

Employee Handbook



Where Life is Added to Years

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Our Mission Statement

Fairhaven is a visible ministry of God's love to older men and women. Its primary mission is to provide housing and health services which promote dignity and well-being with spiritual, intellectual, cultural and recreational vitality. Fairhaven is associated with the Wisconsin Conference of the United Church of Christ.

Our Motto

"Where Life is Added to Years"

Our Logo

The five colored oak leaves above Fairhaven Senior Services indicate the following areas of service provided:

- Prairie Village – Duplexes for independent living, 55 and older
- Health & Rehabilitation Center and Assisted Living
- Hearthstone Memory Care
- Community Services – Apartments for independent living, 65 and older
- Foundation – Fundraising to support Fairhaven's mission

Welcome to Fairhaven!

Thank you for joining an organization that has been well respected for its service to seniors for many years. As an employee of Fairhaven, you are an important part in meeting the service expectations, efficiency, quality and timeliness of care our residents expect. Your skills, loyalty, dedication and enthusiasm are necessary each day to maintain the excellent reputation of caring service that has been established over the years. Our goal: Service Excellence.

You are the face and personality of Fairhaven. When residents or members of the community see you, they see Fairhaven. You are responsible for the image the community has of us, and when you accepted the responsibility of employment with us, you also accepted this obligation.

Our residents are our “customers” and we are privileged to serve them in their homes. Whatever your job our reason for being is our “customers.” I encourage you to read our mission statement frequently and be guided by our core values.

Just as our residents are important, you are also important to Fairhaven. Our desire is that every employee treats every other employee fairly and with respect. We are a team, and only when the team works together, with each one meeting his or her responsibilities, can the mission be achieved. This Handbook is intended to assist you in meeting your responsibilities.

It is stated policy of Fairhaven to operate our facility in a fair, consistent and predictable manner, realizing our obligation to our residents, employees and the community. We believe that any problem that may arise, or any differences that may appear, can best be resolved by an open discussion between the parties involved. We encourage you to bring your concerns directly to those involved, your supervisor and/or the Administration.

I hope that you will find your employment with Fairhaven to be fulfilling.

Sincerely,

Paul J. Kuenning
President/CEO

INTRODUCTION

This is your Employee Handbook. It is available online on the Fairhaven website, www.fairhaven.org. If you wish to have a “hard copy,” please contact the Personnel Office and you will be provided with one. We have prepared this handbook to help orient you to the policies and procedures of Fairhaven as they relate to employment and continued service. It is meant to give you an indication of what you might expect in the way of benefits, privileges and responsibilities as a member of our organization. Although it is not a contract or a legal document, the information in this Handbook is important to all employees. You will want to refer to this Handbook when you have questions about our policies and benefits. This Handbook supersedes and replaces all previous personnel policies, practices and guidelines.

This Handbook does not spell out every policy or situation that may arise during the course of employment, and is not meant to conflict with any state or federal law. In addition, circumstances could undoubtedly require changes in the policies, practices and benefits described in this Handbook. Accordingly, Fairhaven reserves the right to modify, supplement, rescind, or revise any provision of this Handbook, with or without advance notice, as it deems necessary or appropriate in its discretion. You will be notified of changes to this Handbook through the Fairhaven Employee Newsletter and the updates will be made to the online Handbook when they take effect.

We are constantly striving to improve the service we provide as well as our relations with you, our employee. If you have suggestions for improvements, please bring them to our attention. By working together, we hope that we may share with you a sincere pride in the workplace and the services that we are all here to provide.

If you have any questions not answered in this Handbook, please feel free to ask your supervisor or the Personnel Office for clarification.

At the time of hire, you will be asked to sign an acknowledgment form that you know how to access the Handbook via the Fairhaven website, and that you may request a hard copy and you know who to contact for clarification or questions regarding the information provided.

EMPLOYMENT

Employment at Will

No manager, supervisor or employee has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment other than at-will. Only the President of Fairhaven has the authority to make any such agreement and then only in writing.

Equal Employment Opportunity

It is our policy to seek and employ the best qualified personnel in all positions, to provide equal opportunity to all employees in all personnel actions, including, but not limited to, upgrading, promotion, compensation and training, and to administer these activities in a manner which will not discriminate against or give preference to any person because of race, color, religion, age, sex, national origin, disability, ancestry, sexual orientation, gender identity, change of sex, transgender status, marital status, genetic information, veteran status, membership in the National Guard, state defense force, or any other reserve component of the military forces of the United States or this State, or any characteristic protected by state or federal law.

Immigration

Fairhaven is committed to employing only legal citizens and aliens. Fairhaven does not discriminate based on national origin or citizenship in its employment practices. In order to comply with Immigration Laws, Fairhaven will require all employees to complete a Form I-9, Employment Eligibility Verification within two days of hire date. Falsification, omission and/or misrepresentations on the I-9 are grounds for termination of employment and could result in notification to an appropriate government agency.

Americans with Disabilities Act

Fairhaven complies with all aspects of the Americans with Disabilities Act (ADA) and state disability laws. This means that we will not discriminate against qualified individuals with a disability in any phase of the employment relationship including application for employment, hiring, promotions and/or advancement opportunities, termination, compensation, training and any other conditions or privileges of employment.

Fairhaven will provide reasonable accommodation for the known disability of applicants and employees, unless to do so will result in an undue hardship for the business.

Sexual and Other Harassment

We are committed to providing a work environment in which employees are treated with courtesy, respect and dignity. Sexual harassment is any conduct of a sexual nature that interferes or may interfere with another person's work performance or creates or may create an intimidating, hostile or offensive work environment. Consistent with this policy, employee conduct, whether intentional or unintentional, that results in the harassment of other employees because of their sex, is illegal, will not be tolerated and should be reported immediately to management. All complaints of sexual harassment should be reported to your supervisor or Administration and they will be investigated promptly and, where necessary, immediate appropriate action will be taken to stop and remedy any such conduct. Employees who report harassment or who assist in the investigation of a complaint of harassment will not be subject to retaliation or reprisals of any kind. Any supervisor or employee found in violation of this policy will be subject to disciplinary action, up to and including discharge.

See Sexual and Other Harassment Policy under Attachments.

Workplace Violence/Bullying

In order to fulfill the mission of Fairhaven, all people working, visiting, living in or being cared for must be safe from acts of intimidation, threats of violence or actual violence. Bullying is a form of workplace violence. Bullying is usually seen as acts or verbal comments that could mentally hurt or isolate a person in the workplace. It can also involve negative physical contact as well. It is a pattern of behavior that is intended to intimidate, offend, degrade or humiliate a particular person or group of people.

If you are frightened or uncomfortable about coming to work because of the repeated inappropriate behavior of another, you are encouraged to report it to your supervisor or Administration. Fairhaven prohibits any firearm, deadly weapon, prohibited knife or explosive device on its property unless required in the lawful course of business or by authorization of the President/CEO.

Incidents of workplace violence/bullying will be investigated and the parties found to be guilty of such acts will be subject to discipline, including discharge. Employees found with prohibited weapons will also be subject to discipline, including discharge and may be referred to local authorities.

Classification of Employees

All employees are classified in one of the categories listed below. It is important to know your classification because some benefits available to employees may be limited to particular classifications, or be pro-rated accordingly.

Full-time employees are normally scheduled to work forty hours per week. The employee meeting this requirement may be eligible for benefits based on full time employment. An employee who does not maintain the prescribed schedule of forty hours per week may have a reduction in benefits.

Part-time employees are normally scheduled to work less than forty hours per week. The employee meeting this requirement may be eligible for benefits on a pro-rated basis, based on hours worked. Part-time employees may apply for regular full time status when a position is open and, should the opportunity arise, may qualify for full time benefits.

An average of less than 40 hours worked per week may result in a classification change which could affect the cost of some benefits for the next quarter. Most Fairhaven benefits require working a minimum of 24 hours per week to qualify (unless absence is protected by law). **Hours will be audited on a quarterly basis to determine eligibility and any change will take place for the following quarter. The quarter is determined by pay period. Please contact the Personnel Office if you have a question about the quarter beginning and ending dates.** A change in schedule to working less than 24 hours per week, making an employee ineligible for benefits, will result in the payout of any *available* vacation. All *accrued* vacation and unused sick pay will be lost.

The Nursing Department (includes Hearthstone/Wellness) has several specific classifications:

- Regular – Has a regular schedule and is eligible for benefits if working a minimum of 24 hours per week. Scheduled every other weekend and three holidays per year.
- Regular without benefits – Has a regular schedule, but chooses a higher rate of pay instead of eligibility for benefits. Scheduled every other weekend and three holidays per year.
- Pool – No regular schedule; picks up hours as needed. Must work two weekend shifts per month and two holidays per year.
- Weekend Warrior – Scheduled three full weekends of every four.

Nursing employees (CNA, LPN, RN, RA) will choose their classification at the time of hire and may be eligible to change classification by written notice to the Personnel Department.

Exempt employees are exempt from the overtime provisions of the Federal Fair Labor Standards Act.

Non-Exempt employees are covered by the overtime and other provisions of the Federal Fair Labor Standards Act and other applicable federal and state laws. They are entitled to premium pay for overtime work.

Physical Examinations

Employees may be required to submit to a medical examination on occasion. Exams administered at the request of Fairhaven will be paid for by Fairhaven. Employees who are absent because of illness, injury or disability may be required to provide a doctor's excuse to be relieved from regular duty and/or a doctor's certification of their ability to perform their regular work satisfactorily without endangering themselves or others.

A pre-employment tuberculosis (TB) skin test and health assessment reviewed by our Medical Director is required by State regulation. Fairhaven requires a two-step screening for tuberculosis (one at pre-employ, another in two weeks). An annual TB skin test may be required. There will be no charge for the health assessment and/or skin test when done at Fairhaven. If an employee is a positive reactor for TB, a chest x-ray may be required. If you travel to an area where the incidence of tuberculosis is prevalent, you may be required to complete a questionnaire and be subject to testing.

Drug-Free Workplace

Fairhaven prohibits the use, possession, sale, consumption, purchase and/or distribution of alcohol and illegal drugs by employees, volunteers, or contractors while on its premises or time. Fairhaven employees and volunteers are permitted to possess alcohol on the premises only when required by their job or official tasks. Fairhaven employees and volunteers may be permitted to consume alcohol at official Fairhaven social events with Administrative approval.

All employees are strongly encouraged to seek professional help before any alcohol or drug problems are detected and thus, before disciplinary actions as specified in this policy are necessary.

Reporting to work under the influence of drugs or alcohol is prohibited. It is every employee's responsibility to know if any substance, either over-the-counter or prescribed, can have any effect on judgment or performance. If so, the employee is required to inform their supervisor of the use of the medication so that a determination may be made as to whether the employee needs to be reassigned or relieved, for the course of the medication, for the safety of all.

See Drug Free Workplace Policy under Attachments.

Orientation

As a new employee, you will receive an Orientation designed to acquaint you with our Organization and educate you on policies and procedures necessary to perform your job duties. The extent of orientation may vary based on your department and the amount of training required for your position.

Outside Employment

Outside employment is permitted unless it is found to interfere with the employee's job performance or attendance at Fairhaven. If the quality of job performance or attendance at Fairhaven begins to suffer, the employee will be asked to choose between jobs.

An employee will not be permitted to work for another employer while absent on a scheduled day from Fairhaven. An employee who has a work restriction from other employment is required to disclose this information to their supervisor. Fairhaven maintains the right to determine if they wish to accommodate any required restrictions.

Transfer and Promotion

All transfers and promotions will be made on the basis of qualifications. The date of the transfer will be determined by the supervisors involved. The final decision and authority for selection rests with Administration.

When an employee voluntarily transfers to another department, the employee will lose departmental seniority in the former department and begin accruing seniority in the new department. Benefits will continue to accrue from the original date of hire. When an employee transfers to another department in a new job setting, he/she may be subject to a new wage rate for that job, provided the wage scales are different. Departmental seniority may affect work hours, schedule, etc. within the department only.

Available positions are posted in the Employee Lounge, timeclock area and on the Fairhaven website. Positions specific to skills within a department may only be posted in that department.

Resignation

If you decide to leave our employment, we would appreciate two or more weeks' notice. It requires time to find a suitable replacement. However, all employees are employed at-will and can terminate their employment or can be terminated from employment, at any time and for any reason, without notification.

Employees with one year or more of service may be eligible for terminal pay, provided written notice is given to the department director at least one month prior to the date of resignation. Terminal pay is the vacation pay earned from the last anniversary date through the date of termination (but not yet available) and one-half of the sick bank if employed for greater than five years. You will receive your available vacation pay regardless of notice.

Termination of Employment

Your employment may be terminated for the following reasons:

1. Voluntary Resignation
2. Discharge
3. Retirement
4. Failure to return to work upon expiration of an approved leave of absence.
5. Lay off/Reduction in workforce.

Employees are free to resign at anytime and for any reason. Fairhaven reserves the right to terminate employment at any time and for any reason.

An employee who is discharged from Fairhaven will receive their available vacation on their final paycheck. Earned vacation which has accrued since anniversary date, but is not yet "available" will not be paid to an employee who is discharged by the facility.

In-Service Requirements

The In-service requirements may vary by Department. Some In-services are required by State or Federal Law. Assigned in-services will be in the Employee Newsletter several times throughout the year. Notice of any additional Mandatory In-services will be posted at the time clocks and on the bulletin board in the Staff Lounge. Notification will also be included in the Employee Newsletter when possible. Participation and/or attendance at these In-services is mandatory; however, if you are unable to attend a “live session” a make-up will be available and it is your responsibility to make arrangements with your Department Director/Manager to make up the In-service within 30 days of the original In-service date. If you have not made arrangements to complete a Mandatory In-service within 30 days of the original date or within the specified time frame or you do not complete your assigned in-services by the due date, you may be removed from the work schedule or your wage will be reduced to the minimum allowed by law for a minimum of four shifts or longer until in-services complete, or you will be ineligible for a raise at your next anniversary which will be in effect for the entire year. For positions that require a specified number of in-service hours for continued certification (i.e. CNA, RA), hours will be calculated on an annual calendar year basis. Employees who do not have enough in-service hours for the year may be reported to their registry or licensing board. While Fairhaven will make opportunities available to you, it is your responsibility to be sure you are completing the requirements.

Since you are required by Fairhaven to complete the In-services, you will be paid for your time. If you attend the In-service before/after your regular hours or on a non-work day, you must be “clocked in” during this time. However, you may not complete required in-services on a weekend or holiday unless completed during regularly scheduled hours. Completion of in-services may not result in overtime unless specific permission is received from your supervisor.

Bloodborne Pathogens

Fairhaven believes that, as part of providing and maintaining a safe place of employment, it is necessary to communicate to and train employees who may be exposed to blood or other bodily fluids and/or who may have the possibility of contracting bloodborne diseases.

Therefore, each employee will receive in-service training about the established first-aid procedures and the prescribed processes for properly disposing of blood/contaminated waste. Special blood spill clean-up kits are provided in each department to protect employees when giving first aid and in cleaning up blood or bodily fluid spills.

Be sure you understand our first-aid and bloodborne disease policy and procedure. Ask your supervisor to explain our bloodborne disease control policy and procedure to you if you have questions.

If you may be reasonably anticipated to have occupational exposure to bloodborne pathogens, you will be offered the Hepatitis B vaccine free of charge. You will receive information outlining any risks. If you decline to receive the Hepatitis B vaccine, you may change your mind at a later date and receive the vaccine by contacting the infection control nurse. If you have already received the vaccine, we will ask you to provide information about when and where provided.

Hazard Communication

In their jobs, some employees may need to use certain materials which have been identified as hazardous substances. Fairhaven is responsible for ensuring that you have information regarding the proper handling of these materials. Each employee will receive training on using and understanding the hazardous materials to which he or she may be exposed to in the routine performance of the job.

Located in each department is a Hazard Communication Book which includes the Requirements of the Hazard Communication Standard and the Wisconsin Right-to-Know Law and an SDS Book which includes the Safety Data Sheets for the hazardous materials you may be exposed to at Fairhaven.

The United Nations developed a global system of classifying and labeling chemicals (GHS). This requires Safety Data Sheets (SDS) to be consistent and user friendly worldwide. The SDS includes information such as the properties of each chemical; the physical, health and environmental health hazards; protective measures; and safety precautions for handling, storing, and transporting the chemical. Sections 1 through 8 contain general information about the chemical, identification, hazards, composition, safe handling practices and emergency control measures. Sections 9 through 11 and 16 contain other technical and scientific information. Sections 12 through 15 contain matters handled by agencies other than Fairhaven.

All containers of hazardous chemicals are labeled and marked with warning labels which include the SDS number. Do not remove any labels. If you have an exposure incident, it is important that you bring the container or know the name/SDS # when reporting to ensure proper treatment.

Your protection is our first concern. Personal protective equipment is provided to all employees who work with hazardous substances and is required to be worn when indicated. If you have a question or concern about the materials you use in your work, talk with your supervisor immediately.

PAY PRACTICES

Fairhaven reserves the right to adjust schedules as necessary to meet the needs of those it serves and for acceptable business reasons. Fairhaven prohibits non-exempt employees from off-the-clock work, even if voluntary.

Overtime

There may be times when it is necessary for you to work overtime. Your supervisor will notify you as early as possible regarding our scheduling needs and employees are required to work as scheduled. There may be times when you would like to work overtime. You must secure prior authorization from your supervisor before working overtime. Unapproved overtime may result in disciplinary action.

Fairhaven compensates hourly non-exempt employees time and one-half for all hours worked in excess of forty in any one work week. The work week is defined as beginning at 12:01 a.m. Sunday to 12 midnight Saturday. Hours “worked” is defined as hours actually worked, not hours paid. Some departments/shifts may be compensated time and one-half for hours worked in excess of eight hours per day and eighty hours per pay period. Please check with the Personnel Department if you have a question regarding overtime pay calculation.

Exempt employees are not covered by the overtime provisions and do not receive overtime pay.

Electronic Time Clock Regulations

It is important that accurate records of your hours are kept so your paycheck will be correct. For this reason, all hourly paid employees are required to accurately record their time each work day. Please observe the following guidelines:

- a. Each employee must clock her/himself in and out.
- b. If any employee is found to have punched in and/or out for another employee, both persons will be subject to discipline up to and including discharge.
- c. Hourly employees must clock in and out according to their schedule. Employees may not work when not clocked in.
- d.. Employees are to clock in and out for lunch periods if leaving Fairhaven buildings, other than to designated eating areas, and any other time they leave the premises on other than Fairhaven business. Employees working six hours or more will have a ½ hour meal period deducted unless an exception slip is made out to indicate otherwise with supervisor approval.
- f. Any employee who leaves the premises during paid working hours without the permission of his/her supervisor will be considered to have voluntarily terminated his or her employment.
- g. Exception slips are to be completed by the employee to record and explain any time issues. Slips are kept by the time clocks and should be initialed by your supervisor before being deposited in the exception slip box or turned into the Personnel office.

- h. Falsification of records is a serious offense. Anyone found falsifying or misrepresenting documents will be subject to disciplinary action up to and including termination.

Pay periods/Pay

The pay period for Fairhaven employees is biweekly. Your pay will be made by direct deposit to one depository of your choice. Pay will be deposited every other Friday. If a bank holiday falls on Friday, your direct deposit may be made the previous day.

Work Hours

The days, shifts and hours you are scheduled may vary depending on your job description and work assignment. You will be informed at the time of hire as to the schedule and any department guidelines affecting the schedule.

Fairhaven complies with all applicable state and federal wage and hour laws. Fairhaven reserves the right to adjust wages and/or schedules to meet its business needs.

Performance Reviews

Periodic evaluations are an important part of the employment relationship. This is an opportunity to let each employee know how he or she is doing, how performance may be improved and to receive input from the employee concerning any job difficulties that may be occurring. Some of the factors that are considered in the review are: accuracy, quality of work, quantity of work, dependability, adaptability, job knowledge, judgment, initiative, ability to get along with others, and attendance. Please feel free to contact your supervisor at any time if you wish to discuss your performance.

Performance reviews do not ensure an automatic wage increase; rather, they are conducted to evaluate your job performance and contribution to the organization.

Wage Increase

Fairhaven wage increases are based on merit and performance and are evaluated on an annual basis based on the hired date. If given, the wage increase will be reflected for the pay period following the anniversary date. Raises are not automatic. Economic climate, job performance, job duties and job knowledge are among the items which will be considered when determining the feasibility of a wage increase.

REQUIRED EMPLOYEE BENEFITS

The following employee benefits are available to all staff, even those choosing a “no-benefit option” or who are working less than 24 hours per week, as required by law or Fairhaven policy. These benefits, such as FMLA, may have a different worked hours requirement that is governed by law.

Employee Assistance Program (EAP) Available through Integrated Behavioral Health.

An EAP is designed to confidentially assist employees and their family members with a wide range of issues. These issues may include things such as a physical illness, mental or emotional illness, finances, alcohol or drug use, marital or family distress, legal problems, work stress or any other issue that affects the employees’ personal or professional life. Unfortunately, most people are unaware of the helping resources available in the community or they are too embarrassed or too afraid to admit that a problem exists or to seek help for it. Each family member may use this program individually or together with the employee.

Fairhaven recognizes that employee problems; whether work related or not, can have an impact on job performance and attendance. The EAP is designed to help employees and their families get assistance on a confidential, professional basis. EAP resources are available through Integrated Behavioral Health – WorkLifeMatters at www.ibhworklife.com (user name: Matters, password: wlm70101) 1-800-386-7055. Their service is also available for emergency situations 24 hours a day, 7 days a week.

We believe no problem is insurmountable. You are encouraged to take advantage of the resources available through the website or to contact them by phone.

COBRA (Consolidated Omnibus Budget Reconciliation Act of 1986)

COBRA allows an employee and her/his dependents to have a temporary extension of health/dental coverage at group rates upon separation from Fairhaven or a reduction of hours, under certain qualifying events and conditions. If you will be losing coverage, please contact the Personnel Office to see if you may qualify for COBRA benefits. If you are terminating employment and carry insurance coverage from Fairhaven at the time of termination, you should request or decline this insurance continuation benefit. If the employee chooses not to respond within the time specified on the notice, his/her eligibility will expire.

COBRA Coverage is not available to former employees (and their dependents) if the reason for termination of employment is “gross misconduct.”

HIPAA (Health Insurance Portability and Accountability Act)

HIPAA prohibits health plans from discriminating against participants or beneficiaries with respect to eligibility to enroll in a plan. HIPAA also requires health plans to provide special enrollment periods in certain circumstances such as when coverage through another plan has been lost or when a new dependent has been acquired. If you are interested in health insurance coverage after your first thirty days of employment and initially declined coverage, you may have to wait until the next open enrollment period unless you have proof of loss of coverage. If you or a family member will be losing coverage through another plan or when you add a new dependent such as through birth or marriage, please contact the Personnel Office no later than 30 days after the event to see if you may qualify.

Social Security Benefits

In addition to the amount you contribute to Social Security and Medicare (FICA), Fairhaven contributes an equal amount each pay period. A full description of Social Security benefits is available through the Social Security Administration.

Worker's Compensation

All employees are covered by Worker's Compensation Insurance. This insurance protects you from financial loss due to medical expenses and may reimburse you for lost wages because of an accident or illness that is work related.

It is Fairhaven policy to make every effort to accommodate restrictions recommended by your physician and return you to work, with modifications in schedule and/or duties if necessary, as soon as possible. Loss of time due to work-related injuries does not affect your benefits.

Your responsibilities in the event of a **work-related** incident/injury:

1. Report any injury/incident, even a minor one, to your supervisor immediately. Your supervisor will direct you to the 2nd floor Nurses Station for a nurse assessment and to complete an Employee Incident Report. Disciplinary action may be taken if the incident is not reported immediately or within a timely manner.
2. Employees may report to the Nursing Department directly. In that case, **your supervisor should be contacted immediately.** As indicated on the Nursing Assessment Form, you must receive Administration approval prior to seeking further medical attention for the injury unless emergency medical care is indicated. At this time, you may be required to submit to a drug/alcohol screen.
3. If medical attention is necessary, please follow any requirements of your medical insurance coverage (i.e., referrals, second opinion, etc.). This will ensure coverage in the event the claim **is not** covered by Fairhaven's Worker's Compensation Insurance. You will be required to have a Physician's Work Recommendation Report completed by your physician at each scheduled and unscheduled appointment. Forms are available at

the Personnel Office. The completed Physician's Work Recommendation Report must be received by your supervisor within 24 hours of your appointment, but not later than the time you start work. Failure to do so may result in disciplinary action.

4. Upon receipt of the Physician's Work Recommendation Report, your supervisor will determine whether work is available within the guidelines provided by your physician. If you are eligible to work modified duty or a modified schedule, you will be assigned appropriate tasks. You may have hours and/or duties assigned to another department to accommodate the restrictions. It is your responsibility to adhere to the restrictions imposed by the physician and to communicate to your supervisor any concerns or problems regarding same.
5. If you seek medical treatment and did not have a drug/alcohol screen at the time the incident was reported, you may be required to return to Fairhaven for a drug/alcohol screen or your medical provider may be asked to perform a drug/alcohol test.

We are very interested in you, our employee, and want to assure you the best medical treatment if you are hurt while working here. In order to accomplish this, it is necessary that you follow the above procedure.

Once an Incident Report has been completed and a claim filed with Fairhaven's Worker's Compensation carrier, it becomes their claim to investigate and determine benefits. You and your medical providers may be contacted by their office during the investigation and course of treatment. You must cooperate with them as required by Worker's Compensation Law.

If you have a work-related incident/injury while at another employer, it is your responsibility to notify your supervisor immediately and provide any necessary documentation, including work restrictions. Fairhaven has the right to determine if we will accommodate work restrictions from an incident/injury with another employer.

Unemployment Insurance

We provide, at no cost to you, Unemployment Insurance coverage, which benefits employees who are unemployed through no fault of their own. It is your responsibility to contact the applicable Unemployment Office if you feel you are entitled to benefits.

Family and Medical Leave

The Federal Family and Medical Leave Act of 1993 (FMLA) requires Fairhaven to provide up to twelve work weeks (based on your normal work week) of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for Fairhaven for at least one year, and have been paid for 1,000 hours over the previous twelve (12) months.

The Final Rule effective March 27, 2015, defines spouse as including all legally married

same-sex couples (determined by the “place of celebration” rather than the status of marriage in the State where the employee resides) including individuals in lawfully recognized common law marriages or a marriage entered into outside of the United States, if the marriage could have been lawfully entered into in at least one US State.

In 2008 FMLA was expanded by Congress to include a provision whereby qualifying employees may take up to 12 weeks of FMLA leave when their immediate family is called into active duty in the Armed Forces. In addition, the legislation provides up to 26 weeks of unpaid leave in a 12-month period for a relative to care for a service member recovering from a military-related injury.

The 2010 National Defense Authorization Act (NDAA) contains provisions that further amend the FMLA’s military family leave entitlements. Exigency leave is available to family members of Reservists, members of the National Guard and active-duty members. The law also extends the military caregiver leave provision to veterans in addition to individuals currently in the military services. The caregiver leave includes veterans who are undergoing medical treatment, recuperation, or therapy for a serious injury or illness that occurred any time during the five years preceding the date of treatment, recuperation, or therapy.

The State of Wisconsin also has a Family Medical Leave Act similar to the Federal FMLA. In the event there are differences between the Federal and Wisconsin Acts, the employee is granted the benefit that provides the most to the employee. Where applicable, both leaves will run concurrently.

Unpaid leave must be granted for any of the following reasons:

1. Birth of a child or to care for the employee’s child after birth, or for adoption or foster care.
2. To care for the employee’s spouse, son, daughter, or parent, who has a serious health condition (under Wisconsin Law, two weeks are granted for a parent-in-law).
3. For a serious health condition that makes the employee unable to perform the essential function of the employee’s job.

Employees may take FMLA leave as intermittent leave (taken in several blocks of time), reduced leave (less hours per day or per week than your normal work week), or continual leave (taking all twelve weeks at one time). Please contact your supervisor to work out an expected schedule.

The employee may be required to provide advance leave notice and medical certification. Leave may be denied if requirements are not met:

1. The employee must provide 30 days’ advance notice when the leave is “foreseeable.” If 30 days’ notice is not possible, notice must be given as soon as practicable. The employee must consult with Fairhaven

regarding the scheduling of any planned medical treatment so as to minimize disruption of Fairhaven operations.

2. Where the need for leave is unforeseeable, notice must be given as soon as practical, but not later than two work days after the need for leave is known. Failure to give proper notification of leave may result in a delay or denial of leave.
3. The employee may be required to provide a medical certification to support a request for leave because of a serious health condition for the employee or their family member. Fairhaven may require second or third opinions (at our expense) and a fitness for duty report to return to work. Additional medical certification during and at the end of the leave may be required as allowed by law.

For the duration of FMLA leaves, Fairhaven maintains the employee's health and welfare benefit plans in which the employee participates. However, the employee is required to make the same contribution to the premium as before the leave. Fairhaven may recover premiums paid to maintain health coverage for an employee who fails to return to work following FMLA leave.

Upon return from FMLA leave, most employees must be restored to their original or equivalent position with equivalent pay, benefits, and other employment terms. The use of FMLA leave cannot result in the loss of any employee benefit that accrued prior to the start of an employee's leave. However, an employee on FMLA leave will not continue to accrue vacation or sick leave if they take unpaid leave.

The laws provide for unpaid leave. Under Wisconsin Family Medical Leave, the employee chooses when and how to substitute accrued leave. Under Federal Family Medical Leave, Fairhaven policy may dictate substitution of accrued leave. Since it is Fairhaven policy to require the use of benefit time if you are absent from work, you will be required to use any appropriate benefit time before you are allowed time off without pay for Federal Family Medical Leave after exhaustion of Wisconsin Family Medical Leave.

Leave granted under any of the reasons provided by law will be counted as FMLA leave and will be considered as part of the 12-workweek entitlement in a calendar year. There is no carryover of unused leave from one year to the next.

If you are absent or plan to be absent for a reason you feel may qualify as Family Medical Leave, please contact the Personnel Department. Also, you may be contacted by Fairhaven if we have reason to believe your absence may qualify for Family Medical Leave.

See copy of Wisconsin/Federal Family and Medical Leave Policy under Attachments.

Staff Lounge

There is space provided for employees to use as a lounge during meal and breaks. Food provided by Fairhaven is located there.

It is the responsibility of every employee to keep the lounge neat and clean with all food returned to the refrigerator or disposed of. The employee lounge may also be used by all employees for brief entertainment of visitors during non-work, break time.

Food Service for Employees

Soup, lettuce, salad dressing, cheese, peanut butter, jelly, butter, bread, crackers and beverages may be provided by Fairhaven to all shifts free of charge to use while at work. Food should be eaten in the employee lounge or in an area designated for employee use. A refrigerator is provided for employees who bring their own food.

Please, no eating in resident areas including, but not limited to hallways, resident rooms, library, exercise room, or nursing station. Employees eating in non-designated areas or eating food intended for residents or others without authorization may be disciplined, including discharge.

Vending Machines

Soda and juice vending machines are located on the lower level.

Lockers

Employees in specific departments are assigned lockers for the storing of clothing and personal items. These lockers must be kept clean and free of fire hazards. Fairhaven is not responsible for items stolen from lockers. Fairhaven reserves the right to inspect any company or personal property if there is a reasonable suspicion that something may affect the safety, security, and sanitation of Fairhaven, its employees, and/or its residents, as allowed by law.

Mileage and Meal Reimbursement

Employees will be paid for time and reimbursed for meals and mileage when they are required to be away from their job location, while on facility business. Prior approval must be obtained from Administration before incurring any expense for food, lodging or other travel expenses. You must also file a statement of vehicle liability insurance coverage if driving your own vehicle. Forms for reimbursement are available at the Reception Desk. Please attach applicable receipts to the form and submit to the Business Office for reimbursement.

Scholarship Program

A scholarship program has been established to assist employees with education expenses if they pursue additional training in a job related or health care field. Please contact the President/CEO if you are interested in the qualifications and criteria for this program.

VOLUNTARY EMPLOYEE BENEFITS

Fairhaven believes in the importance of the health and well-being of all of our employees. That is why Fairhaven provides a wide range of benefit programs which are designed to provide protection and assistance. Eligibility for some or all of the benefits will depend on the specific eligibility requirements of each plan. If you work in a department that offers a “no benefit option” and you have chosen that option, you will not be eligible for benefits described in this section.

This section represents an outline of the benefits available to eligible employees. It is not a complete description of all of the benefit plan provisions. A Fairhaven Benefit Book with detailed information about all Fairhaven benefits is available on the Fairhaven website, employee section. Eligible employees will be given summary plan description booklets at the time of eligibility. These documents describe in more detail the benefits available under the health, life, dental, disability, and 403(b) plans, as those benefits apply to you. Any conflict between statements made in the employee handbook and the plan documents will be governed by the formal plan documents. Fairhaven may find it necessary to add, modify or change any or all benefits or premium contributions in order to provide the most competitive benefit plans. Fairhaven will follow any required changes to benefit plans as required by law.

To be eligible for employee benefits at Fairhaven you must work a minimum of 24 hours per week unless otherwise stated or required by law. Hours worked are evaluated on a quarterly basis and may affect benefit level for the next quarter. (If you are scheduled 24 hours per week any time missed must be made up within the quarter to maintain eligibility for benefits.) As stated under ***Classification of Employees***, a change in schedule to working less than 24 hours per week, making an employee ineligible for benefits will result in payout of available vacation. All accrued vacation and unused sick pay will be lost.

If you are absent from work, including federal FMLA time, and have benefit time available (i.e. vacation, sick, personal), you must use any appropriate benefit days before you are allowed time off without pay. As an example, if you are sick and must be absent but do not have sick benefits in your bank, you must use vacation time if available.

Vacations

Vacation is provided to employees to give them time off from work to relax without loss of income.

To be eligible for vacation pay, you must have completed one year of employment and have worked a minimum of 1200 hours. You must maintain an average schedule of 24 hours worked per week for continued eligibility. Vacation time is calculated on your total hours paid for the year which is annually from the date of hire (Anniversary Date).

All full-time employees may be eligible for vacation benefits after one year of service according to the following schedule:

After Six Months of Service	24 Hours (3 days)*+
After One Year of Service	80 Hours (10 days)*
After Five Years of Service	104 Hours (13 days)*
After Ten Years of Service	120 Hours (15 days)*

*because vacation time is calculated on hours paid, these estimates may vary based on actual hours worked. Your payroll stub will show earned hours based on expected eligibility and may or may not be adjusted at your anniversary date after actual eligibility is determined. On your check stub, “available” is vacation time you are eligible to take and “earned” is vacation benefit accruing for the next year.

+3 vacation days will be provided to full-time employees after six months that can be used BEFORE the employee’s anniversary date. These days may not be carried over until the next year and, in the event of termination, will not be paid out.

The number of vacation days available for part-time employees is prorated based on the total number of hours paid in a year.

In order to ensure adequate staffing at all times, vacation time must be pre-approved by your Department Director/Manager. Please consult your Department Director/Manager for specific department guidelines governing vacation time, the approval process and how more than one request for the same day off is handled.

A vacation pay requisition form is to be completed and turned into the Personnel Office prior to your vacation to receive vacation benefits on the applicable paycheck.

Employees may carry vacation time over to the next year. The amount of carryover may be equal to one time the employee’s current number of vacation hours (excludes personal and bonus time) to a maximum of 160 hours. Any carryover exceeding the lesser of 100% of their current vacation or 160 hours will be lost. Please plan your vacation time accordingly to avoid lost or unapproved vacation time.

At the time of termination, available vacation time will be paid on your last check. Earned vacation time will be paid on the last check provided a month’s notice of termination is given.

Holidays

Fairhaven observes the following holidays: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day.

In the event an observed holiday falls on a Saturday or Sunday, employees not scheduled for the holiday may be scheduled off a day that same week.

All employees who work on a holiday will receive regular pay plus Holiday pay for all hours worked.

Full-time employees not scheduled to work on the observed holidays may receive eight hours of holiday pay. Part-time employees are not eligible for holiday pay unless they work the holiday. Holidays that occur during an employee's vacation will not be counted as a vacation day if they are eligible for holiday pay.

To be eligible for Holiday pay, full-time employees must have worked the last full scheduled day before the holiday and the first full scheduled day after the holiday unless the employee has an excused absence. If you are on a Leave of Absence or paid sick leave on the day before or after a holiday, you may not be eligible for holiday pay. All employees are expected to work on the holidays they are scheduled for and every effort will be made to share this responsibility for coverage. A non-observed Religious Holiday may be substituted for Christmas, but you must make your wishes known, in writing, before the holiday schedule is posted.

Holidays are defined as starting at 11:00 p.m. on the eve of the holiday and ending at 11:00 p.m. on the holiday. **Exceptions:** Christmas Holiday begins at 3:00 p.m. on the eve of the holiday (December 24th) (2:30 p.m. for p.m. shift employees) and ends at 11:00 p.m. on Christmas Day (December 25th) and the New Year's Holiday will begin at 3:00 p.m. on the eve of the holiday (December 31st) (2:30 p.m. for p.m. shift employees) and end at 2:30 p.m.(3:00 p.m. for day shift employees) on the holiday (January 1st).

Special Easter Holiday Pay

Any employee who works the day shift (defined as starting between 5 a.m. and 12 noon) on Easter Sunday will receive holiday pay, in addition to his/her regular pay, for day shift hours worked.

Personal Days

Full-time employees may be eligible for two paid Personal Days after completing six months of full time service and at their anniversary date thereafter, provided they continue to work as a full-time employee. Personal days are posted as "available vacation" on your pay stub. In order to ensure adequate staffing at all times, personal day time must be pre-approved by your Department Director/Manager. Please consult your Department Director/Manager for specific department guidelines governing personal time and the approval process.

Personal Days may not be carried over year to year but must be taken in the year granted. At your anniversary date, personal days for the upcoming year are combined with vacation available time disclosed on your pay stub. Please complete a Time Off Requisition slip to request a Personal Day.

Sick Pay

Sick pay may be granted for non-work related personal or family illness or injury. Sick pay may not be used for routine medical appointments unless your condition requires

you to be absent from work for that day. Fairhaven has the right to request a physician note at its discretion. To be eligible for sick pay, the following requirements must be met:

1. Completion of 1200 hours of scheduled work time per year based on anniversary date.
2. Average of at least 24 hours worked per week after the accumulation of 1200 hours.
3. A minimum of eight hours of Sick Pay available.
4. Completion of an Absence Form.

Sick Pay accrues at 2% of regular, overtime, vacation and holiday hours paid. After the above criteria are met, you are eligible to receive the benefit. An employee's sick time may be used for immediate family illness (dependent children/spouse living with you) for a maximum of four days or 32 hours per anniversary year. Sick hours may be carried over to the next year to a maximum of 320 hours.

To receive Sick Pay for illness, the following procedure must be followed:

Sick Pay covers scheduled days only. You must notify Fairhaven as soon as possible, prior to the start of your shift, on the day of your absence for illness. At that time, the person taking your report of illness will complete an Absence Report for you and you may be asked specific questions regarding the nature of your illness. You may be contacted by your supervisor or the Director of Nursing if your illness requires a specific amount of time off before returning to work. If your department has any specific reporting instructions, you will be notified during orientation and should follow that procedure.

Fairhaven does not grant retroactive Sick Pay. Availability of Sick Pay does not exempt employees from the Fairhaven Attendance Policy.

An employee who has worked more than five years at the time of termination and who has given a one-month notice, is eligible for a payout of 50% of their sick leave at their regular pay rate. Since the purpose of Sick Days is to compensate those who are unable to work due to illness, unless allowed by law (FMLA), Sick Pay may not be substituted for days off for reasons other than illness.

Insurance

Several types of insurance policies, such as health, dental, life and accidental death and dismemberment, may be available to all full-time, some part-time employees, and their families. Fairhaven may pay a portion of the premium according to a schedule set by the Board of Directors. Details will be presented during your orientation or are available from the Personnel Department. Individual counseling will be made available as you may become eligible.

Group insurance is an employee benefit. If an employee chooses not to enroll in this program, there will be no increase in wages in lieu of insurance.

To be eligible for any insurance benefits, you must work a minimum of 24 hours per week. This will be evaluated on a quarterly basis based on the pay period end date. You will be notified if you become ineligible due to working less than the minimum requirement. If your status changes or you feel you have become eligible for a benefit and have not been notified, please contact the Personnel Office.

Pension Plan

To be eligible for Fairhaven's Pension Plan, an employee must work three consecutive years with a minimum of 1000 hours in each of those years. Fairhaven contributes a percentage based on your earnings each pay period. This amount is fully vested. You will be contacted, as you become eligible, by a member of the Personnel Department. A former employee already participating in the Fairhaven Pension Plan will be eligible at rehire if hired as a regular employee.

Tax Shelter 403(b)

All benefit eligible employees are eligible to participate in a Tax Deferred Annuity Plan. This provides a tax benefit on funds set aside for retirement. A payroll deduction is made for your contribution, but the Plan is owned and controlled by the employee. The Plan is administered by Lincoln Financial Advisors. Please see the Personnel Department for details.

125 Plan

Through our Flexible Benefit Plan (authorized under Section 125 of the IRS Code), you may elect to deduct specific amounts from your paychecks on a pre-tax basis for specific non-reimbursed medical expenses and/or dependent care. AFLAC administers the 125 Plan Document. The 125 Plan is strictly governed by tax law.

You may enroll in the medical expense plan on the date you become eligible for our group health insurance plan. Enrollment for the dependent care plan is within 30 days of employment for the first year. To continue/begin participation, annual enrollment is also required prior to the beginning of the calendar year.

While Fairhaven intends to continue this plan in the future, it does reserve the right to modify or terminate this plan within the limitations of the IRS regulations.

Please see the Personnel Department for details.

Credit Union

If you are interested in a payroll deduction for the Fort Community Credit Union, please contact the Personnel Office.

Sympathy Pay

Sympathy pay may be granted for time off for the death of a mother, father, current spouse or children and current step-children. Three days (24 hours) may be taken within 90 days of the death. In all cases, except day of death and day of service, days off may not be on a weekend or holiday and must be pre-approved as the schedule allows.

One day of sympathy pay may be granted for the day of the funeral up to eight hours in the event of the death of grandparents, grandchildren, siblings (brother or sister), current in-laws (mother, father, sister, brother, son or daughter-in-law), current step-parent and current adult step-children.

To receive sympathy pay, you may be required to provide proof of death, date of service and relationship. Special circumstances will be handled on an individual basis by the Administrator through each Department Director.

To be eligible for sympathy pay, you must be scheduled and work a minimum of 24 hours per week. Sympathy Pay will be given only for scheduled work days. You may be asked to provide proof of dates and relationship. Sympathy Leave does not affect any other benefit pay (i.e., Sick, Vacation, Personal) and will not affect your attendance record.

WORK AREAS

Safety Guidelines

Job safety is very important to you and Fairhaven. We expect our employees to conduct themselves carefully at all times.

All employees are to work in a safe manner and observe good safety procedures, both for the safety of themselves, fellow employees, and residents. Work areas are to be kept clean and free from debris and spills.

Tools and equipment are to be kept clean and in good repair.

Any accident, hazards, or unsafe conditions of equipment are to be corrected or reported to your supervisor immediately for action. Fairhaven will provide the necessary personal protective equipment you may need to perform your job duties safely.

If you are involved in an accident while working, or witness an accident, it is to be reported immediately to your supervisor for action and recording. This report must be in writing.

You are protecting yourself, your job and your co-workers when you develop and practice safe work habits.

Employees who fail to follow proper safety techniques or procedures will be subject to discipline up to and including termination.

Accidents Involving Residents and/or Visitors

If you see or are aware of an accident involving a resident or visitor, please contact the emergency number 1114 (in-house) or 9-911 (community response). Please encourage the person to remain unmoved until a nurse or emergency personnel arrive. The Administrator must be notified as soon as possible after the incident. Do not make any statement to anyone regarding the incident except in the presence of your supervisor or Administration. You may be asked to assist in preparing an incident report.

Fire, Safety and Emergency Training

All employees will take part in an orientation program covering general fire safety procedures and emergency training. This will be repeated at regular intervals, as required by law. As people responsible for the safety of others, it is important that every employee knows how to respond to any emergency that might arise. FIRE AND DISASTER DRILLS WILL BE HELD AT REGULAR INTERVALS AND EVERY EMPLOYEE IS EXPECTED TO PARTICIPATE. A copy of the FAIRHAVEN SAFETY DISASTER PLAN is included under ATTACHMENTS.

Fairhaven Property

Fairhaven provides all necessary tools, machinery, office supplies, communication systems and safety equipment. It is up to everyone to keep the materials and equipment in clean, working order and available for business use at all times. If these items need repair or replacement, see your supervisor immediately. All items are to be used for Fairhaven business during scheduled work hours only and must not be removed from the premises without Fairhaven approval. If you wish to use your own tools or supplies for Fairhaven business on the premises, you must make sure that such items are in good working order and are clearly marked as your own property.

Security

Fairhaven provides a secure environment for its residents and staff. Therefore, entrances to the facility may be locked permanently or during specific hours. Your supervisor will inform you of the procedure if you must enter the facility while the entrances are locked. The front entrance is not locked and will allow one in to the vestibule where staff may be contacted by a house phone if assistance is needed.

Fairhaven prohibits any firearm, deadly weapon, prohibited knife or explosive device on its property unless required in the lawful course of business or by authorization of the President. Suspects may be referred to local authorities for investigation.

In an effort to keep Fairhaven safe, please report anyone suspicious in or around the facility to your supervisor or management staff immediately.

Keys

If you are issued any keys, they are not to be duplicated or given to any unauthorized person. You are personally responsible for loss or damage to keys. When your employment terminates, you must immediately return all keys you have received.

ABSENCES

Meal & Break Periods

Employees working more than six hours in a day will be given a 30-minute, unpaid meal break. You must take this time off. If you leave the property, other than to designated outside eating areas, non-exempt employees **MUST** clock out and in for meal breaks. If you remain in the building, 30 minutes will automatically be deducted from your daily total for the meal break.

A 15 minute break may also be provided for employees working an eight-hour day and is to be taken in the building since you are paid during this time. However, since this is paid time, you may be required to return to work at any time. Meal and break times will be scheduled by your supervisor.

Since Fairhaven is a smoke-free/tobacco-free property, employees must leave the property, including the grounds and parking lot, to smoke. Therefore, a “smoke break” may only be taken during the 30-minute meal break and the employee must clock out.

Fairhaven will provide a nursing mother with reasonable break times, in a private comfortable space, to express breast milk. This break time is unpaid, so the employee should “clock out” if during a time other than the scheduled meal break. Please contact your supervisor if you request this accommodation.

Attendance

Fairhaven places great emphasis on regular attendance. Frequent absence or tardiness places an extra burden on your co-workers. Only when you are dependably on the job can we meet the needs of our residents. Your individual contribution is important to all of us.

Regular attendance is expected of every employee! It is your responsibility to be on the job on time each day, fully able and ready to work. Although there are justifiable reasons to take off from work, employment assumes the availability for work and excessive absenteeism and/or excessive tardiness may lead to discipline, including discharge.

If you are unable to report to work or will be late, you are expected to contact your supervisor as soon as possible prior to your scheduled starting time but no later than one hour before your scheduled shift on the first day and each subsequent day of an unscheduled absence. If you are absent due to injury or illness, Fairhaven may request a release signed by a physician for your return to work.

Absence from work one day or more without calling in or notifying Fairhaven will be considered to be a reason for discipline and may be considered an involuntary resignation unless a reasonable excuse is offered and accepted by Fairhaven.

If you are absent from work and have benefit time available (i.e. vacation, sick, personal), you must use benefits available before you are allowed time off without pay. As an example, if you are sick and must be absent but do not have sick benefits in your bank, you must use vacation time if available.

A copy of the FAIRHAVEN ATTENDANCE POLICY is included under ATTACHMENTS

Tardiness

Employees are expected to arrive at work on time. Emergency conditions may warrant occasional tardiness. In these circumstances, an employee who anticipates being tardy due to emergency conditions should call in to report the tardiness as soon as possible but no later than ½ hour before their scheduled shift. Excessive tardiness will be grounds for discipline up to and including termination. See Fairhaven Attendance Policy under ATTACHMENTS

Severe Weather

Weather conditions may prevent employees from getting to work, or cause them to arrive late. If you are unable to get to work or if you expect to be late, contact your supervisor as soon as possible. Days missed due to inclement weather are without regular pay. However, you may request vacation or personal pay. Employees are expected to make every reasonable attempt to report to work. Due to the need to provide “around the clock” care for the residents, we may provide transportation to get you to and from work. Overnight accommodations at Fairhaven may also be made available to you.

Jury Leave

Fairhaven encourages all employees to be civic minded. If employees serve on a jury on a scheduled work day, they will be paid the difference between their normal base wage and the amount received for jury duty. It is required that the employee present authorized evidence to the personnel office of jury attendance and the amount paid before receiving payment from Fairhaven.

Employees must return to work on any day when jury duty dismisses prior to the end of the employee’s shift.

PM and Night Shift workers: If you are dismissed from jury selection, you must report for your scheduled shift the next day. If chosen to serve on jury duty, you need not come in for the shift that day. You will be reimbursed for a maximum of eight hours.

Military Leave

Fairhaven complies with federal and state law regarding the rights of employees who enter active military service. An unpaid military leave of absence will be granted if an employee enlists, is inducted or is recalled to active duty in the Armed Forces of the United States, for a period of up to five years. Employees who perform in and return

from military services in the Armed Forces, the Military Reserves or the National Guard will retain their rights with respect to reinstatement and length of service, as required under the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees will also be eligible to continue health and dental benefits under certain conditions.

Appropriate leave will be provided for reservists and members of the National Guard to participate in annual encampment or active duty training, emergency service or specialized training if all legal requirements are met.

Education Leave

At Fairhaven we are interested in your personal and professional development. Approved seminars and training programs which are directly related to current job performance or to a job to which the employee may be promoted or transferred to will be paid for by Fairhaven. Prior authorization must be obtained from the Administrator.

If Fairhaven requires you to attend a seminar, training session, etc. during regularly scheduled hours of work, you will be paid for such hours at your regular rate of pay. Fairhaven may also reimburse you for travel expenses and book/course costs to approved programs.

Personal Leave

Employees who are not eligible for Family Medical Leave or who have exhausted Family Medical Leave may be eligible for an unpaid Personal Leave of Absence with Administration approval. The granting of the leave, the duration and compensation, if any, will be determined by Fairhaven in conjunction with any applicable laws. (See FMLA, COBRA)

A Leave of Absence form must be completed prior to the leave and submitted to your department director for approval. Fairhaven will not, however, guarantee hours and/or shifts upon return to work from a Personal Leave of Absence. A maximum of three months will be granted for a leave of absence unless otherwise required by law or under extraordinary circumstances.

Once employees have used up all available leave, additional unpaid leave may be available as a reasonable accommodation for disabled employees who need additional time off on an intermittent or longer term basis. To qualify, employees must have a tentative return date for full-time leave or show a need for intermittent unpaid leave. Contact Personnel for more information and to start the process.

CONDUCT

Standards

Whenever and wherever people work together, certain standards of reasonable conduct need to be established, in order to maintain an orderly and efficient work atmosphere.

Corrective action is not intended to inflict punishment. Fairhaven wants to take measures which are designed to correct whatever problem the employee has, and to make the employee aware of the importance of abiding by our operating policies and procedures. In some cases, however, it may be necessary to dismiss an employee because of the seriousness or continuation of an offense.

Fairhaven will attempt to administer discipline on a fair and consistent basis. The following types of conduct are unacceptable in our workplace. It is not intended to be an all-inclusive list.

- * Abuse/neglect of a resident and/or the observation of abuse/neglect and failure to report to supervisor immediately.
- * The unauthorized use of a cell phone or other electronic device in a resident area and/or while working.
- * Any criminal activity.
- * Violation of any Fairhaven policy.
- * Behavior outside of "standards of practice" for the job classification.
- * Theft or misappropriation of Fairhaven, resident, visitor or employee property or any form of dishonesty.
- * Falsifying records or information.
- * Clocking in for another employee or clocking in/out for yourself at an unauthorized time.
- * Refusal to follow the direct order of a supervisor or management.
- * Fighting, immoral conduct, threats, abuse, sexual or other harassment or intimidation to residents, visitors or fellow employees.
- * Use or possession of illegal drugs/controlled substances or alcoholic beverages on Fairhaven premises or off premises while on duty.
- * Reporting for work under the influence of drugs or alcoholic beverages.
- * Possession of weapons or firearms on Fairhaven premises.
- * Absent for any scheduled work day without notice to your supervisor, unless a reasonable excuse is offered and accepted by Fairhaven. ("No Call, No Show")
- * Excessive absenteeism, failure to report absence, violation of the Attendance Policy.
- * Working another job while absent from position at Fairhaven.
- * Leaving the job without permission.
- * Excessive time at break periods.
- * Engaging in conduct or activities which serve to lengthen the healing period for a work-related injury.

- * Disclosing of confidential information.
- * Sleeping on the job.
- * Destruction or defacing of Fairhaven, resident, or an employee's property or equipment.
- * Misuse or unauthorized use of Fairhaven, resident or other employee's property.
- * Unauthorized solicitations or distributions.
- * Failure to promptly report defective equipment or a safety hazard.
- * Failure to report injury or accident immediately.
- * Horseplay or violation of safety guidelines.
- * Substandard quality and quantity of work, including deliberate reduction of output.
- * Smoking on Fairhaven premises.
- * Eating in unauthorized areas.
- * Undesirable appearance
- * Unauthorized parking.
- * Discourteous treatment of residents, coworkers or visitors or the use of profane or threatening language.
- * Unprofessional/inappropriate behavior of a sexual nature, such as sexual related conversations, inappropriate touching of another employee and any other behavior of a sexual nature.
- * Inappropriate use of a resident area or of their belongings.
- * Inappropriate or unprofessional behavior in the workplace.
- * Violations of HIPAA. Disclosure of protected health information (PHI) to unauthorized persons.

Fairhaven's corrective action program is designed to encourage individuals to become satisfactory employees rather than punish them. Corrective action may take the form of:

- 1) Verbal counseling
- 2) Written counseling
- 3) Final written warning, Suspension or Pay Reduction
- 4) Termination

Based on the severity of the incident, as determined by Administration, the counselings and/or suspension may be bypassed and the employee terminated immediately. Fairhaven reserves the right to add to, modify or eliminate any standard of conduct when circumstances require a change.

Alcohol and Controlled Substances Abuse

It has been established that the abuse of alcohol and controlled substances (drugs) can constitute a real threat to those who abuse these substances and those who work with such individuals.

Because of the possible effects to the individual, other employees, residents and Fairhaven, it is the policy of Fairhaven to maintain a workplace that is free from the

effects of illegal drugs and the misuse of alcohol. Fairhaven will not tolerate or condone alcohol misuse or substance abuse.

In accordance with its policy, Fairhaven may conduct a post-offer drug test and post-accident drug test and alcohol screen. Please see the Fairhaven Drug Free Workplace Policy in Attachments for provisions if these tests produce a non-negative result.

It is the policy of Fairhaven that employees who engage in the sale of, possession, transfer or offer to buy or sell illegal drugs or controlled substances, use or are under the influence of drugs or alcohol during working hours or on Fairhaven property, or abuse prescribed drugs will be subject to disciplinary action, up to and including termination of employment.

Under no circumstances is an employee of Fairhaven to report to work, drive a Fairhaven-owned vehicle or operate Fairhaven equipment while under the influence of drugs or alcohol. Supervisors should report any action by an employee who demonstrates an unusual behavior pattern to the Administrator immediately.

See Fairhaven **Drug Free Workplace Policy** in Attachments.

Criminal Records Check

Fairhaven conducts criminal record checks at pre-employment and during employment as required by Nursing Home/CBRF Licensing regulations.

Staff Self-Reporting Requirement

An employee is required to notify their immediate supervisor in writing as soon as possible, but no later than the person's next working day if any of the following occurs: Conviction of any crime; substantiated findings of abuse, neglect, exploitation or misappropriation; current investigations related to abuse, neglect, exploitation or misappropriation; professional credential restrictions, limitations or revocations; program licensure limitations, revocations or denials; discharge from any branch of the US Armed Forces, including any Reserve component; residency outside the State of Wisconsin; Rehabilitation Review requests; any changes to the information they included on the BID (Background Information Disclosure) form.

Failure to self-disclose on a timely basis may result in termination and/or state sanctions.

Crime Reporting

All employees of Fairhaven have the following responsibilities and rights under Federal Law:

If you reasonably suspect that a crime has occurred against a resident or person receiving care, you **must** report that suspicion to the Whitewater Police Department 262-473-0555 **and** the State Survey Agency, Wisconsin Division of Quality Assurance 1-800-642-6652. You must make this report within two hours

after you first suspect that a crime has occurred if the suspected crime involves serious bodily injury or with 24 hours if there is no serious bodily injury involved.

WARNING: If you fail to report your reasonable suspicion of a crime, you may be subject to a civil monetary penalty of up to \$300,000 and/or you may be excluded from participation in any Federal health care program.

Fairhaven cannot punish you or retaliate against you for reporting your reasonable suspicion of a crime against a resident. If you feel Fairhaven did punish or retaliate against you, you may file a complaint with Wisconsin Division of Quality Assurance 1-800-642-6552.

Corporate Compliance

Employee Protection (Whistleblower) Policy

If any employee reasonably believes that some policy, practice or activity of Fairhaven is in violation of law, a complaint should be promptly reported to a supervisor, the Compliance Officer (Personnel Manager) or a member of the Compliance Committee.

It is the intent of Fairhaven to adhere to all laws and regulations that apply to the organization and the underlying purpose of the Corporate Compliance program is to support Fairhaven's goal of legal compliance. An employee of Fairhaven is protected from retaliation only if the employee brings the alleged unlawful activity, policy or practice to the attention of Fairhaven and provides Fairhaven with a reasonable opportunity to investigate and correct the alleged unlawful activity.

Fairhaven will not retaliate against an employee who, in good faith, has made a complaint against some practice of Fairhaven, an individual or an entity with whom Fairhaven has a business relationship. Nor will Fairhaven retaliate against an employee who discloses or threatens to disclose to a supervisor or public official, any activity, policy or practice that the employee reasonably believes is in violation of law or of public policy concerning health, safety, welfare or the protection of the environment.

In Touch provides a confidential and anonymous way for Fairhaven employees to communicate with Administration. Use *In Touch* to confidentially report illegal activities, improper accounting or accounting controls, auditing, conflicts of interest, bribery, theft or fraud, discrimination and/or harassment.

Dial 1-877-767-7781 24 hours a day, 7 days per week or email

Fairhaven@GetInTouch.com (your name and email address will be removed before sent to Administration).

- Follow the instructions for leaving a message, and write down the 5-digit case number assigned.
- A written transcript of your call will be sent to Fairhaven Administration. Your call can be anonymous. Information provided cannot be traced to you unless you provide contact information. Leave your name and phone number if you wish to receive a direct response.

- For a management response, call back after five business days with your case number.

“Red Flags” Rule – Fighting Identity Theft

Fairhaven complies with the FTC (Federal Trade Commission) Identity Theft Red Flag rules. Employees involved in the “intake” of residents will receive training in obtaining identifying information and recognizing discrepancies in documents presented for identification in an effort to fight identity theft.

Residents’ Rights

At the time of your hire, you are given a copy of “Residents’ Rights” which are prescribed by law. It is the duty of every employee to see that those rights are not violated.

Fairhaven strives to provide an environment that is as homelike as possible and includes a culture and environment that treats each resident with respect and dignity. Treating a resident in any manner that does not uphold a resident’s sense of self-worth and individuality dehumanizes the resident and creates an environment that perpetuates a disrespectful and/or potentially abusive attitude towards the resident(s).

Fairhaven residents have the right to personal privacy of not only his/her own physical body, but also of his/her personal space, including accommodations and personal care. Taking photographs or recordings of a resident and/or his/her private space without the resident’s or designated representative’s written consent, is a violation of the resident’s right to privacy and confidentiality.

Fairhaven will not tolerate physical, mental or verbal abuse of anyone at any time. Any employee accused, in writing, of abusing any resident may be immediately suspended from duty, without pay, pending an investigation of the allegation.

Upon completion of the investigation initiated by Administration, the department director and/or supervisor and the investigator will meet with the Administrator for a review of the facts. If the facts support the accusation of abuse, the employee will face immediate termination. If the facts do not support the accusation of abuse, a finding of misconduct may still result in discipline. The employee will be notified of the outcome of the investigation and may be returned to duty and may or may not receive normal pay for those days missed while under suspension.

In many instances Fairhaven is required to refer allegations of abuse to proper authorities for further investigation.

Anyone observing abuse/neglect is required to report this to their supervisor **immediately**. If their immediate supervisor is involved in the allegation, the report must be made immediately to another supervisor within the facility (i.e. charge nurse of another floor or supervisor of another department). The supervisor must contact the

Administrator in Charge immediately upon receiving a report.

Any employee witnessing resident abuse or being aware of it happening and who does not notify his/her supervisor will be subject to the same procedure as though he/she had committed the abuse. Violations of residents' rights or the failure to report knowledge of a violation, may be a federal crime and, if so, will be reported to the appropriate authorities.

The following are examples only and are not to be construed as the only actions involved in determining resident abuse.

PHYSICAL ABUSE:	Slapping, pinching, hitting or scratching a resident
VERBAL ABUSE:	Swearing at or derogatory remarks made to or about a resident
MENTAL ABUSE:	Refusal to answer a call for assistance in a timely manner, ignoring or demeaning a resident, taking humiliating photographs/recordings of a resident using any type of electronic device.

"ABUSE MAY BE ANY ACT AND/OR OMISSION THAT RAISES THE LEVEL OF TRAUMA, OR THE PERCEPTION OF TRAUMA, INVOLVING A RESIDENT, AND INCLUDES, BUT IS NOT LIMITED TO, PHYSICAL, MENTAL, EMOTIONAL, AND/OR SPIRITUAL ABUSE."

Personal Appearance

It is the policy of Fairhaven that each employee's dress, grooming, and personal hygiene should be appropriate to the work situation.

Employees are expected at all times to present a professional, businesslike image to residents, prospects, and the public. Favorable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment at Fairhaven.

The personal appearance of any employee who has regular contact with the public is to be in a manner that is normally acceptable in similar business establishments. The wearing of suggestive attire is not permitted as it does not present a businesslike appearance.

The personal appearance of employees who do not regularly meet the public is to be governed by the requirements of safety and comfort, but should still be as neat and businesslike as working conditions permit.

Name tags are provided by Fairhaven and should be worn at all times when working. Apparel should be free of words or lettering which is derogatory, supports a drug/alcohol industry or is inappropriate for this workplace.

Clothing worn for work should, at all times, be kept neat, clean, in good repair and free of any distractions that may impair health or safety in the workplace. It should be comfortable, cling free and allow for free and easy movement.

Hair should be clean and neat. Shaggy, unkempt hair is not permissible regardless of length. Hair nets and/or hats may be required for employees in certain departments or jobs. For caregiving staff, long hair must be fastened if longer than chin length. Facial hair should be neatly trimmed and may require a hairnet. Fingernails should be clean and neatly trimmed.

For safety reasons, in departments where there is direct resident contact (i.e., Nursing, Leisure Services) or working with equipment (i.e., Dining Services, Maintenance, Housekeeping, Laundry) employees may not wear rings other than band type, dangling earrings or loose necklaces. Facial jewelry should be removed or covered with the exception of a single stud not to exceed .2 cm. Footwear requirements may vary by department, but should be in good repair and appropriate to job performed.

Specific departmental dress code policies may be provided. Any employee who does not meet the standards of their department policy will be required to take corrective action, which may include leaving the premises to change. Any work time missed because of failure to comply with this policy will not be compensated, and repeated violations of this policy will be cause for disciplinary action.

Garnishments

Fairhaven will respond to legal garnishments as required by law.

Smoke-Free/Tobacco-Free Property for Employees

Employees are not permitted to smoke or use tobacco, including e-cigarettes, on Fairhaven property at any time. Smoking/tobacco use is not permitted during “break” time since this is paid time and employees are not allowed to leave the premises. Meal breaks are unpaid, so an employee may leave the grounds during that scheduled time, but must be clocked out.

Problem Solving

Fairhaven hopes that you find your employment to be a rewarding and positive experience. However, we know there may be times when problems will arise that you may need assistance to resolve. We encourage you to communicate with those directly involved whenever possible. Please contact your supervisor or department director for assistance, if necessary.

If you do not feel you are able to resolve your problem at the supervisor or department director level, please contact the Administrator or any other member of management with whom you feel comfortable. No member of management is too busy to hear the problems or concerns of any employee.

Employees are assured that all Administrative decisions will be fair and consistent.

MISCELLANEOUS

Record Information

Your personnel records must be kept up to date. It is your responsibility to report any changes in address, name, telephone number, marital status, dependent information, emergency contact, immigration status or other pertinent data to the Personnel Department. If you wish to change the number of dependents for payroll withholding purposes, you must prepare a new W-4 form. Personnel records are confidential. While Fairhaven may make a payroll deduction for you for benefits, it is your responsibility to keep those providers informed of changes as well. Employees have the right to view or receive a copy of their own personnel file. The employee may be charged for the cost of duplication. Please contact the Director of Human Resources if you wish to see your personnel file.

Fairhaven will respond to reference requests from other prospective employers provided you have signed a release of information authorization.

All personnel records are kept up to date and retained in accordance with Federal and State Laws.

Solicitation

With approval, groups may set up tables in the lobby or lounge area to display goods or services. Except for specialized products approved by Administration on an individualized basis, groups or individuals must represent not-for-profit agencies, charities, church groups or service organizations. Individuals may leave order blanks for goods and services of an organization on the desk across from the receptionist. Fairhaven will not be responsible for maintaining these materials. Staff members may leave order blanks for goods and services in the Employee Lounge or Main Office.

Fairhaven will, upon request, post announcements on the resident bulletin boards and newsletters of goods or services offered in the lobby. Posters must be provided by the individual or group and are subject to Administrative approval.

Employees are prohibited from soliciting during working time. Solicitation and distribution of literature may not be engaged in during the working time of the employee being solicited or the working time of the employee engaging in such conduct. An email sent via Fairhaven system must have "solicitation" clear in the subject line. No littering with solicitation material is permitted at any time.

Voting/Elections

A person's right to vote is protected by federal law which prohibits interference with the voting process, including voting, campaigning or acting as a poll watcher or election official in any primary, special or general election. Employees may take up to three successive hours of unpaid leave time for the purpose of voting and must notify their supervisor of their intent before Election Day. Fairhaven has the right to determine the hours the employee may take leave.

Employees working as an election official will be granted the time off, but must provide Fairhaven with at least seven days' notice of their intent to work an election.

Telephone Usage

It is important that our phone lines be open at all times for meeting our residents' and business needs. Personal calls must be kept to a minimum. If an incoming call is an emergency, you will be notified immediately. If someone calls for you and it is not an emergency, a message may be taken for you and you will be asked to return the call during a non-work time. Personal calls are to be made during meal or break time.

Cell Phones and/or Pagers

During work hours, you are expected to be working. The use of personal electronic devices, such as cell phones and pagers, is prohibited while working. An exception may be made for an employee who has a pager/cell phone related to civic duty (e.g., volunteer rescue squad member), who wears one due to a specific emergency need, or who has permission from Fairhaven Administration.

Employees may be assigned a pager/cell phone for business purposes. These devices are to be used while working and are not for personal use. Ringers are to be silenced with the exception of Maintenance Department employees.

See attached Cell Phone Policy and Social Media Policy.

Gifts and Gratuities

Employees may not, under any circumstances, accept or solicit gifts and/or gratuities from residents, families, sales people or vendors. This applies to cash and non-cash gifts. If a resident or family member offers you a tip, please explain our policy and suggest they may wish to contribute to the Employee Christmas Fund sponsored by the Fairhaven Residents' Council.

Confidentiality

Fairhaven, as part of its normal operations and medical services, collects and maintains personal medical and financial information on residents. This information is confidential and may not be disclosed without written authorization by a person with the authority to give. Employees are not to disclose any personal information about any resident without specific authorization or legal authority. If in doubt about a particular disclosure, please contact your supervisor.

You may also, because of your responsibilities, have access to confidential information concerning Fairhaven's financial status, business practices and employee records. All employees are responsible for protecting the confidentiality of this information.

Employees must not make any copyrighted materials available to anyone outside of Fairhaven. Any written memoranda, forms, manuals, procedures, programs, correspondence or any written materials developed by you for

Fairhaven should be treated as confidential and will remain the sole and exclusive property of Fairhaven. No employee is permitted to directly or indirectly use, outside of our organization or otherwise make available to others, information including all related programs, systems and related protocols without permission.

Violations of this policy will be grounds for discipline including discharge from employment.

Electronic Signatures

It is the policy of Fairhaven to ensure the privacy and confidentiality of resident records in the electronic medical record system and to ensure that the records are accurate and the electronic signature is authentic. Each Fairhaven staff member using the electronic medical records system is provided with a unique authorization code and/or password. This authorization code and/or password is confidential and known only to the user and the Computer System Managers. Unauthorized use of the authorization code and/or password or the disclosure of it to another person will be subject to discipline.

Internet Use

Many of Fairhaven's computers have access to the Internet. The Internet Policy is designed to help staff understand our expectations for the use of the vast amount of resources available on the Internet, and to help you use those resources wisely. The Internet is a business tool and we expect anyone with internet access to use it for business-related purposes.

Unnecessary or unauthorized Internet usage causes network and server congestion. It slows other users, takes away from work time, consumes supplies, and ties up printers and other shared resources. Unlawful Internet usage may also garner negative publicity for our organization and expose us to significant legal liabilities. The computer in the Fairhaven lobby is for resident and visitor use only. Please contact your supervisor for information on computers available for employee use.

Violations of the Internet Policy (included under ATTACHMENTS) may lead to disciplinary action including termination or criminal prosecution.

Social Media

Fairhaven respects the right of any employee to maintain a social network site (i.e. facebook, myspace, blog, etc). However, to protect Fairhaven's interests and ensure employees focus on their job duties, employees must adhere to the following rules:

1. Employees may not post on their site during work time.
2. All rules regarding confidential information apply in full.
3. If the employee mentions Fairhaven on their site and also expresses a personal opinion, they must note specifically that the opinion is theirs and not Fairhaven's position.
4. Any conduct which under the law is impermissible if expressed in any other

form, is impermissible through social media.

5. You may not photograph or post a photograph of a resident or their setting, without written consent per Fairhaven procedures.

Fairhaven encourages all employees to contemplate the speed and manner in which information posted can be relayed through social media. They urge all employees not to post information regarding Fairhaven or their jobs which could lead to morale issues in the workplace or which could detrimentally affect Fairhaven's business.

See Social Media Policy in Attachments

Employee Parking

Your supervisor will inform you on parking arrangements. Be sure to lock your car doors. Do not leave valuables in your car. Fairhaven is not liable for fire, theft, damage or personal injury involving your automobile while you are on Fairhaven business or on Fairhaven property. Please keep the Personnel Office informed as to the make, model, color and license number of the car(s) you will be driving to work so our records will be up to date in the event we need to locate the owner of a car parked in the lot. You are asked to display a Fairhaven Parking sticker in the rear driver-side window.

Night shift staff only may park in non-reserved areas in front of the building.

Please do not park in a reserved stall or in any area designated for resident parking.

Staff Newsletter

The Staff Newsletter is distributed once a month. Besides miscellaneous items of interest, it is used for **official notices** of important information relating to employment, benefits and Fairhaven. **If it is published in the Staff Newsletter, it is assumed that you are aware of the information.** This may include policy changes, notice of mandatory meetings or other information it is important for every staff member to know.

Bulletin Boards

All notices placed on the bulletin boards located in staff and/or resident areas must be approved and initialed by an Administrator or Department Director/Manager. The bulletin boards located in the staff lounge and by the time clocks of Fairhaven and Hearthstone are for official postings and notices only. Please check the boards regularly to keep yourself well informed about things relating to Fairhaven and your employment.

Suggestions

We rely on you for suggestions for improving services, time saving or cost saving methods, and ideas for making your work area safer and/or more efficient. If you think your idea has merit, please discuss it with your supervisor or place your written suggestions in the Administrator's mailbox. All suggestions written and signed will be answered in writing or by a personal meeting with a member of the Administrative staff.

Loitering

Loitering will not be permitted anywhere in the facility. Employees who are in the facility at other than work times must have a specific reason. Employees who have family or friends as residents may visit on non-work time. Normal procedures set forth for visiting must be observed.

Use of Fairhaven Facilities

Fairhaven employees are welcome to use the Oasis, library, exercise room and/or pool table. Please observe the rules for these areas so employees may continue the privilege of their use. Residents have priority for their use. Therefore, please defer use to the residents if they are interested. Please keep the areas neat.

Silent Auction

Fairhaven often receives donations of personal items from residents and their families. These items are available to Fairhaven employees through a Silent Auction. Notification of a Silent Auction is posted on the bulletin board in the employee lounge. Items are labeled with a number. Bid slips are provided in the area. You must put the item #, name of item, bid amount and legible name (not initials). Bid slips are turned in to the box in the Main Office. Winning bids are posted in the Employee Lounge and the Silent Auction area. Payments are usually made in the Personnel Office. You will be charged 5.5% sales tax on your bid amount. Items must be paid for before removing from the premises unless arrangements are made with the Office Staff or Administrator. If you have an unpaid bill from a Silent Auction, bids will not be accepted for another. If you decide not to keep the item, please contact a staff member in the Personnel Office.

The Silent Auction is for Fairhaven employees only. Family members are welcome, but must be accompanied by the employee and the bid must be made in the employee's name. Employees are responsible for their family members in the area.

A complete copy of the FAIRHAVEN SAFETY AND DISASTER PLAN is provided in the ATTACHMENT section and in your departments' Disaster Plan Book.

EMERGENCY RESPONSE PLAN

This emergency plan is designed to provide appropriate services for all Fairhaven residents. A potentially dangerous situation is classified as:

- A. INTERNAL Fire, explosion, bomb threat, failure of equipment, power failure, and loss of water supply within this facility.
- B. EXTERNAL Storms....Tornadoes

Objectives of this plan are to provide proper, prompt and appropriate care to all residents in an orderly fashion. Staff members are trained to respond to these emergency situations.

FIRE DISASTER PLAN

IF A FIRE IS DISCOVERED AND/OR THE FIRE ALARM OR SPRINKLER FLOW ALARM SOUNDS:

- Rescue Remove anyone from immediate danger.
- Alarm Pull an alarm or call the Fire Department 9-911. Give FAIRHAVEN'S name, your name, and exact location of fire.
- Confine Close windows and doors to keep fire from spreading.
- Extinguish (ONLY IF SMALL) and evacuate the area.

TORNADO INSTRUCTIONS

Stay away from outside glass. Go to an inside room, such as a bathroom, and shut the door.

Print Name _____

RECEIPT/ACKNOWLEDGMENT

Fairhaven firmly believes in the policies, practices, procedures, and benefits described in your employee handbook. The document is designed as a general overview of information that will help you become acquainted with Fairhaven and should not be construed as any type of contract. It is not intended to be all-inclusive. It is each employee's responsibility to read the handbook and become familiar with the information it contains. Questions may be directed to your supervisor, the Personnel Manager or the Director of Human Resources.

Final decisions regarding the interpretation of information contained in the handbook are the responsibility of Fairhaven's President/CEO or Administrator. Changes of any type may occur at any time with or without notice, in response to business conditions, regulatory requirements, and the changing needs of Fairhaven and/or its residents. Changes will be communicated through the Employee Newsletter or a Mandatory Inservice.

Fairhaven operates as an at-will employer. No manager, supervisor or employee has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment other than at-will. Only the President/CEO of Fairhaven has the authority to make any such agreement and then only in writing.

We ask that you sign this form as acknowledgment that you know how to access the Fairhaven Employee Handbook on the Fairhaven website www.fairhaven.org and that you may direct questions regarding it to the Administrator, Director of Human Resources, Personnel Manager or your supervisor. You may also request a written copy from the Personnel Department.

This employee handbook supersedes all previous written and verbal policies.

This will acknowledge that I have received notice that the Fairhaven Employee Handbook is available on the Fairhaven Website under the *Employee* portal at www.fairhaven.org. I have been notified that I may request a "hard copy" and I have been instructed to contact my supervisor, the Personnel Manager, Director of Human Resources or Administration if I have any questions regarding the content of this Handbook, including any Fairhaven policies.

Printed Name _____

Employee Signature _____

Date _____

Fairhaven places great emphasis on good attendance. Frequent absences or tardiness places an extra burden on one's co-workers. Regular attendance is expected of every employee. It is your responsibility to be on the job on time each day, fully able and ready to work. We understand there are justifiable reasons to be absent from work, however employment assumes the availability for work; therefore, excessive absenteeism and/or tardiness cannot be tolerated.

This "No-fault" attendance policy is in addition to the information provided in the Fairhaven Employee Handbook.

"No-fault" means that absences will not be classified as excused or unexcused but will be counted as an absence regardless of the reason. *Occurrences* of absence will be counted (prior approved time off, sympathy leave and absences allowed by law will not count as occurrences). An occurrence is defined as uninterrupted spell of absence for the same reason, i.e. an illness of three days duration is counted as one occurrence. Each tardy or leaving early not approved, counts as a ½ occurrence. *Tardy or leave early is less than 2 hours. If more than two hours late or leave more than two hours early will count as a full occurrence.* "Approved" for this policy is approval from supervisor.

If applicable, any annual increase in wage may be reduced by .5% for 4.5 occurrences or more during the anniversary year, 1% reduction if 6.5 or more occurrences in the anniversary year and 1.5% reduction if 8.5 occurrences or more in the anniversary year.

During the first year of employment:

An employee who has **2.5 or more occurrences of absence in any given 30 day period of time or 5 or more occurrences in the year may face termination.** Below is the progressive discipline procedure to be followed. The employee's supervisor may request an excuse from a physician for any absence at his/her discretion. *Prior approved time off, sympathy leave and approved leaves of absence will not count toward occurrence.* Exceptions may be made for occurrences which would qualify for FMLA as if the employee had been employed for more than one year.

For the first year of employment:

2 or more occurrences in the year	=	Verbal warning
4 or more occurrences in the year	=	Written warning
5 or more occurrences in the year	=	Termination or 5% wage reduction*
2.5 or more occurrences in 30 days	=	Termination or 5% wage reduction*

The employee has the right to appeal after the written warning stage.

After the first year of employment:

An employee will be subject to the following discipline:

After the first year of employment, in any 365 day period:

4 or more occurrences in the year	=	Verbal warning
6 or more occurrences in the year	=	Written warning
8 or more occurrences in the year	=	Final Written warning and 5% wage reduction*
9 or more occurrences in the year	=	Termination or additional 5% wage rate reduction*

60 days absence free will eliminate one occurrence (for discipline and wage reduction) limited to one reduction per anniversary year.

**wage reductions of 5% will continue for each additional full occurrence (two 1/2=1 full occurrence) until minimum wage is reached. The employee wage will be reviewed after 90 days without any half or full occurrences. Employee not eligible for any annual increase while in the 90 day discipline period.*

Administration reserves the right to skip any steps it deems necessary, at its discretion.

Employees with more than one final written warning in a year may be terminated.

Signature_____ Date_____

(For the purpose of this policy, the term “cell phone” is used but implies and includes all other personal wireless devices as well.)

During work time you are expected to be working – providing service to the residents. You are not to be conducting personal business while “on the clock.” Therefore, the use of cell phones and other personal wireless devices while working is prohibited unless you have received permission from Administration. While “on the clock,” a cell phone may be used only in the break room or outside, on break or meal time only. Please keep your voice down.

All devices must be turned off or placed on vibrate while on Fairhaven property. If an employee’s device rings or an employee is found using the device (which includes texting) while working, the employee will be subject to disciplinary action, up to and including discharge.

The use of a cell phone while driving on Fairhaven business or while operating equipment is prohibited.

Due to HIPAA and privacy issues, taking photos, videos or sound recordings within Fairhaven may constitute an invasion of resident or employee personal privacy and is prohibited without Administration approval. Employees found using personal equipment for any of these purposes will have the equipment confiscated and will receive disciplinary action up to and including termination. Calls relating to resident issues are to be conducted in a private area.

Any exceptions to this policy must be approved by Administration. Employees in violation of any element(s) of this policy will be asked to remove the device and store it in their locker or other secure area and may be subject to additional discipline which may include not being allowed to have the phone on them at all during work time, warnings, suspension or termination.

For Fairhaven employees who have been issued a Fairhaven cell phone: This device is the property of Fairhaven, and we reserve the right to review the call log and stored information. The provision of a Fairhaven cell phone may be revoked at any time for a violation of any of this policy or if misused as determined by Administration. This phone is to be placed on vibrate while at Fairhaven. It is to be used for Fairhaven business purposes only. This device is to be kept on the premises unless you have Administration approval.

For Fairhaven employees who have received permission from Administration or a Department Director to use their personal cell phone for work purposes: This privilege may be revoked at any time for a violation of any of this policy or if misused as determined by Administration. This device is to be used during work time for the specific purpose(s) determined by your supervisor. You have the right to use an alternative method that we will provide instead of using your personal cell phone. Fairhaven will not provide any reimbursement for the use of your own cell phone. The use of a cell phone during working hours is to be for Fairhaven business purposes. Please use your break or meal times for personal use. Fairhaven reserves the right to review the call log of use during work hours. Fairhaven is not responsible for any loss or damage of your device if used during work time.

Consolidated Omnibus Budget Reconciliation Act of 1986
COBRA Medical Coverage Continuation

In the event of your death, termination of employment (including retirement), certain reduction of hours or entitlement for Medicare benefits, you or your eligible dependents will ordinarily be contacted by the Personnel Department within 30 days of the event and offered the opportunity to continue medical coverage through Fairhaven.

If you become divorced or separated or have a child who no longer qualifies as a dependent under the plan, you must notify the Personnel Department within 60 days of the event in order to receive applicable continuation rights.

You or your dependents will be entitled to continue medical coverage through Fairhaven by paying the full monthly premium for the coverage. The maximum time allowed for continuation coverage is 18 months in the event of termination or a reduction in work hours and 36 months for all other events. Failure to make timely payment of your premium will result in the forfeiture of this benefit.

At the end of the 18 or 36 month continuation period, coverage may be converted to an individual policy through the plan carrier at the rates then in effect, subject to the terms of the plan.

This benefit is provided in accordance with the requirements of the federal law on continuation of health insurance (commonly known as "COBRA"). This benefit is subject to change as necessary to comply with the federal or state law.

Fairhaven Corporation is committed to promoting a safe and healthy environment. We are concerned about alcohol and other drug abuse, since such abuse may jeopardize the safety of the employee, coworkers, residents, or the community, and can have a serious effect on employee productivity and job performance.

This policy is designed to offer employee assistance, when appropriate, to those who have substance abuse problems. However, employees will be subject to discipline, up to and including discharge, if they violate Fairhaven's terms. Employees needing help who receive it and make necessary changes in their conduct may be allowed to continue employment subject to the terms of this policy. Those who refuse assistance or who do not successfully complete the requirements of the Last Chance Agreement are also subject to discharge.

General Provisions

Fairhaven prohibits the use, possession, sale, and/or distribution of alcohol and illegal drugs by employees, volunteers, or contractors while on its premises or time. Fairhaven employees and volunteers are permitted to possess alcohol on the premises only when required by their job or official tasks. Fairhaven employees and volunteers may be permitted to consume alcohol at official Fairhaven social events with Administrative approval.

All employees are strongly encouraged to seek professional help before any alcohol or drug problems are detected and thus, before disciplinary actions as specified in this policy are necessary.

Reporting to work under the influence of drugs or alcohol is prohibited. It is every employee's responsibility to know if any substance, either over-the-counter or prescribed, can have any affect on judgment or performance. If so, the employee is required to inform their supervisor of the use of the medication so that a determination may be made as to whether the employee needs to be reassigned or relieved, for the course of the medication, for the safety of all.

Employment Testing

Reasonable Suspicion Testing

When a supervisor or manager has reasonable suspicion to believe that an employee is using drugs or alcohol in violation of this policy, the employee will be required to submit to a drug and/or alcohol test.

Post Accident/Incident Testing

An employee may be required to submit to an alcohol and drug test in the event he/she is involved in an accident/incident or near-accident or is injured in the following circumstances:

- Whenever the employee is injured while at work, and the injury results in lost work time or treatment beyond first aid;
- Whenever the employee engages in conduct that creates a safety hazard or danger to the physical safety of the employee, coworker, resident, or member of the public;

- Whenever the employee is involved in an accident while on Fairhaven premises or time which results in damage to Fairhaven's property or the property of others, or personal injury to the employee, another employee or a third party requiring medical treatment beyond first aid. Property damage decisions are at the sole discretion of the employer.

The above testing will occur even if the employee, in the opinion of management, should receive medical attention but refuses treatment.

Unannounced Random Testing

Fairhaven reserves the right to implement unannounced random testing wherein all employees of Fairhaven may be subject to periodic, unannounced drug and alcohol testing while on Fairhaven premises or time. Once an employee is notified that they have been chosen for a random test, they will be required to report for specimen collection immediately.

Return to Work & Follow-Up Testing

Any employee who returns to work after having tested positive and successfully completed counseling or rehabilitation and is being released to return to work, will be subject to drug and/or alcohol testing prior to returning to work and at any time (in addition to the testing described above) for a period of three years following his or her return to work. In the event that an employee completes the three-year period without a subsequent positive test, they will then be viewed as not having had a previous positive test.

Consent and Release of Information

Prior to sample collection, an applicant or employee identified for testing may be required to sign a Consent and Release of Information form authorizing the collection and testing of a sample, or samples, of his/her urine, blood, saliva, breath or other appropriate specimen.

Sample Collection & Testing

A Fairhaven Nurse will collect an appropriate sample(s) for testing. Any samples collected will follow chain-of-custody procedures that protect the employee's confidentiality and privacy and protect the collected sample(s) from adulteration, substitution and misidentification. Any employee who adulterates, substitutes, dilutes or in any other way refuses to comply with collection will be discharged. The Nurse will perform the test(s) using a drug screening device and/or alcohol screen. In the event of a nonnegative result, the sample will be forwarded to a certified lab for further testing.

Medical Review Officer

No drug test from the lab will be reported to Fairhaven as a positive until a Medical Review Officer has confirmed that the result reflects a violation of this policy. The Medical Review Officer may contact any applicant or employee for information he/she deems necessary to determine if the test result was or was not positive and the employee will be required to provide or consent to the release of any information the Medical Review Officer requires.

Reinstatement, Assistance and Discipline

As a general rule, an employee will be terminated for violating the prohibitions of this policy, including submitting a positive test result. However, an exception to this rule may be given on a one-time basis as described in the following sections.

After reasonable suspicion, post-accident/incident or random testing

In the event an employee's reasonable suspicion, post-accident/incident or random test result returns **negative** while he/she is on suspension pending receipt of notice of the result, the employee will be reinstated and paid any wages and benefits that would have been paid had their work hours not been interrupted by the test and/or suspension that was for the alleged misconduct.

In the event an employee's reasonable suspicion or post-accident/incident test result returns **positive**, an employee wishing to attempt to retain their job must enter into a Last Chance Agreement, if offered, which will require a formal professional assessment and full compliance with all recommendations, which may include enrollment in and successful completion of appropriate counseling or rehabilitation and release of information as requested by the employer. The costs of such counseling and/or rehabilitation will be the employee's, but may be covered in full or in part under Fairhaven's health insurance plan. The employee nevertheless may be disciplined, with action up to and including discharge, for any misconduct related to, or any damage or injury caused by, his or her substance abuse in accordance with the Fairhaven discipline policy. If the employee is discharged for such conduct, no referral to counseling or rehabilitation need be made. In the event an employee refuses to undergo and successfully complete counseling or any recommended rehabilitation or aftercare, or fails to cooperate with a counselor or rehabilitation provider in any way, he or she will be discharged. However, if the employee participates in counseling or rehabilitation and/or adheres to the terms of the Last Chance Agreement, the employee may be reinstated. Reinstatement will be allowed only as permitted by this policy and will be subject to the provisions of a Last Chance Agreement, which the employee must sign. Failure to sign or follow this Agreement will disqualify the employee from the reinstatement option provided under this policy.

During and after counseling/rehabilitation

If the employee chooses to participate in counseling and rehabilitation, he/she may request unpaid medical leave for that purpose if needed. When treatment is provided on an outpatient basis, the employee may be allowed to work but only with a written statement from a medical or treatment provider that he/she is capable of performing his or her job safely during treatment. However, the employee will be required to meet existing job performance standards and established work rules and policies and will be required to submit to unannounced alcohol and/or drug testing. Failure to submit to testing will result in the employee's discharge. Fairhaven may require verification from the treatment provider of the employee's continuing participation in the rehabilitation process.

Refusal to sign/cooperate

An applicant or employee who commits any of the following will either have their job offer withdrawn or in the case of an employee will be viewed as having been insubordinate and will be terminated:

- Refuses to execute a consent form, release form, chain of custody document or any other document associated with this process.
- Attempts to adulterate, substitute, non-medically fails to provide a specimen or otherwise interferes with the sample collection or testing processes.
- Fails to cooperate with Fairhaven's Medical Review Officer or to provide the Medical Review Officer with information he/she requests.

Confidentiality

Fairhaven will keep confidential, to the extent reasonable and feasible, all test results and test-related information collected, received or generated under this program. Information regarding test results and potential rehabilitation or counseling will be confined to a strict need-to-know basis. Information will not be released unless authorized by a signed, appropriate release of information form. Exceptions will only be as required by law or in response to actions taken against Fairhaven or in conjunction with unemployment insurance or worker's compensation hearings for the purpose of determining potential willful misconduct on the employee's part.

Employment-at-Will

Nothing in this policy creates a contract or in any way alters the employment-at-will relationship.

FAMILY AND MEDICAL LEAVE (FMLA) – Wisconsin/Federal

Family and Medical Leave (FMLA) allows employees to take a reasonable amount of time off for their own serious health condition, for the birth or adoption of a child or placement of a foster child or to care for a child, spouse or parent (Wisconsin FMLA includes domestic partner or parent-in-law) who has a serious health condition. Federal FMLA also allows up to twenty-six weeks for a spouse, son, daughter or parent to care for an injured military service member.

Since coverage and benefits varies between

Eligibility Requirements

To be eligible for Federal FMLA, an employee must have worked for Fairhaven Corporation for at least 12 months, and must have worked 1,250 hours in the last 12 month period prior to the time leave begins. Employees who have been paid for 1,000 hours during the 12 month period prior and who have worked for Fairhaven Corporation at least 52 consecutive weeks may be eligible for a shorter leave under Wisconsin FMLA. State and federal FMLA time will run concurrently under this policy, wherever consistent with state/federal law.

In 2008 FMLA was expanded by Congress to include a provision whereby qualifying employees may take up to 12 weeks of FMLA leave when their immediate family is called into active duty in the Armed Forces. In addition, the legislation provides up to 26 weeks of unpaid leave in a 12-month period for a relative to care for a service member recovering from a military-related injury.

The 2010 National Defense Authorization Act (NDAA) contains provisions that further amend the FMLA's military family leave entitlements. Exigency leave is available to family members of Reservists, members of the National Guard and active-duty members. The law also extends the military caregiver leave provision to veterans in addition to individuals currently in the military services. The caregiver leave includes veterans who are undergoing medical treatment, recuperation, or therapy for a serious injury or illness that occurred any time during the five years preceding the date of treatment, recuperation, or therapy.

Substitution of Paid Leave

Fairhaven requires employees to substitute available vacation pay, sick pay or personal days for unpaid time while on Federal FMLA leave. Wisconsin FMLA allows the employee to choose unpaid leave or substitution of accrued benefits.

Types of Leave Available

1. Birth or Placement for Adoption or Foster Care of a Son or Daughter

This leave is available to male and female employees for the birth or adoption of a child or for placement of a foster-care child in the employee's home. In general, this leave may be scheduled in full-week increments, partial weeks or partial days, with some restrictions. This leave must be completed within 12 months following the date of birth or placement.

2. Serious Health Condition of Employee

Leave may be taken by an employee in the event he/she experiences a “serious health condition” which renders the employee unable to perform his/her job. To qualify, the medical condition must satisfy the statutory definition of “serious health condition.” Detailed information regarding this definition is available in the Personnel Department. In general, however, serious health condition covers any disabling physical or mental illness, injury, or impairment that involves inpatient care at a hospital, hospice or nursing home, continuing outpatient treatment by a health-care provider or chronic .serious health conditions which require treatment by a health-care provider or chronic serious health conditions which require ongoing periodic treatment. In all cases, the health condition must render the employee unable to perform one or more of the essential requirements of his/her job. Fairhaven Corporation will rely on information provided by the employee’s health-care provider on the Medical Certification Form and any other form requested by us to determine if an employee is eligible for medical leave under this policy.

This leave may be taken in full or partial weeks/days, depending on the employee’s medical requirements, as certified by his/her health-care provider.

3. Serious Health Condition of Employee’s Parent, Qualifying Son or Daughter or Spouse.

Unpaid leave may be taken to care for a qualifying son or daughter, spouse or parent or parent-in-law (up to two weeks only for a parent-in-law) with a “serious health condition.” If leave is requested for such individuals, the employee must provide Fairhaven Corporation with a Medical Certification Form completed by the health-care provider which indicates that the employee is needed to care for that family member. This leave may be taken in full or partial weeks/days, depending on the medical needs of the family member.

Wisconsin FMLA Within a Calendar Year	Federal FMLA Within a 12 Month Period To Be Specified by Employer
<ul style="list-style-type: none">• Six workweeks of leave for birth or adoption;• Two workweeks of leave for a serious health condition of a parent, domestic partner, parent of domestic partner, spouse, child or parent-in-law; and• Two workweeks of leave for the serious health condition of the employee.	<ul style="list-style-type: none">• Twelve workweeks for one or a combination of the following types of leave:<ul style="list-style-type: none">- Birth, adoption or foster care placement of a child;- To care for a parent, spouse or child with a serious health condition;- For the employee’s own serious health condition; or- Military family exigency leave needed due to the fact that a spouse, son, daughter or parent is an active member of the regular Armed Forces, National Guard or

	<p>military reserves and is on active military duty or have been notified of impending call or order to active duty or deployment to a foreign country.</p> <ul style="list-style-type: none"> • Twenty-six workweeks for a spouse, son, daughter, parent or next of kin to care for an injured military service member.
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Reduced and Intermittent Leave

Where employees are permitted to take leave in less than full-week increments, the employee will receive reduced compensation that is consistent with the hours the employee actually works. In addition, the employee may be temporarily transferred to another job to better accommodate the recurring periods of leave than the employee's regular position. Scheduling of reduced or intermittent leave should be agreed upon as to not unduly disrupt Fairhaven's operations.

Notice Required

Employees who wish to request FMLA must notify their immediate supervisors at least 30 days in advance of the leave start date, except where medical conditions make the need for leave unforeseeable. Where business conditions permit, Fairhaven may accept less than 30 days' notice. When the need for leave is unforeseeable, notice must be given as soon as possible, but not later than two (2) workdays after learning of the need for leave. Failure to notify Fairhaven of the need for leave may result in the delay or denial of the leave.

Requesting Leave

Employees should notify their immediate supervisor of the need for leave under this policy. Following that, the employee will be directed to the Personnel Department for the appropriate leave forms.

Benefits While on Leave

Employees may elect to continue health care and dental coverage while on a family and medical leave but must pay for the regular employee cost coverage during the leave. A payment schedule will be provided at the time the leave is approved. Other employee benefits, such as life insurance, etc., will be continued during the leave at the regular cost of coverage to the employee. Paid time off benefits, such as vacation, will continue to accrue while on an approved Family and Medical Leave.

Additional Medical Certifications

In certain circumstances, Fairhaven may request that the employee provide a second health-care provider certification from a health-care provider chosen and paid for by Fairhaven. If the original certification and the second certification conflict, a third health-care provider will be selected (by employee and employer). The opinion of the third health-care provider will be final and binding.

Fairhaven may also request that an employee re-certify as to the continuation of the serious health condition at reasonable intervals, when extensions are requested or when the circumstances in the original medical certification have changed.

Return to Work

At the end of the employee's leave entitlement, the employee will be returned to his/her former position or an equivalent one, if the former position has been filled. This right to reinstate only applies to leaves covered under the Family and Medical Leave Act. If the reason for leave was due to the employee's own serious health condition, a Fitness for Duty Certification may be required before returning to work. If an employee wishes to return to work prior to the end of a scheduled leave, he/she should notify the supervisor to make arrangements prior to returning to work.

An employee who fails to return to work after the expiration of the leave will be considered to have voluntarily terminated his/her employment. We reserve the right, under certain circumstances, to request reimbursement for insurance premiums paid for by Fairhaven on behalf of the employee during the employee's leave of absence.

Extensions of Leave

If an employee is not able to return to work at the time his/her original leave expires, the employee must notify the Human Resources Department of his/her intent to extend Family and Medical Leave. A request for an extension must be in writing accompanied by a new Medical Certification Form, and approved by Fairhaven prior to the expiration of the original leave.

Once employees have used up all available leave, additional unpaid leave may be available as a reasonable accommodation for disabled employees who need additional time off on an intermittent or longer term basis. To qualify, employees must have a tentative return date for full-time leave or show a need for intermittent unpaid leave. Contact Personnel for more information or to start the process. Continuation of benefits, substitution of other paid leave and job availability may change if an extension is granted.

Need More Information?

If you have questions not answered by this policy, please contact the Personnel Department.

Health Insurance Portability and Accountability Act HIPAA Privacy Provisions

HIPAA's privacy provisions are designed to protect private health insurance information on a need to know basis. HIPAA rules apply to almost everyone who handles health information. Fairhaven recognizes the importance of patient confidentiality and is committed to honoring the privacy of our resident's personal information.

Information HIPAA Protects

The health and demographic information of our residents is protected information. If you can tell who a resident is by looking at the information, then it is protected health information, even if it doesn't include their name. This includes, but is not limited to: Addresses, date of birth, diagnosis, dates of service, phone/fax numbers, social security numbers and insurance numbers. If information is protected it means that only the people who need the information should have access to it and they can only have the information that they need.

Unless otherwise allowed, (i.e. the information is needed to treat the resident, get paid, to conduct day-to-day business or required by law) you will need to get the patient's permission to use any protected information within Fairhaven or to disclose it to anyone else.

Patient's Rights

- Patients have the right to receive notice of our privacy practices.
- Patients have a right to see their protected health information and to get a copy of any documents.
- Patients have a right to request that changes be made to correct errors in their records or to add information that has been omitted.
- Patients have a right to see a list of some of the disclosures of their health information. (Exceptions: disclosures of protected health information to treat, get paid or to conduct the day-to-day operations of Fairhaven.)
- Patients have a right to request that you give special treatment to their protected health information, although in some circumstances you do not need to honor this request.
- Patients have a right to request confidential communications.
- Patients have a right to complain (to the government and to Fairhaven).

If you received a request for resident information and are unsure whether or not the information can be disclosed to the party requesting, see your supervisor. If you have disclosed information to someone whom you feel should not have the information, contact your supervisor immediately.

Fairhaven wants all residents to feel comfortable and confident that private information about them is not disclosed to others unless necessary. It is the role of all employees to protect the privacy of the residents who receive our care.

Questions and/or concerns should be directed to the President or Administrator.

INTERNET USAGE POLICY

Policy Overview

Fairhaven ("we") provides access to the vast information resources of the Internet to help you do your job faster and smarter, and to be a well-informed professional. The facilities to provide that access represent a considerable commitment of our resources. This Internet usage policy is designed to help you understand our expectations for the use of those resources, and to help you use those resources wisely.

While we've set forth explicit requirements for Internet usage below, we'd like to start by describing our Internet usage philosophy. First and foremost, the Internet for this organization is a business tool, provided to you at significant cost. That means we expect you to use your Internet access primarily for business-related purposes, i.e. to communicate with vendors, peers in our field, residents and prospective residents and their family members, to research relevant topics and obtain useful business information. We insist that you conduct yourself honestly and appropriately on the Internet, and respect the copyrights, software licensing rules, property rights, privacy and prerogatives of others, just as you would in any other business dealings. To be absolutely clear on this point, all existing Fairhaven policies apply to your conduct on the Internet, especially (but not exclusively) those that deal with intellectual property protection, privacy, misuse of our resources, sexual harassment, information and data security, and confidentiality.

Unnecessary or unauthorized Internet usage causes network and server congestion. It slows other users, takes away from work time, consumes supplies and ties up printers and other shared resources. Unlawful Internet usage may also garner negative publicity for our organization and expose us to significant legal liabilities.

While our direct connection to the Internet offers a cornucopia of potential benefits, it can also open the door to some significant risks to our data and systems if we do not follow appropriate security discipline. The overriding principle is that security is to be everyone's first concern. An Internet user can be held accountable for any breaches in security or confidentiality.

A) Management and Administration

1. We have software and systems in place that can monitor and record all Internet usage. We want you to be aware that our security systems are capable of recording (for each and every user) each World Wide Web site visit, each chat, newsgroup, or e-mail message, and each file transfer into and out of our internal networks, and we reserve the right to do so at any time. No employee should have any expectation of privacy as to his or her Internet usage. Administration will review Internet activity and analyze usage patterns, and may choose to publicize this data to assure that Fairhaven resources are devoted to maintaining the highest levels of productivity.
2. We reserve the right to inspect any and all files stored in private areas of our network in order to assure compliance with policy.

3. Employees may use their Internet facilities for non-business research or browsing during meal time or other breaks, or outside of work hours, provided that all other usage policies are adhered to. Personal use of the Internet during work hours must be minimal and is permitted only if it does not interfere with the user's or any other employee's job performance, have an undue effect on the computer or our network's performance, or violate any policies, provisions, guidelines or standards of this agreement or any other of our organization's. Participation in chat groups (unless specifically business related) is prohibited during work hours, as is the use of instant messaging. Personal use of the computer is a privilege that may be revoked at any time.
4. Employees with Internet access may not use our Internet facilities to download entertainment software or games, to play games, to send mass mailings of chain letters, for personal commercial purposes, for transmitting obscenities, harassment or solicitations, for any illegal purpose nor to engage in gambling.
5. Your Fairhaven e-mail address is not to be used for personal mail. If you do not already have a personal e-mail address, you can easily obtain one through a provider such as Yahoo or Hotmail.
6. The display of any kind of sexually explicit image or document on any of our systems is a violation of our policy on sexual harassment. In addition, sexually explicit material may not be archived, stored, distributed, edited or recorded using our network or computing resources. No employee may knowingly cause any other person to view content which could render Fairhaven liable pursuant to equal opportunity or sex discrimination legislation at the suit of that person.
7. We may use independently-supplied software and data to identify inappropriate or sexually explicit Internet sites. We may block access from within our networks to all such sites that we know of. If you find yourself connected incidentally to a site that contains sexually explicit or offensive material, you must disconnect from that site immediately.
8. Our Internet facilities and computing resources must not be used knowingly to violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, city, province, or other local jurisdiction in any material way. Use of any of our resources for illegal activity is grounds for immediate dismissal. We will comply with reasonable requests from law enforcement and regulatory agencies for logs, diaries and archives on individuals' Internet activities.
9. Any software or files downloaded via the Internet into our network become Fairhaven property. Any such files or software may be used only in ways that are consistent with their licenses or copyrights.
10. No employee may use our facilities knowingly to download or distribute pirated software or data.
11. No employee may use our Internet facilities to deliberately propagate any virus, worm, Trojan horse, or trap-door program code.
12. No employee may use our Internet facilities knowingly to disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of another user.

13. Each employee using our Internet facilities shall identify herself or himself honestly, accurately and completely.
14. Use of our Internet access facilities to commit infractions such as misuse of our assets or resources, sexual harassment, unauthorized public speaking and misappropriation or theft of intellectual property are also prohibited by our general policies, and will be sanctioned under the relevant provisions of the Employee Handbook.

B) Technical and Administration

1. User ID's and passwords help maintain individual accountability for Internet resource usage. Any employee who obtains a password or ID for an Internet resource must keep that password confidential. Our policy prohibits the sharing of user ID's or passwords obtained for access to Internet sites.
2. Although Fairhaven uses virus protection, it is always possible for a virus to escape detection. Be aware that most viruses are transmitted through attachments. Any file that is downloaded must be scanned for viruses before it is run or accessed. If you receive an e-mail with an attachment that you were not expecting, delete it without opening it.

C) Security

1. We have installed a variety of firewalls and other security systems to assure the safety and security of our networks. Any employee who attempts to disable, defeat or circumvent any security facility will be subject to immediate dismissal.

Employee Acknowledgment

I have received a written copy of Fairhaven's Internet usage policy. I fully understand the terms of this policy and agree to abide by them. I realize that the organization's security software may record for management use the Internet address of any site that I visit and keep a record of any network activity in which I transmit or receive any kind of file. I hereby expressly waive any right of privacy related to anything I create, store, send or receive using Fairhaven's computer equipment. I consent to allow Fairhaven's administration access to and review of all materials created, stored, sent or received by me through any Fairhaven network or Internet connection.

I know that any violation of this policy could lead to disciplinary action up to and including termination or even criminal prosecution.

Safety and Disaster Plan Summary

**See entire plan in your
Department Hazard
Communication Book**

**FAIRHAVEN PERSONNEL TO BE NOTIFIED
IN THE EVENT OF AN EMERGENCY**

Paul Kuenning, President/CEO

Lynn Binnie, Administrator

Michael Edgar, Director of Environmental Services

Karen Boyle, Director of Nursing

**** Phone numbers are available in the Hazard Communication Book in your
Department**

**Fairhaven Corporation
Whitewater, Wisconsin**

SAFETY AND DISASTER PLAN

Fairhaven's Safety and Disaster plan is designed to inform you of the procedures and protocols in place in the event of fire and other disaster. Each employee of Fairhaven is required to complete an approved Fire Safety Training Course of six hours within 90 days of employment. Fire Safety is required of employees on an annual basis. Fire drills will be held on all shifts at least four times per year.

Semiannual fire inspections are conducted by the Whitewater Fire Department. **In the event of fire, once on the scene, the fire department assumes command of the situation and is responsible for extinguishing, controlling and evacuation.**

We instruct all residents, unless immediately in danger, to remain in their apartment with the door closed. If someone is in immediate danger of a fire, direct them to a safe location, beyond fire doors if possible. If further evacuation becomes necessary, please follow the instructions of the Fire Department. Evacuation routes are posted at the check-in areas of each building, at the elevators, and in this Plan. Fairhaven maintains its buildings in good repair and keeps them free of hazards such as those created by any damaged or defective building equipment.

EMERGENCY TELEPHONE NUMBERS

FIRE DEPARTMENT9-911*

***This automatically notifies the Whitewater Police & Rescue Squad**

WE ENERGIES

Electric /Power Outage Hotline.....888-779-6881

Gas/Odor/Leaks/Appliance Repair.....800-261-5325

WHITEWATER EMERGENCY SERVICES

Severe Weather Update473-0570

*****Fire Disaster Plan*****

Rescue Remove residents who are in immediate danger

Alarm Alarm the rest of the staff/residents to the danger. Call 911
(9 first for outside line if house phone)

Contain Use the fire extinguisher if fire is small. Shut the door to the room

Evacuate Evacuate residents horizontally as needed, past smoke doors (to a separate contained compartment)

*****To Use a Fire Extinguisher*****

Pull Pull the pin on the extinguisher

Aim Aim the fire extinguisher nozzle toward the fire

Squeeze Squeeze the fire extinguisher trigger

Sweep Sweep the nozzle from side to side over the fire

In Case of Fire

To ensure proper protection of our residents, staff must provide the following:

\$ Use of alarms

Fairhaven has smoke detectors and fire alarms located throughout the facility, including resident rooms and apartments. Manual fire alarms (pull stations) are located in all building hallways and must be “pulled” to activate.

\$ Transmission of alarm to fire department

The alarms connect directly with an off-site alarm company that will notify the Whitewater Fire Department. The fire Annunciator Panels (located at the 2nd floor nursing station, the 1st floor lobby, and at the end of each first floor corridor) will indicate the type of alarm and location.

\$ Response to alarms

Staff will announce the type of alarm and location over the PA system. Designated staff will respond to that area with a fire extinguisher.

\$ Isolation of fire

Staff in the area are to respond by closing all doors and windows and reporting to the nursing station or the lobby for further direction.

\$ Evacuation of immediate area

All residents and visitors will be removed from the immediate area.

\$ Evacuation of smoke compartment

All residents and visitors will be removed from the area into an area past a set of fire doors.

\$ Preparation of floors and building for evacuation

Staff will follow Fairhaven policy on resident evacuation and shelter-in-place. The decision to evacuate or shelter-in-place is made by the Administrator (or designee) and local Emergency Services (Fire Department, Police Department, etc)

\$ Extinguishment of fire

Staff members arriving at the fire area may use a fire extinguisher if the fire is small.

Fairhaven has smoke detectors and fire alarms located throughout the facility, including resident rooms and apartments. Strobe lights, in addition to the alarms, have been installed in apartments with hearing impaired residents and in the facility hallways and common areas. Manual fire alarms (pull stations) are also located in all building hallways and must be pulled to activate. These interconnected alarms connect directly with an off-site alarm company that will notify the Whitewater Fire Department. The alarm will sound at the second floor nursing station as well as the immediate area.

A fire Annunciator Panel is located at the second floor nursing station, in the lobby and at the end of each first floor corridor of the facility. These panels indicate the type of alarm sounding and the location.

A **Fire Alarm Notification Flow Chart** is included in this plan. The **Unit Clerk at the Second Floor Nursing Station or designee** is responsible for responding appropriately to the alarm per this flow chart. ALL staff have been instructed to close doors and windows.

- ! If it is **Supvr (Supervisor) or Trouble alarm**, it indicates a problem with the system. Per the Fire Alarm Notification Flow Chart, push Panel Silence and notify Maintenance or the Administrator on Call.
- ! **Monitor alarm** indicates there may be an alarm in the near future. You must continue to watch the fire annunciator panel as it may go into alarm.
- ! **Alarm** indicates the system has detected smoke. **This alarm has notified the off-site alarm smoke company.** The location will show on the panel. If the alarm is in a resident apartment, call the resident immediately for information. A resident phone list by apartment number is located at this station. A **Level 1** fire alarm will be announced. If the resident indicates a fire in their location or if the alarm is not in an apartment, but is from another area of Fairhaven, a **Level 2** fire alarm will be announced and staff is dispatched to the scene. If fire is reported, Call 911

Staff will be dispatched to the resident apartment even if the resident indicated there is no fire to follow-up and to be sure there is no risk. If there is no fire in the area, a staff member will all page “alarm check clear.”

Fire extinguishers are placed throughout Fairhaven. Red fire extinguisher signs are placed in the hallways where extinguishers are located.

If the alarm is sounding in C building, staff is to respond by closing all doors and windows and reporting to the Lobby for further instructions. Staff in other buildings should respond to the scene. Maintenance personnel who have received training respond to the area with fire extinguishers.

Internal Warning System

SMOKE DETECTORS:

Location: Smoke detectors are located throughout the residential area of Fairhaven in each resident apartment/room, every 30 feet in the hallway and service areas and in all stairwells. The smoke detectors are connected to the fire alarm system.

Function: Smoke detectors are activated by smoke and make a valuable early warning alert system.

SMOKE DOORS:

Location: Smoke doors are located in all buildings where there is a fire wall to prevent a fire from spreading from one building to another. They are activated by heat, smoke, and fire and will close when smoke is present.

Function: Smoke doors will operate automatically by closing when sensing heat, smoke and fire.

FIRE ALARM SYSTEM:

Location: Wall mounted fire alarm PULL STATIONS are located at all entrances to each building and at the entrance and exit of each floor throughout the facility.

Function: These fire alarm pull stations must be manually activated. The activation of this alarm registers at the Fire Annunciator Panels and sounds at the Second Floor Nursing Station and in the building where the alarm was pulled.

MAINTENANCE EMERGENCY

In the event of an emergency when immediate response is needed from Maintenance, dial *1111 at any house phone (to activate paging system to entire building) and say:

ACODE SEVEN@ followed by the location

Use this, for example, in a serious situation such as flooding, smoke which has not been recognized by a detector, sparking from an electrical source, etc.

Please note

Code Seven will only get a response when Maintenance staff is in the building, usually 6:30 a.m. to 8:00 p.m. weekdays. If there is not a response from Maintenance, proceed with Fire or Disaster plans in place.

TORNADO - SEVERE THUNDERSTORM - WIND & LIGHTING

The Weather Alert Radio at the Second Floor Nursing Station is controlled by the Whitewater Police Department. The Weather Alert Radio will sound when the Police Department has notified Fairhaven of dangerous weather conditions. If this radio is not answered by staff when the call comes in, a red light will flash indicating a message has been left by the Whitewater Police Department. ANSWER AND RESPOND IMMEDIATELY.

If time permits, an announcement should be made over the Fairhaven intercom system by staff warning of severe weather conditions.

Severe Thunderstorm or Tornado WATCH- Conditions are favorable for development of storms in a specific area for a specific period of time. Keep radio or television tuned to local channel for developments.

Severe Thunderstorm or Tornado WARNING- Storms or tornados have been sighted or indicated on radar in the area. Follow Tornado procedure. **Go to inside room such as a bathroom or hallway. Stay away from outside glass.** Each Department may have specific instructions as to their procedures.

If a tornado causes damage, follow FIRE DISASTER PLAN.

In the event of external emergencies and we are confined in the building, Fairhaven maintains a supply of food, water and medicine.

For Weather Information- Call 473-0570

TORNADO INSTRUCTIONS

Stay away from outside glass. Go to an inside room, such as your bathroom, and shut the door.

BOMB THREAT

Any employee who receives a BOMB THREAT should notify their supervisor or the Administrator in Charge IMMEDIATELY. They will notify the Whitewater Police Department by calling 9 - 9 1 1. If no supervisory personnel is available, contact the Police Department by calling 9 - 9 1 1.

If the location is known, evacuate the area as quickly as possible by moving residents, staff and /or visitors to the other buildings, outside or to Hearthstone.

As soon as emergency personnel (Fire Department or Police Department) arrive, they will be in charge.

It is helpful if the person receiving the call can take notice of the caller=s voice, exact wording, background noise, or other information regarding the call. The call recipient should also try to ascertain as much information about the reported bomb as possible, such as the location, time of detonation, etc.

If a suspicious container is found, DO NOT TOUCH, MOVE, OR MANIPULATE, unless instructed to do so by Emergency (Fire and/or Police) Personnel and then at the option of the employee.

SAFETY IS OUR PRIMARY CONCERN. FOLLOW ALL INSTRUCTIONS ISSUED. REMAIN CALM. DO NOT PANIC.

LOSS OF WATER SUPPLY

Water for bathing, flushing toilets, etc. will be furnished by the Whitewater Fire Department via tank trucks. In the event of a water outage or contaminated water supply, Fairhaven has contracted with an outside supplier to provide acceptable drinking water.

POWER AND EQUIPMENT FAILURES

Emergency generators provide limited power to elevators and lights in the hallways. Any power failure to a specific apartment or area of the building should be reported to the Reception Desk or the Second Floor Nurses Station. (0 or 1114 on house phone, if working during power outage). The Administrator should be notified of a power outage lasting more than momentarily or involving equipment failure. The Administrator or Charge person should call We Energies to notify of outage - phone number is on first page of Fairhaven Resident Safety and Disaster Plan.

Each department should designate one person to make an evaluation of working/non-working equipment and report to the 2nd Floor Nurses Station to discuss with representatives of all departments. Determine which type, if any of the phones are working (In-house, outside lines, fax phones, resident phones) and which Acall systems@ are working. If phones are not working, note which employees have cell phones they are willing to let the facility use to contact the Administrator or make other necessary business calls. Determine how you will continue to communicate. It may be necessary for department representatives to be given a Awalkie@ to communicate with the nurses station. Determine who is available to help if a specific department requires additional assistance.

Remember, some residents with cordless phones may be affected as well - meaning Fairhaven's resident emergency system may not work. Other call systems may be affected as well. If additional staff is available, they should Apatrol@ the hallways making sure someone is available if a resident needs assistance.

Flashlights are located in each of the fire compartments. If your department stores others, make sure staff know where they are as well as additional batteries, if needed. Extras should be taken to the 2nd floor nurses station for distribution. If appropriate, keeping doors open to the hallway may offer additional light from windows. Each department should Aturn off@ switches and as much equipment as possible.

When the power supply returns, it is still necessary to evaluate working equipment. Please notify your department director/supervisor immediately if something is not working correctly.

EXTERNAL AIRBORNE RELEASE OF HAZARDOUS SUBSTANCES

Close all doors to outside and close & lock all windows. Close as many internal doors as possible.

MAINTENANCE

Set all ventilation systems to 100% recirculation so that no outside air is drawn into the facility. If possible, ventilation systems should be turned off.

Turn off all heating systems.

Turn off all air-conditioners and switch inlet to the closed position.
Seal gaps around window units.

Turn off all exhaust fans in kitchens, bathrooms, etc.

Tape and seal (with plastic wrap, aluminum foil, etc.) gaps and openings such as exhaust grills and vents. Use a wet cloth over your nose and mouth if the gases bother you.

If an explosion outdoors is possible, close drapes/shades over windows. STAY AWAY FROM OUTSIDE GLASS.

TUNE TO THE EMERGENCY BROADCAST STATION ON YOUR RADIO OR TELEVISION FOR FURTHER INSTRUCTIONS.

Evacuation Procedure

In the event of fire/disaster, once on the scene, **the Fire Department assumes command and is responsible for evacuation.**

In the event of fire- DO NOT USE ELEVATORS FOR EVACUATION

Evacuation Instructions for Residents

Assisted Living:

When the fire alarm sounds, all residents on 4th floor should proceed to the hallway of the West Wing and wait there for further instructions. (If there is smoke in the West Wing, residents will proceed to the north or south 4th floor patio and wait there for further instructions.) Assisted Living staff, assisted by other personnel as available, will take roll and check resident rooms as necessary. Should evacuation be necessary, residents will proceed down the stairway or wait at the Area of Rescue Assistance until help arrives. Residents will then assemble, away from the building, on the lawn to the north of the west stairwell.

Apartments:

When the fire alarm sounds, residents should remain in their apartment with the door closed to await further instructions, as the apartment doors have a 1-1/2 hour fire rating. In the event the fire is in their apartment, they are to evacuate behind a set of fire separation doors, closing the apartment door as they leave. If a resident is in a common area, they are to stay where they are unless they are in immediate danger of the fire. If necessary, they are to move behind a set of fire separation doors.

Should evacuation of a building be deemed necessary, this will be announced over the PA system and/or by Fairhaven staff and Fire Department personnel canvassing of the building. In this event, residents will proceed to the nearest exit and will assemble, away from the building, on the lawn adjacent to the parking area near their building.

(Revised 7/9/09)

Evacuation Instructions for Staff

In the event of a fire alarm in C building, staff is instructed to close all doors in their area and report to the main lobby for instructions. If the alarm sounds in an area other than C building, staff in the area should go to the scene and assist with closing doors and evacuation if someone is in immediate danger. The Administrator in charge, or the first safety committee member to arrive at the lobby is to take charge and let staff know where they can be of

assistance, etc. The exception to this is any member of staff that is on 2nd, 3rd, or 4th floor of the C building when the alarm sounds. Those staff are to remain on those floors and report to the floor nurses station for instructions. Upon arrival, the Fire Department will be responsible for evacuation of all residents.

In most evacuation situations, the PA system will be used to notify residents and staff of the situation and what next step(s) will be to complete the evacuation. If necessary, staff will also go door-to-door and help residents evacuate. Once a room has been cleared, the door will be closed and a pillow will be placed in front of the door indicating the room was checked and is now empty. Evacuation can be done between buildings AA, A-E and Hearthstone as they are all separate facilities (AA is connected to A-E by the second floor bridge only which has fire doors on each end).

All residents of the apartments in Fairhaven A-E buildings, either ambulatory, semiambulatory or non-ambulatory, must be physically and mentally able to respond to the alarm and exiting the facility without any help or verbal or physical prompting.

Residents of Assisted Living, Hearthstone, our Health and Rehabilitation Center on the 2nd and 3rd floors of the C building may be ambulatory, semi-ambulatory, or non-ambulatory and they may not be physically or mentally capable of responding to the alarm or exiting the facility without help or verbal or physical prompting. Nursing is in charge of making sure that the residents incapable of responding appropriately are moved to a safe area (behind fire separation doors, etc.) until rescue personnel arrive. Other staff may be directed to assist the nursing staff.

In the event of fire/disaster requiring emergency shelter, residents may be directed to Hearthstone. Fairhaven vans are available to transport non-ambulatory residents in wheelchairs. Cabs and other non-emergency transports may be used as well. If skilled services are required, Fort Memorial Hospital will be contacted for use of their hospital rooms. Food will be provided by Fairhaven/ Hearthstone or obtained from a local food establishment. Fairhaven and Hearthstone store a supply of non-perishable food items.

Sexual and Other Harassment Policy

We at Fairhaven share a common belief that each of us should be able to work in an environment free from any form of harassment. To ensure that all of us enjoy a harassment-free workplace, Fairhaven prohibits any offensive, physical, written or spoken conduct of a sexual nature or based on any other characteristic protected by law. Anyone engaging in sexual or other harassment will be subject to discipline, up to and including discharge. Prohibited conduct may include, but is not limited to:

- Unwelcome requests or demands for sexual favors. This includes subtle or blatant expectations to engage in sexual relations and pressures for dates.
- Verbal abuse or unwelcome kidding of a sexual nature, such as telling “dirty jokes” and comments about body parts, appearance or clothing, where such comments go beyond mere courtesy.
- Insults, name calling, slurs, jokes or other remarks that are sexual or offensive in nature or demeaning to an individual’s protected characteristics.
- Unwelcome verbal or non-verbal conduct or visual displays of a sexual, offensive or discriminating manner such as posters, calendars, photographs, cartoons, graffiti or other offensive displays.
- Physical, verbal or psychological abuse based on an individual’s protected characteristics such as stereotyping, name calling, assaulting, sabotaging, segregating or threatening any individual in the workplace.
- Unwelcome or unwanted sexual advances, kissing, fondling or any other similar contact.
- Making a submission to or rejection of harassment the basis of any employment decision.
- Creating a work environment that is intimidating, hostile, abusive or offensive because of the display or circulation of offensive materials, unwelcome conversations, suggestions, requests, demands, or physical contacts.

The very nature of harassment makes it difficult to detect unless the problem is reported. Employees experiencing harassment therefore are strongly encouraged to file complaints. Complaints should be directed to the employee’s supervisor or any other member of management with whom the employee feels comfortable.

Complaints will be treated as confidentially as possible in light of Fairhaven’s need to fully investigate the matter and take appropriate corrective action. In all cases, great care will be taken to preserve the dignity and privacy of the persons involved. Employees who report harassment or who assist in the investigation of a complaint of harassment will not be subject to retaliation or reprisals of any kind.

Complaints will be promptly and thoroughly investigated. Depending on the nature of the alleged harassment, interim measures may be taken. These measures might include temporary reassignments or separating the alleged harasser and the employee alleging the harassment. If

the investigation reveals that an employee has engaged in sexual or other harassment, that employee will be subject to disciplinary action, up to and including discharge.

All managers and supervisors are responsible for the implementation of this policy and for ensuring that employees know and understand this policy. All employees will be held responsible and accountable for eliminating prohibited conduct.

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SOCIAL MEDIA POLICY

2017

Purpose

Fairhaven respects that employees may desire to use Social Media (see definition below) for personal expression. However, employees' use of Social Media can pose risks to Fairhaven and residents' confidential, proprietary and sensitive information, can harm Fairhaven's reputation in the community, can expose Fairhaven to discrimination and harassment claims, and can jeopardize Fairhaven's compliance with the Health Insurance Portability and Accountability Act (HIPAA) and related laws and regulations protecting residents' protected health information (PHI).

To minimize these business and legal risks, to avoid loss of productivity and distraction from employees' job performance, and to ensure that Fairhaven's IT (information technology "IT") resources and communications systems are used appropriately as explained below, Fairhaven expects its employees to adhere to the following guidelines and rules regarding Social Media.

Definitions

Electronic Devices – Any device used for Electronic Communications or Electronic Information, including but not limited to: computers, laptops, tablets, digital cameras, video recorders, fax machines, copiers, scanners, telephone systems, smartphones, cell phones and pagers.

Media – Any equipment on which Electronic Communications or Electronic Information is stored, including, but not limited to: servers (including the cloud), CDs, DVDs, hard drives, flash drives, memory cards, and SIM cards.

Electronic Communications or Electronic Information – Including, but not limited to: electronic mail (email) messages, attachments, or links; instant messages; voicemail messages; text messages; digital photos; telephone conversations; Internet histories; social media posts, conversations, or messages; facsimiles; or any other kind of files, data, documents, communications, or messages, transmitted to, received by or printed from, or stored or recorded on any Electronic Device or on any Media.

Social Networking Communications – Any form of Electronic Communications or Electronic Information utilizing any form of networking environment, including but not limited to: all social networking forums or platforms such as Facebook, LinkedIn, Twitter, Instagram, Snapchat, YouTube, Pinterest, Tumblr, chat rooms, personal web sites, blogs and wikis.

Social Media – Including but not limited to all Social Networking Communications, Electronic Communications, and Electronic Information.

Protected Health Information – Including but not limited to any and all individually identifiable information about the physical or mental health condition or treatment of any individual, including but not limited to: any identifying information about a resident, such as the resident's name or a photo or video of the resident; any information about a resident's health condition or medication; and any information about payment for a specific resident's care and services.

Standards for Compliance with Related Policies and Agreements

All of Fairhaven's other policies that might apply to Social Media remain in full force and effect. Employees should always adhere to them with respect to all Social Media, whether or not you are using Fairhaven's IT resources and communication systems.

Social Media should never be used in a way that violates any of Fairhaven's policies or employee obligations. If

your Social Media activity would violate any of Fairhaven's policies in another forum, it will also violate them in an online, electronic or digital forum. For example, employees are prohibited from using Social Media to engage in activities that would:

- Violate Fairhaven's policies on use of Electronic Devices or Media.
- Violate Fairhaven's policies on confidential, proprietary and sensitive information.

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- Circumvent Fairhaven's ethics and standards of conduct policies.
- Engage in unlawful harassment, discrimination or retaliation in violation of Fairhaven's policies or applicable law.
- Violate Fairhaven's privacy or HIPAA policies or applicable law.
- Violate any other laws or ethical standards (for example, using Social Media in a false or misleading way, such as by claiming to be someone other than yourself).

Employees who violate Fairhaven policies or applicable law while using Social Media may be subject to discipline, up to and including immediate termination of employment.

Protecting Residents' PHI

Employees are absolutely prohibited from using Social Media in any way that would violate HIPAA or otherwise disclose or compromise residents' PHI. This includes but is not limited to the following:

- DO NOT use Social Media to post, upload, send, or otherwise share or disclose a photo or video of any resident without prior written permission of the resident or the resident's authorized agent as required by applicable law. You must use Fairhaven's authorization form to obtain such prior written permission. This prohibition includes photos and videos where the resident is not easily identifiable (e.g., a photo of the resident's hand, a close up photo of any part of a resident's body, or a photo of the back of a resident in the far background of the photo). It also includes photos or video where the resident is easily identifiable, whether in the photo or video itself or through a caption. This prohibition also includes photos and videos of residents participating in Fairhaven sponsored activities or events. When in doubt, assume that you do not have permission to share a photo or video of the resident. Keep in mind that the resident or the resident's authorized agent may revoke the permission at any time, which could require you to destroy all such photos or videos, including where posted.
- DO NOT use Social Media to post, upload, send or otherwise share or disclose the name of any resident (even if just the first name or a nickname) without prior written permission of the resident or the resident's authorized agent as required by applicable law. You must use Fairhaven's authorization form to obtain such prior written permission. When in doubt, assume that you do not have permission to share the resident's name. Keep in mind that the resident or the resident's authorized agent may revoke the permission at any time, which could require you to destroy all such photos or videos, including where posted.
- DO NOT use Social Media to post, upload, send, or otherwise share or disclose any information about a specific resident, even without a photo, video, or name, that could allow any individual to identify the

resident without prior written permission of the resident or the resident's authorized agent as required by applicable law. You must use Fairhaven's authorization form to obtain such prior written permission. This prohibition includes any resident's age, biographical background information, unique medical condition, treatment or payment information, or other personal or identifiable information about a resident, whether alone or in concert with other information about the resident. This prohibition also includes any photos, videos, or other identifying information about the family members of any resident. When in doubt, assume you do not have permission to share any information about a specific resident. Keep in mind that the resident or the resident's authorized agent may revoke the permission at any time, which could require you to destroy all such photos or videos, including where posted.

Protecting Resident Rights

- A resident has the right to personal privacy of not only his/her own physical body, but also of his/her personal space, including accommodations and personal care. Taking photographs or recordings of a resident and/or his/her private space without the resident's, or designated representative's, written consent is a violation of the resident's right to privacy and confidentiality.
- Photographs or recordings of a resident that demean or humiliate a resident(s), regardless of whether the resident provided consent, regardless of the resident's cognitive status, and regardless if the resident face is shown is considered abuse.

Use of Personal Electronic Devices during Working Time Prohibited

Employees are not permitted to use any personal Electronic Devices during work time unless authorized by Fairhaven Administration. In addition, employees are not allowed to have or carry personal Electronic Devices on their person (e.g., in a pocket or a personal handbag) during working time when employees are in areas containing or otherwise have access to PHI or other confidential or sensitive resident information. For example, employees are prohibited from having or carrying personal cell phones, smartphones, or digital cameras when working with or near residents, resident charts or other medical documents, white boards containing resident information, or resident medications. If you have questions about when you may have or carry a personal Electronic Device during working time, please contact Human Resources.

No Expectation of Privacy in Company's IT Systems

All contents of Fairhaven's IT resources and communication systems, including but not limited to all Company Electronic Devices, Media and any other components of Fairhaven's computer, electronic, or digital system(s) or network(s) (collectively "Fairhaven's IT Systems"), are the property of Fairhaven. Therefore, employees should have no expectation of privacy whatsoever in Electronic Communications or Electronic Information transmitted to, received by or printed from, or stored or recorded on Fairhaven's IT Systems.

You are expressly advised that in order to prevent misuse, Fairhaven reserves the right to monitor, intercept, and review, without further or advance notice, every employee's activities using Fairhaven's IT Systems, including but not limited to Social Media postings and activities, and you consent to such monitoring by your acknowledgement of this policy and your use of Fairhaven's IT Systems. This might include, without limitation, the monitoring, interception, accessing, recording, disclosing, inspecting, reviewing, retrieving and printing of any and all Electronic Communications and Electronic Information, and other uses of Fairhaven's IT Systems as well as keystroke capturing and other network or system monitoring technologies.

Fairhaven may also store copies of such data or communications for a period of time after they are created, and may delete such copies from time to time without notice.

Employees are strongly encouraged to use Fairhaven IT Systems to communicate with one another for business

purposes whenever possible and to refrain from using personal Electronic Devices for business purposes. If you have any questions about the use of personal Electronic Devices for business purposes, including any exceptions from the general rule against the use of personal Electronic Devices for business purposes, please contact Human Resources.

Do not use Fairhaven's IT Systems for any matter that you desire to be kept private or confidential from the Company.

Personal Use of Social Media

Personal use of Social Media is never permitted on working time. Personal use of Social Media is never permitted at any time by means of Fairhaven's IT Systems.

Media contacts

Employees should not speak to the media on Fairhaven's behalf without prior permission. All media inquiries should be directed to Lynn Binnie, Administrator.

Guidelines for Employees' Responsible Use of Social Media

The above material covers specific rules, policies and contractual obligations that employees must follow in using Social Media, whether for personal or business purposes, in consideration of their employment and subject to discipline for violations. These guidelines are intended to add to, not contradict, limit or replace applicable mandatory rules, policies, legal requirements, legal prohibitions and contractual obligations.

Protect Fairhaven's Goodwill and Community Reputation. You are personally responsible for what you communicate in Social Media. Remember that what you publish might be available to be read by the masses (including Fairhaven itself, future employers and social acquaintances) for a long time. Keep this in mind before you post content.

Make it clear in your Social Media activity that you are speaking on your own behalf. Use your personal email address, and not your Fairhaven email address, when connecting to Social Media sites for personal purposes or making any personal communications via Social Media.

If you disclose your affiliation as an employee of Fairhaven, it is recommended that you also include a disclaimer that your views do not represent those of your employer. For example, consider such language as "the views in this posting reflect my personal views and do not represent the views of my employer."

Use good judgement about what you post and remember that anything you say can reflect on Fairhaven, even if you do include a disclaimer. Always strive to be accurate in your communications about Fairhaven. Fairhaven encourages professionalism and honesty in Social Media and other communications.

Respect Copyright and Intellectual Property Laws. For Fairhaven's protection as well as your own, it is critical that you show proper respect for the laws governing copyright, fair use of copyrighted material owned by Fairhaven or others, trademarks, logos, and other intellectual property, including Fairhaven's own copyrights, trademarks, intellectual property, and logos.

Respect and Comply With Terms of Use of All Sites You Visit. Do not expose yourself or Fairhaven to legal risk by using a Social Media site in violation of its terms of use. Review the terms of use of all Social Media Sites you visit

and ensure your use complies with them. If you are using Social Media as part of your job duties, pay particular attention to terms relating to:

- Prohibitions or restrictions on the use of the Social Media site, including prohibitions or restrictions on use for advertising, marketing and promotions or other commercial purposes (for example, Fairhaven's Statement of Rights and Responsibilities (its terms of use) and accompanying Promotional Guidelines specify the terms for businesses administering promotions through Facebook).
- Ownership of intellectual property used on, or information collected or generated through use of, the site (for example, any of Fairhaven's copyrighted material and trademarks that might be posted on the site or user information Fairhaven collects through the site).
- Requirements for licenses or other permissions allowing use by the site owner and other third parties of Fairhaven's trademarks or other intellectual property.
- Privacy rights and responsibilities of the site owner and users.

Respect Others. You must comply with Fairhaven's policy prohibiting harassment, discrimination and retaliation by not posting or sharing anything on Social Media that would violate Fairhaven's policy, including racial and ethnic slurs, sexist comments, discriminatory comments, or any content that is maliciously false and could therefore be defamatory.

Supervisors should refrain from trying to connect with their subordinates through the use of personal Social Media (for example, make friend requests on Facebook). Neither supervisors nor subordinates should feel pressured to accept or respond to any personal Social Media requests from anyone at Fairhaven.

Employees should refrain from trying to connect with residents and resident family members through the use of personal Social Media (for example, making friend requests on Facebook). No employee should feel pressured to accept or respond to any personal Social Media requests from any resident or resident family member.

Retaliation Prohibited

Fairhaven prohibits retaliation against any employee for reporting a possible violation of this policy or for cooperating in an investigation. Any employee who retaliates against another employee in violation of this policy may be subject to discipline, up to and including immediate termination of employment.

Conduct Not Prohibited by this Policy

This policy is not intended to preclude or dissuade employees from engaging in legally protected activities/activities protected by law, including the National Labor Relations Act, such as discussing wages, benefits or other terms and conditions of employment, forming, joining or supporting labor unions, bargaining collectively through representatives of their choosing, raising complaints about working conditions for their own and their fellow employees' mutual aid or protection or other legally protected activities.

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