EMPLOYEE HANDBOOK

SWAN ROSNEY ENTERPRISES, LLC

DBA

ALLWAYS HOME CARE

Effective: March, 2013
INTRODUCTION

Welcome

Welcome! As an employee of Swan Rosney Enterprises, LLC, dba and hereinafter referred to as Allways Home Care, you are an important member of a team effort. We hope that you will find your position with Allways Home Care rewarding, challenging, and productive.

Because our success depends upon the dedication of our employees, we are highly selective in choosing new members of our team. We look to you and the other employees to contribute to the success of Allways Home Care and to assist us in remaining a leader in this community and in our industry.

Purpose

This handbook is intended to generally outline and explain Allways Home Care benefits, practices, and policies that are important to you. Please refer to the actual plan documents for information and answers to specific benefit questions. You should keep this handbook handy as a guide and ready reference. If you have questions as you read through this handbook, please do not hesitate to discuss them with your supervisor. Your supervisor is a very important source of information and will be more than happy to assist you. This handbook applies to all full-time, part-time, exempt, non-exempt, management, introductory and temporary employees.

This employee handbook is not all-inclusive and should be regarded as a set of guidelines only. It is not a contract. Neither the policies in this manual, nor any other written or verbal communication by a Company officer, manager or supervisor are intended to create a contract of employment or a warranty of benefits for any definite period of time. The policies in this handbook may be amended, modified, deleted or otherwise changed by Allways Home Care without prior notice. This handbook supersedes and replaces all prior employee handbooks and manuals with regard to the subject matters covered herein. If you have any questions about any of the policies or procedures in this handbook, please consult your supervisor.

If any portion of this handbook conflicts with any law, regulation, or statute; the law, regulation, or statute will control.

Legal Review

The language of the Employee Handbook template was generally reviewed by legal counsel as of January 2013.
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I. EMPLOYMENT PRACTICES

At-Will Employment

All employment at Allways Home Care is “at will.” That means that either the employee or Allways Home Care have the right to terminate employment at any time, with or without advance notice, and with or without cause. As a part of this “at-will” policy, employees understand that Allways Home Care reserves its inherent right to manage its business and all issues pertaining to employee’s employment, including all matters pertaining to promotion, job assignment, compensation, demotion, transfer, discipline, and size of work force. This handbook does not alter the "at-will" relationship between the employer and employee.

Equal Employment Opportunity and California’s Fair Employment and Housing Act

The success of Allways Home Care is due to the contributions of employees from diverse backgrounds, national origins and heritage. It is Allways Home Care policy to provide equal employment opportunity for all applicants and employees.

Allways Home Care does not unlawfully discriminate on the bases of race, color, creed, religion, gender (including pregnancy, childbirth or related medical conditions, or breastfeeding), national origin, ancestry, age, physical or mental disability, medical condition including genetic characteristics, or any information based on genetic background, family-care status, veteran status, marital status, sexual orientation, gender identity or gender expression where a person’s gender-related appearance and behavior may not be stereotypically associated with the person’s assigned sex at birth, or any other consideration made unlawful by federal, state, or local laws. This also includes a perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. Additionally, the Company does not discriminate against any employee who is an officer, warrant officer or enlisted member of the military or naval forces of the state or of the United States because of that membership. Allways Home Care also makes reasonable accommodations for disabled employees. Finally, Allways Home Care prohibits the harassment of any individual on any of the basis listed above. For information about the types of conduct that constitute impermissible harassment and Allways Home Care internal procedures for addressing harassment complaints, please refer to the Policy Against Harassment.

This nondiscrimination policy applies to all areas of employment including recruitment, hiring, training, promotion, compensation, benefits, transfer, and social and recreational programs. It is the responsibility of every manager and employee to conscientiously follow this policy. Any employee having any questions regarding this policy should discuss them with their supervisor or other designated representative.

Employees with Disabilities

1. Policy

In accordance with the Fair Employment & Housing Act (FEHA); Allways Home Care does not discriminate against any "qualified individuals with a disability." Individuals qualify for employment if they meet the education, skills, and experience requirements of a position and can perform the essential functions of the job with or without a reasonable accommodation. It is the responsibility of the employee to request an accommodation of his or her physical or mental disability by contacting their supervisor or other designated representative. In accordance with the FEHA, Allways Home Care will take such requests seriously and will promptly determine whether the employee is a qualified individual with a disability and whether a reasonable accommodation exists which would allow the employee to perform
the essential functions of the job without imposing an undue hardship on Allways Home Care or other employees.

2. Reasonable Accommodation

Qualified individuals with disabilities may require reasonable accommodation during the application process and/or during the course of their employment in order to perform the essential functions of the job. Requests for reasonable accommodation can be made verbally or in writing to the employee’s supervisor or Human Resources. A job applicant may make a request for accommodation to the recruiter, hiring manager, or Human Resources.

The reasonable accommodation process is activated whenever:

- A request for reasonable accommodation is made, verbally or in writing, by the employee or applicant, or someone acting on the employee’s/applicant’s behalf.
- An employee with a known physical or mental impairment is observed by management having difficulty performing essential functions of his or her job because of his or her impairment.

Verbal requests for reasonable accommodation will be documented to ensure that every request receives a timely decision.

3. Interactive Process

Whenever the reasonable accommodation process is activated, the five-step interactive process is initiated to determine whether an accommodation can be provided to the job applicant or the employee. The steps are as follows:

1. Determine whether individual has a disability.
2. Determine the essential functions of the job.
3. Identify the abilities and limitations of the individual.
4. Identify potential accommodations.
5. Determine the reasonableness of the accommodations and select options.

The interactive process may not be required if it is definitively clear that an individual is not a qualified individual with a disability.

Immigration Law Compliance

Allways Home Care is committed to full compliance with federal immigration laws. These laws require that all individuals provide documents proving their identity and legal right to work in the United States. Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. This must be done within the first three days of employment. Failure to present the required documents may lead to dismissal. Any falsification of documentation required by the immigration laws will result in immediate termination.

Open Door Policy

Allways Home Care is committed to complying with all employment regulations, guidelines and laws, both state and federal. Any employee who has concerns or complaints regarding any aspect of his/her employment may initiate a discussion with his/her supervisor or other designated representative, or an officer of the Company. Although employees may directly contact an officer of the Company at any time, the Company recommends that employees maintain open lines of communication with their
supervisors by reviewing concerns with them first. Problems will be dealt with promptly and will involve only necessary personnel. Employees may also utilize the Workplace Reporting Hotline.

**General Complaint Procedure**

1. Employees who have a concern or complaint regarding any aspect of his/her employment should immediately contact their supervisor or other designated representative and formally report their concern pursuant to this complaint procedure.

2. The employee may be asked to, among other things, specify the specific circumstances of their concern or complaint and whether it has occurred on other occasions.

3. The designated representative will then investigate the concern or complaint.

4. The Company will take appropriate action as expeditiously as possible on the complaint.

5. The resolution of the situation will be documented and placed with the affected employees’ records.

6. The Company may, from time to time, establish a practice to regularly audit employment practices.

7. Employees who utilize this complaint procedure shall not be retaliated against for making use of this policy. Employees with questions concerning this policy are encouraged to contact their supervisor or other designated representative.

**Hours of Work/Employee Schedules**

All employees will generally be scheduled based on client needs and agreement. Allways Home Care strongly supports California’s regulations regarding meal breaks. Non-exempt employees receive two 10-minute paid break periods for each full eight-hour workday. Allways Home Care reserves the right to modify employees’ starting and quitting times and the number of hours worked.

**Employee Classifications**

1. **Regular Employees**

   Regular employees are those who are hired to work on a regular schedule. Regular employees may be classified as full-time or part-time.

2. **Full-Time Employees**

   Regular full-time employees are those who are scheduled for and do work at/above a minimum number of hours per week on average, as specified by the Company.

3. **Part-Time Employees**

   Part-time employees are those who are scheduled for and do work fewer than a minimum number of hours per week on average, as specified by the Company. Part-time employees are not eligible for employee benefits except those mandated by applicable law.
4. Temporary/Seasonal Employees

Temporary/seasonal employees are those employed for short-term assignments. Short-term assignments generally are periods of three months or fewer; however, such assignments may be extended. Temporary/seasonal employees are not eligible for employee benefits except those mandated by applicable law.
II. COMPENSATION

Exempt/Non-Exempt Classification

1. Non-Exempt Classification

Non-exempt employees receive hourly wages and are subject to applicable state and federal wage and hour laws, i.e. overtime pay.

2. Exempt Classification

Exempt employees are those who are exempt from certain wage and hour laws, i.e. overtime pay. Exemption is established through state and federal guidelines of the job content and a salary basis test. Exempt employees receive an annual salary, in equal payments at a specified time interval.

Record Keeping of Time Worked

1. Non-Exempt Record Keeping

Non-exempt employees must complete a time record each pay period showing the number of hours worked that week. Time record provide the information needed for payroll calculations and record the number of hours worked, as required by law for non-exempt employees. Accurate recording of time is essential. Timely submission of time records is mandatory. Failure to submit information in a timely manner may result in disciplinary action. Falsification of hours on a time record may be cause for dismissal.

2. Entries

Entries are made for the exact time the employee commences work each day; the time work stops for lunch; the time work resumes after lunch and the time the employee stops work at the end of each day. Employees record this information daily and sign the time card at the end of each week. Time cards are submitted to the supervisor at the end of each pay period for review and signing by the supervisor.

Work outside normally scheduled hours must be authorized in advance by the supervisor and is recorded in the same manner as work performed during scheduled hours.

Overtime Pay (Non-Exempt)

Non-exempt employees will be paid for their hours worked in accordance with all federal and state wage and hour laws and regulations. Employees who qualify as exempt under the state and FLSA exemption list are exempt from receiving overtime pay. Unless otherwise provided, the workweek on which weekly overtime calculations will be based on the Company’s designated 7-day pay period.

1. Preauthorization

Under normal circumstances, work should be completed during regular work hours. Supervisors will request overtime work or work outside of regularly scheduled hours only when necessary and with as much advance notice as possible. Employees who work unauthorized overtime or who refuse to work assigned overtime may be subject to disciplinary action.
2. Calculation

Overtime is calculated according to the employee’s regularly scheduled hours and applicable laws. For all non-exempt employees, hours worked up to eight (8) hours in one day or forty (40) hours in any one-work week will be paid at the straight time rate. Hours worked over eight (8) hours in one day or over forty (40) hours in a week will be paid at 1.5 times the employee’s base rate. Hours worked in excess of twelve (12) hours in any workday and for all hours worked in excess of eight (8) on the seventh consecutive day of work in a workweek will be paid at two (2) times the employee's base rate.

California Meal Periods and Rest Breaks Policy (Non-Exempt)

1. Policy

Allways Home Care strictly follows the California Labor Code and applicable IWC wage order, which provides that the employer make available an unpaid, duty-free meal period to all non-exempt employees. A duty-free meal period is defined as a minimum 30-minute uninterrupted period where employees are relieved of all duties and, the Company relinquishes control over employees’ activities. The Company will not impede or discourage employees from taking their meal period. No work may be performed during any meal or rest period, unless authorized by the Company and mutually agreed upon in writing.

Three scenarios of how the meal period may be impeded and the resulting pay owed:

1) Employer authorizes and both employer and employee mutually agree to waive the meal period. All time worked is paid at straight time and no meal period premium is owed.

2) The employee voluntarily works through their meal period without authorization or knowledge of employer. All time worked is paid at straight time. The employee may be subject to disciplinary action for working unauthorized.

3) The employee works through meal period, upon the employer’s request and with employer’s knowledge. All time worked is paid at straight time plus a one hour meal period premium is owed.

Employees who work a shift of more than five hours in a day, except if the total work period per day is no more than six hours, the meal period may be waived by mutual consent of both the employer and employee. The unpaid meal period, which must be taken for at least thirty minutes, must commence before the end of the fifth hour of employment. If a non-exempt employee works more than ten hours in one day, the employee may take a second unpaid meal period of at least thirty minutes, which may be waived by mutual consent of both the employer and employee.

Allways Home Care authorizes and permits rest periods for all non-exempt employees. Rest periods consist of at least ten minutes of “net” rest time for each four-hour work period or a major fraction thereof. Rest periods generally occur in the middle of the work shift to the extent practicable. Rest periods are not documented in employee time records.

2. Meal Period and Rest Break Recordkeeping

Allways Home Care monitors and maintains records to ensure the accuracy that time records reflect the beginning and ending time of each work period, as well as meal periods, and total daily hours worked. Employees are required to “clock out” for meal periods. Additionally, employees are required to sign and date, under penalty of perjury, on each time record for each payroll period that:

a) They agree to follow the Meal Periods and Rest Breaks Policy;
b) The employee has complied with the rest/meal period policy unless otherwise noted on the time record (e.g., missed rest or meal period with a notation of the reason);
c) That their time entries are accurate; and
d) Sign the appropriate written waiver form, if applicable.

3. Policy Enforcement

Violations of any part of this policy will be enforced with disciplinary action. If an employee becomes aware of any violations of meal or rest period rules, either with respect to him/herself or others, the employee must promptly report it to his/her supervisor or designated representative.

Meeting and Training Pay (Non-Exempt)

Always Home Care will pay non-exempt employees for their attendance at meetings, lectures, and training programs under the following conditions:

- Attendance is mandatory;
- The meeting, course, or lecture is directly related to the employee's job;
- The employee who is required to attend such meetings, lectures, or training programs will be notified of the necessity for such attendance by his or her supervisor;
- Employees who do perform productive work during attendance at meetings, lectures or training programs will be compensated at their regular rate of pay.

Any hours in excess of eight (8) in a day or forty (40) in a week will be paid at the appropriate overtime rate, at the hourly rate in effect at the time the overtime work is being performed.

Change Notice To Employee (Non-Exempt)

All non-exempt employees will be provided and required to sign a Notice of Change form, at the time of hire and within seven (7) calendar days of any change, when any of following changes occurs:

- Rate of pay, including any overtime rate
- Allowances, including meal and lodging allowances
- Designated pay day
- Name of the employer, including any “DBA” names
- Employer’s physical address and telephone number
- The name, address and telephone number of the employer’s workers’ compensation carrier.

Payday and Pay Check Distribution

Employees are paid at regular intervals and on a designated payday. For non-exempt employees, a time record must be completed so that paychecks will be issued timely and accurate. See your supervisor or designated representative for more information on the Company’s seven-day pay period, pay intervals, designated payday, and the person responsible for distributing paychecks.

Salary Deductions

Certain deductions required by law will be made from each employee's wages. These include state and federal income taxes, social security (FICA) taxes and state disability insurance (SDI) payments where applicable. Other non-statutory deductions will be made upon employee authorization.
**Garnishments**

If the Company receives a court order for garnishment of your wages, Allways Home Care will follow these guidelines:

- Advise you of the court order and the date the first deduction will be made;
- The Company will not garnish your paycheck for more than twenty-five percent (25%) of its total, or fifty percent (50%) for child support;
- **Effective July 1, 2013.** The garnishment may not exceed 25% of your weekly disposable earnings or the amount by which your disposable earnings for the week exceed 30 times the federal minimum hourly wage in effect at the time the earnings are payable. Disposable earnings are defined as the portion of your earnings that remains after deducting all amounts required to be withheld by law.
- If you are subject to multiple garnishments, the Company will pay child support payments first; and
- The Company will retain a copy of the court orders in your personnel file as the legal basis for making the payroll deduction.

**Compensation Compliance Policy**

Allways Home Care complies with all laws, both state and federal, regarding pay practices. In the event of an inadvertent or improper pay deduction overpayment or error, affected employees must immediately report their concern to Mark Rosney. Allways Home Care will review the situation thoroughly and make any corrections to an employee’s pay deemed necessary. Questions or concerns about Allways Home Care policy should also be addressed to your supervisor or the Human Resource Department.

**Compensation Complaint Procedure**

1. Employees who believe their pay has been improperly calculated should immediately contact the Company’s designated representative and formally report their concern pursuant to this complaint procedure.

2. The employee will be asked to specify in writing, using the guidance above, the specific circumstances of the pay miscalculation and whether it has occurred on other occasions.

3. The Company’s designated representative will then investigate the claim by reviewing pay records and likely interviewing other employees, supervisors or managers, as well as the payroll representatives handling the employee’s pay, to determine the nature and scope of the employee’s issue.

4. If pursuant to this review a compensation calculation is found to have been made in error, the Payroll unit will correct the error as expeditiously as possible.

5. If a compensation error is found, the designated representative will further determine if this was an isolated incident or a pattern of conduct that requires further action on the part of the Company. If warranted, the Payroll unit may make retroactive corrections to assure that compensation calculations are completed in compliance with both state and federal laws.

6. The resolution of the situation will be documented (including confirmation on the part of the employee that the situation has been resolved) and placed with the employee’s records.
7. The Company’s designated representative may, from time to time, establish a practice to regularly audit employee pay records.

8. Employees who utilize this complaint procedure shall not be retaliated against for making use of this policy. Employees with questions concerning this policy are encouraged to contact their supervisor or designated representative.
III. LEAVES OF ABSENCE

Allways Home Care provides pregnancy disability leave; disability leave for a workplace injury or as required to reasonably accommodate employees with a qualified disability; Paid Family leave; Family Military leave, and leave for other legally required absences as set forth below. Employees having any questions regarding this policy should contact their supervisor or designated representative.

Medical Certifications

Medical certifications for any medically-related leave must either be provided in person to supervisor or designated representative or faxed to the Company. If faxed (either by the employee or the Dr.’s office), it is the responsibility of the employee to verify receipt that the Dr.’s Certification has been received.

Pregnancy-Related Disability Leave or Transfer

1. Eligibility and Duration

Any employee who is disabled due to pregnancy, childbirth or related conditions may take up to four (4) months of pregnancy-related disability leave for prenatal care, postnatal care, loss of pregnancy, childbirth, and after pregnancy care; for each pregnancy.

2. Temporary Transfer before Childbirth

Any employee affected by pregnancy is entitled to transfer temporarily to a less strenuous or hazardous position or to less strenuous or hazardous duties if the transfer is medically necessary and the transfer can be reasonably accommodated.

3. Further Information on Pregnancy Disability Leave

See your Supervisor or designated representative for further information and other terms and conditions of PDL, including:

- Effect on Benefits
- Wage Replacement while on Pregnancy Disability Leave
- Notice Requirements
  - Medical Certification
- Effect on Reinstatement

4. Nursing Mothers at Work

Allways Home Care will reasonably accommodate employees who wish to express breast milk at work. Employees who need to express breast milk at work should use their provided break time(s). If additional time beyond the normal paid rest break is needed, the time will be provided. Employees may choose to use their meal period to express breast milk as well.

The Company provides the use of a private place to express breast milk. Please see the designated representative to make appropriate arrangements.
Workers’ Compensation Disability Leave

1. Worker’s Compensation Insurance

Allways Home Care carries Workers’ Compensation insurance coverage, as required by law, to protect employees who are injured on the job. This insurance provides medical, surgical and hospital treatment in addition to payment for loss of earnings that result from work-related injuries. Worker’s Compensation benefits are paid in accordance with a statutory schedule established by the state. An employee who suffers any on-the-job injury must report that incident to his/her supervisor or department head as soon as possible, and complete an “Injury Report” form. The location of Allways Home Care’s MPN (Medical Provider Network) can be obtained from your supervisor.

You should be aware that California law makes it a crime to file a knowingly false or fraudulent claim for Workers’ Compensation benefits, or to submit knowingly false or fraudulent information in connection with any Workers’ Compensation claim. Violation of this law is punishable by imprisonment of up to five (5) years, a fine of up to $50,000 or both. Filing a false or fraudulent Workers’ Compensation claim is also a violation of Company policy, and will result in disciplinary action, up to and including termination.

2. Eligibility and Duration

An employee is eligible for a workers’ compensation disability leave if he/she sustains an injury or illness that results in lost work time and the injury/illness is deemed to be job-related, arising out of employment and occurs in the course of employment.

3. Further Information on Workers’ Compensation Leave

See your Supervisor or designated representative for further information and other terms and conditions of Workers’ Compensation leave, including:

- Effect on Benefits
- Effect on Reinstatement

4. Other Terms and Conditions of Leave

Employees who are injured in a work-related incident will be referred to Allways Home Care’s medical clinic for medical treatment for up to thirty (30) days, unless prior to a work-related injury, Allways Home Care has received from the employee a written notice that the employee wishes to be treated by his or her own physician. In all cases, employees may seek treatment from their own physician after thirty (30) days, should they so desire.

If the employee has pre-designated a physician for work-related injuries/illnesses, the employee must provide Allways Home Care with certification from his/her health care provider regarding the need for workers’ compensation disability leave, as well as a return-to-work-certification upon your eventual return from the leave.

The law requires Allways Home Care to notify the workers’ compensation insurance Company of any concerns of false or fraudulent claims. Any person who makes or causes to be made any knowingly false or fraudulent material statement or material misrepresentation for the purpose of obtaining or denying workers’ compensation benefits or payments is guilty of a felony. A violation of this law is punishable by imprisonment for one to five years, or by a fine not exceeding $50,000 or double the value of the fraud, whichever is greater, or both. Additional civil penalties may also apply.
Other Disability Leaves

In addition to medical, pregnancy-related disability, and workplace injury leaves described above, employees may take a temporary disability leave of absence if necessary to reasonably accommodate an ADA-qualified disability. Any disability leave under this section may run concurrently with any medical leave to which the employee is entitled under this policy.

Employees taking disability leave must comply with the family-care and medical-leave provisions regarding substitution of paid leaves, notice and medical certification. For the purpose of applying these provisions, a disability leave will be considered to be medical leave.

The duration of a leave under this section shall be consistent with applicable law, but in no event shall the leave extend past the date on which an employee becomes capable of performing the essential functions of their position, with or without reasonable accommodation. For a full explanation of leave duration and reinstatement rights, employees should contact Supervisor or designated representative.

Paid Family Leave

1. Eligibility

Employees are eligible for Paid Family Leave (PFL) immediately upon employment and upon the need for leave to care for a seriously ill family member who is unable to care for him/herself or to bond with a new child.

Note: This benefit runs concurrently with family care but not pregnancy disability leave. (Pregnancy disability is covered under SDI not PFL). PFL does not change either law in any way and is completely separate from them. Instead, PFL provides a paid benefit to employees who suffer a wage loss when they take time off work to care for an eligible family member, or to bond with a new child.

2. Ineligibility

Employees are ineligible to receive Paid Family Leave while receiving State Disability Insurance (SDI), Unemployment Insurance, or Workers’ Compensation benefits.

Employees are not eligible for Paid Family Leave for any day that another family member is able and available for the same period of time to provide care to the individual that created a need for PFL.

3. Permissible Uses of Paid Family Leave

Paid Family Leave may be requested to (1) care for a seriously ill child, spouse, parent, or domestic partner; (2) bond with a new child; (3) bond with a minor child in connection with the adoption or foster care placement of that child.

4. Amount of Leave

An employee may receive up to six (6) weeks of benefits that may be paid over a 12-month period.

5. Further Information on PFL

See your Supervisor or designated representative for further information and other terms and conditions of PFL, including:

- Effect on Benefits
- Notice Requirements
• Medical Certification

6. Effect on Reinstatement

Paid Family Leave does not create reinstatement rights for employees. Employees returning from PFL are not entitled to reinstatement to the same or comparable position unless the right exists under another applicable law or Company policy.

Legally Required Non-Medical Leaves of Absence

Employees will be granted a leave of absence as required by law for the purpose of fulfilling any required legal or military obligation, including:

• Jury duty
• Appearance as a witness in a legal proceeding
• School visits for a suspended child
• Leave for a domestic violence and sexual assault victim
• Leave for employees who are victims of a violent or serious felony, or a felony involving theft or embezzlement, or to attend judicial proceedings related to the crime. (Also applies if the victim is a member of the employee’s immediate family or is the employee’s registered domestic partner or partner’s child).
• Leave for victims of a hate crime
• Military-reserve duty
• Performance of emergency duty by a volunteer firefighter
• Volunteer civil service leave

Employees, who are called for jury duty, or any related judicial proceedings, are required to provide reasonable advance notice of any need for such leave. Employees are expected to return to work each day or portion of the day that they are not selected for jury duty, or related judicial proceedings.

For non-exempt employees, this leave will be unpaid. For exempt employees, salary during leave will be offset by any amounts received as witness fees or as military pay, and no salary will be paid for workweeks in which no Company work is performed.

Inactive Status

After all legally required leaves have been exhausted; the employee will be classified as Inactive Status. At that time, the Company will review the employee’s employment status. Due to business necessity or other circumstances, there will be times when positions cannot be held open and, therefore, the Company does not guarantee reinstatement. Depending on the circumstances of the employee’s need for additional leave and the expected date of return from leave, the Company will evaluate the employee’s continued employment in order to operate its business effectively and efficiently.
IV. WORKPLACE RULES AND PROCEDURES

Rules of Conduct and Discipline

1. Policy

Employees are expected to observe certain standards of job performance and good conduct. When performance or conduct does not meet Company standards, Allways Home Care will endeavor when it deems appropriate to provide the employee a reasonable opportunity to correct the deficiency. If, however, the employee fails to make the correction, they may be subject to discipline including termination.

The rules set forth below are intended to provide employees with fair notice of what is expected of them. Necessarily, however, such rules cannot identify every type of unacceptable conduct and performance. Therefore, employees should be aware that conduct not specifically listed below but which adversely affects or is otherwise detrimental to the interests of Allways Home Care, other employees or customers may also result in disciplinary action. Nothing in these rules is intended to modify the at-will nature of your employment with the Company.

2. Job Performance

Employees may be disciplined for poor job performance, including but not limited to the following:

- Unsatisfactory work quality or quantity;
- Poor attitude (for example, rudeness or lack of cooperation);
- Excessive absenteeism, tardiness, or abuse of break and lunch privileges;
- Failure to follow instructions or Company procedures; or
- Failure to follow established safety regulations.

3. Misconduct

Employees may be disciplined for misconduct, including but not limited to the following:

- Insubordination;
- Dishonesty;
- Theft;
- Discourtesy;
- Misusing or destroying Company property or the property of another on Company premises;
- Violating conflict-of-interest rules;
- Disclosing or using confidential or proprietary information without authorization;
- Falsifying or altering Company records, including the application for employment;
- Interfering with the work performance of others;
- Altercations;
• Harassing, including sexually harassing, employees or customers;
• Being under the influence of, manufacturing, dispensing, distributing, using, or possessing alcohol or illegal or controlled substances on Company property or while conducting Company business;
• Gambling on Company premises or while conducting Company business;
• Sleeping on the job or leaving the job without authorization;
• Possessing a firearm or other dangerous weapon on Company property or while conducting Company business; or
• Being convicted of a crime that indicates unfitness for the job or raises a threat to the safety or well-being of Allways Home Care, its employees, customers or property; or
• Failing to report to Allways Home Care within three days any conviction under any felony drug statute.

4. Attendance and Punctuality

In addition to the general rules stated above, employees may be disciplined for failing to observe the following specific requirements relating to attendance:

• Reporting to work on time, observing the time limits for rest and lunch periods, and obtaining approval to leave work early; and
• Notifying the supervisor in advance of anticipated tardiness or absence.

5. Discipline Procedure

Except as set forth below, discharge for poor performance ordinarily will be preceded by a verbal warning and a written warning.

Allways Home Care reserves the right to proceed directly to a written warning or to termination for misconduct or performance deficiency without resorting to prior disciplinary steps when Allways Home Care deems such action appropriate. Nothing in these rules is intended to modify the at-will nature of your employment with the Company.

Business and Ethical Code of Conduct

1. Policy

Allways Home Care promotes a workforce in which employees conduct themselves and perform their duties with one another, business partners and customers, and others with whom they do business in a highly professional manner. Allways Home Care employees are the face of the organization and, as a result, employee actions directly impact Allways Home Care’s ability to fulfill its mission.

2. Intent

This policy is intended to focus Allways Home Care staff on their duties and responsibilities, provide guidance to help them recognize and deal with ethical issues, provide mechanisms to report unethical conduct, and to foster a culture of honesty and accountability.
3. Accountability

Every employee is expected to know and comply with both the letter and the spirit of this policy. Provisions contained herein should be read in conjunction with other Allways Home Care policies including Conflict of Interest, Rules of Conduct, Confidential Information and Non-Disclosure.

4. Code

Allways Home Care’s Business and Ethical Code of Conduct require employees to maintain the following standards in dealing with staff, business partners, customers and business associates.

All Allways Home Care employees agree to:

- Always conduct themselves to the highest levels of ethics, integrity, accountability and responsibility.
- Maintain and act in accordance with Allways Home Care values.
- Act in Allways Home Care’s best interest in fulfilling its mission and take care to avoid the potential or appearance of conflict of interest. A conflict of interest is defined as any circumstance that impedes an employee’s ability to act with total objectivity with regard to Allways Home Care interest.
- Comply with all laws and by-laws of the U.S.
- Exercise honesty and candor in every activity including compliance with the spirit as well as the letter of the law. Employees are encouraged to address and resolve issues directly, discretely and expeditiously.
- Preserve and protect confidential information, agreements or materials from unauthorized disclosure and use. Protected information includes, but is not limited to, nonpublic information, database technologies and associated data including reports, notes, records, electronic communications or other materials and communications containing confidential information.
- Respect all copyrights, agreements, work, intellectual property and trademarks and comply with all laws covering such areas.
- Exercise appropriate care, discretion and integrity in dealing with assets and information of Allways Home Care, its customers, vendors and business partners. Maintain the confidentiality of information obtained in the course of conducting business. Share confidential information on a need-to-know basis only. If required, obtain permission from business partners and customers prior to any disclosures.
- Refrain from offering professional information or advice that you know to be confidential, misleading or where the accuracy is beyond your competence to assess.
- Disclose information to employees and/or business associates as necessary to keep them informed of issues or business transactions that may directly impact them.
- Use discretion in handling personal, business or financial matters, and serve as a good steward when handling Allways Home Care and its business associates’ resources. Be honest and above reproach in brokering business transactions and promote transparency of decisions.
- Avoid any action or behavior that would harm or embarrass Allways Home Care or its business partners and customers. Maintain organizational and personal integrity by refraining from inappropriate behavior on and off of Allways Home Care’s premises. Maintain the good reputation of Allways Home Care in general.
- Enhance diversity by supporting an environment that recognizes the value and worth of all individuals, treating others with respect and courtesy, and complying with Allways Home Care’s zero tolerance policy for acts of harassment, discrimination and/or intimidation.
- Treat all clients and potential clients with absolute dignity, confidentiality and respect.
• Represent true levels of status, title, competence and experience in order not to mislead, misrepresent or defraud. Make no claims or implications of outcomes that cannot be demonstrated or guaranteed.
• Clearly state to clients and potential clients the terms of any agreement including the expectations of both parties.
• Ensure that all advertisements and promotional materials, whether verbal or written, are legal, decent, truthful, honest and in compliance.

5. Responsibility

Every employee is responsible for his or her own actions. If you are not sure whether a particular action is proper or ethical use the “public disclosure test”, i.e., “If my actions were reported on the front page of a major newspaper, would I or my Company be embarrassed by the communications?” If the answer is “yes”, the action should not be taken. As a Always Home Care employee, you should always:

• Act in the best interests of Always Home Care in fulfilling your role and performance obligations to the organization.

• Protect the welfare and interests of the Company

• Reflect the role of “honest broker” in dealing with business partners, vendors, customers and potential customers.

6. Reporting

No code or policy can anticipate every situation that might arise. Accordingly, this Code is intended to serve as a source of guiding principle for Always Home Care’s staff. Employees are encouraged to bring questions about particular circumstances to any member of management or to their supervisor for guidance or clarification and report any suspected wrongdoing, fraudulent, dishonest or improper conduct. Accordingly, any breach or violation of Always Home Care’s Business and Ethical Code of Conduct should be reported immediately to the above individuals. Always Home Care will treat reports seriously, investigate as required and take appropriate action to maintain a workplace based on high standards of conduct.

Conflicts of Interest

Employees are expected to devote their best efforts and attention to the full-time performance of their jobs. They are expected to use good judgment, to adhere to high ethical standards and to avoid situations that create an actual or potential conflict between the employee's personal interests and the interests of Always Home Care. A conflict of interest exists when the employee's loyalties or actions are divided between Always Home Care's interests and those of another, such as a competitor, supplier or customer. Both the fact and the appearance of a conflict of interest should be avoided. Employees unsure if a certain transaction, activity or relationship constitutes a conflict of interest should discuss it with their immediate supervisor or any member of management for clarification. Any exceptions to this guideline must be approved in writing by Mark Rosney.

While it is not feasible to describe all possible conflicts of interest that could develop, some of the more common conflicts, from which employees should refrain, include the following:

• Accepting personal gifts or entertainment from competitors, customers, suppliers or potential suppliers unless preauthorized by the Company;

• Working for a competitor, supplier or customer;

• Engaging in self-employment in competition with Always Home Care;
• Using proprietary or confidential Company information for personal gain or to Allways Home Care’s detriment;

• Having a direct or indirect financial interest in or relationship with a competitor, customer or supplier, except that ownership of less than 1 percent (1%) of the publicly traded stock of a corporation will not be considered a conflict;

• Developing a personal relationship with a subordinate employee of Allways Home Care that might interfere with the exercise of impartial judgment in decisions affecting Allways Home Care or any employees of Allways Home Care.

• Using Company assets or labor for personal use;

• Acquiring any interest in property or assets of any kind for the purpose of selling or leasing it to Allways Home Care; or

• Committing Allways Home Care to give its financial or other support to any outside activity or organization

If an employee or someone with whom an employee has a close relationship (a family member or close companion) has a financial or employment relationship with a competitor, customer, supplier or potential supplier, the employee must disclose this fact in writing to the highest level position in the Company. Employees should be aware that if they enter into a personal relationship with a subordinate employee or with an employee of a competitor, supplier or customer, a conflict of interest may exist, which requires full disclosure to Allways Home Care.

Part-time employees may engage in outside employment, provided they disclose such employment and get written approval from their immediate supervisor. Failure to adhere to this guideline (including failure to disclose any conflicts or to seek an exception) will result in discipline up to and including termination of employment.

**Security and Confidential Information**

The security of employees, employee property, and Company property is of vital importance to Allways Home Care. All employees share responsibility to ensure that proper security is maintained.

1. **Proprietary and Confidential Information**

Employees must not use or disclose any proprietary or confidential information they obtain during employment with Allways Home Care except as required by their jobs. This obligation remains even after an employee’s employment relationship with Allways Home Care ends. If an employee is in a position that gives him or her access to particularly sensitive information, the employee may be required to sign a written nondisclosure agreement. In addition, all employees must observe good security practices. They are expected to keep proprietary and confidential information secure from outside visitors and all other persons who do not have a legitimate reason to see or use such information.

Company rules regarding document control, restricted access to areas of the facility and other such procedures must be strictly observed by each employee. Failure to adhere to Company policies regarding proprietary and confidential information will be considered grounds for discipline including dismissal.

2. **Obligations on Termination**

On termination of employment, whether voluntary or involuntary, all Company documents, whether in hard copy or electronic format, and other tangible Company property in the employee’s possessions or control must be returned to Allways Home Care.
Policy Against Harassment

Allways Home Care is committed to providing a workplace free of sexual harassment based on race, color, creed, religion, gender (including pregnancy, childbirth or related medical conditions, or breastfeeding), national origin, ancestry, age, physical or mental disability, medical condition including genetic characteristics, or any information based on genetic background, family-care status, veteran status, marital status, sexual orientation, gender identity or gender expression where a person’s gender-related appearance and behavior may not be stereotypically associated with the person’s assigned sex at birth, or any other consideration made unlawful by federal, state, or local laws. This also includes a perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. Allways Home Care strongly disapproves of and will not tolerate harassment of employees by managers, supervisors or coworkers. Similarly, Allways Home Care will not tolerate harassment by its employees of non-employees with whom Allways Home Care employees have a business, service or professional relationship.

Harassment includes verbal, physical and visual conduct that creates an intimidating, offensive or hostile working environment or that interferes with work performance. Such conduct constitutes harassment when (1) submission to the conduct is made either an explicit or implicit condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the harassment interferes with an employee’s work performance or creates an intimidating, hostile or offensive work environment. Sexually harassing conduct includes unwelcome conduct such as requests for sexual favors, conversation containing sexual comments and unwelcome sexual advances.

Any incident of harassment, including work-related harassment by any Company personnel or any other person, should be reported promptly to the employee’s supervisor or manager (or to any other member of management) or to Mark Rosney who is responsible for investigating the matter. Managers who receive complaints or who observe harassing conduct should inform Mark Rosney immediately. Allways Home Care emphasizes that an employee is not required to complain first to their supervisor if that supervisor is the individual who is harassing the employee.

Every reported complaint of harassment will be investigated thoroughly, promptly and in a confidential manner. In addition, Allways Home Care will not tolerate retaliation against any employee for cooperating in an investigation or for making a complaint to Mark Rosney or any other manager.

In the case of Company employees, if harassment is established, Allways Home Care will discipline the offender. Disciplinary action for a violation of this policy can range from verbal or written warnings up to and including immediate termination depending upon the circumstances. With regard to acts of harassment by customers or vendors, corrective action will be taken after consultation with the appropriate management personnel.

The question of whether conduct is purely personal or is discriminatory in nature is one of fact. False accusations of harassment can have serious consequences for those who are wrongly accused. All employees are expected to act responsibly in helping the Company maintain a workplace that is free of discrimination and abuse.

Policy Against Retaliation/Whistleblower Protection

In accordance with applicable law, Allways Home Care prohibits retaliation against any employee because of the employee’s opposition to a practice the employee reasonably believes to constitute unlawful employment practices of any nature or because of the employee’s participation in an employment investigation, proceeding or hearing. Any retaliatory adverse action because of such opposition or participation is unlawful and will not be tolerated. This policy also applies to contractors and agents of the Company.
A complaint about an employment practice constitutes protected opposition only if the employee communicates a reasonable good faith belief that the practice opposed constitutes an unlawful employment practice. Opposition in a manner which disrupts the workplace, or which constitutes an unlawful activity, or engaging in badgering or threatening of employees or supervisors is not protected.

As an employee, you have a right to redress for prohibited retaliation. In order to secure this right, provide a complaint, preferably in writing, to your supervisor or designated representative as soon as possible after any incident you feel is prohibited retaliation. The designated representative will initiate an investigation of the allegations. This investigation will be completed and a determination regarding the retaliation alleged will be made and communicated to you as soon as practical. Because of the seriousness of a complaint of unlawful retaliation, knowingly submitting or participating in a false, deceptive or bad faith complaint will not be tolerated and may lead to disciplinary action up to and including discharge.

If the designated representative determines that prohibited retaliation has occurred, the Company will take remedial action commensurate with the severity of the offense. Action will also be taken to deter any future retaliation. Whatever action is taken will be made known to you.

The Company encourages all employees to report any incidents of retaliation forbidden by this policy immediately so that complaints can be quickly and fairly resolved.

**Non-Discrimination of Dress Standard**

It is the policy of Allways Home Care that each employee’s dress, grooming, and personal hygiene be appropriate to the work environment. Employees are expected at all times to present a professional image to customers, prospects, and the public.

The Company will make reasonable accommodations for employees who have specific religious dress practices and religious grooming practices, unless it is determined that the accommodation has an undue hardship on the Company.

**Company Tools and Equipment**

From time to time the Company will furnish tools and equipment to complete job assignments. All tools and equipment purchased by the Company are the property of Allways Home Care and represent a very valuable asset of the Company. It is the responsibility of the employee to whom tools and equipment are assigned to maintain and safeguard these assets as if they were your own personal property. When leaving a work area, it is required that all tools be placed back in designated storage areas or removed from the work area and secured in locked storage where available.

An inventory of tools and equipment will be made periodically. If it is determined by the Company that an employee is grossly negligent in the proper storage of tools, materials, or supplies or they are misplaced or stolen due to the employee’s dishonesty, willfulness or act of gross negligence, the employee will be asked to replace the same tools, materials, or supplies at fair market value or will be asked to sign a Payroll Deduction Authorization authorizing the Company to deduct the fair market value of the missing or damaged tools, materials, or supplies. If the employee unreasonably fails or refuses to replace or pay for the missing or damaged property or authorize a payroll deduction, the employee may be subject to disciplinary action up to and including termination and may be subject to a civil suit for recovery of the Company’s property.

**Cell Phone Use**

Allways Home Care issues cell phones to certain employees in order to stay in contact with clients and co-workers while out in the field or out of the office. The Company encourages its employees to remember safety when using their cellular phones for business purposes. For the safety of themselves
and others, Allways Home Care employees who are issued a cell phone or use a personal phone for business use are prohibited from using their phone while driving, including reading, writing or sending a text message. If your job requires that you keep your cell phone turned on while you are driving, you must use a hands-free device and are encouraged to safely pull off the road before conducting Company business. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for any liability resulting from such action. Company issued cell phones are Company property. Employees should have no expectation of privacy either with Company issued cell phones or with respect to use or content of personal cell phones used for Company business.

Employees who have personal cellular phones must refrain from excessive personal phone calls or texting while at work. Excessive personal phone calls interfere with productivity and can be distracting to others. Employees are therefore encouraged to use cellular phones for personal use only during break times, meal periods, or in emergency situations.

**Company Vehicle and Driving Policy**

Employees who are required to drive a Allways Home Care vehicle or their own vehicles on Allways Home Care business will be required to show proof of current valid driving licenses and current effective insurance coverage before the first day of employment.

Allways Home Care participates in a system that regularly checks state Department of Motor Vehicles (DMV) records of all employees who drive as part of their job.

Allways Home Care retains the right to transfer to an alternative position, suspend, or terminate an employee whose license is revoked, or who fails to maintain personal automobile insurance coverage or who is uninsurable under Allways Home Care's policy.

For the safety of themselves and others, Allways Home Care employees who are issued a cell phone or use a personal phone for business use are prohibited from using their phone while driving, including reading, writing or sending a text message. If your job requires that you keep your cell phone turned on while you are driving, you must use a hands-free device and are encouraged to safely pull off the road before conducting Company business. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for any liability resulting from such action.

**Personnel Records**

The information in the employee's personnel file is confidential, and must be kept up-to-date. The employee should inform the designated representative immediately whenever there are changes in personal data such as address, telephone number, marital status, number of dependents, and person(s) to notify in case of emergency.

Current or former employees, or an authorized representative, have the right to request inspection of their personnel file and payroll records at reasonable times at a reasonable place and on reasonable notice. Upon written notice, the Company will provide a copy of the personnel file to the current or former employee within 30 calendar days of receipt of the written request. Requests for payroll record copies will be provided within 21 days of the request. If the employee makes a verbal request to his/her supervisor or the person designated by the Company for such requests, the Company will provide a form for the employee to submit a written request.

Additionally, current employees are prohibited from conducting the inspection of their personnel file and/or payroll records while on the clock (note - does not apply if requester is employee’s authorized representative). Former employees are limited to one request per year to inspect/copy their personnel file and/or payroll records. The Company requires reimbursement for actual copy costs.
Personnel records of current employees are available for inspection at his/her work location or another location that is agreed upon by both the employee and Company. If the inspection occurs at another location, the employee will be paid for the travel time to and from that location, however the actual review time is unpaid.

Personnel records of former employees are available at the location where the Company stores the records, unless the former employee and the Company mutually agree in writing to a different location. Alternatively, the former employee may receive a copy by mail if the employee reimburses the cost of actual postal expenses. If the former employee seeking to inspect his or her personnel records was terminated for violating a law or for violating a Company policy prohibiting harassment or workplace violence, the Company may choose to make the records available for inspection at an alternate location that is a reasonable distance from the individual’s residence or mail a copy of the records.

Personnel files are the property of Allways Home Care and may not be removed from Allways Home Care's premises.

**Solicitation, Distribution and Bulletin Boards**

Employees may engage in solicitation on Company premises only during their nonworking time. Nonworking time means time during meals or breaks and before or after work.

Employees may distribute or circulate non-Company written materials only during nonworking time and only in non-work areas. If an employee is not certain whether an area is a work or non-work area, they should consult their immediate supervisor for clarification.

Solicitation or distribution in any way connected with the sale of any goods or services for profit is strictly prohibited anywhere on Company property at any time. Similarly, solicitation or distribution of literature for any purpose by non-employees is strictly prohibited on Allways Home Care's property at any time.

Employees are responsible for reading and understanding any information that is posted or distributed by the Company. Official notices and communications will be provided to each employee directly.

The Company follows the Department of Industrial Relations (DIR) requirements to post information related to wages, hours and working conditions where it may be easily read during the workday. Employees can find these postings and applicable wage orders by contacting their supervisor. The California wage order covers topics related to employee’s pay and working conditions, including, administrative, executive and professional exemptions; overtime wages; alternative workweeks; minimum wages; reporting time pay; records retention; cash shortage and breakage; uniforms and equipment; meals and lodging; meal periods; and rest periods.

**Off Duty Use of Facilities**

Employees are prohibited from remaining on Allways Home Care premises or making use of Company facilities while not on duty. Employees are expressly prohibited from using Company facilities, Company property, or Company equipment for personal use.

**Housekeeping**

All employees are expected to keep their work areas clean and organized. People using common areas such as lunch rooms and restrooms are expected to keep them sanitary. Please clean up after meals and dispose of trash properly.
Technology Use and Privacy Policy

Allways Home Care provides various Technology Resources to authorized employees to assist them in performing their job duties for Allways Home Care. Each employee has a responsibility to use Allways Home Care’s Technology Resources in a manner that increases productivity, enhances Allways Home Care’s public image and is respectful of other employees. Failure to follow Allways Home Care's policies regarding its Technology Resources may lead to disciplinary measures up to and including termination of employment. Moreover, Allways Home Care reserves the right to advise appropriate legal authorities of any violation of law by an employee.

1. Technology-Resources Definition

Technology Resources consist of all electronic devices, software and means of electronic communication including, but not limited to the following: personal computers and workstations; laptop computers; mini and mainframe computers; computer hardware such as disk drives and tape drives; peripheral equipment such as printers, modems, fax machines and copiers; computer software applications and associated files and data, including software that grants access to external services such as the Internet; electronic mail; telephones; cellular phones; pagers; and voice mail systems.

2. Authorization

Access to Allways Home Care's Technology Resources is within the sole discretion of Allways Home Care. Generally, employees are given access to Allways Home Care's various technologies based on their job functions. Only employees whose job performance will benefit from the use of Allways Home Care's Technology Resources will be given access to the necessary technology. Additionally, employees must successfully complete Company-approved training before being given access to Allways Home Care's Technology Resources. Exceeding authorized access may subject the employee to liability (per Computer Fraud and Abuse Act – CFAA).

3. Use

Allways Home Care's Technology Resources are to be used by employees only for the purpose of conducting Company business. Employees may, however, use Allways Home Care's Technology Resources for the following incidental personal uses so long as such use does not interfere with the employee's duties, is not done for personal or financial gain, does not conflict with Allways Home Care's business and does not violate any Company policy:

- To send and receive necessary and occasional personal communications;
- To prepare and store incidental personal data (such as personal calendars, personal address lists and similar incidental personal data) in a reasonable manner;
- To use the telephone system for brief and necessary personal calls; and
- To access the Internet for brief personal searches and inquiries during meal times or other breaks or outside of work hours provided that employees adhere to all other usage policies.

Allways Home Care assumes no liability for loss, damage, destruction, alteration, disclosure or misuse of any personal data or communications transmitted over or stored on Allways Home Care's Technology Resources. Allways Home Care accepts no responsibility or liability for the loss or nondelivery of any personal electronic mail or voice mail communications or any personal data stored on any Company property. Allways Home Care strongly discourages employees from storing any personal data on any of Allways Home Care's Technology Resources.
4. Improper Use

a) Prohibition against Harassing, Discriminatory and Defamatory Use

Allways Home Care is aware that employees use electronic mail for correspondence that is less formal than written memoranda. Employees must take care, however, not to let informality degenerate into improper use. As set forth more fully in Allways Home Care's Policy Against Harassment, Allways Home Care does not tolerate discrimination or harassment based on race, color, creed, religion, gender (including pregnancy, childbirth or related medical conditions, or breastfeeding), national origin, ancestry, age, physical or mental disability, medical condition including genetic characteristics, or any information based on genetic background, family-care status, veteran status, marital status, sexual orientation, gender identity or gender expression where a person's gender-related appearance and behavior may not be stereotypically associated with the person's assigned sex at birth, or any other consideration made unlawful by federal, state, or local laws. This also includes a perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. Under no circumstances may an employee use Allways Home Care's Technology Resources to transmit, receive or store any information that is discriminatory, harassing or defamatory in any way (for example: sexually-explicit or racial messages, jokes or cartoons).

Additionally, any employee whose job is to repair, install, or otherwise service the Company's technology resources, who has knowledge of or reasonably suspects child abuse or neglect based on pictures, graphics, or images that have been intentionally saved, transmitted, or organized on an electronic medium, are required to report their findings. Reported concerns should be forwarded to the designated representative.

b) Prohibition against Violating Intellectual Property Laws

Employees must not use Allways Home Care's Technology Resources to copy, retrieve, forward or send intellectual property unless the employee has the author's permission or is accessing a single copy only for the employee's reference for business purposes.

c) Other Prohibited Uses

Employees may not use any of Allways Home Care's Technology Resources for any illegal purpose, violation of any Company policy, in a manner contrary to the best interests of Allways Home Care, in any way that discloses confidential or proprietary information of Allways Home Care or third parties, or for personal or financial gain.

Access to Technology Resources

All messages sent and received, including personal messages, and all data and information stored on Allways Home Care's electronic-mail system, voice mail system, or computer systems are Company property regardless of the content. As such, Allways Home Care reserves the right to access all of its Technology Resources including its computers, voice mail, and electronic-mail systems at any time in its sole discretion without prior notice.

1. Privacy

Although Allways Home Care does not wish to examine personal information of its employees, on occasion Allways Home Care may need to access its Technology Resources including computer files, electronic-mail messages, and voice mail messages. Employees should understand, therefore, that they have no right of privacy with respect to any messages or information created or maintained on Allways Home Care's Technology Resources, including personal information or messages. Allways Home Care may at its discretion inspect all files or messages on its Technology Resources at any time for any reason. Allways Home Care may also monitor its Technology Resources at any time in order to determine
compliance with its policies, for purposes of legal proceedings, to investigate misconduct, to locate information or for any other business purpose.

All voicemail, email and text messages composed, sent or received through the Company’s computer network, e-mail system, or on a company provided cell phone is the property of Allways Home Care. These communications do not belong to the employee. Employee explicitly gives employer the right to intercept, access, view, monitor and use all such communications, whether relating to Company business or employee's personal matters. Company provided technology (including internet, email, and cell phone services provided by Company to employee) shall only be used to conduct business of the Company, unless employee has received expressed consent from his/her supervisor to access his or her personal e-mail account, and personal communications. Even if the employee has consent to use technology resources for personal use, any personal communications while on Company time should be kept to a minimum, and limited where possible to breaks and non-work time.

2. Deleted Information

Deleting or erasing information, documents or messages maintained on Allways Home Care’s Technology Resources is in most cases ineffective. All employees should understand that any information kept on Allways Home Care’s Technology Resources may be electronically recalled or recreated regardless of whether it may have been deleted or erased by an employee. Because Allways Home Care periodically backs up all files and messages, and because of the way in which computers reuse file storage space, files and messages may exist that are thought to have been deleted or erased. Therefore, employees who delete or erase information or messages should not assume that such information or messages are confidential.

3. Confidentiality

Some of the information to which Allways Home Care has access is confidential. Employees should avoid sending confidential information over the Internet or outside the Company’s business systems. Employees also should verify electronic-mail addresses before transmitting any messages.

4. Monitoring

Allways Home Care monitors both the amount of time spent using online services and the sites visited by individual employees. Allways Home Care reserves the right to limit such access by any means available to it, including revoking access altogether.

5. Software Use

a) License Restrictions

All software in use on Allways Home Care's Technology Resources is officially licensed software. No software is to be installed or used that has not been duly paid for and licensed appropriately for the use to which it is being put. No employee may load any software on Allways Home Care's computers by any means of transmission unless authorized in advance. Authorization for loading software onto Allways Home Care's computers should not be given until the software to be loaded has been thoroughly scanned for viruses.

6. Confidential Information

Allways Home Care is very sensitive to the issue of protection of trade secrets and other confidential and proprietary information of both Allways Home Care and third parties (Confidential Information). Therefore, employees are expected to use good judgment and to adhere to the highest ethical standards when using or transmitting Confidential Information on Allways Home Care’s Technology Resources.
Confidential Information should not be accessed through Allways Home Care's Technology Resources in the presence of unauthorized individuals nor should it be forwarded to any person or location outside the company. Similarly, Confidential Information should not be left visible or unattended. Moreover, any Confidential Information transmitted via Technology Resources should be marked with the following legend: “This message contains confidential information. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use or distribute this information. If you have received this message in error, please call <enter Company’s phone number> or return it promptly by mail.”

7. Security

Allways Home Care has installed a variety of programs and devices to ensure the safety and security of Allways Home Care's Technology Resources. Any employee found tampering or disabling any of Allways Home Care's security devices will be subject to discipline up to and including termination.

8. Audits

Allways Home Care may perform auditing activity or monitoring to determine compliance with these policies. Audits of software and data stored on Allways Home Care's Technology Resources may be conducted without warning at any time.

Electronic Recording Policy

It is the policy of Allways Home Care to prohibit the recording of conversations by employees. In addition to protecting privacy rights and proprietary information, Allways Home Care's policy is to maintain open communication between management, employees and co-workers. Employee recording of conversations can significantly interfere with channels of communication.

For purposes of this policy “Electronic Device” means a privately owned wireless and/or portable electronic handheld piece of equipment that includes, but is not limited to, existing and emerging mobile communication systems and smart technologies (cell phones, smart phones, walkie-talkies, pagers, etc.), portable internet devices (mobile managers, mobile messengers, BlackBerry™ handset, etc.), Personal Digital Assistants (PDAs), (Palm organizers, pocket PCs, etc.), handheld entertainment systems (video games, CD players, compact DVD players, MP3 players, iPods©, Walkman™ devices, etc.), and any other convergent communication technologies that do any number of the previously mentioned functions. “Electronic Device” also includes any current or emerging wireless handheld technologies or portable information technology systems that can be used for word processing, wireless Internet access, image capture/recording, sound recording and information transmitting/receiving/storing, etc.

California requires the consent of all parties to the communication to lawfully intercept communication. Employees shall not electronically record by audio, video, or other means, any conversations or meetings unless each and every person present has been notified and consents to being electronically recorded. Persons wishing to record a meeting must obtain consent from anyone arriving late to any such meeting. Employees shall not electronically record telephone conversations unless all persons participating in the telephone conversation have consented to be electronically recorded.

Electronic devices shall not be used in a way that threatens, humiliates, harasses, or intimidates individuals, including employees, customers, vendors, and visitors, or violates local, state, or federal law.

Any employee who violates this policy will be subject to discipline, up to and including termination. Additionally, secret recordings are considered unlawful in California and employees may face fines and penalties if prosecuted.
Monitoring

Due to the nature of work conducted by Allways Home Care, it is necessary to monitor aspects of employees' jobs, specifically telephones, computer terminals, electronic and voice mail, and employees’ use of the Internet.

The use of monitoring serves the following purposes:

1. To ensure the safety of employees and the entire facility,
2. To investigate possible misconduct, criminal activity or breaches of security,
3. To ensure compliance with Company policies,
4. To monitor or document employees' work,
5. To investigate and respond to internal complaints, charges or governmental investigations,
6. To investigate, prosecute or defend threatened or actual lawsuits, or
7. Any other legitimate business reasons.

This policy serves as notification to employees that monitoring will be conducted during the course of their employment. Monitoring at Allways Home Care is conducted within the guidelines of the law and employees should not have any reasonable expectation of privacy with regard to use of the Company’s property and systems, specifically telephones, computer terminals, electronic and voice mail, and employees’ use of the Internet.

HIPAA Statement of Privacy Laws

It is the legal and ethical responsibility of all management and staff employees of Allways Home Care to use, protect, and preserve personal and confidential employee and business information, including medical information (referred to here collectively as “confidential information”), in accordance with state and federal laws and Company policy.

Laws controlling the privacy of, access to, and maintenance of confidential information include, but are not limited to, the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA), the California Information Practices Act (IPA), the California Confidentiality of Medical Information Act (CMIA), and the Lanterman-Petris-Short Act (LPS). These and other laws apply whether the information is held in electronic or any other format, and whether the information is used or disclosed orally, in writing or electronically.

Business and employee information includes information that identifies or describes an individual, the disclosure of which would constitute an unwarranted invasion of personal privacy. Examples of confidential employee and business information include home address and telephone number; medical information; birth date; citizenship; social security number; spouse/partner/relative’s names; income tax withholding data; performance evaluations; proprietary/trade secret information; and peer review/risk management information and activities.

Medical information includes the following (no matter where it is stored and no matter the format): medical and psychiatric records, photos, videotapes, diagnostic and therapeutic reports, x-rays, scans, laboratory and pathology samples, patient business records, such as bills for service or insurance information, visual observation of patients receiving medical care or accessing services, and verbal information provided by or about a patient. Medical information, including Protected Health Information (PHI), is maintained to serve the patient, health care providers, health care research and to conform to regulatory requirements.

The HIPAA privacy law sets limits on how health providers and plans may use individually identifiable health information. Under the HIPAA law, health providers and plans may only use individual health information for necessary treatment, payment, or healthcare operations without obtaining the
employee’s permission. PHI may generally not be used for purposes “not related” to health care. The release of PHI must be limited to the minimum necessary designated for the purpose of the disclosure.

Unauthorized use, disclosure, or viewing of, or access to, confidential information in violation of state and/or federal laws may result in personal fines, civil liability, licensure sanctions and/or criminal sanctions, in addition to Company disciplinary actions.

If you believe your privacy rights have been violated, you may file a complaint with Allways Home Care’s designated Privacy Officer and/or with the Secretary of the DHHS (U.S. Department of Health and Human Services). To file a complaint with Allways Home Care’s designated Privacy Officer, please submit a written complaint to the attention of Privacy Officer, at your Company’s address. Employees who utilize this complaint procedure shall not be retaliated against.

Identity Theft Red Flag Policy

The risk to Allways Home Care, its employees and customers from data loss and identity theft is of significant concern to the Company and can be reduced only through the combined efforts of every employee and contractor.

1. Purpose

Allways Home Care maintains an Identity Theft Red Flag Policy. This sensitive information policy to help protect employees, customers, contractors and the Company from damages related to the loss or misuse of sensitive information.

This policy will:

- Define sensitive information;
- Describe the physical security of data when it is printed on paper;
- Describe the electronic security of data when stored and distributed; and
- Place the Company in compliance with state and federal law regarding identity theft protection.

The Identity Theft Red Flag Policy enables Allways Home Care to protect existing customers, reducing risk from identity fraud, and minimize potential damage to the Company from fraudulent new accounts. The program will help the Company:

- Identify risks that signify potentially fraudulent activity within new or existing covered accounts;
- Detect risks when they occur in covered accounts;
- Respond to risks to determine if fraudulent activity has occurred and act if fraud has been attempted or committed; and
- Update the program periodically, including reviewing the accounts that are covered and the identified risks that are part of the program.
2. Scope

This policy and protection program applies to employees, contractors, consultants, temporary workers, and other workers at the Company, including all personnel affiliated with third parties.

Voluntary Termination

Allways Home Care will consider an employee to have voluntarily terminated their employment if an employee does any of the following:

- Elects to resign from Allways Home Care;
- Fails to return from an approved leave of absence on the date specified by Allways Home Care;
- Fails to cooperate with a reasonable and lawful reassignment or transfer; or
- Fails to report for work without notice to Allways Home Care for three (3) consecutive days.

All employees are requested to provide a letter of resignation to their supervisor upon giving notice of termination.

Involuntary Termination

An employee may be terminated involuntarily for reasons that include poor performance, misconduct or other violations of Allways Home Care's rules of conduct as set forth below. Notwithstanding this list of rules, Allways Home Care reserves the right to discharge with or without cause and with or without prior notice.
V. WORKPLACE SAFETY

Workplace Safety Policy

Allways Home Care is committed to providing and maintaining a healthy and safe work environment for all employees. Every employee will receive a copy of Allways Home Care’s General Safety Rules (below) and will receive general health and safety training.

You are required to know and comply with Allways Home Care’s General Safety Rules and to follow safe and healthy work practices at all times. You also are required to report immediately to your supervisor any potential health or safety hazards and all injuries or accidents.

Safety Rules

Safety is to be given primary importance in every aspect of planning and performing all Allways Home Care activities. We want to protect you against industrial injury and illness, as well as minimize the potential loss of production. Please report all injuries (no matter how slight) to your manager immediately, as well as anything that needs repair or is a safety hazard. Below are some general safety rules. Your manager or department head may post other safety procedures in your department or work area:

- Avoid overloading electrical outlets with too many machines.
- Use proper extension cords/power strips.
- Use flammable items such as cleaning fluids with caution.
- Walk – don’t run.
- Report to your manager if you or a coworker becomes ill or is injured.
- Ask for assistance when lifting heavy objects or moving heavy furniture.
- Keep cabinet doors and file and desk drawers closed when not in use.
- Sit firmly and squarely in chairs that roll or tilt.
- Avoid horseplay or practical jokes.
- Start work on any machine only after safety procedures and requirements have been explained (and you understand them).

Remember, failure to adhere to these rules will be considered serious infractions of safety rules and will result in disciplinary actions.

Personal Protective Equipment

Allways Home Care requires that employees wear personal protective equipment (PPE) (such as safety glasses, hearing protection, goggles, safety shoes, gloves, and respiratory protection) in potentially hazardous areas. If an employee’s job or task requires use of personal protective equipment, the Company will supply it. The supervisor is responsible to obtain and assign the necessary equipment to the employee and ensure the employee is properly trained in its use. Employees are responsible to use, maintain and clean the PPE furnished to them. Speak with your supervisor for further information.

Hazardous Chemicals and Your Right to Know

Allways Home Care does not utilize hazardous chemicals as part of the day-to-day operation of the Company. However, Allways Home Care will disclose to employees any chemicals that may be associated with the job.
Allways Home Care requires all employees to wear gloves, goggles, and other protective clothing when handling hazardous materials. In all instances:

- Follow instructions for proper use, storage and personal protection and read all labels and warning labels.
- Familiarize yourself with the Material Safety Data Sheet (MSDS).
- Check out and utilize the recommended protective clothing and equipment that include gloves, goggles, etc.
- Be aware of emergency procedures, know how to respond if necessary and know where to find first aid supplies.
- Report all spills or leaks of hazardous materials to your supervisor.
- Do not eat, drink, smoke, or take breaks near hazardous materials.

Allways Home Care employees must comply with all occupational safety and health standards and regulations established by the Occupational Safety and Health Act of 1970 (OSHA) and all regulations, which have been added to this Act by both state and federal governments. If you believe that you are being exposed to a known or suspected hazard, contact your supervisor immediately.

**Return to Work Policy**

As part of our on-going effort to provide “A Safe and Healthful Workplace” for all of our employees, Allways Home Care has instituted its “Return to Work” Policy. This program is a win/win situation and will benefit both the employer and employees.

Our industrial medical clinic has been advised of this policy and the medical staff will endeavor to return employees to full or modified duty in a timely manner.

The Company will endeavor to provide job assignments for those employees released to modified work according to the restriction criteria specified by the clinic’s medical staff. Company management on a case-by-case basis will determine modified work status.

**Violence in the Workplace**

Allways Home Care recognizes that workplace violence is a growing concern among employers and employees across the country. Allways Home Care is committed to providing a safe, violence-free workplace and strictly prohibits employees, consultants, customers, visitors or anyone else on Company premises or engaging in a Company-related activity from behaving in a violent or threatening manner. As part of this policy, Allways Home Care seeks to prevent workplace violence before it begins and reserves the right to deal with behavior that suggests a propensity towards violence even prior to any violent behavior occurring.

Allways Home Care believes that prevention of workplace violence begins with recognition and awareness of potential early warning signs and has established procedures for responding to any situation that presents the possibility of violence.

1. **Workplace Violence Defined**

Workplace violence includes:

- Threats of any kind;
• Threatening, physically aggressive, or violent behavior such as intimidation of or attempts to instill fear in others;
• Other behavior that suggests a propensity toward violence, which can include belligerent speech, excessive arguing or swearing, sabotage or threats of sabotage of Company property, or a demonstrated pattern of refusal to follow Company policies and procedures;
• Defacing Company property or causing physical damage to the facilities; or
• With the exception of security personnel, bringing weapons or firearms of any kind on Company premises, in Company parking lots or while conducting Company business.

2. Reporting

If any employee observes or becomes aware of any of the above-listed actions or behavior by an employee, customer, consultant, visitor or anyone else, they should notify their supervisor immediately. Furthermore, employees should notify their supervisor or designated representative if any restraining order is in effect or if a potentially violent non-work related situation exists that could result in violence in the workplace.

3. Investigation

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, Allways Home Care will inform the reporting individual of the results of the investigation. To the extent possible, Allways Home Care will maintain the confidentiality of the reporting employee and of the investigation but may need to disclose results in appropriate circumstances, for example, in order to protect individual safety. Allways Home Care will not tolerate retaliation against any employee who reports workplace violence.

4. Corrective Action and Discipline

If Allways Home Care determines that workplace violence has occurred, Allways Home Care will take appropriate corrective action and will impose discipline on offending employees. The appropriate discipline will depend on the particular facts, but may include written or oral warnings, probation, and re-assignment of responsibilities, suspension, or termination. If the violent behavior is that of a non-employee, Allways Home Care will take appropriate corrective action in an attempt to ensure that such behavior is not repeated. Under certain circumstances, Allways Home Care may forego disciplinary action on the condition that the employee takes a medical leave of absence. In addition, Allways Home Care may request that the employee participate in counseling, either voluntarily or as a condition of continued employment.

Drug-Free Workplace Policy

1. Purpose of the Program

It is the intent of Allways Home Care (“the Company”) to maintain a workplace that is free of drugs and alcohol and to discourage drug and alcohol abuse by its employees. The Company has a vital interest in maintaining safe and efficient working conditions for its employees. Substance abuse is incompatible with health, safety, efficiency and success at the Company. Employees who are under the influence of a drug or alcohol on the job compromise the Company’s interests, endanger their own health and safety and the health and safety of others, and can cause a number of other work-related problems, including absenteeism and tardiness, substandard job performance, increased workloads for coworkers, behavior that disrupts other employees, delays in the completion of jobs, inferior quality in products or service, and disruption of customer relations.
To further its interest in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees, and to protect its business, property, equipment and operations, the Company has established this Guideline concerning the use of alcohol and drugs. As a condition of continued employment with the Company, each employee must abide by this Guideline.

2. Employee Cooperation

Early detection of substance-abuse problems benefits everyone. For example, it benefits the employee with the substance-abuse problem because it gives him or her the opportunity to correct the problem before it leads to serious harm to the employee or others; it benefits the employee’s coworkers who otherwise might have to carry an extra burden by covering for the substance abuser or who otherwise might be exposed to serious injury; and it benefits the Company because it gives the Company an opportunity to prevent accidents and avoid the performance problems and other losses associated with substance abuse. Accordingly, all employees should understand that coworkers with substance-abuse problems should be encouraged to seek assistance.

3. Definitions

For purposes of this Guideline:

"Illegal drugs or other controlled substances" mean any drug or substance that (a) is not legally obtainable; or (b) is legally obtainable but has not been legally obtained; or (c) has been legally obtained but is being sold or distributed unlawfully.

"Legal drug" means any drug, including any prescription drug or over-the-counter drug, that has been legally obtained and that is not unlawfully sold or distributed.

"Abuse of any legal drug" means the use of any legal drug (a) for any purpose other than the purpose for which it was prescribed or manufactured; or (b) in a quantity, frequency or manner that is contrary to the instructions or recommendations of the prescribing physician or manufacturer.

"Reasonable suspicion" includes a suspicion that is based on specific personal observations such as an employee’s manner, disposition, muscular movement, appearance, behavior, speech or breathes odor; information provided to management by an employee, by law enforcement officials by a security service or by other persons believed to be reliable; or a suspicion that is based on other surrounding circumstances.

"Possession" means that an employee has the substance on their person or otherwise under their control.

4. Prohibited Conduct

The prohibitions of this section apply whenever the interests of the Company may be adversely affected, including any time the employee is:

- On Company premises;
- Conducting or performing Company business, regardless of location;
- Operating or responsible for the operation, custody or care of Company equipment or other property; or
- Responsible for the safety of others.
5. Prohibited Acts Subject to Discharge

The following acts are prohibited and subject an employee to discharge:

- The unauthorized use, possession, purchase, sale, manufacture, distribution, transportation or dispensation of alcohol
- Being under the influence of alcohol
- The use, possession, purchase, sale, manufacture, distribution, transportation or dispensation of any illegal drug or other controlled substance
- Being under the influence of any illegal drug or other controlled substance
- The abuse of any legal drug
- The purchase, sale, manufacture, distribution, transportation, dispensation or possession of any legal prescription drug in a manner inconsistent with law
- Working while impaired by the use of a legal drug whenever such impairment might:
  - Endanger the safety of the employee or some other person;
  - Pose a risk of significant damage to Company property or equipment
  - Substantially interfere with the employee’s job performance
  - The efficient operation of The Company's business or equipment.

6. Criminal Convictions

Employees are required by this Guideline to notify the Company of any conviction under a criminal drug statute for a violation occurring in the workplace or during any Company-related activity or event, no later than three (3) days after any such conviction. When required by federal law, the Company will notify any federal agency with which it has a contract of any employee who has been convicted under a criminal drug statute for a violation occurring in the workplace.

7. Unregulated or Authorized Conduct

a) Customary Use of Over-the-Counter Drugs

Nothing in this Guideline is intended to prohibit the customary and ordinary purchase, sale, use, possession or dispensation of over-the-counter drugs so long as that activity does not violate any law or result in an employee being impaired by the use of such drugs in violation of this Guideline.

b) Off-the-Job Conduct

Unless an employee is in a designated safety-sensitive position, this Guideline is not intended to regulate off-the-job conduct so long as the employee’s off-the-job use of alcohol or drugs does not result in the employee being under the influence of or impaired by the use of alcohol or drugs in violation of this Guideline. If an employee is in a designated safety-sensitive position, they will be subject to drug testing as described below.

c) Authorized Use of Alcohol

The Company may provide alcohol for consumption at certain events such as social functions. The consumption of alcohol at these events does not violate this policy.
8. Confidentiality

Disclosures made by employees to Human Resources concerning their use of legal drugs will be treated confidentially and will not be revealed to managers or supervisors unless there is an important work-related reason to do so in order to determine whether it is advisable for the employee to continue working. Disclosures made by employees to Human Resources concerning their participation in any drug or alcohol rehabilitation program will be treated confidentially.

Smoke-Free Environment

To protect the health and safety of all employees and customers of Allways Home Care, smoking is prohibited in Company buildings, on job sites that are indoors, and in Company-owned vehicles. Employees who wish to smoke may do so only on their regular breaks and meal periods, and must smoke outside of the building, job site, or Company-owned vehicle.

Inspections and Searches on Company Premises

1. Purpose of the Guideline

Allways Home Care believes that maintaining a workplace that is free of drugs, alcohol, and other harmful materials is vital to the health and safety of its employees and to the success of Allways Home Care's business. Allways Home Care also intends to protect against the unauthorized use or removal of Company property. In addition, Allways Home Care intends to assure its access at all times to Company premises and Company property, equipment, records, documents, and files. Accordingly, Allways Home Care has established this Guideline concerning inspections and searches, on Company premises. This Guideline applies to all employees of Allways Home Care.

2. Definitions

For purposes of this Guideline:

"Prohibited materials" means firearms or other weapons; explosives and/or hazardous materials or articles; illegal drugs or other controlled substances as defined in Allways Home Care's Drug-Free Workplace Guideline; drug-related paraphernalia; and alcoholic beverages or Company property that an employee is not authorized to have in their possession.

"Company property" includes all documents, records, software, and files relating to Allways Home Care's business; and all equipment, hardware and other property of any kind whether owned, leased, rented or used by Allways Home Care.

"Company premises" includes all premises and locations owned or leased by Allways Home Care or under the control of Allways Home Care, including parking lots, lockers and storage areas.

"Reasonable suspicion" includes a suspicion that is based on specific personal observations such as an employee's manner, disposition, muscular movement, appearance, behavior, speech or breath odor; information provided to management by an employee, by law enforcement officials, by a security service or by other persons believed to be reliable; or a suspicion that is based on other surrounding circumstances.

"Possession" means that an employee has the substance or Company property on their person or otherwise under their control.

3. Inspections and Searches

a) Access to Company Property
In order to ensure access at all times to Company property and because employees who are properly in possession of Company property or information related to Company business may not always be available to produce the property or information (when needed in the ordinary course of business), Always Home Care retains the right to search any property or equipment owned by the Company with or without cause, at any time. The Company retains the right to search private property within our facility or grounds with reasonable cause and, to the extent practicable, with advance notice. Always Home Care retains the right to access information and communications stored on Company Technology Resources at all times.

Routine searches or inspections for Company property may include an employee’s office, desk, file cabinet, closet, computer files, voicemail or similar places where employees may store Company property or Company-related information, whether or not the places are locked or protected by access codes.

Because even a routine search for Company property might result in the discovery of an employee’s personal possessions, all employees are encouraged to refrain from bringing into the workplace any item of personal property that they do not wish to reveal to Always Home Care.

b) Inspections and Searches for Prohibited Materials

Inspections or searches for prohibited materials in or on Company premises also will be conducted whenever Always Home Care has reasonable suspicion that a particular employee or employees may be in possession of such materials in violation of this Guideline.

Inspections or searches for prohibited materials may be conducted by an independent security service or by Always Home Care with its own personnel. In all cases, a member of management should be present.

Inspections or searches for prohibited materials may be conducted from time to time even when there is no immediate reason to suspect the presence of the materials. In such cases, Always Home Care (may or will) announce the inspection in advance, except for inspections or searches conducted at locations where employees enter or exit Company premises.

Inspections or searches for prohibited materials may include an employee’s office, desk, file cabinet, closet, or other locations where employees may place personal possessions including, but not limited to, employee lockers and vehicles, when on Company premises, and/or other items of personal property worn or carried while on Company premises.

Employees who refuse to cooperate during an inspection or search will not be forcibly detained or searched. They will be informed, however, that Always Home Care will base any disciplinary decision on the information that is available, including their refusal to consent to the search as well as the information that gave rise to a reasonable suspicion that the employee was in possession of prohibited materials, if applicable, and that their failure or refusal to cooperate could deprive Always Home Care of information that may clear them of suspicion. In addition, Always Home Care reserves the right to take appropriate action to prevent the unauthorized removal from Company premises of Company property.

c) Disciplinary Action

Employees found to be in possession of prohibited materials in violation of this Guideline or to have used Company property in an unauthorized manner and/or are found to be in violation of other Always Home Care policies and guidelines may be subject to discipline up to and including discharge, regardless of Always Home Care’s reason for conducting the search or inspection.

If an employee refuses to cooperate with a search or inspection that is based on reasonable suspicion that the employee is in possession of prohibited materials, Always Home Care may take that refusal into consideration in determining appropriate disciplinary action. Discipline will be based on all available information, including the information giving rise to the reasonable suspicion. It is therefore to the employee's advantage to cooperate with the search or inspection whenever prohibited materials are present.
EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

This is to acknowledge that I have received a copy of Allways Home Care's 2013 Employee Handbook and understand that it contains important information on the Company's general personnel policies and on my privileges and obligations as an at-will employee. This handbook has been reviewed and explained to me by a representative of the Company.

I acknowledge that I am expected to read, understand, and adhere to Company policies and will familiarize myself with the material contained herein. I will seek explanations from my supervisor for any portions of the Handbook I do not understand.

I understand that I am governed by the contents of the Handbook and that the Company may change any policies, benefits or practices described in the Handbook from time to time in its sole and absolute discretion with or without prior notice. Furthermore, I understand that employment with the Company is not for a specified term and is at the mutual consent of the Company and myself. Accordingly, either the Company or I can terminate the employment relationship at will, with or without cause, at any time.

My signature hereon confirms my voluntary agreement to this provision and further confirms that I have read and understood the contents of this Agreement.

__________________________________
Employee Signature

__________________________________  _______________ __________
Employee Name (Print or Type)   Date