**

**IT IS IN WRITING, STATES THAT IT IS A “CONTRACT OF EMPLOYMENT,” AND IS  
SIGNED BY THE VICE PRESIDENT, PEOPLE AND CULTURE OF THE COMPANY.**

## **I. SECTION 1: INTELYCARE, OUR COMPANY**

### **A. Welcome to IntelyCare – Our Vision, Mission and Values**

Welcome to IntelyCare, the per diem nursing team ranked #1 for quality!

Our goal is to be the most trusted, loved brand in the healthcare talent marketplace and the company people depend on to support the highest quality of care.

At IntelyCare, we know that you don't just want any job; you want the right job. When you work with us, you get to create the nursing situation that fulfills both your career goals and your lifestyle needs.

Join us on our mission to nurture a thriving healthcare system where everyone is fulfilled and motivated to provide the highest level of care. **Together, we thrive and can deliver on our vision to elevate care for all!**

## **OUR VALUES**

Every day at IntelyCare, we live by our core values:

### **Be Driven By Wonder**

We think curiosity leads to breakthroughs. Being truly disruptive requires questioning the status quo and finding a better way. We ask, "what if?" and see where it leads us.

### **Take Big Swings**

We don't fear risk, we thrive on it. In the process of our tenacious efforts, mistakes will be made. But we learn from them and use them as steppingstones to success.

### **Carry Forward Care**

We believe in a culture of caring. We care about what we do, including care for our partner healthcare organizations and ultimately, patient care.

### **Together We Thrive**

We believe that we succeed as one team, working together with a humble tenacity to make the impossible possible. There is no room for outsized egos and a "it's not my job" mentality.

## HOW WE GOT HERE

Founded in 2015, IntelyCare emerged from the experiences of nurses and administrators who helped solve the struggles of a shortage of nursing staff. With a vision to transform healthcare staffing through technology, David Coppins and Prince Nnah launched IntelyCare in 2016 to help overcome the nation's healthcare labor crisis and elevate care for all.

## DIFFERENTIATING INTELYCARE

### Discover Nursing on Nurses' Terms

With access to the right resources and the proven support nurses need, IntelyCare can ignite your nursing career and set you up to deliver the highest standard of care.

### Access to All the Jobs

With a vast network of facilities and per diem, block booking, and contract scheduling, you can find the shifts that fit your life and work them as often as you'd like.

### Everything You Need to Succeed

With onboarding, credentialing, training, and on-demand access to free continuing education, IntelyCare puts you in position to deliver exceptional care and grow your career, while accepting shifts as an IntelyPro.

As a W2 company, we handle and provide the ease for ensuring required tax withholdings are made, offer employer-sponsored benefits and provide worker's compensation and malpractice insurance.

Our goal is to create an environment whereby IntelyCare is the place for you to select shifts that fit your personal needs. To maintain your account as active, you are required **to accept and complete at least one shift per year.**

# INTELYCARE INTELYPRO (PER DIEM) HANDBOOK

## **II. Equal Employment Practices**

### **A. Equal Employment Opportunity**

The Company is committed to Equal Employment Opportunity (“EEO”) and compliance with all applicable laws prohibiting workplace discrimination, harassment, and retaliation. The Company strictly prohibits all discrimination on the basis of race, ancestry, color, age, national origin, ethnicity, religious creed or belief, physical or mental disability, marital or familial status, legally protected medical condition, genetic information, military or veteran status, sex (including pregnancy, childbirth, breastfeeding, or related medical condition, and reproductive choices), gender (including gender identity and gender expression), sexual orientation, citizenship status, protected activity (such as opposition to or reporting of prohibited discrimination or harassment), and any other status or classification protected by applicable law.

The Company’s commitment to EEO applies to IntelyPros and to applicants. This policy applies to all areas of employment actions, including but not limited to advertising, recruiting, hiring, training, evaluation, promotion, transfer, work assignments, accommodation requests, leave requests, compensation, benefits, disciplinary actions, layoffs, discharges, terminations, participation in company activities, programs, or events, or any other terms, conditions, or privileges of employment.

Individuals with questions regarding this policy or who believe in good faith that they have been subjected to, witnessed, or otherwise learned of conduct prohibited by this policy by anyone, including Contact Center, coworkers, suppliers, vendors, contingent workers, or customers, should immediately follow the Complaint Procedure outlined in this Handbook’s Harassment, Discrimination, and Retaliation Prevention policy. Contact Center must report violations of this policy to People and Culture as soon as they become aware of them.

### **B. Diversity Equity**

The Company is committed to fostering, cultivating, and preserving a culture of diversity, equity, and inclusion. The collective sum of individual backgrounds, life experiences, and capabilities that our IntelyPros bring to their work affirms this culture. The Company embraces the differences that make each of us a unique contributor to the organization – our race, age, ancestry, ethnicity, nationality or national origin, gender, gender identity or expression, sexual orientation, language, family or marital status, physical attributes and abilities, religion or belief, social or economic class, education, work and behavioral styles, political affiliation, military service, and other characteristics. We value the diverse perspectives, experiences, and approaches that make us a stronger, smarter, and more informed Company.



### **C. Harassment, Discrimination, and Retaliation Prevention**

Consistent with applicable law, the Company is committed to maintaining a workplace (whether physical or remote) free from any form of unlawful discrimination, harassment, or retaliation on the basis of any protected category, including race, ancestry, color, age, national origin, ethnicity, religious creed or belief, physical or mental disability, marital or familial status, legally protected medical condition, genetic information, military or veteran status, sex (including pregnancy, childbirth, breastfeeding, or related medical condition, and reproductive choices), gender (including gender identity and gender expression), sexual orientation, citizenship status, protected activity (such as opposition to or reporting of prohibited discrimination or harassment), or any other status or classification protected by applicable law ("Protected Characteristics"). The Company will not tolerate unlawful discrimination or harassment of any kind by or of any IntelyPros or applicants for employment, whether it occurs on Company premises or not.

"Harassment" is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of the individual's Protected Characteristic(s), and that:

- Has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
- Has the purpose or effect of unreasonably interfering with an individual's work performance.
- Otherwise adversely affects an individual's employment opportunities.

Examples of harassing conduct can include, but are not limited to, the following:

1. Use of epithets, slurs, negative stereotyping, or threatening, intimidating, violent, or hostile acts that relate to Protected Characteristic(s).
2. Written or graphic material that denigrates or shows hostility, hatred, or aversion toward an individual or group because of Protected Characteristic(s), (including, for example, in email, social media platforms, and text messages).
3. Verbal or nonverbal innuendoes that relate to or reflect negatively upon someone because of their Protected Characteristic(s).

Similarly, sexual harassment involves:

1. Making as a condition of employment unwelcome sexual advances, requests for sexual favors, or other offensive verbal or physical conduct directed toward an individual because of their sex.
2. Making submission to or rejection of such conduct the basis for employment decisions or job benefits.

3. Creating an intimidating, offensive, or hostile work environment by such conduct.

Conduct which could rise to the level of sexual harassment can include, but is not limited to:

1. Verbal: sexual innuendo, suggestive comments, insults, threats, jokes about gender-specific traits, or sexual propositions.
2. Nonverbal: making suggestive or insulting noises, leering, whistling, or making obscene gestures.
3. Physical: touching, pinching, brushing the body, coercing sexual intercourse, or assault.

Such forms of harassment or retaliation, whether during working time or not, violate this policy and also may constitute unlawful discrimination under various federal, state, and/or local laws, which the Company will not tolerate. Any IntelyPro (per diem) who is found to have engaged in such conduct will be subject to disciplinary action up to and including employment termination.

## **1. Complaint Procedure**

IntelyPros who feel they have suffered any form of unlawful discrimination, harassment, or retaliation should report the alleged conduct to the Contact Center, any other member of management, or to People and Culture immediately. If the complaint concerns the Contact Center, the IntelyPro (per diem) should make the report to People and Culture. Any IntelyPro (per diem) who observes conduct that they believe to be unlawfully harassing, retaliatory, or discriminatory under this policy must report such conduct as outlined above.

Upon receipt of a complaint, the Company will conduct a prompt and thorough investigation. Management will conduct the investigation in such a way as to keep the report confidential to the extent practicable under the circumstances without impeding the investigation. Depending on the circumstances, witnesses may be asked to keep the matter under investigation confidential while the investigation is ongoing. All IntelyPros are expected to cooperate with investigations of complaints. The Company will notify the complaining party, and, as appropriate, the subject of the complaint, of the outcome of the investigation. Any person who is found to have violated this policy, or whose conduct would violate this policy if allowed to continue, will be subject to disciplinary action up to and including employment termination.

## **2. Retaliation Prohibited**

The Company prohibits retaliation or unlawful discrimination against an IntelyPro (per diem) for reporting or complaining about discrimination or harassment or for participating in an investigation of such a complaint or report. Such misconduct will result in disciplinary action up to and including employment termination. Any IntelyPro (per diem) who

knowingly makes a false report of harassment or discrimination or knowingly provides false information in the course of an investigation will be subject to disciplinary action up to and including employment termination.

The Company trusts that all IntelyPros will act in a responsible and professional manner to establish a working environment free of discrimination, harassment, and retaliation.

#### **D. Accommodating Employees with Disabilities**

The Company complies with the Americans with Disabilities Act (ADA) and applicable state and local laws in ensuring equal opportunity and employment for qualified individuals with disabilities.

Qualified individuals needing a reasonable accommodation to perform the essential functions of a job should contact People and Culture. A Contact Center who receives a request for an accommodation is required to promptly notify People and Culture of the request. On receipt of an accommodation request, the Company will engage in an interactive process with the individual to discuss possible reasonable accommodations. The requestor is expected to participate in the interactive process. IntelyPros may be required to provide medical support for the accommodation, as reasonably necessary. The Company will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless (a) doing so causes a direct threat to these individuals or others which cannot be eliminated by reasonable accommodation or (b) the accommodation creates an undue hardship, in accordance with applicable law. All employment decisions are based on the merits of the situation in accordance with applicable job criteria, not an individual's disability.

#### **E. Accommodations Due to Pregnancy, Childbirth, and Related Conditions**

The Company provides accommodations to employees when needed due to limitations related to pregnancy, childbirth, or related medical conditions, provided such accommodations are reasonable and do not pose an undue hardship.

An IntelyPro (per diem) needing reasonable accommodation should inform the Contact Center or People and Culture. On receipt of an accommodation request, the Company will engage in an interactive process with the IntelyPro (per diem) to determine possible reasonable accommodation options consistent with the Pregnant Workers Fairness Act, ADA, and/or state law. People and Culture will facilitate the process, and the IntelyPro (per diem) is expected to participate.

IntelyPros may be required to provide supporting documentation for the accommodation, as reasonably necessary. However, the Company will not require medical documentation for the following accommodation requests:

- Permission to carry water and drink in the work area
- Additional restroom breaks
- Permission to sit in jobs that require standing, and stand in jobs that require sitting

- Breaks as needed to eat and drink
- Accommodations related to lactation

Reasonable accommodations that do not result in an undue hardship on the operation of the Company or a direct threat in accordance with applicable law will be considered for all employees with limitations due to pregnancy, childbirth, or related medical conditions when those limitations affect their ability to perform the essential functions of their job. All employment decisions are based on the merits of the situation in accordance with applicable job criteria.

## **F. Religious Accommodations**

The Company complies with Title VII of the Civil Rights Act of 1964 and applicable state and local laws in prohibiting discrimination based on an IntelyPro (per diem)'s religious beliefs. The Company will provide reasonable accommodations for IntelyPros who request an accommodation based on a sincerely held religious belief unless an accommodation would create an undue hardship or a direct threat in accordance with applicable law. IntelyPros should contact People and Culture to request an accommodation based on sincerely held religious beliefs. The Company will engage in an interactive process with the individual to discuss possible reasonable accommodations. The requestor is expected to participate in the interactive process. IntelyPros may be required to provide supporting documentation for the accommodation on a case-by-case basis, as reasonably necessary. All employment decisions are based on the merits of the situation in accordance with applicable job criteria.

## **G. Immigration Law Compliance**

The Company is committed to compliance with federal and applicable state immigration laws, which require that all individuals complete an employment verification procedure before being permitted to work. As a condition of employment, every individual must complete the Employment Eligibility Verification Form I-9 and present documentation establishing the IntelyPro (per diem)'s identity and legal authorization to work in the United States no later than three business days after the IntelyPro (per diem) is hired. If an IntelyPro (per diem)'s authorization to work in the United States will expire while still employed by the Company, it is the IntelyPro (per diem)'s responsibility to obtain subsequent work authorization and to complete a new I-9 form on or before the expiration of the original work authorization. All fees and costs associated with obtaining such work authorization generally will be the employee's responsibility.

IntelyPros should contact People and Culture with any questions about this policy. IntelyPros may raise questions or complaints about immigration law compliance without fear of retaliation.

### **III. General**

#### **A. Open Door**

The Company believes that all IntelyPros should be able to discuss situations or problems that may impact their work. To accomplish that goal, the Company subscribes to the idea that any IntelyPro (per diem) should be able to walk into the office of any member of management, and discuss an issue without fear of retribution. Where appropriate, that individual will work with the IntelyPro (per diem) to resolve the issue or make sure the IntelyPro (per diem) is connected with someone who can help.

This open door policy should not be construed as preventing, limiting, or delaying the Company from taking disciplinary action up to and including employment termination, in circumstances where the Company deems discipline is appropriate.

#### **Complaint Resolution Procedure:**

If an IntelyPro (per diem) has a work-related problem or concern, the IntelyPro (per diem) is encouraged to first try to seek informal resolution with the Contact Center. The Company believes that most issues can be addressed informally if approached promptly and objectively.

If an IntelyPro (per diem) would rather not take a particular issue to the Contact Center, or the IntelyPro (per diem) and Contact Center have not been able to work things out, an IntelyPro (per diem) may bring their concern to People and Culture. Although IntelyPros may not be 100% satisfied with each particular outcome, IntelyPros will have the opportunity to express their views and to have their views carefully and objectively considered. An IntelyPro (per diem)'s good-faith use of the Company's problem resolution methods will not negatively affect an IntelyPro (per diem)'s standing with the Company.

IntelyPros with complaints relating to unlawful discrimination, harassment, and/or retaliation should follow the procedures set forth in the Company's separate Harassment, Discrimination, and Retaliation Prevention policy.

## **SECTION 3: WORKING AT THE COMPANY AS AN INTELYPRO**

### **B. ELIGIBILITY TO ACCEPT ASSIGNMENTS**

IntelyPros can accept an assignment requested by any of our facility-clients after the successful completion of the onboarding, credentialing, referencing and pre-employment process which includes but is not limited to proof of current licensure and required documentation such as health clearances, TB tests, vaccination, and other state law or facility-client requirements. Once cleared for hire to accept assignments, IntelyPros may select shifts posted to on our App.

Your work assignment is determined by the facility. At all times, the facility has oversight of your work and patient / resident assignments. Guidance regarding the care you provide will be handled by the facility's supervisor, such as a Director of Nursing or Charge Nurse.

### **C. EMPLOYMENT CLASSIFICATIONS**

IntelyPro staff members are considered non-exempt, hourly employees.

- **Per Diem:** IntelyPro employees are per diem staff who have the flexibility to choose when and where to work. Per diem nurses, often referred to as “local nurses,” generally work for facilities in their local area on an “as-needed” basis, self-selecting shifts. There are no minimum requirements to work, however, if a shift has not been completed in a one-year period, the company will deactivate the account requiring a re-application process.
- **Contract:** In some instances, nursing opportunities may be offered for a specific period, such as twelve weeks in the same facility and location. IntelyPros may elect to accept contract work for the entire designated period, which generally does not exceed 12 months. Schedules may be part time or full time.

### **HEALTHCARE DISCIPLINES:**

IntelyCare offers a variety of nursing positions. Close attention should be given to any additional information provided from our clients regarding specific needs within the respective facility. The following lists a sampling of the types of positions offered. On the App, other positions may be offered requiring specialized credentialing.

- **CNA's, STNA's:** provide support to patients and nurses in various medical settings. CNAs help patients with activities of daily living (ADL's). They also assist nurses with patient care, such as monitoring vital signs, repositioning patients, and transferring them between beds and wheelchairs. Other duties include accurate documentation of care, working collaboratively and professionally within the facility, stocking medical supplies, cleaning and preparing rooms for new patients
- **CMT** (Certified Med Techs) provide are trained to assist patients with the administration of medicine, strictly adhering to the patient care plan. Under the supervision of the RN's, CMT's may also perform a variety of tasks often times, being dual certified as a CNA.

- **LPN's LVN's:** provide patient care, working under the direction of an RN or provider, strictly adhering to the patient care plan. Responsible to monitor patients and escalate any changes in patient status to the appropriate provider and accurately documenting all care. Provide supportive and clinical care.
- **RN's:** are critical to ensuring delivery of quality patient care, providing direction and guidance to LPN's and CNA's while also providing direct patient care in adherence to the patient care plan. RN's can assess, educate and implement care with a broader scope of practice. RN's are at the highest level of accountability for the team's completion of patient care in accordance with strict adherence to the care plan.
- **Charge Nurses:** play a pivotal role in providing management and coordination of nursing care within a segment of the healthcare setting (unit, floor). This position requires clinical expertise, management skills, and the ability to effectively oversee nursing staff. Accountable to ensure effective coverage, adherence to scheduling requirements and assignment of nursing staff while simultaneously providing patient care. LPN's and RN's with the correct experience can fill this role.
- **RN Supervisors:** plays a critical role by overseeing and coordinating nursing activities within a healthcare facility. This position requires strong leadership skills, clinical expertise, and the ability to ensure adherence to healthcare regulations and protocols. The RN Supervisor will partner with other healthcare professionals to optimize patient care delivery and maintain high standards of quality and safety and will encompass a range of clinical and administrative tasks, ensuring smooth and efficient operations within a fast-paced healthcare facility. This role typically does not have direct patient assignments, participation in the admission or discharge of patients is common. The RN Supervisor holds substantial accountability for the full range of patient care and operational care within a facility.

### **GENERAL EXPECTATIONS TO ENSURE QUALITY CARE:**

IntelyCare is mindful of the importance of working according to your certification and / or license and the following are a few reminders in addition to the guidance provided in the Clinical Orientation and Annual Training Guide:

- Always follow the required protocols and adhere to the patient care plan
- Always utilize the required equipment and personal assists, NEVER attempting to transport or move a patient singlehandedly when a 2-person assist is required
- When an adverse event occurs: STOP and UTILIZE PHD (patient, help, document)
  - **Always stabilize the PATIENT, get HELP, accurately DOCUMENT**
- Never leave your shift without approval of the nursing supervisor or Director of Nursing
- Never transport patients or residents in your own vehicle or as the driver to bring patients to appointments or care needed outside of the facility in which you are working
- Never break HIPAA (do not discuss, share, videotape, or post any patient or facility information)

- Always complete the required documentation at the close of your shift. Failure to do so will result in performance management up to and including dismissal. If you are required to return to the facility to complete your documentation, after leaving your shift, you will be paid at a rate of minimum wage and for the minimum required hours per state or local requirements.
- All patient care staff will be expected to maintain English language proficiency standards and use English exclusively during all paid working hours.

#### **D. EMPLOYMENT AT-WILL**

This handbook does not create any contractual obligation or legal rights. IntelyCare is an “at- will” employer, all employees have the right to resign from employment at any time for any reason, with or without notice and with or without cause and similarly IntelyCare has the right to terminate the employment relationship at any time and for any reason, with or without notice and with or without cause. The Company is not bound to follow any policy, procedure, or process in connection with employee discipline, employment termination, or otherwise.



## E. ATTENDANCE

As an IntelyPro, you perform an important function at the client site. Our facilities count on every IntelyPro to be punctual in reporting to the shift you have selected and accepted. It is expected you will report to work and check in 5 (five) minutes before the start time of the shift and be ready to provide the best possible care.

Unnecessary absences, no call no show, tardiness and leaving shifts early, are expensive, disruptive, and place an unfair burden on other staff and patient care.

Excessive absenteeism, no call no shows, last minute releases, excessive tardiness and/or early departures will result in disciplinary action, up to and including termination.

Reminders regarding punctuality and attendance will be automatically posted via the App when there are infractions; this will serve as a warning for immediate required improvement.

### **Releasing a shift**

If you are unable to work the shift you selected, you are required to notify IntelyCare as soon as possible by calling IntelyCare Contact Center at 617-971-8344 or 844-683-5922 or releasing the shift in your app.

Failure to notify with advance notice will impact your quality score and will result in further disciplinary action up to and including dismissal.

### **No calls and no shows**

Failure to notify or report to work will not be tolerated.

To avoid a no call no show, you should notify IntelyCare Contact Center at least two (2) hours prior to the start of your shift at 617-971-8344 or 844-683-5922.

### **Tardiness**

Tardiness is arriving at the shift later than the established start time. IntelyPros will receive reminders via the App when there is an instance of tardiness. **If you arrive 15 minutes late for your shift, the facility reserves the right to cancel your shift and you will not be compensated as you were not on time.**

As a reminder, you should arrive five minutes prior to the start of the shift unless the facility has requested an earlier start time for a first shift onboarding.

If you are not able to report on time, please notify IntelyCare Contact Center at 617-971-8344 or 844-683-5922.

## **F. IntelyPRO Quality Score**

The IntelyPro Quality Score Program is a tool that allows IntelyPros to track real-time performance in the App. IntelyPros with high quality scores get preferred access to shifts, while IntelyPros with low quality scores, will receive warnings and potential further disciplinary action up to and including dismissal.

Upon completion of three (3) shifts, a Quality Score is established. The Quality Score ranges from 0-1000, with 1000 being the highest or best score.

Scores between 950 – 1000 are “Premier”; 850-949 are considered “Excellent”; 750-849 are “Good”; 650-749 are “Average”; and <649 “At Risk”. Premier level gives the earliest access to shifts.

Quality scores are very important to your success, IntelyCare and our clients. You can increase your Quality Score by completing shifts on-time and ensuring the best attendance and commitment.

Attendance is critically important to your Quality Score; scores below 650 will result in a performance warning and further disciplinary action up to and including dismissal. Within the APP, you will be notified of the impact of shift releases to your Quality Score.






**As a reminder, the highest level of performance results in gaining access to a wider variety of shifts.**

## **G. Quality of Care**

IntelyCare strives to provide the highest quality of care. As such, our clients / facilities will rate IP’s performance following completion of each shift.

The nursing leadership team at the facility, provides direct management and feedback regarding performance of our IntelyPros, utilizing Star Levels, noted below:

**Star ratings** are determined by the facility and a score of 3 or above is required. These ratings are reflected in the annual review process.

Star Rating	Professional Standards	Quality of Performance	Assistance Required
1-Star <i>Dependent</i> 	Unsafe. Unable to demonstrate appropriate behavior.	Lacks procedural skills, confidence, efficiency, and coordination.	Requires continuous verbal and physical cues.
2-Star <i>Supported</i> 	Safe only with guidance Performs at risk. Lacks consistent accuracy and appropriate behavior & demeanor.	Unskilled & inefficient Considerable expenditure of energy and resources.	Continuous verbal and frequent physical cues.
3-Star <i>Assisted</i> 	Safe and accurate. Effective most of the time. Appropriate behavior most of the time.	Lacks consistent skills and coordination. Requires additional resources & energy.	Frequent verbal & occasional physical cues in addition to supportive cues.
4-Star <i>Proficient</i> 	Safe & accurate. Appropriate behavior & demeanor consistently.	Efficient, coordinated, and confident. Occasional guidance needed.	Occasional supportive cues.
5-Star <i>Independent</i> 	Safe, accurate, & effective. Appropriate behavior & demeanor consistently.	Proficient, coordinated, and confident care provided.	No cues necessary.

## H. PERFORMANCE EVALUATIONS & MANAGEMENT

IntelyCare demands the highest standards of employees' performance so that it can provide the highest quality of care for our client's patients or residents. As such, IntelyPros are expected to complete their work professionally and consistent with these high expectations.

As the Company's managers are not onsite, performance is often measured by our clients and the client's management staff (Director of Nursing, Supervisors, etc.) If an employee's performance does not meet the standards set by our clients, our clients will inform us, and the Quality Assurance team will address the deficiencies.

Performance reviews are generally provided on an annual basis and will include how well your complete job responsibilities including your clinical competency, professionalism and reliability. Patient care evaluated using the star ratings, combined with professional conduct, time and attendance, dress code, and accurate documentation are a few of the areas taken into consideration for the evaluation process, along with facility feedback.

Annual skills checklists which apply to specialty areas of work are completed by every IntelyPro along with competency assessments.

When training needs are identified, an opportunity to complete the training will be provided.

**It is the responsibility of the IntelyPro to ensure that all required licensures and certifications remain active and in good standing.**

As warranted, disciplinary action may include one or more of the following, in any order, at the Company's sole discretion: verbal warning, written warning, re-education, or termination of employment.

Please note that the Company is not bound to follow any specific step or procedure prior to termination, and it may elect to immediately terminate employment.

#### **CLIENT FEEDBACK:**

In addition to periodic reviews, when received throughout the year, constructive feedback from our clients regarding clinical and/or professional performance is addressed with our IntelyPros immediately.

Our clients can elect to denote a "do not return" for any IntelyPro that has not satisfactorily met the performance expectations of the facility; when a 'do not return' is issued, the IntelyPro will no longer see shifts from that facility and may be notified via the App.

**IntelyPro may not reach out to the facility** regarding any 'do not return' designation; this is prohibited. Instead, questions regarding a "do not return" can be directed to IntelyCare Contact Center at 617-971-8344 or 844-683-5922. The Quality Assurance Team will respond to such inquiries.

### **I. PERSONNEL FILES**

The Company maintains a file on each IntelyPro and these documents are the property of IntelyCare; access to the information is restricted, except as required by state and federal law and for personnel of IntelyCare who have a legitimate reason to access the file. Consistent with applicable law, employees may review and/or receive a copy of their own file and make such request via the Operations team, via email to: [CareTeam@IntelyCare.com](mailto:CareTeam@IntelyCare.com)

### **J. MAINTAINING ACCURATE PERSONAL INFORMATION & LICENSURES**

IntelyPros are responsible to keep their personal information up to date, via the App. Unreported changes to personal data and residential location can affect tax withholdings, and the ability to reach an IntelyPro if needed.

IntelyPros should inform IntelyCare Quality Assurance Team of any specialized training or skills acquired during employment and this can also be done on the App.

**It is the responsibility of the IntelyPro to ensure that all required licensures and certifications remain active and in good standing.**

#### **K. LEAVING THE COMPANY & References**

While we hope that employment with IntelyCare will be a mutually beneficial and rewarding experience, we realize that you may elect to resign your employment.

A resignation or request to delete your account can be directed to the IntelyCare Contact Center at 617-971-8344 or 844-683-5922 or via email: [CareTeam@Intelycare.com](mailto:CareTeam@Intelycare.com). When the Company is notified of a voluntary resignation, final wages will be paid in accordance with state law.

**REFERENCES:** It is the Company's policy to limit employment references to verification of the dates of an employee's employment and position title with the Company.

#### **L. DE-ACTIVATION OF ACCOUNT**

If you have not worked a shift within a one-year period, this will be considered a voluntarily resignation and your IntelyPro account will be terminated. Periodically, IntelyPros will be notified of their account dormancy and upcoming termination via the App. This can be prevented by working one shift per year.

## **SECTION 4: WORK HOURS & COMPENSATION**

### **M. WORK SCHEDULES**

Our aspiration is to give nursing professionals the flexibility to pick up shifts when and where they want. As such, IntelyCare App provides shifts at client sites that enable you to build your own work schedule.

Please note that on occasion, Clients may change the offering of their shifts and we will do our best to provide timely notification of shift cancellations when received. (See cancellation of shift for more information)

While there is flexibility to select shifts, please remember that Clients determine actual onsite assignment based on the needs of the facility at the time of your shift; you are expected to accept that assignment and be qualified to do so.

As final assignments are determined by the facility, on occasion, per diem staff will be reassigned to a unit or floor (asked to float) based on staffing needs. These assignments should match the level (CNA, LPN, etc.) and skillset required.

IntelyPros **should not** be placed in an assignment for which they have not been trained or found competent in that specialized area, such as tracheostomy care, dementia training, etc. The training records of the per diem staff member should align to the areas of competency and experience. **If you have been placed in an assignment that you have not been trained, immediately call the IntelyCare Contact Center at 617-971-8344 or 844-683-5922 and advise the RN Supervisor or Director of Nursing at the facility.**

### **N. MEAL & REST BREAKS**

Meal and/or rest periods are provided in accordance with applicable law and in coordination with the facility coverage. Federal law does not require meal periods in the following states: AZ, FL, GA, IN, KS, MD, MI, MO, MS, NC, NJ, OH, PA, SC, TX, UT, VA and WI. Please note IntelyCare may not be actively in business in all these states.

In all other states, IntelyPros are required to take thirty (30) minutes unpaid meal break. This meal break is aimed to be uninterrupted by work and scheduled with the facility in accordance with patient needs and safety. Notwithstanding the foregoing, if the facility requests IntelyPros to work through the meal break due to patient care and safety, the employee agrees to secure the approval of the supervisor / charge nurse and arrange to take a break as soon as possible.

You must record your time in and out for meal periods. Further, if you work through a break, you MUST report such time as worked time.

### **BREAKS FOR NURSING MOTHERS**

Nursing Mothers should coordinate their needs with the facility for access to private space and time to handle lactation needs. Ideally space is provided within the facility, avoiding the need for an IntelyPro to leave the facility for such needs.

## **O. OVERTIME**

IntelyPros are non-exempt, hourly paid employees and covered by the federal Fair Labor Standards Act (FLSA) eligible to receive overtime pay in accordance with the FLSA and state law. In most states, overtime is paid for hours worked in excess of 40 in a workweek at a rate not less than time and one-half the regular rates of pay, unless otherwise stipulated by applicable state or local law.

## **P. SHOW-UP PAY**

If you show up to a shift at the facility and learn that the facility is cancelling your assignment (and it was not cancelled via the App or you were not contacted in advance by us), our policy is to pay you for your time in an amount equal to the value of **three hours** at the applicable shift rate, unless state law requires a different formula.

Please note that if you are late reporting to the shift, the facility reserves the right to cancel your shift as a result of an attendance issue / tardiness; in this instance, it does not qualify for show-up pay.

If you voluntarily leave a shift, prior to three hours, you will be paid for hours worked and will not qualify for show-up pay.

## **Q. CANCELLATION PAY**

If a facility cancels your assignment and does so with notice of two hours or less prior to the shift start time, our policy is to pay you **three hours** at the applicable shift rate, unless state law requires a different formula.

## **R. RECORDING HOURS WORKED**

**The accurate recording of hours worked is your responsibility.** It is critical that you accurately report all time you work. Willful, deliberate and / or repetitive failure to accurately record time and / or failure to secure facility staff approvals, will result in corrective action up to and including termination.

Please note: **our App will capture your GPS coordinates** upon check-in and check-out of your shift. We retain these GPS coordinates as part of our billing process. Therefore, you are required to use the “Check-In” and “Check-Out” functions in the App for each assignment; payment for your work depends on you accurately recording your time. The process for check-in and check-out at most facilities will follow these guidelines. On occasion, the process may differ and you will be informed at the facility.

- Upon arrival, you must go to the nursing station at the facility and let them know your full name, your title (CNA/LPN/RN), and that you are arriving from IntelyCare.
- Your assignment begins when you check in. If for any reason you cannot sign in, you immediately call the IntelyCare Contact Center at 617-971-8344 or 844-683-5922
- You must have the charge nurse, or their designee, sign you in via your mobile app as soon as you arrive or use the IntelyCare tablet at the facility.
- If the facility requires utilization of their timeclock, you must check in via their timeclock as well.

If you must stay late (beyond your agreed upon scheduled time) for your assignment, you must have the facility charge nurse or supervisor sign / approve your additional time. Our clients expect nurses to leave on time, however, we know there may be reasons you are leaving late that are out of your control and agreed to by the client. Any additional time worked beyond your scheduled shift must be recorded accurately.

As noted, you must record your time in and out for meal periods as well as the beginning and ending time of any split shift or departure from work for personal reasons.

## **S. ACCURATE TIME KEEPING**

Accurate timekeeping and records are **your** responsibility; your time worked including accurate check-in and check-out time is required and must be confirmed by an authorized person at the facility, usually the Nurse Supervisor or whoever is in charge on the floor.

In the case that the facility does not have an authorized person to confirm your time worked or you cannot identify who that person is, **you are required to immediately contact the IntelyCare Contact Center at: 617-971-8344 or 844-683-5922 before leaving the facility**.

Falsifying time reporting, which includes inaccurate check in or check out times, meal breaks, false staff approvals and failure to physically report to work on site, will result in disciplinary action, up to and including termination. Accurate timekeeping is required, and falsification of time reporting and approvals are serious infractions.

## **WORKING OFF THE CLOCK IS PROHIBITED**

As IntelyPros are non-exempt, hourly paid, you may never work off the clock. “Off-the-clock” work means that time is spent by an employee performing work that is not included or reported as time worked; this is strictly prohibited. All time spent working must be reported, and failure to do so will result in disciplinary action, up to and including termination of employment.

## **REVISING TIME:**



If you need to revise your time worked, this **can only be done while you are physically present in the facility** and must be approved by an authorized person at the facility as well as brought to the attention of IntelyCare, by calling IntelyCare Contact Center at 617-971-8344 or 844-683-5922.

In this instance of revising time, if the facility does not have an authorized person to confirm your time worked or you cannot identify who that person is, you **are required to immediately contact the Contact Center at: 617-971-8344 or 844-683-5922** before leaving the facility.

## **T. Payroll Period**

The weekly payroll period runs from Sunday at 12:00 am to Saturday, up to 11:59 p.m.; you will be paid on a weekly basis. Paydays are on the Friday following the week that you worked. If a federal holiday is on a Friday, you will be paid the day prior.

## **U. DAILYPAY**

IntelyCare has partnered with DailyPay so you can get your pay any time before payday. It's free to create an account and your available balance will increase each time you work. Whatever monies you do not transfer will be automatically sent to you for free on your normal payday. With DailyPay, you can access earned wages in real time.

Unlock instant transfers from your DailyPay Balance when you set your direct deposit to the Friday card. Enrolling is easy and doesn't require a pre-existing bank account. Download through iOS mobile and the Android mobile app, or go to [www.DailyPay.com](http://www.DailyPay.com)

## **V. Direct Deposit**

Once you accept your first shift, you can log into ADP at [www.myadp.com](http://www.myadp.com) or through the IntelyCare App to set up direct deposit.

## **W. Pay Statements**

It is the policy of the Company to compensate employees in compliance with the federal Fair Labor Standards Act (FLSA) and applicable state law. Your pay statement will include itemized deductions made from gross earnings. The Company is required by law to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions include any court-ordered garnishments. **It is up to you to ensure that home address is current and accurate.**

Payroll statements also itemize any voluntary deductions such as an employee's portion of benefits and/or voluntary contributions to the 401(k) plan, to the extent applicable. If applicable, payroll statements will also differentiate between regular, overtime and premium pay received.

Employees who believe there is an error in their pay, including regarding overtime, deductions from your salary, or any other issues regarding your pay, should contact the Contact Center immediately, **by sending an email to:** [Careteam@Intelycare.com](mailto:Careteam@Intelycare.com) so that the Company can investigate and resolve the matter quickly. Every report will be researched and if an error is found, corrective action will be taken, including but not limited to full reimbursement of inappropriately withheld amounts.

It is against Company policy to retaliate against any employee who makes a complaint in good faith pursuant to this policy.

#### **X. AUTHORIZATION TO WORK IN THE U.S.**

Only individuals who are lawfully authorized to work in the United States are eligible for employment with the Company. The Immigration Reform and Control Act of 1986 requires employers to verify the employment authorization and identity of all employees at the time of hire. A new employee must complete Section 1 of a Form I-9 no later than close of business on his/her first day of work and must provide documentation of identity and employment authorization sufficient to complete Section 2 of the Form I-9 to the Company within his or her first three days of work. Failure to provide such documentation by the close of business on the third day will result in termination. Under no circumstances will the Company continue to employ an employee whom it knows lacks authorization to work in the United States.

The company does not offer visa sponsorship for employment purposes.

## **SECTION 5: INTELYPRO BENEFITS**

### **Y. BENEFITS OVERVIEW**

In addition to competitive pay, the Company provides a combination of supplemental benefits to eligible employees.

This section reflects a brief description of the benefit plans and programs that are currently offered. The Company reserves the right to modify, change or eliminate any of its benefits at any time with or without advance notice. The terms of the specific plan documents control eligibility, benefits determinations, and other conditions, and supersede any other written or verbal statements or descriptions.

The Company separately provides copies of summary plan descriptions and other relevant information at other times. Direct any questions regarding your employee benefits coverage by contacting the IntelyCare Contact Center at 617-971-8344 or 844-683-5922 or via email to: [CareTeam@IntelyCare.com](mailto:CareTeam@IntelyCare.com). A member of the IntelyCare People & Culture Total Rewards team will respond to your inquiry.

We intend this section to comply with all applicable federal, state and local laws. All policies and provisions in this section shall be interpreted and administered in accordance with all applicable federal, state, and local laws.

### **HEALTH INSURANCE**

Upon completion of five (5) shifts, IntelyPros may participate in the American Worker health insurance program. At that time, employees will receive enrollment information **directly from American Worker** describing the benefits in greater detail.

The American Worker program offers pre-tax medical, dental and vision coverages, easily paid for through payroll deductions. These plans offer preventative care at 100% for those enrolled in the plan.

To access more information regarding the plan, contact American Worker directly at: 866-866-3424.

### **RETIREMENT SAVINGS**

IntelyCare provides a qualified retirement plan, also known as a 401(k), through Empower. IntelyPros are eligible to participate after completing 500 hours of service in your first year and upon completion of 1,000 hours in subsequent years.

Upon meeting the eligibility criteria, Empower will notify you of your eligibility to enroll, via USPS mail to your home address; as such maintaining accurate records regarding your home address is important.

Elections to contribute to the plan will be made via payroll deductions on either a pre-tax or Roth basis, depending upon your enrollment decision. IntelyCare provides a company match, presently 100% match of the first 3% of payroll savings and 50% of the next 2% payroll savings. The company match is 100% immediately vested and made each pay period.

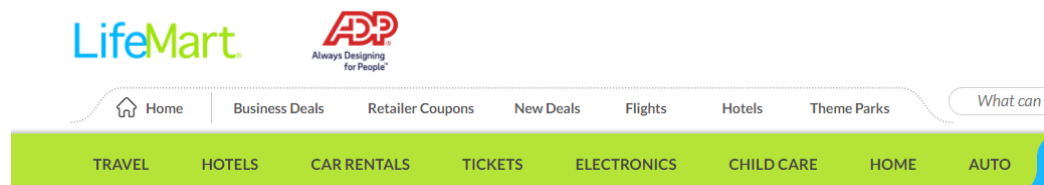
Savings are intended to be for retirement, as such, any withdrawals or loans are strictly managed by the plan provisions, tax guidelines and approved by Empower.

Questions regarding the plan can be directed to Empower at 1-800-338-4015.

## **Z. CONCIERGE SERVICES via LIFEMART**

In conjunction with ADP (IntelyCare's payroll service), a comprehensive concierge offering of services can be easily accessed via MyADP on your mobile app.

Take advantage of the offerings available to you, by accessing ADP's LifeMart for services such as discounts for travel, entertainment, electronics purchases, insurance, and childcare, noted below:



## **SECTION 6: TIME OFF**

### **AA. PAID SICK LEAVE**

Paid sick leave benefits provide **active employees** with pay for time off from work because of illness and depending upon the state and local laws that govern leave from work and company policies, employees may be eligible for paid sick days for themselves and for time off when a family member is ill, or other reasons as provided by applicable law. Employees may need to work a minimum number of hours or earn a certain amount to receive paid sick leave. State or local guidance will prevail regarding eligibility.

Sick time hourly rates are determined based on the average rate of pay for the IntelyPro during a previous time period that is defined by each state, unless otherwise defined by applicable law.

**Please note you are not required to accept and cancel a shift in order to receive your accrued sick time.** However, if you do request sick time for a shift you need to cancel, your sick pay is calculated as your average rate of pay; it is NOT paid at the rate of the shift that you are unable to work.

To utilize paid sick leave, contact the IntelyCare Contact Center at 617-971-8344, or 844-683-5922 or via email to: [CareTeam@IntelyCare.com](mailto:CareTeam@IntelyCare.com).

The company reserves the right to require documentation from a health care professional to verify the need for sick leave and/or authorizing the employee to return to work, as permitted by applicable law.

### **JURY DUTY**

The Company realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees are allowed time off to perform such civic service as required by applicable law. Employees are expected, to provide the Company with proper notice of their request to perform jury duty and should contact the IntelyCare Contact Center at 617-971-8344 or 844-683-5922 or send an email to [CareTeam@IntelyCare.com](mailto:CareTeam@IntelyCare.com) to advise of jury duty and provide a proof of service.

Employees on jury duty leave are paid for time spent on jury duty service in accordance with applicable state law.

### **MILITARY LEAVE**

Employer/employee rights and obligations relating to military service are governed by the federal law known as the Uniformed Services Employment and Reemployment Rights

Act of 1994 (“USERRA”) and state law where applicable. This policy is not intended as a comprehensive statement of all aspects of military leave. Employees who are called into active military service or who enlist in the uniformed services are eligible to receive a military leave of absence in accordance with applicable federal and state laws. To be eligible for military leave, employees must provide management with advance notice of their service obligations, unless they are prevented from providing such notice due to military necessity or it is otherwise impossible or unreasonable to provide such notice. In such instances, an employee should provide notice as far in advance as is reasonable under the circumstances.

Employees who are required to attend yearly Reserves or National Guard duty can apply for a temporary military leave of absence not to exceed the number of days allowed by law (including travel). Such employees should give management as much advance notice of their need for military leave as possible so that we can maintain proper coverage.

Employees whose absence does not exceed applicable statutory limitations will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Reemployment is subject to re-credentialling.

Please contact the IntelyCare Contact Center at 617-971-8344 or 844-683-5922 or send an email to [CareTeam@IntelyCare.com](mailto:CareTeam@IntelyCare.com).

**A member of the People & Culture team will respond to your inquiry.** Information is available at the U.S. Dept. of Labor’s website: [www.dol.gov/asp/programs/guide/userra.htm](http://www.dol.gov/asp/programs/guide/userra.htm).

## **FAMILY AND MEDICAL LEAVE ACT (FMLA)**

### **Eligibility Requirements**

Employees are eligible for FMLA if:

- At least fifty (50) or more employees are employed within a 75-mile radius of the employee’s work site;
- The employee has been employed for at least one year; and
- The employee has worked at least 1,250 hours within the previous twelve (12) months.

### **Basic Leave Entitlement**

The FMLA requires covered employers to provide up to twelve (12) weeks of unpaid, job-protected leave in a 12-month period to eligible employees for certain family and medical reasons. The 12-month period is determined on a “rolling” 12-month period dating back

from the time the employee uses any FMLA leave. Leave may be taken for any single reason or for a combination, of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent (but not in-law) who has a serious health condition; and/or
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care, or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job.
- Leave to care for the employee's child after birth, or placement for adoption or foster care must be taken within one (1) year of the child's birth or placement.
- 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 (3) consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### **Military Family Leave**

Eligible employees with a spouse, son, daughter, or parent (but not in-law) on covered active duty or called to covered active-duty status (or has been notified of an impending call or order to covered active duty) in the Reserve component of the Armed Forces for deployment to a foreign country in support of a contingency operation or Regular Armed Forces for deployment to a foreign country may use their 12-week leave entitlement to address certain qualifying exigencies ("Qualifying Exigency Leave"). Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement which permits eligible employees (spouse, son, daughter, parent (but not in-law) or next of kin of a covered service member) to take up to twenty-six (26) weeks of leave to care for a covered service member with a serious injury or illness during a single 12-month period (one time basis only) ("Military Caregiver Leave"). A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical

treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as “current members of the Armed Forces.” Covered service members also includes a veteran who is discharged or released from military services under condition other than dishonorable at any time during the five-year period preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as “covered veterans.”

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

The maximum amount of leave for any FMLA-qualifying reason that may be taken in any 12-month period is 26 weeks, provided that no more than 12 weeks of leave may be taken for any FMLA-qualifying reason other than Military Caregiver Leave.



## **Job Benefits and Protection**

During leave, if applicable health benefits will be maintained.

Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. An employee who has complied with his or her obligations under this policy will be reinstated to the position he or she held prior to leave or to an equivalent position, unless business conditions resulted in the elimination of the employee's former position during the leave or the employee would not otherwise have continued to be employed had he or she continued in active employment. An employee who has taken a leave in excess of five days for his or her own serious health condition must submit a medical certification from his or her health care provider verifying that the employee is able to return to work and perform his or her regular job duties. Reinstatement may be delayed until a satisfactory medical certification has been provided. If the employee does not provide either a fitness-for-duty certification or a new medical certification for a serious health condition at the time FMLA leave for the employee's own serious health condition is concluded, the employee's employment may be terminated.

The use of FMLA leave cannot result in the loss of any employment benefits that accrued prior to the start of an employee's leave.

## **Use of Leave**

Upon receipt of medical certification of the medical need for leave on an intermittent or reduced schedule basis, the Company will grant such leave for purposes of the employee's own serious health condition or to care for a parent, child or spouse with a serious health condition, or for Military Caregiver Leave. Leave may also be taken on an intermittent or reduced schedule basis when necessary for Qualifying Exigency Leave.

As IntelyPros accept shifts based on personal preference, intermittent leaves and schedules are generally up to the IntelyPro's discretion and needs.

For medical leaves, the Company may require periodic updates or release to return to work.

## **Employee Responsibilities**

Employees should contact the IntelyCare Contact Center at 617-971-8344 or 844-683-5922 or send an email to [CareTeam@IntelyCare.com](mailto:CareTeam@IntelyCare.com) to provide thirty (30) days' advance notice of the need to take FMLA leave, when the need is foreseeable, excluding Qualifying Exigency Leave.

For Qualifying Exigency Leave, or when the need for other leaves is not foreseeable thirty (30) days in advance, the Company requires employees to notify as soon as practicable

of the need for FMLA leave, and to comply with the Company's normal notification of release of shift procedures. Early notification will ensure the least disruption possible.

Employees must provide sufficient information for the Company to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Information may include details regarding inability to perform job functions; the family member information regarding a need for care and inability to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Company if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees may be required to provide medical certification and periodic recertification supporting the need for leave.

**A member of the People & Culture Team will respond to your inquiry.**

### **Employer Responsibilities**

As a covered employer, IntelyCare will inform employees requesting leave whether they are eligible for FMLA. If approved, notice will specify any additional information required as well as the employees' rights and responsibilities. If an FMLA leave is not approved, notification will be provided regarding the reason for ineligibility.

Covered employers must inform employees if leave is designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

### **Rights under the Family and Medical Leave Act**

The FMLA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA; or to discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to the FMLA. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

**A member of the People & Culture Team will respond to your inquiry.**

The policies and guidelines stated in this Family and Medical Leave Policy shall be subject to such other terms and conditions as are provided in the Family and Medical Leave Act of 1993 and applicable state leave laws.

## **STATE MEDICAL LEAVES**

IntelyCare will provide medical leave pursuant to state and local laws. To request or utilize state medical leaves, employees should call the IntelyCare Contact Center at 617-971-8344 or 844-683-5922 or send an email to [CareTeam@IntelyCare.com](mailto:CareTeam@IntelyCare.com)

**A member of the People & Culture Team will respond to your inquiry.**

## **SECTION 7: SAFETY, HEALTH & SECURITY**

### **DRUG-FREE WORKPLACE**

The Company is committed to providing a drug-free environment. Employees reporting for work under the influence of alcohol or illegal drugs present a safety hazard to themselves, other employees, patients, and the public. The use of alcohol and illegal drugs in the workplace or on Company business, whether on or off Company premises, can impair an employee's ability to do the job; can result in serious accidents; and can seriously impede business operations and is prohibited.

The unlawful or unauthorized use, abuse, theft, possession, transfer, sale, purchase, solicitation or distribution of controlled substances, drug paraphernalia, or alcohol by an individual anywhere on Company premises, while representing the Company, on Company business (whether or not on Company premises), while driving a Company vehicle or driving a personal vehicle for Company business is strictly prohibited.

Employees are also prohibited from reporting to work or working while they are using or under the influence of, alcohol or any drugs, including cannabis, as well as any controlled substances which may impact an employee's ability to perform the employee's job or otherwise pose safety concerns.

Violation of this policy may result in corrective action, up to and including termination.

This policy does not prohibit employees from the lawful possession and use of prescribed medications or medical cannabis when authorized under applicable state law. Employees have the responsibility, however, to consult with their doctors or other licensed medical practitioners about the effect of prescribed medications on their ability to perform their specific job duties in a safe manner, and employees should promptly disclose any work restrictions to the Contact Center; People and Culture will respond accordingly.

The Company does not unlawfully discriminate against employees or applicants on the basis of disability. Employees who seek a reasonable accommodation due to an underlying disability are encouraged to submit any requests to contact the IntelyCare Contact Center at 617-971-8344 or 844-683-5922 or send an email to [CareTeam@IntelyCare.com](mailto:CareTeam@IntelyCare.com) and the request will be forwarded to a member of the People & Culture team to respond to the inquiry.

## **SMOKE & VAPE FREE WORKPLACE**

Smoking, including use of e-cigarettes, vaping devices, and similar electronic devices, is prohibited at all times in the vast majority of our clients' facilities. Compliance with the facility policy is mandatory. Employees who violate this policy may be subject to disciplinary action up to and including termination.

## **WORKPLACE FREE OF VIOLENCE**

We are strongly committed to providing a safe workplace.

Threats, threatening language or any other acts of aggression or violence made toward anyone will not be tolerated. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious, and/or destructive action undertaken for the purpose of domination or intimidation.

Weapons are prohibited in the workplace unless such prohibition is restricted by applicable law.

Employees should immediately report all potentially dangerous situations, including threats by co-workers, to any member of management at the facility and with a follow-up call to IntelyCare Contact Center at 617-971-8344 or 844-683-5922 or send an email to [CareTeam@IntelyCare.com](mailto:CareTeam@IntelyCare.com) and a member of the People & Culture team will respond to the notification.

Reports may be maintained confidential to the extent maintaining confidentiality does not impede our ability to investigate and respond to the complaints. All reports will be promptly investigated. No employee will be subjected to retaliation, intimidation, or disciplinary action as a result of reporting in good faith under this policy.

If an investigation confirms that a violation of this policy has occurred, the Company will take swift and appropriate corrective action.

Employees threatened by an outside party should follow the steps detailed in this section and notify IntelyCare so that effective measures can be taken to protect everyone from the threat of a violent act by an employee or by anyone else.

Please note: as healthcare providers, it is important to recognize that care of patients with certain conditions may result in patient behaviors and comments that are unwanted and unwelcomed. IntelyPros should immediately notify the client and facility staff onsite of any instances where personal safety is of concern to seek appropriate assistance.

## ACTIVE SHOOTER PROCEDURES:

All staff should follow and adhere to the client facility's active shooter and emergency response procedures.

As a general course of guidance, upon arrival at a facility for the first time, IntelyPros should familiarize themselves with the emergency exits and overall environment.

If any suspicious people or behavior is noticed, the IntelyPro should immediately notify the facility supervisor and security as well as contact the IntelyCare Contact Center at 617-971-8344 or 844-683-5922.

In the case that an Active Shooter is announced in the facility, the following responses may be beneficial for the safety of staff and patients:

- **Run, Hide, Fight:** Encourage evacuating the premises immediately if safe. If evacuation is not possible, find a secure location, lock doors, turn off lights, silence phones, and stay hidden. As a last resort, if confronted by the shooter, be prepared to defend yourself using any available means.
- **Call 911:** In the event of an active shooter incident, call 911 immediately and provide accurate information on the situation, location, and number of shooters.
- **Internal Communication:** Inquire with facility staff if there is a method for ongoing communication within the organization. This may include using text messaging, email, or PA systems to relay critical information.
- **Investigation:** Cooperate with law enforcement in the investigation and debriefing process.

Remember that the safety of all individuals is the top priority during an active shooter incident.

## WORKPLACE THREATS

All employees are encouraged to be vigilant and have confidence to report any concern or threat without fear of retaliation. Potential threats may include verbal threats, written threats, physical threats such as bombs or weapons or threatening behavior.

In the event of a suspected or confirmed terrorist or bomb event, employees should follow the established procedure of the site location which may include:

- Notify the facility manager or supervisor of the threat and concern
- Evacuate the area immediately if safe to do so
- Seek refuge in a secure location if evacuation is not feasible
- Contact emergency services (police, fire, medical) immediately.

As appropriate, cooperate with law enforcement and emergency services and provide available information about the situation at hand.

## **WORKERS COMPENSATION**

IntelyPro employees are covered under the company's Workers' Compensation plan.

Workers' compensation is designed to provide necessary medical treatment, wage replacement benefits and support to employees who sustain work-related injuries or illnesses. Workers' compensation processes can vary in certain states that are monopolistic, such as Ohio, Wyoming, Washington, and North Dakota. In these states, the workers compensation coverage is administered and provided exclusively by the respective state's agencies and funds.

Regardless of the state or carrier coverage, if hurt at work, no matter how slightly, IntelyPros must submit a timely report of the injury or illness by following the processes noted below. If medical attention is required, seek such attention without delay.

Once a claim is established, a representative will be assigned to your claim.

Save any and all bills/receipts associated with the treatment of this injury, so that you can provide these in the future for reimbursement. Compensable wages are determined by workers compensation guidelines by state.

If you have had any restrictions or have lost consciousness, you must be cleared to return to work, or provide the necessary information to initiate the accommodation process. You must be cleared by a medical provider prior to returning to work.

In an emergency, dial 9-1-1 and secure immediate care.

### To report a work-related injury or illness in all states:

- Call the IntelyCare Contact Center at 617-971-8344 or 844-683-5922 or send an email to [CareTeam@IntelyCare.com](mailto:CareTeam@IntelyCare.com) to report your work-related injury or illness and advise if you are unable to complete any upcoming shifts due to a work-related injury.

In addition, reporting an injury for all states, excluding Ohio, Wyoming, Washington and North Dakota, contact:

- IntelyCare's Workers Compensation Carrier, United Heartland's Nurse Triage service. The Nurse Triage service to report an injury, initiate a claim and secure medical treatment if needed: Dial 1-866-323-4227 and provide the IntelyCare's account #12307. The nurse triage will assess your injury and provide guidance on next steps. The nurse triage line is available 24X7.

- Please notify the facility manager before you leave the building.

IntelyPros in OHIO, with a work-related injury, should adhere to the following process:

- **Call IntelyCare Contact Center at 617-971-8344 or 844-683-5922** or send an email to [CareTeam@IntelyCare.com](mailto:CareTeam@IntelyCare.com) and to report your work-related injury or illness and advise if **you are unable to complete any upcoming shifts** due to a work-related injury
- **Contact IntelyCare's third party provider, Sedgwick's nurse triage line**, at 1-844-837-2122. The triage nurse will assess your injury and provide guidance on next steps in securing medical treatment if necessary. The nurse triage line is available 24X7.
- **File a First Report of Injury with the state of Ohio** by calling the Bureau of Workers Compensation, Ohio to initiate a claim and document your work-related injury or illness at 1-800-644-6292. You will receive a claim number within 24 – 48 hours. As reference, IntelyCare's Employee Policy #: 80033110-0 Manual #: 8824-000
- Please notify the facility manager before you leave the building.

Resources available for workers compensation are noted below:

IntelyCare's provider

United Heartland - Policy Number: 0400190374  
P.O. Box 40790  
Lansing, MI 48901  
Fax: [\(517\) 316-2747](tel:(517)316-2747)  
Call: [\(800\) 258-2667](tel:(800)258-2667)

IntelyCare's administrator for handling Ohio Workers Compensation Claims

Sun Prairie - QBE MO (298)  
P.O. Box 975  
Sun Prairie, WI 53590-0975  
Email: [298@sedgwickcms.com](mailto:298@sedgwickcms.com)  
Phone: [800-362-5448](tel:800-362-5448)

## **INSPECTIONS**

The Company reserves the right to require employees on either Company property or on a client's property to agree to the inspection of their person, personal possessions, property, a personal vehicle parked on Company or client property, and work areas, to the maximum extent permitted by applicable law.

This includes lockers, vehicles, desks, cabinets, workstations, packages, handbags, briefcases, and other personal possessions or places of concealment, as well as personal mail sent to the Company or to its clients. Employees are expected to cooperate in the conduct of any search or inspection.

## **CLINICAL COMPLAINTS**

It is the policy of all IntelyCare staff (both clinical and non-clinical) to report all instances of suspected abuse, neglect, or exploitation to the appropriate authorities. Any nurse, CNA, or employee having reasonable cause to believe that an individual (including an elder adult) is being abused, neglected, or exploited, or there is a condition which is the result of abuse, neglect, or exploitation will immediately report this belief to the appropriate State Authority, such as the applicable Department of Public Health, in accordance with such authorities published guidelines.

- These complaints or reports can be made in any method including directly to the Facility leadership team (RN Supervisor, Nurse Manager, Director, etc.) Shift Supervisor  
Department of Public Health, Elder Abuse Hotline or other Nursing Governing Body or Board of Health
- Any IntelyPro concerned about the quality and safety of patient care provided by IntelyPro staff can report concerns to The Joint Commission without fear of any retaliatory action by IntelyCare. IntelyCare will not retaliate against any IntelyPro for making such a report in good faith.
- As part of the company's website, information regarding the process to contact The Joint Commission's Office of Quality Monitoring is available. The public can access or report any concerns directly to the Joint Commission by calling 1-800-994-6610 or emailing [complaint@jointcommission.org](mailto:complaint@jointcommission.org).



## **SECTION 8: GENERAL POLICIES & PROCEDURES**

### **BB. GENERAL EXPECTATIONS**

IntelyCare employs you as a professional. Our clients demand skilled and professional nursing providers, and we therefore have standard performance expectations for IntelyPros that must be met. As previously noted, excellent attendance and reliability is required. In addition, IntelyPros are required to:

- Work collaboratively with all involved in an assignment, including staff, supervisors, patients and/or residents
- Complete assignments thoroughly including all documentation
- Provide the highest level of care
- Adhere to all professional codes of ethics and care
- Comply with all applicable federal, state, and local laws
- Follow our policies including our Code of Conduct and Dress Code

### **DRESS CODE**

Professional attire is required for all IntelyPros and requires clean scrubs and footwear (closed toed footwear is required; sandals are prohibited). Fingernails must be neat, clean and short, no longer than ¼ of an inch long. Jewelry should be kept at a minimum. Long dangling earrings, sharp bracelets / necklaces or sharp rings are not acceptable in keeping with general safety and infection control practices.

Failure to meet the requirements noted above can result in a facility sending an IntelyPro home (without pay, if applicable and permitted by law). Repetitive violations of the dress code may result in disciplinary action, up to and including termination.

### **CELL PHONE USE**

Utilization of cell phones/smartphones are a component of being an IntelyPro to access shift and IntelyCare information. However, during your shift, the use of these devices is limited to time reporting for check in, check out and meal breaks. Mobile devices are not allowed to be utilized while performing work at the facility and if used negatively impacts patient care and can be perceived or assumed to be violating HIPAA protected rights of patients.

**Under no circumstances, should facility staff or patients be photographed, videotaped, or recorded. Any infraction of this rule will result in immediate termination.**

Failure to follow the guidelines regarding cell phone use will result in disciplinary action, up to and including termination.

Exceptions to this policy regarding the use of cell phones during a shift and caring for patients would be during a case of emergency to seek immediate required help or to alert others of a dangerous situation unfolding in the facility. Otherwise, personal phone use and calls are prohibited during work time.

## **COMMUNICATION & SYSTEMS**

The client and the Company's communication and computer systems are the property of the Client or the Company and intended for business purposes only. This includes computers, related hardware, software, and networks as well as telephone, voice mail, e-mail, and Internet systems.

The Company may access its communication and computer systems and obtain the communications and information within the systems, including past voicemail and e-mail messages, without notice to users of the system, in the ordinary course of business when the Company deems it appropriate to do so. The Company may store electronic communications for a period after the communication is created and will determine the deletion of such information at its own discretion.

Employees may not use the client or the company's communication and computer systems in violation of any law including, but not limited to, those related to copyrights and software piracy.

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

IntelyPros are required to safeguard their own account, identity, information, and failure to do so may result in disciplinary action up to and including termination.

Employees may not install, duplicate, or remove software on the Company's systems without prior management approval.

Violation of this policy may result in disciplinary action, up to and including termination.

## **SOCIAL MEDIA**

The Company respects the right of any employee to maintain a blog or website and to participate in social networking on or through websites or services such as Twitter, Facebook, LinkedIn, YouTube, TikTok, Instagram, or similar sites/services (collectively "social media").

IntelyCare is an internet-based company and highly respects the freedom of speech the internet provides. However, IntelyPros are required to abide by the following guidelines:

- Employees may not use social media during working time, unless specifically authorized to do so as part of their job duties and approved by the client or company.
- All rules regarding patient confidentiality, as well as confidential and proprietary business information, apply in full to social media. Any information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed through social media.
- When using social media, if an employee expresses either a political opinion or an opinion regarding the Company's actions and identifies oneself as an employee of the Company (or if it can be inferred that the employee is an employee of the Company), the poster must specifically state that the opinion expressed is the employee's opinion and not the Company's position. This is necessary to preserve the Company's goodwill in the marketplace and with our clients.
- Be respectful of potential readers and colleagues and refrain from using discriminatory comments, making maliciously false and/or defamatory comments when commenting about the Company, leadership, employees, customers, clients, or affiliates.
- Employees may not use the Company's logos or trademarks for commercial purposes or to endorse any product or service.
- Employees may not make any statement, written or oral to any news media representative or grant any interview, or post any statement pertaining to the company's operations or financial matters.
- Employees may not post any comment or other material endorsing, recommending, or promoting any of the Company's (or any affiliated company's) products or services without prior permission and disclosing the nature of the employee's relationship with the Company.
- Any conduct which is impermissible under the law if expressed in any other form or forum is impermissible if expressed through social media. All other Company policies apply equally to social media.

The Company encourages all employees to keep in mind the speed and manner in which information posted through social media can be relayed (and often misunderstood) by readers.

When in doubt, do not post!

Failure to follow these guidelines will result in disciplinary actions, up to and including termination.

In enforcing this policy, the Company reserves the right to monitor social media activities of employees, whether or not such activities are conducted with Company resources, to the extent permitted by and in accordance with applicable law.

This policy does not, however, prohibit employees from complying with or exercising their rights under any applicable federal, state, or local law, or from communicating about

wages, hours, or other terms and conditions of their or their co-workers' employment. This policy is not intended to restrict or interfere with any employee's federal or state labor law rights, including all rights under the National Labor Relations Act, or any whistleblower protections under federal or state law.

## **SOLICITATION & DISTRIBUTION**

To avoid distractions, solicitation by an employee of another employee during working time is prohibited.

Distribution of advertising material, handbills, printed or written literature of any kind during working time or in working areas is prohibited.

Employees are prohibited from soliciting or attempting to solicit any clients, customers, patients, or patient's family for any personal, business, or third-party purposes.

## **CONFIDENTIAL INFORMATION**

IntelyPros are required to maintain confidentiality of company information, such as and proprietary knowledge regarding its services, products, clients/customers, contracts, rates suppliers, vendors, and business partners that are not generally known or available to the public, but have been developed, compiled, or acquired by the Company at its great effort and expense.

Confidential information includes, but is not limited to business model, methods, operations, strategies, plans for future business, marketing initiatives, finances, and revenue. Each employee must safeguard confidential Company information. Confidential information may not be disclosed or distributed to any individual or entity or used for the benefit of any individual or entity other than the Company, without the prior written consent of the CEO.

Employees may not use their position, influence, knowledge of confidential information, including trade secrets, or the Company's assets for personal commercial gain, for the benefit of any competing company or organization, or for the benefit of any other third party except as may be required in performance of their duties as employees of the Company.

## **CONFLICT OF INTEREST**

IntelyPros shall not maintain an outside business or financial interest, or engage in any outside business or financial activity, which conflicts with the interests of the Company, or which interferes with the employee's ability to fully perform the employee's job responsibilities.

Other conflicts may include but are not limited to receiving gifts, cash or equivalent from patients, residents, or members of the respective families, accepting gifts from vendors, placing non-credentialed staff.

If a conflict of interest of a personal or business relationship does arise, the issues should be brought forth to the IntelyCare Contact Center at 617-971-8344 or 844-683-5922 or send an email to [CareTeam@IntelyCare.com](mailto:CareTeam@IntelyCare.com) and a member of the People & Culture team will respond to assess and determine the actual and potential conflicts of interest, interference with the business and address the conflict.

## **HIPAA REQUIREMENTS and CONFIDENTIALITY OF INDIVIDUALLY IDENTIFIABLE PERSONAL INFORMATION**

Any individually identifiable health or personal information including, but not limited to information regarding physical, mental or clinical conditions, prescriptions, treatment, or payment program, social security numbers, financial account numbers, state identification numbers, and certain other personal affairs or information of patients, customers, members of the Company's workforce and their families ("Confidential Personal Information") is strictly confidential and is to be accessed, used, processed, disclosed, modified, or deleted only as authorized and in the course of completing your assigned responsibilities for the Company.

Any such activity shall be conducted in accordance with all applicable state and Federal regulations, including, but not limited to the Health Insurance Portability and Accountability Act ("HIPAA") of 1996, if applicable, and the Company's Information Privacy and Security Program.

All members of the Company's workforce are responsible for protecting the privacy and security of Confidential Personal Information (in any form including oral, written, or electronic) that is obtained, handled, learned, heard, or viewed in the course of their work or association with the Company in accordance with its Information Privacy and Security Program. For example, discussions regarding Confidential Personal Information should not take place in the presence of persons not entitled to such information or in public places (elevators, lobbies, cafeterias, off premises, etc.).

Any IntelyPro who becomes aware of a possible breach of the security or confidentiality of Confidential Personal Information must immediately notify the IntelyCare Contact Center at 617-971-8344 or 844-683-5922 or send an email to [CareTeam@IntelyCare.com](mailto:CareTeam@IntelyCare.com); if you elect to identify yourself, a member of the People & Culture team will contact you. Please note that notification can be done anonymously.

No adverse action will be taken when a report is made in good faith and the reporter is not involved in the practice or behavior at issue.

## **CODE OF CONDUCT & DISCIPLINE**

The Company's standards of conduct are essential to providing the top-quality care our clients and their patients and residents expect, and that which IntelyCare represents.

Employees who are licensed or certified in any profession, shall follow all applicable rules and professional codes of conduct pertaining to that profession, in addition to the rules stated herein.

All IntelyPros must adhere to the company standards noted here, as well as in addition to the IntelyPro Terms of Service and Clinical Employee Orientation and Annual Training. Failure to follow, or disregard these standards may result in disciplinary action, up to and including suspension or termination of employment.

Nothing in this "Code of Conduct & Discipline" section either obligates the Company to continue an employee's employment for any period of time or in any way changes the agreement and understanding that employment with the Company is at-will, that either the employee or the Company may terminate the employment relationship at any time, with or without notice or cause, and that the Company is not bound to follow any policy, procedure, or process in connection with employee discipline, employment termination or otherwise.

While not an all-inclusive list, the examples below represent behavior that is unacceptable in the workplace.

In addition to the requirement to provide best clinical and quality care as a healthcare provider, the following behaviors, as well as other forms of misconduct may result in disciplinary action, up to and including termination of employment:

- Obtaining employment based on false or misleading information

- Failure to abide by the dress code and / or required PPE (protective personal equipment)

- Theft or inappropriate removal/possession of property

- Falsification of timekeeping records or failure to accurately check in and out for shifts and breaks

- Violation of Company policies including but not limited to Drug Free Workplace, Workplace Violence, Smoking, Discrimination, Harassment & Retaliation Prevention Policy, Attendance, Communication & Computer Systems Policy, Confidential Information & Conflicts of Interest, Cell Phone Use, etc.

- Sleeping or taking excessive breaks off the floor or outside of the facility

- Boisterous or disruptive activity in the workplace

- Negligence or improper conduct leading to damage of company-owned or customer-owned property

- Insubordination to lawful management directives or instructions

- Loitering or loafing during work time, or leaving a work area without the permission of management

Gambling on Company property

Wasting work materials

Performing work of a personal nature during working time

Inappropriate use of social media

Unsatisfactory job performance

Any employee who becomes aware of any ethical issues or unethical practices must immediately report this to the IntelyCare Contact Center at 617-971-8344 or 844-683-5922 or send an email to [CareTeam@IntelyCare.com](mailto:CareTeam@IntelyCare.com). Employees can raise concerns without fear of reprisal or retaliation. Reports will be handled confidentially to the greatest extent possible under the respective circumstances.

# State Amendments

## INTELYCARE CONNECTICUT EMPLOYEE HANDBOOK SUPPLEMENT

Note: IntelyPros (per diem staff members) receive and acknowledge the IntelyPro **Terms of Service** <https://www.intelycare.com/terms-of-service/> which references this handbook, state amendments and the Clinical Employee Orientation & Training Handbook, which guides expectations, practice and standards of conduct.

IntelyCare's corporate office is located in Quincy, Massachusetts and to reach our contact center, you can call 844-683-5922, 617-971-8344 with support available 24/7 or by email to: [Careteam@IntelyCare.com](mailto:Careteam@IntelyCare.com). Employees seeking to reach the People & Culture team should utilize the contact center and inquiries will be transferred to the appropriate member of the People & Culture team.



### **IMPORTANT NOTICE – DISCLAIMER**

The policies IN THIS CONNECTICUT EMPLOYEE HANDBOOK SUPPLEMENT ("STATE SUPPLEMENT") accompany and supplement the policies contained in the MAIN EMPLOYEE HANDBOOK and are specific to CONNECTICUT EMPLOYEES only. all provisions contained in the "important notice – disclaimer" in the EMPLOYEE HANDBOOK apply fully to this STATE supplement. Where this STATE Supplement and the EMPLOYEE HANDBOOK conflict, THE POLICIES IN this STATE Supplement CONTROL.

# INTELYCARE CONNECTICUT EMPLOYEE HANDBOOK SUPPLEMENT

## (APPLICABLE TO CONNECTICUT EMPLOYEES ONLY)

Connecticut Employees: please note that wherever Connecticut law provides for or offers greater protections to the Employees than this Connecticut Employee Handbook Supplement (“*State Supplement*”), Connecticut law will govern. Additionally, if this *State Supplement* and the *Employee Handbook* conflict, the policies in this *State Supplement* will control. Employees should contact People and Culture with any questions about the policies in this Supplement.

## **INTELYCARE CONNECTICUT EMPLOYEE HANDBOOK SUPPLEMENT**

### **IV. Harassment, Discrimination, and Retaliation Prevention Policy**

This policy supplements the Harassment, Discrimination, and Retaliation Prevention Policy in the main Employee Handbook and applies to all Connecticut Employees.

Connecticut Employees should note the following:

“Sexual harassment” is defined by Conn. Gen. Stat. §46a-60(b)(8) as any unwelcome sexual advances or request for sexual favors or any conduct of a sexual nature when:

- A. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- B. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or,
- C. such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Individuals who engage in acts of sexual harassment may be subject to civil and criminal penalties, which may include, but are not limited to, cease and desist orders; hiring, promotion or reinstatement; compensatory damages, back pay, temporary or permanent injunctive relief, punitive damages, attorney's fees and court costs.

#### **A. Complaint Procedure**

Connecticut Employees should promptly report conduct they believe in violation of this policy to their Supervisor, any other member of management, or to People and Culture.

In addition to the Company complaint procedure, Connecticut Employees who believe that they have been discriminated against, harassed, or retaliated against, or who are aware of such conduct toward others, also have the option to report it to the following agencies that will investigate and prosecute complaints of unlawful discrimination, harassment, and retaliation in employment: Connecticut Commission on Human Rights and Opportunities (CHRO) or the Equal Employment Opportunity Commission (EEOC).

Using the Company complaint procedure does not prohibit the Employee from filing a complaint with the agencies. Employees have 300 days to file a complaint with the agencies.

### **V. Connecticut Family and Medical Leave Act**

Under Connecticut's Family and Medical Leave Act (“CTFMLA”), Eligible Employees as defined in the CTFMLA may receive up to 12 weeks of leave in a 12-month period for (1) the birth of a child of the employee within the first year after the birth; (2) the placement

of a child with the employee in connection with the adoption or foster care of the child; (3) to care for a Family Member with a serious health condition; (4) a serious health condition of the Employee; (5) to serve as an organ or bone marrow donor; (6) a qualifying exigency related to the Employee's spouse, son, daughter or parent being on active duty or having been notified of an impending call or order to active duty in the armed forces; and (7) to care for a spouse, son, daughter, parent, or next-of-kin with a serious injury or illness incurred on active duty in the armed forces.

Eligible Employees may also qualify for 2 additional weeks (up to 14 weeks total) of leave in connection with an incapacity that occurs during pregnancy, and up to 26 weeks of leave in a single 12-month period to care for a covered service member with a qualifying serious injury or illness.

Under the CTFMLA, "Eligible Employee" means an Employee who has been employed for at least three months immediately preceding their request for leave. A Family Member means a son, daughter, parent, parent-in-law, grandparent, grandparent-in-law, sibling, spouse of the Employee, or an individual related to the Employee by blood or affinity, and whose close association the Employee shows to be the equivalent of those family relationship.

Except in the case of leave taken because of the birth or placement of a child with the Employee in connection with adoption or foster care, unless otherwise agreed by the Company, Eligible Employees may be eligible to take leave on an intermittent basis for a serious health condition of an Eligible Employee or covered family member.

CTFMLA leave is unpaid. However, Employees are required to concurrently utilize accrued Company-provided paid vacation/personal leave as part of such family/medical leave; provided that Eligible Employees may choose to retain up to two weeks of accrued paid vacation/personal leave, if available. For those Employees who qualify for leave under the federal Family and Medical Leave Act (FMLA), leave pursuant to the CTFMLA will run concurrently with any leave to which the Employee is entitled under the federal FMLA.

If the leave is foreseeable for the birth or placement of a child due to adoption or foster care, the Employee must provide at least 30 days advance notice before the leave is to begin, unless the date of birth or placement requires leave to begin in less than 30 days, in which case the Employee should provide as much notice as is practicable. If the leave is for a serious health condition or for organ/bone marrow donation, the Employee must provide 30 days advance notice, unless the date of the treatment requires leave to begin in less than 30 days, in which case the Employee must provide as much notice as is practicable. For a serious health condition of a covered family member, the Employee must provide certification stating (1) the date on which the serious health condition began; (2) the probable duration; (3) appropriate medical facts within the health care provider's

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knowledge regarding the condition; (4) a statement that the Employee is needed to care for the family member and an estimate of the amount of time that such Employee needs to care for the family member; and (5) a statement that the Employee is unable to perform the functions of the position of the Employee. For the Employee's own serious health condition, the Employee must provide certification stating (1) the date on which the serious health condition began; (2) the probable duration; (3) appropriate medical facts within the health care provider's knowledge regarding the condition; and where applicable, (4) information regarding the need for intermittent leave.

Employees who take CTFMLA leave are entitled to be restored to their original positions or, if the original position is unavailable, to an equivalent position with equivalent benefits, pay, and terms and conditions of employment.

The law prohibits employers from retaliating against Eligible Employees for requesting or using CTFMLA leave, or applying for paid leave benefits from the Connecticut Paid Leave Authority. Examples of unlawful retaliation may include disciplining or terminating an individual for exercising rights under the CTFMLA, for opposing unlawful conduct, or for participating in a CTFMLA-related proceeding. The law also prohibits employers from interfering with an Employee's rights under state law. Examples of unlawful interference may include improperly refusing to grant CTFMLA leave.

The Company prohibits unlawful retaliation or interference. Employees who believe their rights have been violated should immediately inform People and Culture. Employees who believe their CTFMLA rights have been violated also have the option to file a complaint directly in Connecticut Superior Court, or with the Connecticut Department of Labor ("CTDOL"). To file a CTFMLA complaint with the CTDOL, Employees should complete and submit the appropriate CTFMLA complaint form found on the CTDOL's website at: <https://portal.ct.gov/DOLUI/newfmlguidance>.

Employees should notify the Company for time away from work, by contacting People and Culture at [loa@intelycare.com](mailto:loa@intelycare.com).

**Connecticut Paid Leave Benefits.** Employees who have earned wages of \$2,325 in the highest-earning quarter of the first 4 of the 5 most recently completed quarters and are currently employed, or were employed within the last 12 weeks, may be eligible for wage replacement benefits administered by the Connecticut Paid Leave Authority. In most cases, these benefits are available for up to 12 weeks in a 12-month period for reasons covered by the CTFMLA, with an additional 2 weeks available to an Employee for incapacity or medical treatment during pregnancy. Benefits are limited to 12 days for leave to deal with the effects of family violence or sexual assault.

Paid leave benefits from the Connecticut Paid Leave Authority are in addition to paid time off benefits offered by the Company, however the total compensation received by the

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Employee cannot exceed the Employee's regular rate of compensation while working for the Company.

Connecticut Paid Leave benefits are administered by the Connecticut Paid Leave Authority. More information about the program, and instructions for how to apply are available at <https://ctpaidleave.org/>. To receive income replacement benefits while on leave, Employees must contact the Connecticut Paid Leave Authority. In some situations, it will be necessary for the Employee, the Company and the Connecticut Paid Leave Authority to communicate in order to establish the reason for the leave or to verify the duration and frequency of the leave.

## **VI. Drug and Alcohol-Free Workplace Policy**

**Pre-employment Testing:** When submitting an application for employment with the Company, applicants will be provided with a copy of the policy, this Supplement, and a notice that the applicant will be subject to drug testing after being extended a conditional offer of employment. Any individual applying for employment who was terminated from the Company within the 12 months prior to re-application will not be subject to pre-employment testing.

**Post-Accident Testing:** Employees will not be subject to post-accident testing except to the extent that the circumstances also support reasonable suspicion/for cause testing.

**For-Cause Testing:** For-cause testing is permitted if an employer has reasonable suspicion that an Employee is under the influence of drugs or alcohol, which adversely affects or could adversely affect the employer's job performance.

**Return-To-Work and Follow-Up Testing:** Return-To-Work and Follow-Up Testing will be conducted only as part of an employer-sponsored EAP in which the Employee voluntarily participates.

**Testing Results:** Connecticut applicants and Employees have a right to inspect or obtain a copy of their drug test results from the Company by contacting CareTeam at [careteam@intelycare.com](mailto:careteam@intelycare.com). All applicants who are extended a conditional offer of employment, undergo testing, and test positive will be provided with a copy of the positive urinalysis test result. Employees will be given an opportunity to submit a written statement to the Company explaining a positive test result. Such statement will be maintained with the test result in the Employee's confidential medical file.

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# INTELYCARE DELAWARE EMPLOYEE HANDBOOK SUPPLEMENT

Note: IntelyPros (per diem staff members) receive and acknowledge the IntelyPro **Terms of Service** <https://www.intelycare.com/terms-of-service/> which references this handbook, state amendments and the Clinical Employee Orientation & Training Handbook, which guides expectations, practice and standards of conduct.

IntelyCare's corporate office is located in Quincy, Massachusetts and to reach our contact center, you can call 844-683-5922, 617-971-8344 with support available 24X7 or by email to: [Careteam@IntelyCare.com](mailto:Careteam@IntelyCare.com). Employees seeking to reach the People & Culture team should utilize the contact center and inquiries will be transferred to the appropriate member of the People & Culture team.

THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT

### **IMPORTANT NOTICE – DISCLAIMER**

**THE POLICIES IN THIS DELAWARE EMPLOYEE HANDBOOK SUPPLEMENT (“STATE SUPPLEMENT”) ACCOMPANY AND SUPPLEMENT THE POLICIES CONTAINED IN THE MAIN AND ARE SPECIFIC TO DELAWARE EMPLOYEES ONLY. ALL PROVISIONS CONTAINED IN THE “IMPORTANT NOTICE – DISCLAIMER” IN THE EMPLOYEE HANDBOOK APPLY FULLY TO THIS STATE SUPPLEMENT. WHERE THIS STATE SUPPLEMENT AND THE EMPLOYEE HANDBOOK CONFLICT, THE POLICIES IN THIS STATE SUPPLEMENT CONTROL.**



## **DELAWARE EMPLOYEE HANDBOOK SUPPLEMENT**

### **(FOR DELAWARE EMPLOYEES ONLY)**

Delaware Employees: please note that wherever Delaware law provides for or offers greater protections to the Employees than this Delaware Employee Handbook Supplement (“State Supplement”), Delaware law will govern. Additionally, if this State Supplement and the Employee Handbook conflict, the policies in this State Supplement will control. Employees should contact People and Culture with any questions about the policies in this Supplement.

#### **VII. Meal Breaks**

Employees who work a shift of at least 7.5 hours are entitled to a 30-minute meal break. Meal breaks will be scheduled after the first two hours, but before the last two hours, of the Employee’s shift. Employees under the age of 18 who work 5 or more consecutive hours are entitled to a 30-minute meal break.

# INTELYCARE FLORIDA (MIAMI-DADE COUNTY ONLY) EMPLOYEE HANDBOOK SUPPLEMENT

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### IMPORTANT NOTICE – DISCLAIMER

THE POLICIES IN THIS FLORIDA (MIAMI-DADE COUNTY) **EMPLOYEE HANDBOOK** SUPPLEMENT (“COUNTY SUPPLEMENT”) ACCOMPANY AND SUPPLEMENT THE POLICIES CONTAINED IN THE **EMPLOYEE HANDBOOK** AND ARE SPECIFIC TO MIAMI-DADE COUNTY, FLORIDA **EMPLOYEES** ONLY. ALL PROVISIONS CONTAINED IN THE “IMPORTANT NOTICE – DISCLAIMER” IN THE **EMPLOYEE HANDBOOK** APPLY FULLY TO THIS COUNTY SUPPLEMENT. WHERE THIS COUNTY SUPPLEMENT AND THE **EMPLOYEE HANDBOOK** CONFLICT, THE POLICIES IN THIS COUNTY SUPPLEMENT CONTROL.

## **FLORIDA EMPLOYEE HANDBOOK SUPPLEMENT**

### **(FOR MIAMI-DADE COUNTY EMPLOYEES ONLY)**

Florida (Miami-Dade County) Employees: please note that wherever Miami-Dade County, Florida law provides for or offers greater protections to Employees than this Florida (Miami-Dade County) Employee Handbook Supplement ("*County Supplement*"), Florida (Miami-Dade County) law will govern. Additionally, if this *County Supplement* and the Employee Handbook conflict, the policies in this *County Supplement* will control. Employees should contact People and Culture with any questions about the policies in this Supplement.

### **VIII. FMLA**

This policy supplements the FMLA policy in the main Employee Handbook for Employees in Miami-Dade County.

"Grandparent" will be added to the FMLA definition of covered relation for Employees in Miami-Dade County only. "Grandparent" is defined as "any grandparent of an Employee for whom the Employee has assumed primary financial responsibility."

# INTELYCARE ILLINOIS EMPLOYEE HANDBOOK SUPPLEMENT

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IntelyCare's corporate office is located in Quincy, Massachusetts and to reach our contact center, you can call 844-683-5922, 617-971-8344 with support available 24X7 or by email to: [Careteam@IntelyCare.com](mailto:Careteam@IntelyCare.com). Employees seeking to reach the People & Culture team should utilize the contact center and inquiries will be transferred to the appropriate member of the People & Culture team.

IMPORTANT NOTICE – DISCLAIMER

THE POLICIES IN THIS ILLINOIS EMPLOYEE HANDBOOK SUPPLEMENT (“STATE SUPPLEMENT”) ACCOMPANY AND SUPPLEMENT THE POLICIES CONTAINED IN THE MAIN EMPLOYEE HANDBOOK AND ARE SPECIFIC TO ILLINOIS EMPLOYEES ONLY. ALL PROVISIONS CONTAINED IN THE “IMPORTANT NOTICE – DISCLAIMER” IN THE EMPLOYEE HANDBOOK APPLY FULLY TO THIS STATE SUPPLEMENT. WHERE THIS STATE SUPPLEMENT AND THE EMPLOYEE HANDBOOK CONFLICT, THE POLICIES IN THIS STATE SUPPLEMENT CONTROL.

## **INTELYCARE ILLINOIS EMPLOYEE HANDBOOK SUPPLEMENT**

### **(APPLICABLE TO ILLINOIS EMPLOYEES ONLY)**

Illinois Employees: please note that wherever Illinois law provides for or offers greater protections to the Employees than this Illinois Employee Handbook Supplement ("*State Supplement*"), Illinois law will govern. Additionally, if this *State Supplement* and the *Employee Handbook* conflict, the policies in this *State Supplement* will control. Employees should contact People and Culture with any questions about the policies in this Supplement.

## **INTELYCARE ILLINOIS EMPLOYEE HANDBOOK SUPPLEMENT**

### **IX. Harassment, Discrimination, and Retaliation Prevention Policy**

This policy supplements the Harassment, Discrimination, and Retaliation Prevention Policy in the Employee Handbook, and applies to all Illinois Employees. The Company hopes that any incidents of sexual harassment can be resolved through the internal Complaint Procedure outlined in the main Employee Handbook.

Pursuant to Illinois law, sexual harassment means any harassment based on someone's sex or gender. It includes harassment that is not sexual in nature (for example, offensive remarks about an individual's sex or gender), as well as any unwelcome sexual advances or requests for sexual favors or any other conduct of a sexual nature, when any of the following is true: (i) submission to the advance, request, or conduct is made either explicitly or implicitly a term or condition of employment; (ii) submission to or rejection of the advance, request, or conduct is used as a basis for employment decisions; (iii) such advances, requests, or conduct have the purpose or effect of substantially or unreasonably interfering with an employee's work performance by creating an intimidating, hostile, or offensive work environment.

The Company requires that all Employees annually participate in sexual harassment prevention training.

In addition to the internal Company complaint procedure, Illinois Employees also have the right to file formal charges with the Illinois Department of Human Rights (IDHR) and/or the U.S. Equal Employment Opportunity Commission (EEOC) and/or the Chicago Commission on Human Relations ("CCHR"). A charge with the IDHR must be filed within 300 days of the incident of sexual harassment. A charge with the EEOC must be filed within 300 days of the incident. A charge with the CCHR must be filed within 365 days of the alleged incident. The State of Illinois also has created a Sexual Harassment Helpline, which is administered by IDHR: 1-877-236-7703. Using the Company complaint procedure does not prohibit the Employee from filing a complaint with these agencies.

#### **Illinois Department of Human Rights (IDHR):**

Chicago: 312-814-6200 or 800-662-3942

Chicago TTY: 866-740-3953

Springfield: 217-785-5100

Springfield TTY: 866-740-3953

#### **Illinois Human Rights Commission (IHRC):**

Chicago: 312-814-6269

Chicago TTY: 312-814-4760

Springfield: 217-785-4350

Springfield TTY: 217-557-1500



U.S. Equal Employment Opportunity Commission (EEOC):

Chicago: 800-669-4000

Chicago TTY: 312-869-8001

Chicago Commission on Human Relations (CCHR)

Phone: 312.744.4111

TTY: 312.744.1088

Fax: 312.744.1081

**X. Pregnancy Accommodations**

This policy applies to all applicants or Employees of the Company in the State of Illinois, and controls where it may conflict with the Company's other policies.

A pregnant Employee has the right to:

- ask the Company for a reasonable accommodation for the Employee's pregnancy, such as more frequent bathroom breaks, assistance with heavy work, a private space for expressing milk, or time off to recover from pregnancy;
- reject an accommodation offered by the Company for the Employee's pregnancy that the Employee does not desire; and
- continue working during the Employee's pregnancy if a reasonable accommodation is available which would allow the Employee to continue performing her job.

The Company will not:

- discriminate against an Employee because of the Employee's pregnancy; or
- retaliate against the Employee because the Employee requested a reasonable accommodation.

It is illegal for the Company to terminate, refuse to hire, or refuse to provide someone with a reasonable accommodation because of their pregnancy.

For more information regarding a pregnant Employee's rights, download the Illinois Department of Human Rights fact sheet at [www.illinois.gov/dhr](http://www.illinois.gov/dhr), or see the posting in your location which explains the law in more detail. The Company fully complies with the law.

If you have questions about your rights, in addition to contacting your supervisor, you have the right to contact the Illinois Department of Human Rights.

**ADMINISTRATIVE CONTACTS:**

Illinois Department of Human Rights

Chicago: 312-814-6200 or 800-662-3942  
Chicago TTY: 866-740-3953  
Springfield: 217-785-5100  
Springfield TTY: 866-740-3953  
[www.illinois.gov/dhr](http://www.illinois.gov/dhr)

If you wish to seek an accommodation for your pregnancy, you should follow the accommodation process set forth in the Company's accommodation policy.

## **XI. Illinois Paid Leave**

The Company provides eligible Employees with paid leave pursuant to Illinois' Paid Leave for All Workers Act (PLAWA) and the Cook County Paid Leave Ordinance (CCPL).

The guidelines in this policy do not supersede federal, state or local laws regarding leaves of absence, including but not limited to leave taken under the Family and Medical Leave Act (FMLA), leave taken as a reasonable accommodation under the Americans with Disabilities Act (ADA) or any other applicable federal, state or local law, including those prohibiting discrimination and harassment.

### **A. Eligibility**

All full- or part-time Employees, seasonal and temporary Employees are eligible to accrue paid leave.

### **B. Accrual and Use**

For purposes of this policy, all eligible Employees will accrue one hour of paid leave for every 40 hours worked. The maximum amount of paid leave an Employee can use is capped at 40 hours per calendar year.

A benefit is the calendar year. Employees may use PLAWA leave in 1.00-hour increments. An Employee may begin to access PLAWA leave on the 90th day of service with the Company.

For accrual purposes, salaried exempt Employees are assumed to work 40 hours per workweek. If an Employee normally works fewer than 40 hours, then accrual will be based on his or her normal workweek. Non-exempt Employees accrue PLAWA leave based on all hours worked, including overtime hours worked. PLAWA leave does not accrue when an Employee is not working, such as when an Employee is on an unpaid leave of absence.

### **C. Carryover**

Employees can carry over up to 40 hours of accrued but unused paid leave from one calendar year to the next. However, Employees are entitled to use no more than 40 hours of paid leave in a calendar year.

The Company does not offer pay in lieu of actual use of PLAWA leave.

#### **D. Reasons Leave Time May Be Used**

PLAWA or CCPL leave is available for any use, without limitation.

#### **E. Requesting Leave and Documentation**

When the need for leave is planned or foreseeable, Employees must provide notice and make the request for leave at least 7 days in advance, of the need for leave. If the need for leave is unforeseeable, Employees must provide notice as soon as practicable.

Because PLAWA or CCPL leave can be used for any reason, the Employee does not have to provide a reason for use to the Company. However, if the need to use leave exceeds three consecutive work days, verification may be requested under the Family Medical Leave Act (FMLA), if the leave is related to an FMLA qualifying event.

To provide notice of the need to use leave, Employees should contact Human Resources electronically.

Employees are not required to find an Employee to cover their work when they use PLAWA or CCPL leave, and the leave time will not count against attendance. Therefore, any such use of paid leave will not lead to or result in discipline, demotion, suspension, or termination.

#### **F. Denial of Leave**

The Company may deny a request for leave in order to meet its core operational needs.

#### **G. Rate of Pay for Leave Time**

Leave is paid based on the Employee's normal hourly rate. Leave is available only for shifts the Employee was scheduled to work.

#### **H. Separation from Employment**

Because paid leave is being provided solely pursuant to PLAWA or CCPL Employees will not be compensated for accrued and unused PLAWA or CCPL leave upon separation from employment for any reason.

#### **I. Effect on Other Rights and Policies**

The Company may provide other forms of leave for Employees to care for medical conditions or for issues related to domestic violence under certain federal, state and municipal laws. In certain situations, PLAWA leave may run at the same time as leave available under another federal, state or municipal law, provided eligibility requirements for that law are met. If PLAWA leave is used for more than three consecutive work days and the Employee is eligible for protection under the Family Medical Leave Act (FMLA),

the PLAWA leave and the FMLA leave shall run concurrently. CCPL leave will not run concurrently with FMLA. The Company is committed to complying with all applicable laws. Employees should contact Human Resources for information about other federal, state and local medical, domestic violence or family leave rights.

#### **J. No Discrimination or Retaliation**

The Company will not retaliate or discriminate against, tolerate retaliation or discrimination against, or restrain or interfere with any Employee who in good faith exercises or attempts to exercise his or her rights under the PLAWA or CCPL. The Company hopes that any issue regarding use of leave provided under this policy can be resolved through the Company internal reporting procedure. However, in Illinois, Employees have the right to file a formal complaint regarding a violation of the PLAWA with the Illinois Department of Labor. A complaint with the Illinois Department of Labor must be filed within three (3) years after the alleged violation took place. A summary of the PLAWA requirements may be found here: [https://labor.illinois.gov/laws - rules/paidleave.html](https://labor.illinois.gov/laws_rules/paidleave.html).

#### **ADMINISTRATIVE CONTACTS:**

Illinois Department of Labor

Chicago: 312-793-2800

Springfield: 217-782-6206

Marion: 618-993-7090

TTY users: 800-526-0844

[www.labor.illinois.gov](http://www.labor.illinois.gov)

## **XII. CHICAGO POLICIES**

### **(APPLICABLE TO CHICAGO EMPLOYEES ONLY)**

Chicago Employees: please note that wherever Chicago law provides for or offers greater protections to Employees than this Illinois Employee Handbook Supplement (“*State Supplement*”), including this Chicago subsection of the *State Supplement*, Chicago law will govern. Additionally, if the provisions in this Chicago subsection conflict with either (a) the rest of this Illinois *State Supplement* or (b) the *Employee Handbook*, the policies in this Chicago subsection will control. All of the policies set forth below may not be applicable to all Employees. Employees should contact People and Culture with any questions about the policies in this *State Supplement*.

### **XIII. Harassment, Discrimination, and Retaliation Prevention**

This policy supplements the Harassment, Discrimination, and Retaliation Prevention Policy in the Employee Handbook, as well as the above supplement for all Illinois Employees. In addition to the above noted definition, in Chicago, “sexual harassment” also means sexual misconduct, which is behavior of a sexual nature that also involves coercion, abuse of authority, or misuse of an individual’s employment position.

Examples of sexual harassment are set forth in the Harassment, Discrimination, and Retaliation Prevention Policy in the Employee Handbook.

The Company hopes that any incident of harassment, including but not limited to sexual harassment, can be resolved through the internal process set forth in Harassment, Discrimination, and Retaliation Prevention Policy in the main Employee Handbook. Like all other Illinois Employees, Employees based in Chicago have the right to file formal charges, as detailed above.

### **XIV. Chicago Paid Leave and Paid Sick and Safe Leave Policy**

The Company provides eligible Employees with paid leave (“PL”) and paid sick and safe leave (“PSSL”) pursuant to the Chicago Paid Leave and Paid Sick and Safe Leave Ordinance.

The guidelines in this policy do not supersede federal, state or local laws regarding leaves of absence, including but not limited to leave taken under the federal and any applicable state or local Family and Medical Leave Act (FMLA), leave taken as a reasonable accommodation under the Americans with Disabilities Act (ADA) or any other applicable federal, state or local law, including those prohibiting discrimination and harassment.

## **A. Eligibility**

Full time, part-time and temporary Employees who work at least 80 hours for the Company within any 120-day period within the City of Chicago, are eligible to accrue both PL and PSSL.

## **B. Reasons for Leave**

PL may be used for any reason.

PSSL may be used for the following reasons:

- the Employee's own illness or injury, or to receive professional care, including preventive care, treatment, or diagnosis, for medical, mental, or behavioral issues, including substance abuse disorders;
- the Employee's family member's illness or injury or quarantine order, or to care for a family member receiving professional care, including preventive care, treatment, or diagnosis, for medical, mental, or behavioral issues, including substance abuse disorders;
- the Employee or the Employee's family member is a victim of domestic violence, a sex offense (which includes stalking, aggravated stalking, or cyber stalking), or trafficking;
- the Company's closure, by order of a public official due to a public health emergency;
- the Employee needs to care for a family member whose school, class, or place of care has been closed; or
- the Employee is following an order of the Mayor, Governor of Illinois, Chicago Department of Public Health, or a treating health care provider, requiring the Employee to:
  - remain home to minimize the transmission of a communicable disease;
  - remain at home while experiencing symptoms or sick with a communicable disease;
  - follow a quarantine order; or
  - follow an isolation order.

Eligible family members include an Employee's:

- child (including biological, adopted, step, or foster child, or a child to whom the Employee stands in loco parentis),

- spouse or domestic partner;
- parent (biological, foster, step, or adoptive parent, or legal guardian, or a person who stood in loco parentis to the Employee) or spouse/domestic partner's parent;
- sibling;
- grandparent;
- grandchild; or
- any other blood relative or person whose close association is equivalent to a family relationship.

### **C. Accrual and Use**

Eligible Employees begin to accrue PL and PSSSL on their first day of employment. Employees accrue one hour of PL and one hour of PSSSL for every 35 hours worked in Chicago, Illinois up to a maximum of 40 hours of PL and 40 hours of PSSSL in a calendar year. Employees may use PL under this policy in 4-hour increments. Employees may use PSSSL under this policy in 2-hour increments. Employees may begin to access PL on their 90<sup>th</sup> day of employment with the Company. Employees may begin to access PSSSL on their 30<sup>th</sup> day of employment.

Employees may use PL and PSSSL as it accrues.

For accrual purposes, salaried exempt employees are assumed to work 40 hours per workweek. If an Employee normally works fewer than 40 hours, then accrual will be based on their normal workweek. Non-exempt employees accrue PL and PSSSL based on all hours worked, including overtime hours worked. PL and PSSSL do not accrue when an Employee is not working, such as when the Employee is on an unpaid leave of absence.

### **D. Carryover**

Employees may carry over up to 16 hours of PL and up to 80 hours of PSSSL from one year to the next. Accrual of PL and PSSSL in the subsequent year is in addition to the hours that were accrued and unused in the previous year and carried over. However, the total amount of accrued and unused time, including any carryover, may not exceed 56 hours of PL or 120 hours of PSSSL.

The Company does not offer pay in lieu of actual PL or PSSSL.

### **E. Rate of Pay**

PL and PSSSL are paid based on the Employee's normal hourly rate. Employees will be paid only for the hours they are scheduled to work.

## **F. Requesting Leave and Documentation**

When the need for PL or PSSSL is foreseeable, Employees must provide at least seven days' notice. If the need for PL or PSSSL is unforeseeable, Employees must provide notice as soon as practicable. In all circumstances, the Employee is responsible for specifying that the requested time off is for legally protected leave reasons, so the absence may be designated accordingly.

To provide notice of the need to use PL or PSSSL, Employees should contact Human Resources electronically.

If PSSSL is used for more than three consecutive days, the Company requires Employees to provide supporting documentation that the PSSSL was used for a covered purpose. If PSSSL is used for the Employee's or the Employee's family member's medical condition, documentation signed by a health care professional is sufficient documentation of the covered purpose. If PSSSL is used because the Employee or their family member is a victim of domestic violence, sexual violence or stalking, the following documentation is sufficient: (1) a police report, (2) a court document, (3) a signed statement from an attorney, a member of clergy, or a victim services advocate, or (4) any other evidence that supports the Employee's claim, including a written statement from the Employee or any other individual with knowledge of the circumstances.

Employees are not required to find an Employee to cover their work when they take PL or PSSSL. Qualified use of PL or PSSSL will not result in disciplinary action or be counted as an absence.

## **G. Denial of Leave**

The Company may deny a request for leave in order to meet its core operational needs.

## **H. Internal Transfer of Employment**

If an Employee is transferred to a separate division, entity, or location outside of Chicago, Illinois the Employee will be paid the monetary equivalent of all unused, accrued PL.

## **I. Separation from Employment**

Employees will be paid the monetary equivalent of all unused, accrued PL upon separation from employment for any reason.

## **J. Confidentiality**

In accordance with applicable federal, state and local law, the Company will treat as confidential health information or information pertaining to domestic violence, sexual assault or stalking pertaining to the Employee or the Employee's family member. Such information will not be released without the Employee's express permission, unless otherwise required by law or by a court or administrative agency.



#### **K. Effect on Other Rights and Policies**

The Company may provide other forms of leave for Employees to care for medical conditions or for issues related to domestic violence under certain federal, state and municipal laws. The Company is committed to complying with all applicable laws. Employees should contact People and Culture for information about other federal, state and local medical, domestic violence or family leave rights.

#### **L. No Discrimination or Retaliation**

The Company will not retaliate or discriminate against, tolerate retaliation or discrimination against, or restrain or interfere with any Employee who in good faith exercises or attempts to exercise their rights under the Chicago Paid Leave and Paid Sick and Safe Leave Ordinance. In Chicago, Employees have the right to file a formal complaint regarding a violation of the Chicago Paid Sick and Safe Leave Ordinance with the Chicago Department of Business Affairs and Consumer Protection – Office of Labor Standards. A complaint must be filed within three (3) years after the alleged violation took place.

#### **ADMINISTRATIVE CONTACTS:**

City of Chicago Department of Business Affairs and Consumer Protection

Chicago: 312-744-2211

[www.chicago.gov/laborstandards](http://www.chicago.gov/laborstandards)

# INTELYCARE KENTUCKY EMPLOYEE HANDBOOK SUPPLEMENT

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### IMPORTANT NOTICE – DISCLAIMER

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## **KENTUCKY EMPLOYEE HANDBOOK SUPPLEMENT**

### **(FOR KENTUCKY EMPLOYEES ONLY)**

Kentucky Employees: please note that wherever Kentucky law provides for or offers greater protections to the Employees than this Kentucky Employee Handbook Supplement ("*State Supplement*"), Kentucky law will govern. Additionally, if this *State Supplement* and the *Employee Handbook* conflict, the policies in this *State Supplement* will control. Employees should contact People and Culture with any questions about the policies in this Supplement.

#### **XV. Kentucky Pregnant Workers Act**

Employees have the right to be free from discrimination in relation to pregnancy, childbirth, and related medical conditions. This includes the right to reasonable accommodations for limitations related to pregnancy, childbirth, and related medical conditions.

To request accommodation for your pregnancy, childbirth or related medical condition, please contact your Supervisor or People and Culture. Upon this request, the Company will engage in an interactive process to work with you to determine a reasonable accommodation to enable you to perform the essential functions of your job.

The Company prohibits discrimination against Employees and applicants on the basis of pregnancy, childbirth, and related medical conditions, and prohibits discrimination, harassment, and retaliation against Employees and applicants for requesting and/or using accommodation(s). If you feel you have been subjected to such prohibited conduct, immediately speak to your Supervisor or People and Culture. It is against Company policy to retaliate against Employees for reporting discrimination.

# INTELYCARE MASSACHUSETTS EMPLOYEE HANDBOOK SUPPLEMENT

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IntelyCare's corporate office is located in Quincy, Massachusetts and to reach our contact center, you can call 844-683-5922, 617-971-8344 with support available 24X7 or by email to: [Careteam@IntelyCare.com](mailto:Careteam@IntelyCare.com). Employees seeking to reach the People & Culture team should utilize the contact center and inquiries will be transferred to the appropriate member of the People & Culture team.

## IMPORTANT NOTICE – DISCLAIMER

THE POLICIES IN THIS MASSACHUSETTS EMPLOYEE HANDBOOK SUPPLEMENT (“STATE SUPPLEMENT”) ACCOMPANY AND SUPPLEMENT THE POLICIES CONTAINED IN THE MAIN EMPLOYEE HANDBOOK AND ARE SPECIFIC TO MASSACHUSETTS EMPLOYEES ONLY. ALL PROVISIONS CONTAINED IN THE “IMPORTANT NOTICE – DISCLAIMER” IN THE EMPLOYEE HANDBOOK APPLY FULLY TO THIS STATE SUPPLEMENT. WHERE THIS STATE SUPPLEMENT AND THE EMPLOYEE HANDBOOK CONFLICT, THE POLICIES IN THIS STATE SUPPLEMENT CONTROL.

This is an important notice. Please have it translated.

Este é um aviso importante. Queira mandá-lo traduzir.

Este es un aviso importante. Sirvase mandarlo traducir.

ĐÂY LÀ MỘT BẢN THÔNG CÁO QUAN TRỌNG

XIN VUI LÒNG CHO DỊCH LẠI THÔNG CÁO ẤY

Ceci est important. Veuillez faire traduire.

本通知很重要。請將之譯成中文。

នេះគឺជាជំនាញសំខាន់ សូមមេត្តាបកប្រែជូនផង

**INTELYCARE MASSACHUSETTS EMPLOYEE HANDBOOK  
SUPPLEMENT  
(APPLICABLE TO MASSACHUSETTS EMPLOYEES ONLY)**

Massachusetts Employees: please note that wherever Massachusetts law provides for or offers greater protections to the Employees than this Massachusetts Employee Handbook Supplement ("*State Supplement*"), Massachusetts law will govern. Additionally, if this *State Supplement* and the Employee Handbook conflict, the policies in this *State Supplement* will control. Employees should contact People and Culture with any questions about the policies in this Supplement.

**XVI. Harassment, Discrimination, and Retaliation Prevention Policy**

This policy supplements the Harassment, Discrimination, and Retaliation Prevention Policy in the Employee Handbook, and applies to all Massachusetts Employees. Massachusetts Employees should note the following:

**Complaint Procedure:**

Massachusetts Employees should immediately report conduct they believe to be in violation of this policy to their Supervisor, any other member of management, People and Culture, or to People and Culture. Complaints may be made orally or in writing. Verbal or written reports also may be made to VP People and Culture, Gretchen Swan, at 1250 Hancock Street, Quincy MA 02169, 617-657-1390.

In addition to the internal Company complaint procedure, Massachusetts Employees who believe that they have been discriminated against, harassed, or retaliated against, or who are aware of such conduct toward others, also have the option to report it to the following agencies which will investigate and prosecute complaints of unlawful discrimination, harassment, and retaliation in employment. Using the Company complaint procedure does not prohibit the Employee from filing a complaint with the agency.

Massachusetts Commission Against Discrimination:

One Ashburton Place  
Sixth Floor, Room 601  
Boston, MA 02108  
(617) 994-6000

436 Dwight Street  
Second Floor, Room 220  
Springfield, MA 01103  
(413)739-2145

18 Chestnut Street, Room 520  
Worcester, MA 01608  
(508) 453-9630

Equal Employment Opportunity Commission:

John F. Kennedy Federal Building  
15 New Sudbury Street, Room 475  
Boston, MA 02203  
(800) 669-4000

## **XVII. Massachusetts Parental Leave**

Massachusetts Employees who are not eligible for Family or Medical Leave under the FMLA may be eligible under the Massachusetts Parental Leave Act (MPLA) for a leave of absence for childbirth, adoption, or for the placement of a child pursuant to a court order.

Full-time Employees are eligible for MPLA leave if they have been employed for at least 3 months. Employees are eligible for up to 8 weeks of unpaid leave for: (a) giving birth; (b) caring for a newly placed child under the age of 18, or under the age of 23 if the child is mentally or physically disabled; or (c) for an intended or actual adoption.

The MPLA also provides that, if two Employees of the same employer are the parents to the same child, those employees are only entitled to one aggregate period of 8 weeks of leave between them.

An Employee who takes leave is generally entitled to be restored to the Employee's previous or similar position with the same status, pay, and seniority as when the leave period began. These protections apply only to leaves of up to eight weeks. According to the MPLA, the law does not require that an Employee be reinstated to a position when Employees in similar positions with similar lengths of service and status have been laid off due to economic or other operating conditions. In these circumstances, the Employee on leave is to be afforded the same preferential treatment in consideration for another position as they would have had at the time their leave period began.

Leave under MPLA is unpaid, though Employees may use applicable accrued paid time off while on leave. Where an Employee qualifies for leave under the MPLA and the federal FMLA, leave under both statutes will run concurrently.

The Company complies with applicable state and local laws, including the Massachusetts Paid Family and Medical Leave Act, and, where applicable, leave available under that law runs concurrently with other leaves, including but not limited to the federal Family and Medical Leave Act and the MPLA. In addition, where Employees elect to use accrued paid time off (including but not limited to time covered by the Massachusetts Earned Sick Time law) during a period of absence covered by the Massachusetts Paid Family and Medical Leave law, such absences will run concurrently under the Massachusetts Earned Sick Time Law and Paid Family and Medical Leave Law.

To obtain a Leave of Absence Medical Certification Form, Employees should contact People and Culture.

Other information regarding leave can be found at: [2025 pfml poster](#).document



## **XVIII. Accommodations Due to Pregnancy, Childbirth and Related Conditions**

This policy supplements the Accommodations Due to Pregnancy, Childbirth and Related Conditions policy in the Employee Handbook, and applies to all Massachusetts Employees.

Employees have the right to be free from discrimination in relation to pregnancy or a condition related to the Employee's pregnancy including, but not limited to, lactation or the need to express milk for a nursing child, including the right to reasonable accommodations for conditions related to pregnancy. Employers may not treat Employees less favorably than other Employees based on pregnancy or pregnancy-related conditions, and may not refuse to hire or deny an employment opportunity to an Employee because of the Employee's request for or use of a reasonable accommodation for pregnancy or a pregnancy-related condition.

Employees should contact People and Culture to request an accommodation for a pregnancy or a pregnancy-related condition. Upon this request, the Company will engage in an interactive process with the Employee to determine a reasonable accommodation to enable the Employee to perform the essential functions of the Employee's job. The Company will accommodate pregnancy and pregnancy-related conditions unless doing so would pose an undue hardship to the Company.

The Company will not require an Employee affected by pregnancy or a pregnancy-related condition to accept an accommodation, if that accommodation is unnecessary to enable the Employee to perform the essential functions of the job. The Company will not require an Employee to take a leave if another reasonable accommodation may be provided for the known conditions related to the Employee's pregnancy, without undue hardship to the Company.

The Company may require that Employees provide medical documentation concerning the need for a pregnancy or pregnancy-related reasonable accommodation but will not require Employees to submit medical documentation if the accommodation requested is for: (i) more frequent restroom, food, or water breaks; (ii) seating; (iii) limits on lifting no more than 20 pounds; or (iv) private, non-bathroom space for expressing breast milk.

## **XIX. Meal and Rest Breaks**

This policy supplements the Meal and Rest Breaks policy in the Employee Handbook, and applies to all Massachusetts Employees, both exempt and non-exempt.

Employees must take their 30-minute unpaid meal break within the first six hours of work each day (and in the event an Employee works more than 12 hours in any given day, the Employee must take a 30-minute meal break for each six-hour period of work). During the meal break, Employees are completely relieved of all work duties and are free to leave the premises.

If you have any questions about your pay or hours, including questions about taking meal breaks, or if you believe you are not being given the opportunity to take meal breaks, you should immediately contact People and Culture. It is against Company policy to retaliate against any Employee who makes a complaint in good faith pursuant to this policy.

## **XX. Massachusetts Sick and Safe Time Policy**

The Company provides eligible Employees with sick and safe time (“SST”) pursuant to the Massachusetts Earned Sick Time Law.

The guidelines in this policy do not supersede federal, state or local laws regarding leaves of absence, including but not limited to leave taken under the federal or any applicable state or local Family and Medical Leave Act (FMLA), leave taken as a reasonable accommodation under the Americans with Disabilities Act (ADA) or any other applicable federal, state or local law, including those prohibiting discrimination and harassment.

### **A. Eligibility**

All Employees whose primary place of work is Massachusetts are eligible to accrue sick and safe time including part-time, temporary, and seasonal Employees.

### **B. Reasons for Leave**

SST may be used for the following reasons:

- to care for an Employee’s own mental or physical illness, injury, or health condition that requires home care, professional diagnosis or care, or preventative medical care;
- to care for the Employee’s child, spouse, parent, or parent of a spouse, who is suffering from a physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care;
- to attend the Employee’s routine medical appointment or a routine medical appointment for the Employee’s child, spouse, parent, or parent of spouse;
- to address the psychological, physical or legal effects of domestic violence; or
- to travel to and from an appointment, pharmacy, or other location related to the purpose for which the SST time was taken.

Eligible family members include an Employee’s:

4. child (including the biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person who has assumed the responsibilities of parenthood); or

5. parent (including the biological, adoptive, foster or step-parent of an Employee or the Employee's spouse, or other person who assumed the responsibilities of parenthood when the Employee or employee's spouse was a child).

### **C. Accrual and Use**

Eligible Employees begin to accrue SST on their first day of employment. Employees accrue one hour of SST for every 30 hours worked, up to a maximum of 40 hours in a calendar year. Regardless of accrual, an Employee may use only up to 40 hours of leave under this policy in any year. SST may be used for full or partial day absences. The smallest amount of SST that an Employee may take is one hour. For uses beyond one hour, Employees may use time under this policy in 1.00-hour increments. However, if an Employee's absence from work at a designated time requires the Company to hire a replacement and the Company does so, the Company may require the employee using SST to take up to a full shift of SST. An Employee may begin to access leave on their 90th day of employment with the Company.

For accrual purposes, salaried exempt employees are assumed to work 40 hours per workweek. If an Employee normally works fewer than 40 hours, then accrual will be based on the Employee's normal workweek. Non-exempt employees accrue SST based on all hours worked, including overtime hours. SST does not accrue when an Employee is not working, such as when the Employee is on an unpaid leave of absence.

### **D. Carryover**

Accrued but unused SST may be carried over from year to year up to 40 hours. However, the total amount of time used in any calendar year may not exceed 40 hours regardless of the Employee's accrual bank.

The Company does not offer pay in lieu of actual SST.

### **E. Rate of Pay**

SST is paid based on the Employee's normal hourly rate.

Employees will be paid for only the hours they are scheduled to work.

### **F. Requesting Leave and Documentation**

When the need for SST is foreseeable, Employees must provide reasonable notice of at least seven days of the need for SST. If the need for SST is unforeseeable, Employees must provide notice as soon as practicable. In all circumstances, an Employee is responsible for specifying that the requested time off is for sick or safe leave reasons, so that the absence may be designated accordingly. If possible, notice of the need to use paid sick or safe leave should include the expected duration of the absence. To provide notice of the need to use sick time, Employees should contact People and Culture electronically. If an Employee uses more than one continuous day of SST, the Company

may require notification on a daily basis from the Employee or the Employee's surrogate (e.g., spouse, adult family member, or other responsible party), unless the circumstances make such notification unreasonable.

Documentation of the need to use SST may be required in the following circumstances:

6. the Employee is absent from work for more than 24 consecutively-scheduled work hours;
7. the Employee is absent for three consecutively-scheduled work days;
8. the Employee's absence occurs within two weeks before an Employee's final scheduled day of work before separation, except in the case of temporary workers; or
9. the Employee's absence occurs after four unforeseeable and undocumented absences within a three month period.

Employees must submit required documentation must within seven days of their absence, absent extenuating circumstances.

If the Employee is absent for medical reasons, the Company may require a statement from a health care provider that the absence was for a purpose covered by the law. An Employee who does not have a health care provider may sign a written statement that SST was needed for a reason covered by the law. If the Employee is absent due to domestic violence, the Company will accept any of the following documentation:

10. a restraining order or court document;
11. a police record documenting the abuse;
12. documentation that the perpetrator of the abuse has been convicted of one or more of the offenses enumerated in M.G.L. c. 265 where the victim was a family or household member;
13. medical documentation of the abuse;
14. a statement provided by a counselor, social worker, health worker, member of the clergy, shelter worker, legal advocate, or other professional who has assisted in addressing the effects of the abuse; or
15. a signed written statement from the employee attesting to the abuse.

Employees are not required to find coverage for their work when they take SST. Qualified use of SST will not result in disciplinary action or be counted as an absence.

## **G. Internal Transfer of Employment**

If an Employee is transferred to a separate division, entity, or location within the Company, the Employee is entitled to all earned SST for future use. If the Employee is transferred out of Massachusetts, SST will stop accruing upon transfer.

## **H. Separation from Employment**

Compensation for accrued and unused SST is not provided upon separation from employment for any reason. The following rules apply to an Employee's break in service:

- If the Employee separates from employment and is rehired within four months, all previously accrued and unused SST will be reinstated and the SST will be available for use at re-employment.
- If the Employee separates from employment and is rehired between 4 and 12 months after separation, previously accrued and unused SST will be reinstated if the Employee previously had accrued 10 or more hours of SST before the break in service. If the Employee previously had accrued less than 10 hours of SST prior to the break in service, the Employee is not entitled to reinstatement of any SST.
- Employees rehired after a break in service of more than 12 months are not entitled to reinstatement of prior accrued SST.

## **I. Confidentiality**

In accordance with applicable federal, state, and local law, the Company will treat as confidential health information or information pertaining to domestic violence, sexual assault or stalking relating to the Employee or their family member. Such information will not be released without the Employee's express permission, unless otherwise required by law or by a court or administrative agency.

## **J. Effect on Other Rights and Policies**

The Company may provide other forms of leave for employees to care for medical conditions or for issues related to domestic violence under certain federal, state and local laws. In certain situations, leave under this policy may run at the same time as leave available under another federal, state or local law, provided eligibility requirements for that law are met. If SST is used for more than three consecutive days and the Employee is eligible for protection under an applicable Family Medical Leave Act (FMLA), the paid sick time and the FMLA will run concurrently. The Company is committed to complying with all applicable laws. Employees should contact People and Culture for information about other federal, state and local medical, domestic violence or family leave rights.

## **K. No Discrimination or Retaliation**

The Company will not retaliate or discriminate against, tolerate retaliation or discrimination against, or restrain or interfere with any Employee who in good faith exercises or attempts to exercise their rights under the Massachusetts Earned Sick Time Law.

## **XXI. Family Medical Leave Act**

This policy supplements the applicable Family Medical Leave Act policy and/or paid time off policy in the Employee Handbook, and applies to all Massachusetts Employees.

Employees may, but are not required to, exhaust accrued paid time off when on FMLA leave that also qualifies for leave under the Massachusetts Parental Leave Act.

## **XXII. Massachusetts Small Necessities Leave Act**

Massachusetts Employees may take a total of up to 24 hours of Small Necessities Leave (“SNL”) during any twelve-month period (measured backwards from the effective date of the leave) to allow them to participate in certain family obligations. To be eligible, an Employee must (i) have worked for the Company for at least twelve months, (ii) have worked 1,250 hours or more in the preceding twelve-month period, and (iii) be employed at a worksite where 50 or more Employees are employed by the employer within 75 miles of that worksite.

An eligible Employee may take SNL to: (1) participate in school activities directly related to the educational advancement of his/her child; (2) accompany his/her child to routine medical or dental appointments; or (3) to accompany an elderly relative (defined by Massachusetts law as an individual related by blood or marriage who is at least 60 years of age) to routine medical or dental appointments, or for other professional services related to the elderly relative’s care.

SNL is unpaid, except to the extent an Employee has accrued but unused sick time or vacation time available, in which case such time shall be applied to the leave. SNL may be taken all at once, intermittently (in increments of an hour or greater), or through a reduced work schedule. An Employee’s absence from work for SNL shall be no greater than that necessary to accomplish the relevant task necessitating the leave.

An Employee seeking SNL must provide at least seven days’ notice before taking SNL, if the need for leave is foreseeable; if the need for leave is not foreseeable, the Employee must provide as much notice as is practicable. The Company, in its discretion, may require from the Employee certification of the need for any SNL.

### **XXIII. Leave for Victims of Domestic Violence or Sexual Assault**

If an Employee or their family member is the victim of domestic violence or abusive behavior, or is the victim of sexual assault, the Employee may take up to 15 days of unpaid leave in a 12-month period for reasons related to addressing the abusive behavior or sexual assault, including but not limited to:

- seeking medical attention for injuries caused by domestic violence or sexual assault,
- seeking services from a domestic violence shelter or rape crisis center,
- seeking psychological counseling for domestic violence or sexual assault related experience,
- taking appropriate steps to ensure safety from future violence including meeting with a district attorney or other law enforcement official, attending child custody proceedings, seeking restraining orders or other injunctive relief and/or temporary or permanent relocation.

For purposes of this policy, domestic violence or “abusive behavior” includes: attempting to cause or causing physical harm, placing in fear of imminent serious harm, forcible sexual relations, engaging in mental abuse, depriving care, or restraining freedom, against the Employee or the Employee’s family member by a current or former spouse, a person who shares a child in common, a co-habituating person, a person related by blood or marriage, or a person with whom there is or was a dating relationship or engagement. Employee’s “family member” includes a spouse, persons in a “substantive dating” or engagement relationship who reside together; individuals having a child in common, parent, step-parent, child, step-child, sibling, grandparent or grandchild, or persons in a guardianship relationship.

Although leave under this policy is unpaid, Employees may, at their discretion, use any accrued vacation, personal, or sick time during the leave.

Generally, Employees must give the Company reasonable advance notice that they need time off under this policy. However, if an Employee or an Employee’s family member faces an imminent threat of danger, the Employee may take an unscheduled leave without giving such advance notice, so long as the Employee or another person who has assisted the Employee in addressing the abusive behavior (such as a family member or counselor) notifies the employer within three workdays of the date leave is taken that the Employee’s leave is taken pursuant to this policy.

Employees taking scheduled leave pursuant to this policy must submit documentation of their need for such leave within 48 hours of the last day of the leave. If the leave is unscheduled, Employees must submit documentation within 30 days of the last day of the unauthorized leave or, in the case of a multiple-day absence, within 30 days of the last

day of the multiple-day period of absence. Documentation of the need for domestic violence or sexual assault leave may include:

- a police report which indicates that the Employee or Employee's family member was a victim of domestic violence;
- a court order protecting or separating the Employee or Employee's family member from the abuser, or other evidence from the court or prosecuting attorney that the Employee appeared in court;
- a document under the letterhead of the court, provider or public agency which the Employee attended for the purposes of acquiring assistance as it relates to the abusive behavior against the employee or the Employee's family member;
- a report from a medical professional, domestic violence advocate, health care provider, or counselor documenting that the Employee was treated for mental or physical injuries;
- a sworn statement, signed under the penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the Employee or the Employee's family member in addressing the effects of the abusive behavior; or
- the victim's sworn statement attesting that the Employee has been the victim of abusive behavior or is the family member of a victim of abusive behavior.

The Company will maintain the confidentiality of documentation and reports of abuse provided to it except as ordered by a court, required in the course of a law enforcement investigation, authorized by the Employee in writing, otherwise required by law, or as necessary to protect the safety of the Employee or other Employees.

An Employee who has complied with his or her obligations under this policy will be reinstated to the position they held prior to leave or to an equivalent position, unless business conditions resulted in the elimination of the Employee's former position during the leave or the Employee would not otherwise have continued to be employed had they continued in active employment. An Employee shall not be retaliated or discriminated against for requesting or taking leave under this policy.



**XXIV.MA Department of Labor Standards contact information is listed below:**

Department	of	Labor	Standards
100	Cambridge	Street,	Suite 500
Boston,		MA	02114

General information: (617) 626-6975

General feedback: [DLFeedback@state.ma.us](mailto:DLFeedback@state.ma.us)

## **INTELYCARE MARYLAND EMPLOYEE HANDBOOK SUPPLEMENT**

Note: IntelyPros (per diem staff members) receive and acknowledge the IntelyPro **Terms of Service** <https://www.intelycare.com/terms-of-service/> which references this handbook, state amendments and the Clinical Employee Orientation & Training Handbook, which guides expectations, practice and standards of conduct.

IntelyCare's corporate office is located in Quincy, Massachusetts and to reach our contact center, you can call 844-683-5922, 617-971-8344 with support available 24X7 or by email to: [Careteam@IntelyCare.com](mailto:Careteam@IntelyCare.com). Employees seeking to reach the People & Culture team should utilize the contact center and inquiries will be transferred to the appropriate member of the People & Culture team.

### **IMPORTANT NOTICE – DISCLAIMER**

**THE POLICIES IN THIS MARYLAND EMPLOYEE HANDBOOK SUPPLEMENT (“STATE SUPPLEMENT”) ACCOMPANY AND SUPPLEMENT THE POLICIES CONTAINED IN THE MAIN EMPLOYEE HANDBOOK AND ARE SPECIFIC TO MARYLAND EMPLOYEES ONLY. ALL PROVISIONS CONTAINED IN THE “IMPORTANT NOTICE – DISCLAIMER” IN THE EMPLOYEE HANDBOOK APPLY FULLY TO THIS STATE SUPPLEMENT. WHERE THIS STATE SUPPLEMENT AND THE EMPLOYEE HANDBOOK CONFLICT, THE POLICIES IN THIS STATE SUPPLEMENT CONTROL.**

## **NTELYCARE MARYLAND EMPLOYEE HANDBOOK SUPPLEMENT**

### **(FOR MARYLAND EMPLOYEES ONLY)**

Maryland Employees: please note that wherever Maryland law provides for or offers greater protections to the Employees than this Maryland Employee Handbook Supplement ("*State Supplement*"), Maryland law will govern. Additionally, if this *State Supplement* and the *Employee Handbook* conflict, the policies in this *State Supplement* will control. All of the policies set forth below may not be applicable to all. Employees should contact People and Culture with any questions about the policies in this *State Supplement*.

## INTELYCARE MARYLAND EMPLOYEE HANDBOOK SUPPLEMENT

### **XXV. Equal Employment Opportunity**

The Company complies with Maryland law which prohibits discrimination and harassment against Employees, interns, and applicants for employment based on race (including certain traits associated with race such as hair texture, afro hairstyles, and protective hairstyles (e.g., braids, twists, and locks)), color, religion, ancestry, national origin, sex, age (40 and over), marital status, sexual orientation, gender identity, genetic information and disability (including disabilities due to pregnancy, childbirth or related medical conditions). The Company will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state, or local law.

#### **A. County EEO Regulations**

Several Maryland localities have enacted their own codes prohibiting employment discrimination and have administrative agencies available to enforce them:

**Baltimore County** prohibits employment discrimination. Employees who reside in Baltimore County who believe they have been discriminated against, and who reside or work in Baltimore County, may contact the Baltimore County Human Relations Commission.

**Howard County** prohibits employment discrimination based on a person's race, creed, religion, disability, color, sex, national origin, age, occupation, marital status, political opinion, sexual orientation, personal appearance, familial status, or gender identity or expression. Employees who believe they have been discriminated against, and who reside or work in Howard County, may contact the Howard County Human Relations Commission.

**Montgomery County** prohibits employment discrimination based on a person's race, color, religious creed, ancestry, national origin, age, sex, marital status, sexual orientation, gender identity, family responsibilities, or genetic status of any individual or disability of a qualified individual, or because of any reason that would not have been asserted but for the person's race, color, religious creed, ancestry, national origin, age, sex, marital status, disability, sexual orientation, gender identity, family responsibilities, or genetic status. Employees who believe they have been discriminated against, and who reside or work in Montgomery County, may contact the Montgomery County Human Relations Commission.

**Prince George's County** prohibits employment discrimination based on a person's race, religion, color, sex, national origin, age (except as required by State or federal law), occupation, familial status, marital status, political opinion, personal appearance, sexual orientation, or physical or mental handicap. Employees who believe they have been discriminated against, and who reside or work in Prince George's County, may contact the Prince George's County Human Relations.

## **XXVI. Accommodations Due to Pregnancy, Childbirth and Related Conditions and Lactation**

In compliance with Maryland law, if a pregnant Employee requests an accommodation for a disability caused or contributed to by pregnancy, the Company will explore reasonable accommodations with the pregnant Employee, and it will endeavor to provide a reasonable accommodation unless doing so would impose an undue hardship on the Company. Such accommodations may include changing the Employee's job duties; changing the Employee's work hours; relocating the Employee's work area; providing mechanical or electrical aids; transferring the Employee to a less strenuous or less hazardous position; or providing leave.

The Company may require certification from the Employee's health care provider concerning the medical advisability of a reasonable accommodation to the same extent a certification is required for other temporary disabilities. A certification should include: (1) the date the reasonable accommodation became medically advisable; (2) the probable duration of the reasonable accommodation; and (3) an explanatory statement as to the medical advisability of the reasonable accommodation.

## **XXVII. Wages**

The Company will provide each Maryland Employee at the time of hiring, and when a change occurs to any of the required information, at least one pay period in advance, written notice of: (a) the Employee's rate of pay; (b) the Employee's regular paydays; and (c) leave benefits.

## **XXVIII. Maryland Sick Leave Policy (Other than Montgomery County, Maryland)**

The Company provides eligible Employees with earned safe and sick leave ("ESSL") pursuant to Maryland's Healthy Working Families Act.

The guidelines in this policy do not supersede federal, state or local laws regarding leaves of absence, including but not limited to leave taken under the federal and any applicable state or local Family and Medical Leave Act (FMLA), leave taken as a reasonable accommodation under the Americans with Disabilities Act (ADA) or any other applicable federal, state or local law, including those prohibiting discrimination and harassment.

### **A. Eligibility**

All Employees whose primary work location is in Maryland are eligible to accrue paid ESSL. Employees exempt from ESSL accrual include those who:

- regularly work fewer than 12 hours a week or
- are under the age of 18.

The following types of individuals also are ineligible for ESSL accrual:

- independent Contractors;
- Employees in certain agricultural positions;
- Employees in the construction industry who are covered by a collective bargaining agreement with a clear and unambiguous waiver of sick leave requirements;
- Employees who work on an as-needed basis in the health or human services industry and are not required to accept offered shifts, are not guaranteed work, and are not employed by a temporary agency;
- workers employed by a temporary services agency that does not have day-to-day control over the work assignments and supervision;
- workers directly employed by an employment agency to provide part-time or temporary services: and
- certain associate real estate brokers and real estate salespersons.

#### **B. Reasons Sick and Safe Time May Be Used**

ESSL may be used for the following reasons:

- to care for the Employee's own mental or physical illness, injury, or condition, or preventive care,
- to care for the Employee's eligible family members for similar purposes;
- maternity or paternity leave; or
- if necessary due to domestic violence, sexual assault, or stalking committed against the Employee or Employee's family member, for:
  - related medical or mental health services;
  - victim services assistance;
  - related legal services or proceedings; or
  - the Employee's relocation.
- bereavement (i.e., leave due to the death of an Employee's immediate family member, defined as a child, parent, or spouse).

Eligible family members include an Employee's:

- (a) spouse;
- (b) children;
- (c) parents;
- (d) grandparents;
- (e) grandchildren; and
- (f) siblings.

These eligible family members include biological, adoptive, foster or step-relationships, or, with respect to children and parents, a legal guardian/ward or “in loco parentis” relationship, a legal ward of an Employee, a legal ward of an Employee’s spouse, or a legal guardian of an Employee’s spouse.

### **C. Accrual and Use of Sick and Safe Time**

Eligible Employees begin to accrue ESSL on their first day of employment. Employees accrue one hour of ESSL for every 30 hours worked, up to a maximum of 40 hours in a calendar year. An Employee is not entitled to accrue ESSL during (1) a two-week pay period in which the Employee worked fewer than 24 total hours; (2) a one-week pay period if the Employee worked fewer than a combined total of 24 hours in the current and immediately preceding pay period; or (3) a pay period in which the Employee is paid twice per month and worked fewer than 26 hours in the pay period.

For accrual purposes, exempt employees are assumed to work 40 hours per workweek. If an Employee normally works fewer than 40 hours, then accrual will be based on the Employee’s normal workweek. Non-exempt employees accrue ESSL based on all hours worked, including overtime hours worked. ESSL does not accrue when an Employee is not working, including when an Employee is on an unpaid leave of absence.

An Employee may begin to use ESSL on their 106th day of employment with the Company. Regardless of accrual, an Employee may use only up to 64 hours of leave under this policy in any year. Employees may use time under this policy in 1.00-hour increments.

### **D. Carryover**

Accrued but unused ESSL up to 40 hours can be carried over from year to year. However, the total amount of accrued and unused time, including any carryover, may not exceed 64 hours.

The Company does not offer pay in lieu of sick leave use.

### **E. Rate of Pay for Paid Sick and Safe Time**

ESSL is paid based on the Employee's normal hourly rate. Employees will be paid for only the hours they are scheduled to work.

### **F. Notice and Documentation**

When the need for ESSL is foreseeable, Employees must provide at least seven days' reasonable notice of the need for ESSL. If the need for ESSL is unforeseeable Employees must provide notice as soon as practicable. In all circumstances, an Employee is responsible for specifying that the requested time off is for sick or safe leave reasons, so that the absence may be designated accordingly.

To provide notice of the need to use ESSL, Employees should contact People and Culture electronically.

If an Employee fails to provide the required notice and the Employee's absence will cause a disruption to the employer, the employer may deny the request to take ESSL.

If ESSL is (1) used for more than two consecutive scheduled shifts or (2) the Employee used the leave during the period between the first 107 and 120 calendar days of employment and the Employee and Company agreed to the verification at the time of hire, the Company may require the Employees provide supporting documentation that the ESSL was used for a covered purpose.

Employees are not required to find coverage for their work when they take ESSL. Qualified use of ESSL will not result in disciplinary action or be counted as an absence.

### **G. Separation from Employment**

Compensation for accrued and unused ESSL is not provided upon separation from employment for any reason. If an Employee is rehired by the Company within 37 weeks of separation from employment, previously accrued but unused sick and safe time will be immediately reinstated and available for use.

### **H. Confidentiality**

In accordance with applicable federal, state, and local law, the Company will treat as confidential any health information pertaining to the Employee or the Employee's family member as well the reason ESSL was taken. Such information will not be released without the Employee's express permission, unless otherwise required by law or by a court or administrative agency.

### **I. Effect on Other Rights and Policies**

The Company may provide other forms of leave for Employees to care for medical conditions or for issues related to domestic violence under certain federal, state and local laws. In certain situations, leave under this policy may run concurrently at the same time



as leave available under another federal, state, or local law, provided eligibility requirements for that law are met. If sick leave is used for more than three consecutive days and the Employee is eligible for protection under an applicable Family Medical Leave Act (FMLA), the sick time and any applicable FMLA shall run concurrently, unless prohibited by law. The Company is committed to complying with all applicable laws. Employees should contact People and Culture for information about other federal, state and local medical, domestic violence or family leave rights.

#### **J. No Discrimination or Retaliation**

The Company will not retaliate or discriminate against, tolerate retaliation or discrimination against, or restrain or interfere with any Employee who in good faith exercises or attempts to exercise their rights under Maryland's Healthy Working Families Act.

#### **XXIX. Termination**

When a Maryland Employee's employment with the Company is terminated (voluntarily or involuntarily), the Company will pay all wages due for work the Employee performed before the termination, on or before the day on which the Employee would have been paid if still employed with the Company. Additionally, the Company will not pay the Employee for unused paid time off upon termination (voluntarily or involuntarily) from the Company.

## **XXX. BALTIMORE, MARYLAND POLICIES**

### **(APPLICABLE TO BALTIMORE, MARYLAND EMPLOYEES ONLY)**

Baltimore, MD Employees: please note that wherever Baltimore, MD law provides for or offers greater protections to Employees than this Maryland Employee Handbook Supplement (“*State Supplement*”), including this Baltimore, MD subsection of the *State Supplement*, Baltimore, MD law will govern. Additionally, if the provisions in this Baltimore, MD subsection conflict with either (a) the rest of this Maryland *State Supplement* or (b) the *Employee Handbook*, the policies in this Baltimore, MD subsection will control. All of the policies set forth below may not be applicable to all Employees. Employees should contact People and Culture with any questions about the policies in this *State Supplement*.

### **XXXI. Lactation Breaks**

In accordance with the Baltimore City Lactation Accommodation Ordinance (the “Lactation accommodation Ordinance”), the Company will provide a reasonable amount of break time to accommodate an Employee desiring to express breast milk for the Employee’s child.

If an Employee otherwise receives any paid rest or break time, the lactation break time should, to the extent possible, run concurrently with that paid break time. If the break time cannot run concurrently with any paid rest or break time already provided to the Employee, the break time will be unpaid for nonexempt employees.

Upon request, the Company will provide a lactation location (other than a bathroom or closet) that is in close proximity to the Employee’s work area. The lactation location may be the place where the Employee normally works, if it otherwise meets the requirements of the Lactation Accommodation Ordinance.

The lactation location will shield occupants from view and intrusion by coworkers and others and will be safe, clean and free of toxic or hazardous materials. The lactation location will contain a surface on which to place a breast pump and other personal items, a place to sit and at least one electrical outlet. A sink with running hot and cold water and a refrigerator in which the Employee can store breast milk will either be present in the lactation location itself or at another location that is within close proximity to the Employee’s work area. Access to the lactation location will be limited by a door that can be locked from the inside.

A designated lactation location may also be used for other purposes. However, throughout the period when an Employee needs to express milk, the primary function of the space will be its use as a lactation location. Employees who might otherwise wish to use the designated space should be aware that its primary function is to serve as a lactation location (when applicable), which takes precedence over all other uses.

Baltimore Employees have a legal right to request a lactation accommodation. To request a lactation accommodation, Employees should contact People and Culture. All

Employees will receive the lactation policy upon hire, and within 10 calendar days of an Employee inquiring about pregnancy or parental leave.

## **MONTGOMERY COUNTY, MARYLAND POLICIES**

### **(APPLICABLE TO MONTGOMERY COUNTY, MARYLAND EMPLOYEES ONLY)**

Montgomery County, Maryland Employees: please note that wherever Montgomery County, Maryland law provides for or offers greater protections to Employees than this Maryland Employee Handbook Supplement ("*State Supplement*"), including this Montgomery County, Maryland subsection of the *State Supplement*, Montgomery County, Maryland law will govern. Additionally, if the provisions in this Montgomery County, Maryland subsection conflict with either (a) the rest of this Maryland *State Supplement* or (b) the *Employee Handbook*, the policies in this Montgomery County, Maryland subsection will control. All of the policies set forth below may not be applicable to all Employees. Employees should contact People and Culture with any questions about the policies in this *State Supplement*.

### **XXXII. Montgomery County, Maryland Sick and Safe Leave Policy**

The Company provides eligible Employees with earned sick and safe leave ("ESSL") pursuant to Maryland's Healthy Working Families Act and the Montgomery County Earned Sick and Safe Leave Law.

The guidelines in this policy do not supersede federal, state or local laws regarding leaves of absence, including but not limited to leave taken under the federal and any applicable state or local Family and Medical Leave Act (FMLA), leave taken as a reasonable accommodation under the Americans with Disabilities Act (ADA) or any other applicable federal, state or local law, including those prohibiting discrimination and harassment.

#### **A. Eligibility**

All Employees whose primary work location is in Montgomery County, Maryland and who regularly work more than eight hours per week are eligible to accrue ESSL. Individuals exempt from accrual include those who:

- do not have a regular work schedule;
- contact the employer for work assignments and are scheduled to work within 48 hours after contacting the employer;
- have no obligation to work for the employer if they do not contact the employer for work assignments, and are not employed by a temporary agency;
- regularly work eight or fewer hours per week; or
- are independent contractors.

#### **B. Reasons for Leave**

ESSL may be used for the following reasons:

- to care for or treat the Employee's mental or physical illness, injury, or condition;
- to obtain preventive medical care for the Employee or the Employee's family member;
- to care for a family member with a mental or physical illness, injury, or condition;
- for maternity or paternity leave; or
- if the employer's place of business has closed by order of a public official due to a public health emergency;
- if the school or childcare center for the Employee's family member is closed by order of a public official due to a public health emergency;
- to care for a family member if a health official or health care provider has determined that the family member's presence in the community would jeopardize the health of others because of the family member's exposure to a communicable disease; or
- if the absence from work is due to domestic violence, sexual assault, or stalking committed against the Employee or the Employee's family member and the leave is used:
  - by the Employee to obtain for the Employee or the Employee's family:
    - medical or mental health attention needed to recover from a physical or psychological injury due to domestic violence, sexual assault, or stalking;
    - services from a victim services organization related to the domestic violence, sexual assault, or stalking; or
    - legal services, including preparing for or participating in a civil or criminal proceeding related to the domestic violence, sexual assault, or stalking; or
  - during the time that the Employee has temporarily relocated due to the domestic violence, sexual assault, or stalking.

Eligible family members include:

- (a) a biological child, adopted child, foster child, or stepchild of the Employee;
- (b) a child for whom the Employee has legal or physical custody or guardianship;

- (c) a child for whom the Employee stands in loco parentis, regardless of the child's age;
- (d) a biological parent, adoptive parent, foster parent, or stepparent of the Employee or the Employee's spouse;
- (e) the legal guardian of the Employee;
- (f) an individual who acted as a parent or stood in loco parentis to the Employee or the Employee's spouse when the employee or the Employee's spouse was a minor;
- (g) the spouse of the Employee;
- (h) a biological grandparent, an adopted grandparent, a foster grandparent, or a step grandparent of the Employee;
- (i) the spouse of a grandparent of the Employee;
- (j) a biological grandchild, an adopted grandchild, a foster grandchild, or a step grandchild of the Employee;
- (k) a biological sibling, an adopted sibling, a foster sibling or a stepsibling of the Employee;
- (l) a biological, adopted, or foster sibling of the Employee; or
- (m) the spouse of a biological, adopted, or foster sibling of the Employee.

### **C. Accrual and Use**

Eligible Employees begin to accrue ESSL on their first day of employment. Employees accrue one hour of paid ESSL for every 30 hours worked in Montgomery County, up to a maximum of 56 hours in a calendar year.

Regardless of accrual, an Employee may use only up to 80 hours of ESSL under this policy in any year. Employees may use time under this policy in 1.00-hour increments. An Employee may begin to access ESSL on their 90th day of employment with the Company.

For accrual purposes, salaried exempt Employees are assumed to work 40 hours per workweek. If an Employee normally works fewer than 40 hours, then accrual will be based on the Employee's normal workweek. Non-exempt Employees accrue sick leave based on all hours worked, including overtime hours worked. ESSL does not accrue when an Employee is not working, such as when an Employee is on an unpaid leave of absence.

#### **D. Carryover**

Accrued but unused ESSL up to 56 hours may be carried over from year to year. However, regardless of accrual, an Employee may only use up to 80 hours of leave under this policy in any year.

The Company does not offer pay in lieu of actual sick leave.

#### **E. Rate of Pay**

ESSL is paid based on the Employee's normal hourly rate. Employees will be paid for only the hours they were scheduled to work.

#### **F. Requesting Leave and Documentation**

When the need for ESSL is foreseeable, Employees must provide reasonable notice, preferably up to seven days' notice, of the need for ESSL. If the need for ESSL is unforeseeable, Employees must provide notice as soon as practicable. In all circumstances, an Employee is responsible for specifying that the requested time off is for sick or safe leave reasons, so that the absence may be designated accordingly.

To provide notice of the need to use ESSL, Employees should contact People and Culture electronically, if those requirements do not interfere with the Employee's ability to use ESSL. If an Employee fails to provide the required notice and the Employee's absence will cause a disruption to the employer, the employer may deny the request to take ESSL.

If ESSL is used for more than three consecutive days, the Company may require the Employee to provide supporting documentation that the ESSL was used for a covered purpose.

Employees are not required to find coverage for their work when they take ESSL. Qualified use of ESSL will not result in disciplinary action or be counted as an absence.

#### **G. Separation from Employment**

Compensation for accrued and unused ESSL is not provided upon separation from employment for any reason. If an Employee is rehired by the Company within 9 months of separation from employment, previously accrued but unused ESSL will be immediately reinstated and available for use.

#### **H. Confidentiality**

In accordance with applicable federal, state, and local law, the Company will treat as confidential any health information pertaining to the Employee or the Employee's family member as well the reason ESSL was taken. Such information will not be released without the Employee's express permission, unless otherwise required by law or by a court or administrative agency.

## **I. Effect on Other Rights and Policies**

The Company may provide other forms of leave for Employees to care for medical conditions or for issues related to domestic violence under certain federal, state and local laws. In certain situations, leave under this policy may run concurrently at the same time as leave available under another federal, state, or local law, provided eligibility requirements for that law are met. If sick leave is used for more than three consecutive days and the Employee is eligible for protection under an applicable Family Medical Leave Act (FMLA), the sick time and any applicable FMLA shall run concurrently, unless prohibited by law. The Company is committed to complying with all applicable laws. Employees should contact People and Culture for information about other federal, state and local medical, domestic violence or family leave rights.

## **J. No Discrimination or Retaliation**

The Company will not retaliate or discriminate against, tolerate retaliation or discrimination against, or restrain or interfere with any employee who in good faith exercises or attempts to exercise their rights under the Maryland Healthy Working Families Act and the Montgomery County Earned Sick and Safe Leave Law.



# INTELYCARE NEW JERSEY EMPLOYEE HANDBOOK SUPPLEMENT

Note: IntelyPros (per diem staff members) receive and acknowledge the IntelyPro ***Terms of Service*** <https://www.intelycare.com/terms-of-service/> which references this handbook, state amendments and the Clinical Employee Orientation & Training Handbook, which guides expectations, practice and standards of conduct.

IntelyCare's corporate office is located in Quincy, Massachusetts and to reach our contact center, you can call 844-683-5922, 617-971-8344 with support available 24X7 or by email to: [Careteam@IntelyCare.com](mailto:Careteam@IntelyCare.com). Employees seeking to reach the People & Culture team should utilize the contact center and inquiries will be transferred to the appropriate member of the People & Culture team.

### **IMPORTANT NOTICE – DISCLAIMER**

**THE POLICIES IN THIS NEW JERSEY EMPLOYEE HANDBOOK SUPPLEMENT (“STATE SUPPLEMENT”) ACCOMPANY AND SUPPLEMENT THE POLICIES CONTAINED IN THE MAIN EMPLOYEE HANDBOOK AND ARE SPECIFIC TO NEW JERSEY EMPLOYEES ONLY. ALL PROVISIONS CONTAINED IN THE “IMPORTANT NOTICE – DISCLAIMER” IN THE EMPLOYEE HANDBOOK APPLY FULLY TO THIS STATE SUPPLEMENT. WHERE THIS STATE SUPPLEMENT AND THE EMPLOYEE HANDBOOK CONFLICT, THE POLICIES IN THIS STATE SUPPLEMENT CONTROL.**

# **INTELYCARE NEW JERSEY EMPLOYEE HANDBOOK SUPPLEMENT**

## **(APPLICABLE TO NEW JERSEY EMPLOYEES ONLY)**

New Jersey Employees: please note that wherever New Jersey law provides for or offers greater protections to the Employees than this New Jersey Employee Handbook Supplement (“State Supplement”), New Jersey law will govern. Additionally, if this State Supplement and the Employee Handbook conflict, the policies in this State Supplement will control. Employees should contact People and Culture with any questions about the policies in this Supplement.

## INTELYCARE NEW JERSEY EMPLOYEE HANDBOOK SUPPLEMENT

### XXXIII.

### XXXIV. New Jersey Paid Sick and Safe Leave Policy

The Company provides eligible Employees with paid sick and safe leave (PSSL) pursuant to the New Jersey Earned Sick Leave Act (the Act).

The guidelines in this policy do not supersede federal, state or local laws regarding leaves of absence, including but not limited to leave taken under the federal and any applicable state or local Family and Medical Leave Act (FMLA), leave taken as a reasonable accommodation under the Americans with Disabilities Act (ADA) or any other applicable federal, state or local law, including those prohibiting discrimination and harassment.

#### **A. Eligibility**

All Employees are eligible to accrue PSSL, including Employees of temporary service firms. Individuals exempt from accrual include:

- independent contractors;
- per diem healthcare employees;
- construction workers covered by a collective bargaining agreement; and
- certain public employees.

#### **B. Reasons for Leave**

PSSL may be used for the following reasons:

- diagnosis, care, treatment, or recovery for an Employee's own health condition, including preventive care;
- to aid or care for a family member during diagnosis, care, or treatment of, or recovery from, the family member's health condition, including preventive care;
- leave due to the Employee's or Employee's family member's status as a victim of domestic or sexual violence, to obtain medical attention, agency services, counseling, relocation, or legal services, or to participate in a related legal proceeding;
- time when the workplace or the Employee's child's school or childcare is closed by order of a public official or because of a state of emergency declared by the Governor, due to an epidemic or public health emergency;

- time when an Employee cannot work because of the declaration of a state of emergency by the Governor, or the issuance by a health care provider or the Commissioner of Health or other public health authority of a determination that the Employee's presence in the community, or a member of the Employee's family in need of care by the Employee, would jeopardize the health of others;
- time when the Employee cannot work because, during a state of emergency declared by the Governor, or upon the recommendation, direction, or order of a health care provider or the Commission of Health or other public official, the Employee is isolated or quarantined, or caring for a family member in quarantine, as a result of suspected exposure to a communicable disease and a finding by the provider or official that the Employee or family member's presence in the community would jeopardize the health of others; or
- time needed to attend a child's school-related conference, meeting, or function or to attend other meetings regarding the child's care.

Eligible family members include:

16. the Employee's child (including adopted, foster, stepchild, child of domestic partner or civil union partner, or legal ward);
17. the Employee's domestic partner or civil union partner;
18. the Employee's sibling, spouse, domestic partner, civil union partner, parent (including an adoptive, foster, or stepparent, legal guardian, or a person who stood in loco parentis);
19. the parent of the Employee's spouse, domestic partner, or civil union partner;
20. the Employee's grandparent;
21. the spouse, domestic partner, or civil union partner of the Employee's parent or grandparent;
22. the sibling of a spouse, domestic partner, or civil union partner; or
23. any other individual related by blood or "whose close association with the employee is the equivalent of a family relationship."

### **C. Accrual and Use**

Eligible Employees begin to accrue paid PSSSL on their first day of employment. Employees accrue one hour of PSSSL for every 30 hours worked in New Jersey, up to a maximum of 40 hours in a calendar year. Regardless of accrual, an Employee may use up to only 40 hours of leave under this policy in any year. Employees may use time under this policy in 1.00-hour increments. Employees may begin to access paid leave on their 120th day of employment with the Company.

For accrual purposes, salaried exempt Employees are assumed to work 40 hours per workweek. If an Employee normally works fewer than 40 hours, then accrual will be based on their normal workweek. Non-exempt Employees accrue PSSSL based on all hours worked, including overtime hours worked. PSSSL does not accrue when an Employee is not working, such as when the Employee is on an unpaid leave of absence.

#### **D. Carryover**

Accrued but unused PSSSL can be carried over from year to year. However, the total amount of accrued and unused PSSSL carried over may not exceed 40 hours.

The Company does not offer pay in lieu of actual sick or safe leave.

#### **E. Rate of Pay**

PSSSL is paid based on the Employee's normal hourly rate. PSSSL is available only for shifts the Employee was scheduled to work.

#### **F. Requesting Leave and Documentation**

When the need for PSSSL is foreseeable, Employees must provide seven days' notice of the need for PSSSL. Employees must make a reasonable effort to schedule PSSSL in a way that does not unduly disrupt the Company's operations. If the need for PSSSL is unforeseeable, Employees must provide notice as soon as practicable. In all circumstances, an Employee is responsible for specifying that the requested time off is for sick or safe leave reasons, so that the absence may be designated accordingly.

To schedule or notify of the need to use PSSSL, Employees should contact People and Culture electronically.

If PSSSL is used for more than three consecutive days, the Company requires Employees to provide supporting documentation that the PSSSL was used for a covered purpose.

Employees are not required to find coverage for their work when they take PSSSL. Qualified use of PSSSL will not result in disciplinary action or be counted as an absence.

#### **G. Internal Transfer of Employment within New Jersey**

If an Employee is transferred to a separate division, entity, or location within New Jersey, accrued PSSSL will transfer with the Employee.

#### **H. Separation from Employment**

Compensation for accrued and unused PSSSL is not provided upon separation from employment for any reason. If an Employee is rehired within six months of separation, previously accrued but unused PSSSL will be immediately reinstated and available for use.

## **I. Confidentiality**

In accordance with applicable federal, state and local law, the Company will treat as confidential health information or information pertaining to domestic violence, sexual assault or stalking relative to the Employee or the Employee's family member. Such information will not be released without the Employee's express permission, unless otherwise required by law or by a court or administrative agency.

## **J. Effect on Other Rights and Policies**

The Company may provide other forms of leave for Employees to care for medical conditions or for issues related to domestic violence under certain federal, state and municipal laws. In certain situations, leave under this policy may run at the same time as leave available under another federal, state or local law, provided eligibility requirements for that law are met. If sick leave is used for more than three consecutive days and the Employee is eligible for protection under an applicable Family Medical Leave Act (FMLA), the paid sick time and the FMLA will run concurrently. The Company is committed to complying with all applicable laws. Employees should contact People and Culture for information about other federal, state and local medical, domestic violence or family leave rights.

## **K. No Discrimination or Retaliation**

The Company will not retaliate or discriminate against, tolerate retaliation or discrimination against, or restrain or interfere with any Employee who in good faith exercises or attempts to exercise their rights under the New Jersey Earned Sick Leave Act.

## **XXXV. New Jersey Family Leave Act Policy**

Employees working in New Jersey may be eligible for family leave under the New Jersey Family Leave Act (NJFLA), as described below. This policy is a summary of Employee rights under the NJFLA. If there are any differences between the NJFLA and the summary below, the NJFLA will govern.

### **A. Eligibility for NJFLA**

To be eligible for NJFLA leave, a New Jersey Employee must: (1) have been employed by the Company for at least 12 months and (2) have worked for the Company for at least 1000 hours in the 12 months preceding the date the leave is requested to begin.

Please contact People and Culture to determine whether you are eligible for NJFLA leave.

### **B. Leave Entitlement**

An eligible Employee is generally entitled to 12 workweeks of unpaid leave in a 24-month period (a rolling 24-month period measured backward from the date the leave is requested to begin) for the following reasons:

- 24. Caregiver Leave - to care for a family member with a serious health condition;
- 25. Bonding Leave - to care for a newborn child or a child placed with the Employee through adoption or foster care; or
- 26. Public Health Emergency Leave – when an epidemic of a communicable disease, as known or suspected exposure to the communicable disease, or efforts to prevent spread of a communicable disease (including the COVID-19 pandemic) requires an Employee:
  - a. to provide in-home care or treatment for a child due to the closure of the school or place of care of the child of the Employee by order of a public official due to the epidemic or other public health emergency;
  - b. to care for a family member of the Employee who is subject to mandatory quarantine due to illness caused by a communicable disease, or a known or suspected exposure to a communicable disease; or
  - c. to care for a family member of the Employee whose doctor recommends voluntarily self-quarantine due to suspected exposure to a communicable disease.

NJFLA bonding leave must be commenced (not completed) within 12 months of the child's birth, adoption, or foster care placement.

If an Employee requests leave for a reason that is covered by both the NJFLA and another leave law (such as the FMLA or the SAFE Act) the leave will count simultaneously against the Employee's entitlement under each respective law.

The terms "family member," "child" and "serious health condition" have specific definitions under the NJFLA. Please contact People and Culture for more information.

### **C. Substitution of Accrued Paid Leave**

NJFLA leaves of absence are generally granted without pay. However, Employees may be eligible for compensation while absent on NJFLA leave in certain circumstances.

Employees may elect to use available paid time off while on NJFLA leave.

Employees may be eligible to receive Family Leave Insurance (wage replacement) benefits from the State of New Jersey while on NJFLA leave. Please see section below entitled "Compensation from the State – FLI Benefits" for a complete discussion of Family Leave Insurance Benefits.

Even if not requested by an Employee, the Company may require Employees to use applicable, available paid leave (excluding available accrued New Jersey Paid Sick and Safe Leave (PSSL) paid time off) while on NJFLA leave. Employees will not be required to use available paid leave in lieu of Family Leave Insurance (FLI) benefits. If an



Employee applies and qualifies for FLI benefits from the State, the Employee may elect to receive FLI benefits before being required to use their applicable, available paid leave, excluding available accrued PSSSL paid time off. Employees may also elect to use their applicable, available paid leave to pay the gap in compensation between FLI benefits and the Employee's full rate of compensation. If an Employee's leave continues after the employee has exhausted their FLI benefits, then the Employee will be required to use all applicable, available paid leave, excluding available accrued PSSSL paid time off. After exhaustion of all applicable, available paid leave, the leave will be unpaid.

To the extent allowable by law, available paid leave, used PSSSL paid time off, time while FLI benefits are received, and FMLA leave will run concurrently with NJFLA leave.

#### **D. Intermittent/Reduced Schedule Leave**

Employees may take NJFLA bonding leave on a continuous, intermittent, or reduced work schedule basis.

Employees may take NJFLA caregiver leave on a continuous basis or, when certified as medically necessary by a health care provider, on an intermittent or reduced work schedule basis.

NJFLA leave taken on an intermittent or reduced schedule basis must be completed in a consecutive 12-month period.

#### **E. Requesting and Scheduling Leave**

When an Employee takes NJFLA leave on a continuous basis, the Employee must give the Company 30 days' advance notice when the need for leave is foreseeable, and if not, as much notice as possible.

When an Employee takes NJFLA leave on an intermittent or reduced leave schedule basis, the Employee must give the Company 15 days' advance notice when the need for leave is foreseeable, and if not, as much notice as possible. The Employee should make a reasonable effort to schedule the leave so as not to unduly disrupt the Company's operations and, if possible, provide the Company, prior to the first day of intermittent leave, with a regular schedule of the days or days of the week on which the intermittent leave will be taken.

Even in the absence of a request for family leave, the Company will designate leave taken for reasons that qualify as family leave as approved NJFLA leave and charge the leave taken against the Employee's NJFLA leave entitlement.

#### **F. Required Certifications**

Employees requesting family leave will be required to submit an appropriate Certification (in some cases the Company may request the Certification after the Employee's leave request is made, such as in the case of unforeseen leave). Blank Certification forms are available from People and Culture.

An Employee must return the required Certification to People and Culture within 15 days after the Employee requests leave, unless it is not practicable under the circumstances to do so. In such cases, the Employee must return the completed Certification as soon as possible and practical. If an Employee fails to provide timely Certification after being requested to do so, the leave request may be denied until the Certification is provided.

If the Certification submitted by the Employee is incomplete or insufficient, the Employee will be given written notification of the information needed and will have 7 days after receiving such written notice to provide the necessary information, unless it is not practicable under the circumstances to do so. If an Employee fails to cure the deficiencies after being requested to do so, the Employee's leave request may be denied.

In cases where the Company does not agree with the assessment of the Employee's family member's health care provider, the Company may require a second opinion at the Company's expense by another health care provider. In the case of a conflict between the first two opinions, the Company may require, and must pay for, a third opinion by a health care provider jointly designated by the Company and the Employee. The third opinion will be binding.

#### **G. Job/Benefits Protection**

An eligible Employee who takes NJFLA leave is entitled, upon return from leave, to be reinstated to their previous position of employment, or to an equivalent position with equal pay, benefits, and other terms and conditions of employment. There are certain exceptions to this requirement, including in the case of layoffs that occur during leave affecting the Employee's position and in the case of "Key Employees", as defined by law.

Employees must notify the Company of their intention to return to work at least 2 weeks prior their return-to-work date. An Employee who desires to return to work earlier than scheduled must give the Company at least 2 days prior notice of the Employee's intent.

An Employee who takes family leave is not entitled to the accrual of additional benefits or seniority that would have occurred during the period of leave. However, Employees are entitled to accrue hours of service (service credit) during periods of paid leave.

#### **H. State Compensation – FLI Benefits**

An Employee who takes bonding or caregiver leave may be eligible for Family Leave Insurance (FLI) benefits from the State. FLI benefits are intended to compensate Employees for wage loss experienced while taking these two types of family leave. Employees who apply and qualify for FLI benefits are eligible to receive 85 percent of their average weekly wage (up to a maximum set by the State) for a maximum of 12 weeks when leave is taken on a continuous basis or in intermittent weekly increments (or 56 days when leave is taken in intermittent daily increments) per 12-month period.

The following additional eligibility terms apply to FLI benefits:

- Employees may receive FLI benefits for bonding leave taken on a continuous basis or an intermittent basis. Employees may receive FLI benefits for caregiver leave taken on a continuous basis or, when certified as medically necessary, on an intermittent basis.
- Employees must give the Company at least 30 days' notice prior to commencing bonding leave on a continuous basis, unless the commencement time of the leave is unforeseeable. Employees intending to take such leave on an intermittent basis must give the Company at least 15 days prior notice, unless an unforeseen emergency precludes prior notice.
- Employees must give the Company notice in a reasonable and practicable manner prior to commencing caregiver leave on a continuous basis, unless an unforeseen emergency precludes prior notice. Employees intending to take such leave on an intermittent basis must give the Company at least 15 days prior notice, unless an unforeseen emergency precludes prior notice.
- Employees apply for FLI benefits from the State by submitting a claim form to the State, which are available from the Employee's Supervisor or People and Culture.
- Eligibility for FLI benefits is determined by the State, not the Company.

Employees who take bonding or caregiver leave under the NJFLA are permitted, but not required, to apply for FLI benefits from the State. If an Employee's elects not to apply for FLI benefits when taking bonding or caregiver leave, the Company's normal rules regarding the substitution of paid leave applicable to New Jersey Employees will apply.

An Employee may be eligible for FLI benefits from the State even if the Employee is not eligible for family leave under the NJFLA.

The Company may require certification from a health care provider supporting the need for FLI.

A separate notice describing Employees' rights to FLI benefits is available from People and Culture.

## **XXXVI. Domestic Violence/Sexual Assault Victim Leave Policy**

Under the New Jersey Security and Financial Empowerment Act (SAFE Act), an eligible Employee, who (1) is a victim of an incident of domestic violence or sexual assault or (2) whose family member is a victim of such an incident, is entitled to unpaid leave for various medical and legal purposes, as explained below. This policy is a summary of Employees' rights under the SAFE Act. If there are any differences between the Act and the summary below, the Act will govern.

## **A. Eligibility for Leave**

To be eligible for leave, a New Jersey Employee must have: (1) been employed by the Company for at least 12 months and (2) worked at least 1,000 hours during the 12-month period immediately preceding the leave.

Employees should contact People and Culture to determine whether they are eligible for SAFE leave.

## **B. Reasons for Leave**

An eligible Employee may take leave for purposes of:

- seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the Employee's family member;
- obtaining services from a victim services organization for the employee or the Employee's family member;
- obtaining psychological or other counseling for the employee or the Employee's family member;
- participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the Employee or the Employee's family member from future domestic or sexual violence or to ensure economic security;
- seeking legal assistance or remedies to ensure the health and safety of the Employee or the Employee's family member, including preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic or sexual violence; or
- attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the Employee or the Employee's family member was a victim.

## **C. Amount of Leave**

Under the SAFE Act, an eligible Employee is entitled to 20 days of unpaid leave during the 12-month period following an incident of domestic violence or sexual assault for any of the reasons stated above. An eligible Employee is also entitled to 20 days of unpaid leave for any subsequent incidents of domestic violence or sexual assault, but no more than 20 days of leave may be taken during any 12-month period. Leave may be taken intermittently in intervals of no less than a day.

#### **D. Substitution of Paid Leave/Coordination with Other Leave Laws**

SAFE leaves of absence are generally granted without pay. However, Employees may be eligible for compensation while absent on SAFE leave in certain circumstances.

If applicable, Employees may elect to use available paid leave while on SAFE leave.

An Employee who is disabled as a result of an incident of domestic violence or sexual assault may be eligible for Temporary Disability Insurance (wage replacement) benefits from the State of New Jersey while on SAFE leave. Employees should contact People and Culture for more information.

Employees who are not disabled but otherwise eligible for SAFE leave may be eligible to receive Family Leave Insurance (wage replacement) benefits from the State of New Jersey while on SAFE leave. Please see section above in the New Jersey Family Leave Act (NJFLA) Policy, entitled “State Compensation – FLI Benefits” for a complete discussion of Family Leave Insurance (FLI) Benefits.

Even if not requested by an Employee, the Company may require Employees to use applicable, available paid leave while on SAFE leave. However, Employees will not be required to use available paid leave in lieu of FLI benefits. Nor will they be required to use PSSSL. If an Employee applies and qualifies for FLI benefits from the State, the Employee may elect to receive FLI benefits before being required to use their applicable, available paid leave. If an Employee’s leave continues after the Employee has exhausted their FLI benefits, then the Employee will be required to use all applicable, available paid leave with the exception of PSSSL. After exhaustion of all such available paid leave, the leave will be unpaid.

If an Employee requests leave for a reason that is covered by both the SAFE Act and the NJFLA, the leave will count simultaneously against the Employee’s entitlement under each respective law.

Applicable paid leave, used PSSSL, and time while FLI benefits are received will run concurrently with SAFE leave.

#### **E. Requesting and Scheduling Leave**

If the need for leave under this policy is foreseeable, an Employee must provide the Company with advance written notice of the need for leave. The notice must be provided to the Employee’s Supervisor or People and Culture as far in advance as is reasonable and practical under the circumstances, unless an emergency or other unforeseen circumstances precludes prior notice.

#### **F. Required Documentation**

An Employee must submit documentation in support of their leave request. Any one of the following forms of documentation will be deemed sufficient:

- a domestic violence restraining order or other documentation of equitable relief issued by a court of competent jurisdiction;
- a letter or other written documentation from the county or municipal prosecutor documenting the domestic violence or sexually violent offense;
- documentation of the conviction of a person for the domestic violence or sexually violent offense;
- medical documentation of the domestic violence or sexually violent offense;
- certification from a certified Domestic Violence Specialist or the director of a designated domestic violence agency or Rape Crisis Center, that the Employee or Employee's family member is a victim of domestic violence or a sexually violent offense; or
- other documentation or certification of the domestic violence or sexually violent offense provided by a social worker, member of the clergy, shelter worker, or other professional who has assisted the Employee or the Employee's family member.

#### **G. Confidentiality**

The Company will maintain the confidentiality of any documentation provided by an Employee in support of their leave request, and any information regarding a leave taken under this policy and, if applicable, the Employee's failure to return to work, unless disclosure is voluntarily authorized in writing by the Employee or is required by a federal or state law, rule, or regulation.

Any information Employees submit to the Company regarding their SAFE Act leave should be directed to People and Culture.

#### **H. Discrimination and Retaliation Prohibited**

Discharging, harassing, or otherwise discriminating or retaliating against Employees for exercising their rights under the New Jersey SAFE Act is strictly prohibited. Employees who believe they have been subjected to any such improper conduct should contact People and Culture immediately.

### **XXXVII. Conscientious Employee Protection Act ("Whistleblower Act")**

New Jersey's Conscientious Employee Protection Act (CEPA), also known as the "Whistleblower Act", prohibits an employer from taking any retaliatory action against an employee because the employee:

27. discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the Company or another employer with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
28. provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the Company or another employer with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care;
29. provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree, or pensioner of the Company or any governmental entity;
30. provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree, or pensioner of the Company or any governmental entity; or
31. objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes (a) is a violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care; (b) is fraudulent or criminal; or (c) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment.

The protection against retaliation, when disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required when the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergency in nature.

The Company has designated the following contact person to receive written notifications pursuant to this policy: Gretchen Swan, VP of People and Culture at gswan@intleycare.com.

## **XXXVIII. Drug and Alcohol-Free Workplace Policy**

### **Marijuana**

When an applicant or Employee tests positive for marijuana, the Company will provide the individual with written notice of the positive test result. Within three working days after the individual receives such written notice, they may provide a legitimate medical reason for the positive test result or request retesting at their own expense. The legitimate medical reason may be an authorization for medical marijuana use by a healthcare provider, proof of registration for medical marijuana, or both. Consistent with applicable law, the Company will consider all such information prior to taking any employment action with respect to the individual.



# INTELYCARE PENNSYLVANIA EMPLOYEE HANDBOOK SUPPLEMENT

Note: IntelyPros (per diem staff members) receive and acknowledge the IntelyPro **Terms of Service** <https://www.intelycare.com/terms-of-service/> which references this handbook, state amendments and the Clinical Employee Orientation & Training Handbook, which guides expectations, practice and standards of conduct.

IntelyCare's corporate office is located in Quincy, Massachusetts and to reach our contact center, you can call 844-683-5922, 617-971-8344 with support available 24X7 or by email to: [Careteam@IntelyCare.com](mailto:Careteam@IntelyCare.com). Employees seeking to reach the People & Culture team should utilize the contact center and inquiries will be transferred to the appropriate member of the People & Culture team.

### **IMPORTANT NOTICE – DISCLAIMER**

**THE POLICIES IN THIS PENNSYLVANIA EMPLOYEE HANDBOOK SUPPLEMENT (“STATE SUPPLEMENT”) ACCOMPANY AND SUPPLEMENT THE POLICIES CONTAINED IN THE MAIN EMPLOYEE HANDBOOK AND ARE SPECIFIC TO PENNSYLVANIA EMPLOYEES ONLY. ALL PROVISIONS CONTAINED IN THE “IMPORTANT NOTICE – DISCLAIMER” IN THE EMPLOYEE HANDBOOK APPLY FULLY TO THIS STATE SUPPLEMENT. WHERE THIS STATE SUPPLEMENT AND THE EMPLOYEE HANDBOOK CONFLICT, THE POLICIES IN THIS STATE SUPPLEMENT CONTROL.**

## **INTELYCARE PENNSYLVANIA EMPLOYEE HANDBOOK SUPPLEMENT**

### **(FOR PENNSYLVANIA EMPLOYEES ONLY)**

Pennsylvania Employees: please note that wherever Pennsylvania law provides for or offers greater protections to the Employees than this Pennsylvania Employee Handbook Supplement ("*State Supplement*"), Pennsylvania law will govern. Additionally, if this *State Supplement* and the *Employee Handbook* conflict, the policies in this *State Supplement* will control. Employees should contact People and Culture with any questions about the policies in this Supplement.

## **INTELYCARE PENNSYLVANIA EMPLOYEE HANDBOOK SUPPLEMENT**

### **XXXIX. Harassment, Discrimination, and Retaliation Prevention**

This policy supplements the Harassment, Discrimination, and Retaliation Prevention Policy in the Employee Handbook, and applies to all Pennsylvania Employees.

#### **Complaint Procedure**

In addition to the internal Company complaint procedure, Pennsylvania Employees who believe they have been subjected to harassment may file a formal complaint with either or both of the government agencies listed here. Using the Company complaint procedure does not prohibit the Employee from filing a complaint with these agencies.

#### **Equal Employment Opportunity Commission**

801 Market Street, Suite 1000,  
Philadelphia, PA 19107-3126

Phone: 1-800-669-4000 / 267-589-9700 / or email [PDOContact@eeoc.gov](mailto:PDOContact@eeoc.gov) Fax: 215-440-2606 TTY: 800-669-6820 ASL Video Phone: 844-234-5122

Website: <https://publicportal.eeoc.gov/Portal/>

#### **Pennsylvania Human Relations Commission**

**Harrisburg:** 333 Market Street, 8th Floor, Harrisburg, PA 17101-2210, Phone: (717) 787-9780, (717) 787-7279 TTY users only

**Philadelphia:** 110 North 8th Street, Suite 501, Philadelphia, PA 19107, Phone: (215) 560-2496,  
(215) 560-3599 TTY users only

**Pittsburgh:** 301 Fifth Avenue Suite 390, Piatt Place, Pittsburgh, PA 15222, Phone: (412) 565-5395,  
(412) 565-5711 TTY users only

### **XL. Donor Leave**

Pennsylvania's Living Donor Protection Act (the "LDPA") will provide time off to organ and tissue donors to cover time off for donation surgery, including necessary preparation and recovery.

Employees will be eligible for leave under the LDPA if they meet federal FMLA eligibility criteria and must follow the same Company procedures for LDPA as they would for FMLA.

Leave under the LDPA applies to an Employee's own donation or to care for a spouse, child or parent who is making or receiving an organ or tissue donation. LDPA leave will run concurrently with FMLA leave. LDPA leave is unpaid.

To avoid a delay in FMLA and LDPA protection, the Employee must give notice as soon as possible and practicable under the circumstances of enough facts to advise the person receiving the call that FMLA and LDPA may apply.

If an Employee fails to give the required notice with no reasonable excuse, FMLA and LDPA coverage may be delayed for a period of time. This can result in discipline for absences taken prior to FMLA and LDPA coverage commencing.

Employees should make every reasonable effort to schedule foreseeable medical treatments so as not to disrupt the Company's operations.

## **XLI. Final Paycheck**

A terminated Employee who is laid off or voluntarily quits will be paid any wages owed on the next scheduled payday following the termination. If the Employee requests, the Company will make such payment by certified mail.

## **XLII. ALLEGHENY COUNTY POLICIES**

### **(APPLICABLE TO ALLEGHENY COUNTY EMPLOYEES WHO DO NOT WORK IN PITTSBURGH ONLY)**

Allegheny County Employees: please note that wherever Allegheny County law provides for or offers greater protections to Employees than this Pennsylvania Employee Handbook Supplement (“*State Supplement*”), including this Allegheny County subsection of the *State Supplement*, Allegheny County law will govern. Additionally, if the provisions in this Allegheny County subsection conflict with either (a) the rest of this Pennsylvania *State Supplement* or (b) the *Employee Handbook*, the policies in this Allegheny County subsection will control. All of the policies set forth below may not be applicable to all Employees. Employees should contact People and Culture with any questions about the policies in this *State Supplement*.

#### **I. Allegheny County, Pennsylvania Paid Sick Time Policy**

The Company provides eligible Employees with paid sick time (“PST”) pursuant to the Allegheny County Paid Sick Days Ordinance.

The guidelines in this policy do not supersede federal, state or local laws regarding leaves of absence, including but not limited to leave taken under the Family and Medical Leave Act (FMLA), leave taken as a reasonable accommodation under the Americans with Disabilities Act (ADA) or any other applicable federal, state or local law, including those prohibiting discrimination and harassment.

##### **A. Eligibility**

All Employees who work 35 or more hours in Allegheny County in a calendar year are eligible to accrue PST. “Seasonal Employees”, i.e., those hired for a temporary period of no more than 16 weeks during a calendar year who have been notified in writing at the time of hire that their employment is limited to the seasonal period, are exempt from accrual.

Independent contractors also are ineligible to accrue PST.

##### **B. Reasons for Leave**

PST may be used for the following reasons:

- the Employee's own mental or physical illness, injury, or health condition, including need for diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or need for preventive care;
- a family member's mental or physical illness, injury, or health condition, including care of a family member who needs diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or preventive care; or

- closures of the Employee's place of business or the Employee's child's school or place of care, by order of a public official due to a public health emergency; or
- care for a family member when health authority or health care provider has determined that the family member's presence in the community would jeopardize the health of others because of the family member's exposure to a communicable disease, whether or not the family member has actually contracted the disease.

Eligible family members include an Employee's:

- child (including biological, adopted or foster child, stepchild, legal ward, a child of a domestic partner, or a child for whom the Employee stands in loco parentis);
- parent (biological, adopted, or foster parent, step-parent; legal guardian of an Employee or an Employee's spouse or domestic partner or a person who stood in loco parentis to the Employee as a minor child);
- spouse or domestic partner;
- grandparent or the spouse or domestic partner of a grandparent; grandchild; sibling (including biological, foster, and adopted siblings); and
- any individual for whom the Employee has received verbal permission from the Company to care for at the time of the Employee's request to make use of paid sick PST.

### **C. Accrual and Use**

Eligible Employees begin to accrue paid PST on their first day of employment. Employees accrue one hour of PST for every 35 hours worked within the geographic boundaries of Allegheny County, up to a maximum of 40 hours in a calendar year. An Employee may use up to 40 hours of leave under this policy in any year. Employees may use time under this policy in 1.00-hour increments. An Employee may begin to access PST on their 90<sup>th</sup> day of employment with the Company.

For accrual purposes, salaried exempt employees are assumed to work 40 hours per workweek. If an exempt employee normally works fewer than 40 hours, then accrual will be based on their normal workweek. Non-exempt employees accrue PST based on all hours worked, including overtime hours worked. PST does not accrue when Employee is not working, such as when the Employee is on an unpaid leave of absence.

### **D. Carryover**

Accrued but unused sick and safe time can be carried over from year to year. However, the total amount of accrued and unused time may not exceed 40 hours.

The Company does not offer pay in lieu of actual sick leave.

### **E. Rate of Pay**

PST is paid based on the Employee's regular hourly base rate of pay. Employees will be paid only for the hours they are scheduled to work.

### **F. Requesting Leave and Documentation**

When the need for PST is foreseeable, Employees must provide seven days' notice of the need for sick time, including the expected duration. Employees should attempt to schedule PST in a way that does not unduly disrupt the Company's operations. If the need for PST is unforeseeable, Employees must provide notice as soon as practicable. In all circumstances, an employee is responsible for specifying that the requested time off is for PST reasons, so that the absence may be designated accordingly.

To provide notice of the need to use PST, Employees should contact People and Culture electronically.

If PST is used for more than three consecutive days, the Company requires Employees to provide supporting documentation that the PST was used for a covered purpose.

Employees are not required to find coverage for their work when they take PST. Qualified use of PST will not result in disciplinary action or be counted as an absence.

### **G. Internal Transfer of Employment**

The Company will continue to allow a covered Employee to use previously accrued PST after that same Employee transfers to a separate division, entity or location outside of Allegheny County. However, the covered Employee will not accrue additional PST following transfer out of Allegheny County under this policy.

### **H. Separation from Employment**

Compensation for accrued and unused PST is not provided upon separation from employment for any reason. If an Employee is rehired by the Company within six months of separation from employment, previously accrued but unused PST will be immediately reinstated and available for use.

### **I. Confidentiality**

In accordance with applicable federal, state, and local law, the Company will treat as confidential health information relating to the Employee or their family member. Such information will not be released without the Employee's express permission, unless otherwise required by law or by a court or administrative agency.

### **J. Effect on Other Rights and Policies**

The Company may provide other forms of leave for employees to care for medical conditions or for issues related to domestic violence under certain federal, state and local



laws. In certain situations, leave under this policy may run at the same time as leave available under another federal, state or local law, provided eligibility requirements for that law are met. If PST is used for more than three consecutive days and the Employee is eligible for protection under an applicable Family Medical Leave Act (FMLA), the paid PST and the FMLA will run concurrently. The Company is committed to complying with all applicable laws. Employees should contact People and Culture for information about other federal, state and local medical, domestic violence or family leave rights.

#### **K. No Discrimination or Retaliation**

The Company will not retaliate or discriminate against, tolerate retaliation or discrimination against, or restrain or interfere with any Employee who in good faith exercises or attempts to exercise their rights under the Allegheny County Paid Sick Days Ordinance. These rights include the right to use sick time pursuant to the Ordinance, the right to file a complaint with the County about any employer's alleged violations of the Ordinance, or in court, and the right to inform any person of their potential rights under the Ordinance.

### **XLIII. PHILADELPHIA POLICIES**

#### **(APPLICABLE TO CITY OF PHILADELPHIA EMPLOYEES ONLY)**

Philadelphia Employees: please note that wherever Philadelphia law provides for or offers greater protections to Employees than this Pennsylvania Employee Handbook Supplement ("*State Supplement*"), including this Philadelphia subsection of the *State Supplement*, Philadelphia law will govern. Additionally, if the provisions in this Philadelphia subsection conflict with either (a) the rest of this Pennsylvania *State Supplement* or (b) the *Employee Handbook*, the policies in this Philadelphia subsection will control. All of the policies set forth below may not be applicable to all Employees. Employees should contact People and Culture with any questions about the policies in this *State Supplement*.

#### **XLIV. Philadelphia, Pennsylvania Sick and Safe Time Policy**

The Company provides eligible Employees with earned sick and safe time ("ESST") pursuant to the Philadelphia Promoting Health Families and Workplaces Act (the "Act").

The guidelines in this policy do not supersede federal, state or local laws regarding leaves of absence, including but not limited to leave taken under the Family and Medical Leave Act (FMLA), leave taken as a reasonable accommodation under the Americans with Disabilities Act (ADA) or any other applicable federal, state or local law, including those prohibiting discrimination and harassment.

##### **A. Eligibility**

All Employees who perform work within the geographic boundaries of the City of Philadelphia for at least 40 hours in a year are eligible.

The following individuals are ineligible to accrue ESST:

- seasonal employees (hired for not more than 16 weeks a year);
- independent contractors;
- adjunct professors;
- student interns;
- employees hired for a term of less than 6 months;
- employees covered by a bona fide collective bargaining agreement; and
- health care professionals who work only when indicating they are available and have no obligation to work when they do not indicate availability.

#### **B. Reasons for Leave**

ESST may be used for the following reasons:

- the Employee's mental or physical illness, injury, or health condition; need for diagnosis, care, treatment of a mental or physical illness, injury, or health condition; or need for preventive medical care;
- care of the Employee's family member with a mental or physical illness, injury, or health condition, including diagnosis, care, treatment, or need for preventive medical care;
- absences due to domestic violence, sexual assault, or stalking, for the Employee or their family member to obtain:
  - medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence or stalking;
  - services from a victim services organization;
  - psychological or other counseling;
  - relocation due to the domestic or sexual violence or stalking; or
  - legal services or remedies, including preparation for or participation in any legal proceeding related to or resulting from the domestic or sexual violence.

Eligible family members include an Employee's:

- (a) child (biological, adopted or foster child, stepchild, legal ward, or child to whom the Employee stands in loco parentis;
- (b) parent (biological, adopted, or foster parent, step-parent; legal guardian of an employee or an employee's spouse or domestic partner or a person who stood in loco parentis to the employee as a minor);

- (c) spouse, under the laws of Pennsylvania;
- (d) grandparent or the spouse of a grandparent;
- (e) grandchild;
- (f) a biological, foster, or adopted sibling or the spouse of a biological, foster, or adopted sibling; or
- (g) a Life Partner (referring to a long-term committed relationship between two unmarried individuals of the same sex or gender identity who meet certain, specified requirements).

### **C. Accrual and Use**

Eligible Employees begin to accrue ESST on their first day of employment. Employees accrue one hour of ESST for every 40 hours worked in the City of Philadelphia, up to a maximum of 40 hours in a calendar year. Regardless of accrual, an Employee may use up to 40 hours of leave under this policy in any year. Employees may use time under this policy in 1.00-hour increments. An Employee may begin to access leave on their 90<sup>th</sup> day of employment with the Company.

For accrual purposes, salaried exempt employees are assumed to work 40 hours per workweek. If an exempt employee normally works fewer than 40 hours, then accrual will be based on their normal workweek. Non-exempt employees accrue ESST based on all hours worked, including overtime hours worked. ESST does not accrue when an Employee is not working, such as when the Employee is on an unpaid leave of absence.

### **D. Carryover**

Accrued but unused ESST can be carried over from year to year. However, the total amount of accrued and unused time may not exceed 40 hours.

The Company does not offer pay in lieu of actual sick or safe leave.

### **E. Rate of Pay**

ESST is paid based on the Employee's regular hourly rate. Employees will be paid only for the hours they are scheduled to work. Employees will not be paid unused ESST upon separation from employment.

### **F. Requesting Leave and Documentation**

When the need for ESST is foreseeable, Employees must provide seven days' notice of the need for sick time, including the expected duration. Employees should attempt to schedule ESST in a way that does not unduly disrupt the Company's operations. If the need for ESST is unforeseeable, Employees must provide notice as soon as practicable.

In all circumstances, an employee is responsible for specifying that the requested time off is for ESST reasons, so that the absence may be designated accordingly.

To provide notice of the need to use ESST, Employees should contact People and Culture electronically.

If ESST is used for more than two consecutive days, the Company requires Employees to provide supporting documentation that the ESST was used for a covered purpose.

Employees are not required to find coverage for their work when they take ESST. Qualified use of ESST will not result in disciplinary action or be counted as an absence.

### **G. Confidentiality**

In accordance with applicable federal, state, and local law, the Company will treat as confidential health information relating to the Employee or their family member. Such information will not be released without the Employee's express permission, unless otherwise required by law or by a court or administrative agency.

### **H. Effect on Other Rights and Policies**

The Company may provide other forms of leave for employees to care for medical conditions or for issues related to domestic violence under certain federal, state and local laws. In certain situations, leave under this policy may run at the same time as leave available under another federal, state or local law, provided eligibility requirements for that law are met. If ESST is used for more than two consecutive days and the Employee is eligible for protection under an applicable Family Medical Leave Act (FMLA), the paid ESST and the FMLA will run concurrently. The Company is committed to complying with all applicable laws. Employees should contact People and Culture for information about other federal, state and local medical, domestic violence or family leave rights.

### **I. No Discrimination or Retaliation**

The Company will not retaliate or discriminate against, tolerate retaliation or discrimination against, or restrain or interfere with any Employee who in good faith exercises or attempts to exercise their rights under the Philadelphia Promoting Health Families and Workplaces Act. Employees may file a complaint with the Office of Benefits and Wage Compliance or bring a civil action if sick or safe time is denied or if they are subjected to retaliation for requesting or taking sick or safe time.

## **XLV. Drug and Alcohol-Free Workplace Policy**

The Company will not conduct pre-employment marijuana testing in Philadelphia except on applicants for certain safety-sensitive positions as defined by Philadelphia law.

## **XLVI. Philadelphia Wage Theft Law**

Employees who work in Philadelphia may file a wage theft complaint or bring a civil action for unpaid wages pursuant to Philadelphia's Wage Theft Ordinance ("Ordinance"). Examples of wage theft include:

- Failure to pay overtime
- Failure to pay minimum wage
- Failure to pay all hours worked
- Failure to pay benefits
- Failure to pay amount promised
- Working off the clock
- Wrongful tip deductions
- Wrongful pay deduction

A wage theft complaint, in which the alleged unpaid wages are equal to or greater than the minimum threshold amount of \$100 and equal to or less than the maximum threshold amount of \$100,000, must be filed with the wage theft coordinator in the Mayor's Office of Benefits and Wage Compliance within three (3) years from the date when the alleged wage theft occurred. Retaliation against an Employee for exercising rights provided under this Ordinance is prohibited.

## **XLVII. PITTSBURGH POLICIES**

### **(APPLICABLE TO CITY OF PITTSBURGH EMPLOYEES ONLY)**

Pittsburgh Employees: please note that wherever Pittsburgh law provides for or offers greater protections to Employees than this Pennsylvania Employee Handbook Supplement ("*State Supplement*"), including this Pittsburgh subsection of the *State Supplement*, Pittsburgh law will govern. Additionally, if the provisions in this Pittsburgh subsection conflict with either (a) the rest of this Pennsylvania *State Supplement* or (b) the *Employee Handbook*, the policies in this Pittsburgh subsection will control. All of the policies set forth below may not be applicable to all Employees. Employees should contact People and Culture with any questions about the policies in this *State Supplement*.

#### **I. Pittsburgh, Pennsylvania Paid Sick Time Policy**

The Company provides eligible Employees with paid sick time ("PST") pursuant to the Pittsburgh Paid Sick Days Act ("PSDA").

The guidelines in this policy do not supersede federal, state or local laws regarding leaves of absence, including but not limited to leave taken under the Family and Medical Leave Act (FMLA), leave taken as a reasonable accommodation under the Americans with Disabilities Act (ADA) or any other applicable federal, state or local law, including those prohibiting discrimination and harassment.

##### **A. Eligibility**

All Employees who work 35 or more hours in the City of Pittsburgh in a calendar year are eligible to accrue PST.

The following individuals are ineligible to accrue PST:

- seasonal employees;
- independent contractors;
- members of a construction union covered by a collective bargaining unit.

##### **B. Reasons for Leave**

PST may be used for the following reasons:

- the Employee's own mental or physical illness, injury, or health condition, including need for diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or need for preventive care;

- a family member's mental or physical illness, injury, or health condition, including care of a family member who needs diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or preventive care; or
- closures of the Employee's place of business or the Employee's child's school or place of care, by order of a public official due to a public health emergency; or
- care for a family member when health authority or health care provider has determined that the family member's presence in the community would jeopardize the health of others because of the family member's exposure to a communicable disease, whether or not the family member has actually contracted the disease.

Eligible family members include an Employee's:

- child (including biological, adopted or foster child, stepchild, legal ward, a child of a domestic partner, or a child for whom the Employee stands in loco parentis);
- parent (biological, adopted, or foster parent, step-parent; legal guardian of an Employee or an Employee's spouse or domestic partner or a person who stood in loco parentis to the Employee as a minor child);
- spouse or domestic partner;
- grandparent or the spouse or domestic partner of a grandparent; grandchild; sibling (including biological, foster, and adopted siblings); and
- any individual for whom the Employee has received oral permission from the employer to care for at the time of the Employee's request to make use of sick time.

### **C. Accrual and Use**

Eligible Employees begin to accrue PST on their first day of employment. Employees accrue one hour of paid sick for every 35 hours worked in Pittsburgh, up to a maximum of 40 hours in a calendar year. Regardless of accrual, an Employee may use up to 40 hours of leave under this policy in any year. Employees may use time under this policy in 1.00-hour increments. An Employee may begin to access PST on the 90th day of employment with the Company.

For accrual purposes, salaried exempt employees are assumed to work 40 hours per workweek. If an exempt employee normally works fewer than 40 hours, then accrual will be based on their normal workweek. Non-exempt employees accrue sick based on all hours worked, including overtime hours worked. PST does not accrue when an Employee is not working, such as when the Employee is on an unpaid leave of absence.

#### **D. Carryover**

Accrued but unused PST can be carried over from year to year. However, the total amount of accrued and unused time may not exceed 40 hours.

The Company does not offer pay in lieu of actual sick leave.

#### **E. Rate of Pay**

PST is paid based on the Employee's regular hourly base rate of pay. Employees will be paid only for the hours they are scheduled to work.

#### **F. Requesting Leave and Documentation**

When the need for PST is foreseeable, Employees must provide seven days' notice of the need for sick time. If the need for sick time is unforeseeable, Employees must provide notice as soon as practicable. In all circumstances, an Employee is responsible for specifying that the requested time off is for PST reasons, so that the absence may be designated accordingly. When possible, requests to use sick time should include the expected duration of the leave.

To provide notice of the need to use PST, Employees should contact People and Culture electronically.

If PST is used for more than three consecutive days, the Company requires that Employees provide supporting documentation that the PST was used for a covered purpose.

Employees PST will not result in disciplinary action or be counted as an absence.

#### **G. Internal Transfer**

The Company will continue to allow a covered Employee to use previously accrued PST after that same Employee transfers to a separate division, entity or location outside of Pittsburgh. However, the covered Employee will not accrue additional PST following transfer out of Pittsburgh under this policy, unless the Employee is transferred to a location within Allegheny County.

#### **H. Separation from Employment**

Compensation for accrued and unused PST is not provided upon separation from employment for any reason. If an Employee is rehired by the Company within 6 months of separation from employment, previously accrued but unused PST will be immediately reinstated and available for use.



## **I. Confidentiality**

In accordance with applicable federal, state, and local law, the Company will treat as confidential health information relating to the Employee or their family member. Such information will not be released without the Employee's express permission, unless otherwise required by law or by a court or administrative agency.

## **J. Effect on Other Rights and Policies**

The Company may provide other forms of leave for employees to care for medical conditions or for issues related to domestic violence under certain federal, state and local laws. In certain situations, leave under this policy may run at the same time as leave available under another federal, state or local law, provided eligibility requirements for that law are met. If PST is used for more than three consecutive days and the Employee is eligible for protection under an applicable Family Medical Leave Act (FMLA), the paid PST and the FMLA will run concurrently. The Company is committed to complying with all applicable laws. Employees should contact People and Culture for information about other federal, state and local medical, domestic violence or family leave rights.

## **K. No Discrimination or Retaliation**

The Company will not retaliate or discriminate against, tolerate retaliation or discrimination against, or restrain or interfere with any Employee who in good faith exercises or attempts to exercise their rights under the PSDA. These rights include the right to use sick time pursuant to the PSDA, the right to file a complaint with the Pittsburgh Mayor's Office of Equity or the Agency designated by Allegheny County, or in court, about any employer's alleged violations of the PSDA, and the right to inform any person of their potential rights under the PSDA.

# INTELYCARE RHODE ISLAND EMPLOYEE HANDBOOK SUPPLEMENT

Note: IntelyPros (per diem staff members) receive and acknowledge the IntelyPro **Terms of Service** <https://www.intelycare.com/terms-of-service/> which references this handbook, state amendments and the Clinical Employee Orientation & Training Handbook, which guides expectations, practice and standards of conduct.

IntelyCare's corporate office is located in Quincy, Massachusetts and to reach our contact center, you can call 844-683-5922, 617-971-8344 with support available 24X7 or by email to: [Careteam@IntelyCare.com](mailto:Careteam@IntelyCare.com). Employees seeking to reach the People & Culture team should utilize the contact center and inquiries will be transferred to the appropriate member of the People & Culture team.

### **IMPORTANT NOTICE – DISCLAIMER**

**THE POLICIES IN THIS RHODE ISLAND EMPLOYEE HANDBOOK SUPPLEMENT (“STATE SUPPLEMENT”) ACCOMPANY AND SUPPLEMENT THE POLICIES CONTAINED IN THE MAIN EMPLOYEE HANDBOOK AND ARE SPECIFIC TO RHODE ISLAND EMPLOYEES ONLY. ALL PROVISIONS CONTAINED IN THE “IMPORTANT NOTICE – DISCLAIMER” IN THE EMPLOYEE HANDBOOK APPLY FULLY TO THIS STATE SUPPLEMENT. WHERE THIS STATE SUPPLEMENT AND THE EMPLOYEE HANDBOOK CONFLICT, THE POLICIES IN THIS STATE SUPPLEMENT CONTROL.**

## **INTELYCARE RHODE ISLAND EMPLOYEE HANDBOOK SUPPLEMENT**

### **(APPLICABLE TO RHODE ISLAND EMPLOYEES ONLY)**

Rhode Island Employees: please note that wherever Rhode Island law provides for or offers greater protections to the Employees than this Rhode Island Employee Handbook Supplement ("*State Supplement*"), Rhode Island law will govern. Additionally, if this *State Supplement* and the *Employee Handbook* conflict, the policies in this *State Supplement* will control. Employees should contact People and Culture with any questions about the policies in this Supplement.

## INTELYCARE RHODE ISLAND EMPLOYEE HANDBOOK SUPPLEMENT

### **XLVIII. Harassment, Discrimination, and Retaliation Prevention Policy**

This policy supplements the Harassment, Discrimination, and Retaliation Prevention Policy in the Employee Handbook and applies to all Rhode Island Employees.

#### **Complaint Procedure:**

Rhode Island Employees promptly should report conduct they believe to be in violation of this policy to their Supervisor, any other member of management, or to People and Culture. Employees also may raise concerns about sexual harassment to VP People and Culture, Gretchen Swan, at 1250 Hancock Street, Quincy MA 02169, 6176571390.

Complaints may be made orally or in writing.

In addition to the Company complaint procedure, Rhode Island Employees who believe that they have been discriminated against, harassed, or retaliated against, or who are aware of such conduct toward others, also have the option to report it to the following agency that will investigate and prosecute complaints of unlawful discrimination, harassment, and retaliation in employment. Using the Company complaint procedure does not prohibit the Employee from filing a complaint with the agency.

Rhode Island Commission for Human Rights  
180 Westminster Street, 3rd Floor  
Providence, RI 02903-3768  
Phone: (401) 222-2661  
Fax: (401) 222-2616  
TTY: (401) 222-2664  
Web Address: <http://www.richr.ri.gov/>

[Equal Employment Opportunity Commission](#)  
[John F. Kennedy Federal Building](#)  
[15 New Sudbury St., Room 475](#)  
[Boston, MA 02203](#)  
[Phone: \(617\) 865-3670](#)  
[Fax: \(617\) 565-3196](#)  
[TTY: 1-800-669-6820](#)  
[Web Address: https://www.eeoc.gov/field-office/boston/location](https://www.eeoc.gov/field-office/boston/location)

### **XLIX. Whistleblower Protections**

The Company will not take adverse action against an Employee based on any of the following conduct:

- because the Employee or a person acting on their behalf reports or is about to report to a public body, verbally or in writing, a violation which the Employee knows or reasonably believes has occurred or is about to occur, of a law or regulation or rule promulgated under the law of Rhode Island, a political subdivision of Rhode Island, or the United States, unless the Employee knows or has reason to know that the report is false;
- because the Employee is requested by a public body to participate in an investigation, hearing, or inquiry held by that public body, or a court action;
- because the Employee refuses to violate or assist in violating federal, state or local law, rule or regulation; or
- because the Employee reports verbally or in writing to the Company or to the Employee's Supervisor a violation, which the Employee knows or reasonably believes has occurred or is about to occur, of a law or regulation or rule promulgated under the laws of Rhode Island, a political subdivision of Rhode Island, or the United States, unless the Employee knows or has reason to know that the report is false.

## **L. Accommodations Due to Pregnancy, Childbirth and Related Conditions**

This policy supplements the Accommodations Due to Pregnancy, Childbirth and Related Conditions policy in the Employee Handbook and applies to all Rhode Island Employees:

All Employees have the right to be free from discrimination in relation to pregnancy, childbirth, and related conditions. Additionally, the Company is committed to providing reasonable accommodations for conditions related to pregnancy and childbirth, including the need to express breast milk for a nursing child, provided that granting the accommodation would not impose an undue hardship on the Company's operations. Employees who require accommodation(s) for pregnancy, childbirth, or related conditions should make the request to People and Culture, which will work with them to determine any effective reasonable accommodation(s). Rhode Island Sick and Safe Time Policy

The Company provides eligible Employees with earned sick and safe time ("ESST") pursuant to the Rhode Island Healthy and Safe Families and Workplace Act.

The guidelines in this policy do not supersede federal, state or local laws regarding leaves of absence, including but not limited to leave taken under the Family and Medical Leave Act (FMLA), leave taken as a reasonable accommodation under the Americans with Disabilities Act (ADA) or any other applicable federal, state or local law, including those prohibiting discrimination and harassment.

### **A. Eligibility**

All Employees are eligible to accrue ESST, including part-time and temporary Employees.

The following individuals are ineligible to accrue ESST:

- independent contractors;
- subcontractors;
- certain work study participants;
- some apprentice and interns; or
- practicing nurses who work for a health care facility but are under no obligation to work a regular schedule.

## **B. Reasons for Use**

ESST may be used for the following reasons:

- the Employee's mental or physical illness, injury, or health condition, including diagnosis, care, treatment or need for other preventive medical care;
- care of an Employee's family member's mental or physical illness, injury, or health condition, including diagnosis, care, treatment or need for other preventive medical care;
- the Company's closure, or an Employee's child's school or place of care, by order of a public official due to a public health emergency;
- the Employee's or Employee's family member's quarantine by health authorities or a health care provider due to exposure to a communicable disease; or
- leave related to domestic violence, sexual assault, or stalking impacting the Employee or their family member.

Eligible family members include an Employee's:

- (a) child (biological, adopted, or foster child, stepchild, legal ward, child of a domestic partner, or child for whom the Employee stands "in loco parentis");
- (b) parent (biological, adoptive, foster or step-parent of an Employee or of the Employee's spouse, or other person who assumed the responsibilities of parenthood when the Employee or Employee's spouse was a child);
- (c) spouse or domestic partner;
- (d) sibling (biological, half, step, foster, or adopted);
- (e) parent-in-law;
- (f) grandparent;
- (g) care recipient; or
- (h) member of the Employee's household, i.e., a person that resides at the same physical address as the Employee or a person that is claimed as a dependent by the Employee for federal income tax purposes.

## **C. Accrual and Use of ESST**

Eligible Employees begin to accrue ESST on their first day of employment. Employees accrue one hour of ESST for every 35 hours worked in Rhode Island, up to a maximum of 40 hours in a calendar year. Regardless of accrual, an Employee may use only up to

40 hours of leave under this policy in any year. Employees may use time under this policy in 1.00-hour increments. An Employee may begin to access leave after 90 days of employment with the Company.

For accrual purposes, salaried exempt employees are assumed to work 40 hours per workweek. If an Employee normally works fewer than 40 hours, then accrual will be based on their normal workweek. Non-exempt employees accrue ESST based on all hours worked, including overtime hours worked. ESST does not accrue when an Employee is not working, such as when the Employee is on an unpaid leave of absence.

#### **D. Carryover**

Accrued but unused ESST can be carried over from year to year. However, the total amount of accrued and unused time may not exceed 40 hours.

The Company does not offer pay in lieu of actual sick or safe leave.

#### **E. Rate of Pay**

ESST is based on the Employee's normal hourly rate, or the state's minimum wage, whichever is greater.

Employees will be paid only for the hours they are scheduled to work. If the Employee is paid based on commission or another non-hourly based formula, pay will be based on guidance provided under the law. Please contact People and Culture at [benefits@intelycare.com](mailto:benefits@intelycare.com) for additional information.

#### **F. Requesting ESST and Documentation**

When the need for ESST is foreseeable, Employees must provide reasonable notice, preferably at least seven days' notice, of the need for ESST. If the need for ESST is unforeseeable, Employees must provide notice as soon as practicable. In all circumstances, an Employee is responsible for specifying that the requested time off is for sick or safe leave reasons, so that the absence may be designated accordingly. Employees should include the expected duration of an ESST absence in their request for ESST time when possible.

To provide notice of the need to use ESST, Employees should contact People and Culture electronically.

ESST is available only for shifts the Employee was scheduled to work.

If ESST is used for more than three consecutive work days, the Company requires Employees to provide supporting documentation that the ESST was used for a covered purpose.

Employees are not required to find coverage for their work when they take ESST. Qualified use of ESST will not result in disciplinary action or be counted as an absence.



## **G. Internal Transfer of Employment**

If an Employee is transferred to a separate division, entity, or location within the state, but remains employed by the Company, the Employee is entitled to all paid ESST accrued at the prior division, entity, or location and is entitled to use all paid ESST accrued up to the 40-hour annual cap.

## **H. Separation from Employment**

Compensation for accrued and unused ESST is not provided upon separation from employment for any reason. If an Employee is rehired by the Company within 135 days of separation from employment, previously accrued but unused ESST will be immediately reinstated and available for use.

## **I. Confidentiality**

In accordance with applicable federal, state, and local law, the Company will treat as confidential health information or information pertaining to domestic violence, sexual assault or stalking relating to the Employee or their family member. Such information will not be released without the Employee's express permission, unless otherwise required by law or by a court or administrative agency.

## **J. Effect on Other Rights and Policies**

The Company may provide other forms of leave for Employees to care for medical conditions or for issues related to domestic violence under certain federal, state and local laws. In certain situations, leave under this policy may run at the same time as leave available under another federal, state or local law, provided eligibility requirements for that law are met. If ESST is used for more than three consecutive days and the Employee is eligible for protection under an applicable Family Medical Leave Act (FMLA), the paid sick time and the FMLA will run concurrently. The Company is committed to complying with all applicable laws. Employees should contact People and Culture for information about other federal, state and local medical, domestic violence or family leave rights.

## **K. No Discrimination or Retaliation**

The Company will not retaliate or discriminate against, tolerate retaliation or discrimination against, or restrain or interfere with any Employee who in good faith exercises or attempts to exercise their rights under the Rhode Island Healthy and Safe Families and Workplace Act.

## **LI. Drug and Alcohol-Free Workplace Policy**

- **Reasonable Suspicion Testing:** Employees will be subject to reasonable suspicion testing if the Company has reasonable grounds—based on the specific aspects of the Employee's job performance and specific contemporaneous documented observations concerning the Employee's appearance, behavior, or speech—to

believe the Employee may be under the influence of a controlled substance that may be impairing their ability to perform their job.

- **Post-Accident Testing:** Employees will not be subject to Post-Accident Testing except to the extent that the circumstances also support Reasonable Suspicion Testing.
- **Return-to-Duty and Follow-up Tests:** Return-to-Duty and Follow-up Tests will be conducted to the maximum extent allowed by Rhode Island law in conjunction with a referral for treatment.
- **Testing Results:** Employees will be given an opportunity to have a portion of their sample re-tested, at the Company's expense, by an independent laboratory.
- **Rehabilitation:** Any Employee who tests positive (or whose test is deemed to be adulterated, altered, diluted or substituted) on a drug test as verified by the MRO will be referred to a substance abuse professional licensed in the State of Rhode Island for the treatment of substance abuse and addiction. An Employee will not be disciplined or discharged for the first confirmed positive test if the Employee agrees to participate in, and successfully completes, a counseling or rehabilitation program. If the Employee does not agree to participate in a counseling or rehabilitation program, the Company may terminate that Employee. Follow-up testing may be required in connection with the referral. Any Employee who tests positive for drugs or alcohol impairment after a referral to rehabilitation will be subject to employment termination.