

**East Texas EyeCare Associates, P.L.L.C.
DBA**

EyeCare Associates Of East Texas

Personnel Policy & Procedure Manual

**Revised 1/1/2017
Amended 1/1/2019**

Welcome to EyeCare Associates of East Texas

I am pleased to welcome you to ECA. Thank you for joining our team! On behalf of the doctors and myself, we want you to feel that your association with ECA will be a mutually beneficial and pleasant one.

You have joined an organization that is committed to maintaining an outstanding reputation for quality patient service and care. Credit for this goes to every one of our employees. We hope you, too, will find satisfaction and take pride in your work here.

This Personnel Policy & Procedure Manual (PPPM) provides answers to most of the questions you may have about ECA benefit programs, as well as ECA policies and procedures we abide by -- our responsibilities to you and your responsibilities to ECA. This PPPM is not to be construed as a contract between employee and ECA. This PPPM is not meant to be all inclusive of all policies of the practice, but rather to present most of the major practice guidelines. If anything is unclear, please discuss the matter with your Manager. You are responsible for reading and understanding this PPPM and your performance evaluations will reflect your adherence to ECA policies.

From time to time, the information included in our PPPM may change. Every effort will be made to keep you informed through email notifications of updates/changes to each and every employee.

Compensation and personal satisfaction gained from doing a job well are only some of the reasons most people work. Most likely, many other factors count among your reasons for working -- pleasant relationships and working conditions, career development and promotion opportunities, and health benefits are just a few. ECA is committed to doing its part to help you have a satisfying work experience.

I extend to you my personal best wishes for your success and happiness at ECA!

Sincerely,

June Cheatham
Administrator

Purpose of This Personnel Policies & Procedure Manual

This Personnel Policy & Procedure Manual (PPPM) has been prepared to inform you about ECA history, philosophy, employment practices, and policies, as well as the benefits provided to you as a valued employee and the conduct expected from you. It will reside on our ECA Dashboard in electronic format.

As a newly hired employee, you are required to read this PPPM. The Accounting Department will provide you a copy of this PPPM, along with the Acknowledgement Form to sign. **Both must be returned before you receive your first paycheck.**

ECA policies, benefits and rules, as explained in this PPPM, may be changed from time to time as business, employment legislation, and economic conditions dictate. If and when provisions are changed, you will be notified via email, and the electronic version will reflect the changes.

From this point forward this Policy and Procedure Manual will be referred to as your PPPM.

Notice

The policies in this PPPM are to be considered as guidelines. ECA, at its option, may change, delete, suspend or discontinue any part or parts of the policies in this PPPM at any time without prior notice. Any such action shall apply to existing as well as future employees with continued employment being the consideration between the employer and employee. Employees may not accrue eligibility for monetary benefits that they have not earned through actual time spent at work. Employees shall not accrue eligibility for any benefits, rights, or privileges beyond the last day worked. No one other than the Administrator or the Board (Physician Owners) of ECA may alter or modify any of the policies in this PPPM. **No statement or promise by a Manager may be interpreted as a change in policy nor will it constitute an agreement with an employee.**

Should any provision in this manual conflict with any State of Texas or federal laws, the provision will be voided and the law will supersede. Should any provision in this PPPM be found to be unenforceable and invalid, such finding does not invalidate the entire PPPM, but only the subject provision.

This PPPM replaces all other previous Personnel Policy & Procedure Manuals for the merging practices offices as of July 1, 1998 and The ECA Handbook.

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About EyeCare Associates of East Texas

In 1995, EyeCare Associates of East Texas was formed through a partnership of commitment by several local physician members in order to join forces and provide the most outstanding and comprehensive medical and surgical eye care to people of East Texas and beyond. The clinic operations were merged into one facility in May of 1998.

Our Commitment:

The commitment of ECA is to:

- Provide the highest quality of vision, medical and surgical eye care while treating each patient with respect and compassion.
- Foster the education of our patients, their families, and the public in the fundamentals of medical eye and vision care.
- Assure critical compliance with federal, state and local regulations.

Our Motto:

We care. You'll see!

We view our employees as being vital to upholding this commitment and motto.

What You Can Expect From ECA

ECA employee relations policy is to:

- Select people on the basis of skill, training, ability, attitude, and character without discrimination with regard to age, sex, color, race, creed, national origin, religious persuasion, marital status, political belief, disability, or any other protected trait under the law that does not prohibit performance of essential job function.
- Dedicate ourselves to providing total quality patient care and excellence in service.
- Maintain mutual respect in our working relationship.
- Do all these things in a spirit of friendliness and cooperation so that ECA will continue to be known as "**a great place to work!**"

What EyeCare Associates Expects From You

Your first responsibility is to know your own duties and how to do them professionally, accurately and in a pleasant manner. Secondly, you are expected to cooperate with Management and your fellow employees and maintain a good team attitude. How you interact with fellow employees and those whom ECA serve, and how you accept direction, can affect your success. In turn, the negative performance of just one individual can impact the perception of service offered by ECA. Whatever your position, you have an important assignment: perform every task to the very best of your ability and in the most professional manner. The result will be better performance for the practice overall, and personal satisfaction for you.

We are dedicated to making ECA a practice where you can approach your Manager, or any member of Management, to discuss any problem or question. We welcome you to contribute your suggestions to improve the quality of ECA. Remember, you help create the professional, pleasant and safe working conditions that ECA intends for you.

It takes each of you to make every working day enjoyable, productive and rewarding.

EMPLOYMENT

Personnel Administration

The task of handling personnel records at ECA has been assigned to the Manager of Accounting. Questions regarding insurance, wages, and interpretation of policies may be directed to your Manager or the Manager of Accounting.

Your Personnel File

Keeping your personnel file up-to-date can be important to you with regard to pay, deductions, benefits and other matters. If you have a change in any of the following items, please be sure to inform the Manager of Accounting by completing the changes on the Employee Information/Change form as soon as possible:

1. Legal name
2. Home address
3. Contact telephone number
4. Person to call in case of emergency
5. Change of beneficiary (401K form or Life Insurance form)
6. Military or draft status
7. Changes on your W-4 tax form

Coverage or benefits that you and your family may receive under ECA benefits package could be negatively affected if the information in your personnel file is incorrect. It is imperative that your personnel file is current and accurate.

Employment Classifications

Full-Time Employees

At the time you are hired, you are classified as full-time, part-time or temporary and are also told whether you qualify for overtime pay. Unless otherwise specified, the benefits described in this PPPM apply only to full-time employees. All other policies described in this PPPM and communicated by ECA apply to all employees, with the exception of certain wage, salary and time off limitations applying only to "non-exempt" (see page 11 for the definition) employees. If you are unsure of which job classification your position fits into, please ask your Manager.

An employee who has successfully completed the Introductory Period (see page 14) of employment is then considered a full-time employee eligible for benefits. Cafeteria Plan benefits begin upon hiring. Most positions require 40 hours per week. Working hours required of you per week is determined by your job position and your Manager.

If you were a full-time employee and have been on an approved leave of absence, upon return you will be considered a full-time employee upon working at least 32 hours per week, provided you return to work as agreed in the provisions of your leave.

Part-Time Employees

An employee who works less than thirty-two (32) hours per week is considered a part-time employee. If you are a part-time employee, please understand that you are not eligible for benefits described in this PPPM.

Temporary Employees

An employee who works for a limited time or only for special projects is considered a temporary employee. If you are a temporary employee, please understand you are not eligible for benefits as described in this PPPM.

"Non-Exempt" and "Exempt" Employees

At the time you are hired, all employees are classified as either "exempt" (salary) or "non-exempt" (hourly). This is necessary because, by law, employees in certain types of jobs are entitled to overtime pay for hours worked in excess of forty hours (40) per week. These employees are referred to as "non-exempt". Exempt employees are those employees whose duties and responsibilities allow them to be "exempt" from overtime pay provisions as provided by the Federal Fair Labor Standards Act (FLSA) and any applicable state laws. If you are an exempt employee, you will be advised that you are in this classification at the time you are hired, transferred or promoted.

Employment Policies

One of the first things required of you was to read this PPPM. It is designed to answer many of your questions about the practices and policies of ECA, what you can expect from ECA, and what ECA expects from you.

Anniversary Date

The first day you report to work is your "official" anniversary date. Your anniversary date is used to compute various conditions and benefits described in this PPPM.

Aptitude & Ability Tests

Certain positions will require certification testing or ability testing prior to assuming the duties assigned.

“At Will” Employment

All employment and compensation with ECA is "at will" which means that your employment can be terminated with or without cause, and with or without notice, at any time, at the option of either ECA or yourself, except as otherwise provided by law.

Bonding Requirement

Under certain circumstances, ECA may require that you be bonded. It is your responsibility to assure that you are bondable. ECA will pay the cost of bonding. Should you fail to maintain these qualifications, you will be subject to transfer to another position, if available.

Business Hours

Our regular operating hours are 7:30 A.M. to 5:00 P.M. Monday through Friday. These hours can be changed by Management as deemed necessary.

Confidential Information

ECA has adopted and implemented the privacy regulations of HIPAA. These formal policies are to protect Protected Health Information (PHI), and manage personnel who come into contact with this information. ECA and its employees will at all times strive to maintain compliance with all laws, rules, regulations and requirements affecting the practice of medicine and handling patient information.

Our patients and employees entrust ECA with important personal information. The nature of this relationship requires maintenance of confidentiality. In safeguarding the information received, ECA earns the respect and further trust of our patients and suppliers. In addition to keeping confidential all patient information and preventing the unauthorized access to patient information (whether or not maintained in electronic format), all employees acknowledge the records retention and confidentiality of all ECA compliance efforts related to the Medicare Program and otherwise. Any violation of the compliance concerning HIPAA, OSHA, and billing compliance may result in immediate termination.

Employment with ECA requires an obligation to maintain confidentiality, even after termination of employment.

Any violation of confidentiality seriously injures ECA's reputation and effectiveness. No employee is to discuss patient or employee confidential information with anyone, or to discuss confidential business transactions with anyone who does not have a direct association with the transaction. Even casual remarks can be misinterpreted and repeated, so each employee should develop the personal discipline necessary to maintain confidentiality. Information concerning patients and their illnesses, or their personal lives must be kept confidential. When talking with a patient, it should be done in a manner that other patients can not hear the conversation.

If an employee is questioned by someone outside the practice and there is concern regarding the appropriateness of giving them certain patient information, the employee is not required to answer, and is not expected to do so. This would include attorneys. Refer the request to the appropriate Manager or the Administrator.

No one is permitted to remove or make copies of any ECA records, reports or documents without prior Management approval.

Because of its seriousness, disclosure of confidential information could lead to immediate termination of the employee.

Employees of ECA may have access to personal and confidential information. All ECA business must be kept strictly confidential. Each employee is required to sign the Confidentiality Statement form to this effect at the time of initial employment.

Equal Employment Opportunity

ECA is committed to a policy of nondiscrimination in employment and opportunity because of race, color, religion, creed, national origin, ancestry, disability, sex, military status or age. The Board and the Administrator have issued the following policy stating the practice's views in this matter:

It is the policy of ECA to:

- Strictly follow personnel procedures that will ensure equal opportunity for all people without regard to race, color, religion, creed, national origin, sex, age, ancestry, marital status, disability, military status or any other trait protected by law.
- Comply with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA). ECA will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability.
- Make reasonable accommodations wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the duties and assignments connected with the job and provided that any accommodations made do not create any undue burden on ECA.
- Achieve understanding and acceptance of ECA policy on Equal Employment Opportunity by all employees and by the communities in which the practice operates.

Management is primarily responsible for seeing that ECA equal employment opportunity policies are implemented, but all members of the staff share in the responsibility for assuring that by their personal actions the policies are effective and apply uniformly to everyone.

Harassment Policy

ECA intends to provide a work environment that is pleasant, healthy, comfortable, and free from intimidation, hostility or other offenses, which might interfere with work performance. Harassment of any sort, verbal, physical, visual, sexual will not be tolerated.

Sexually harassing conduct may include unwelcome sexual advances, request for sexual favors, or any other verbal or physical contact of a sexual nature that prevents an individual from effectively performing their duties. Sexually harassing conduct may create an intimidating, hostile or offensive working environment or (quid pro quo) when such conduct is made a condition of employment or compensation, either implicitly or explicitly.

All ECA employees, and particularly Managers, have a responsibility for keeping our work environment free of harassment. Any employee who becomes aware of an incident of harassment should report it, by completing the Discrimination/Harassment form and submitting the form to any Manager or the Administrator. ECA also provides a mechanism for reporting any incident by calling our compliance hotline at 888-283-5600.

All reports will be promptly investigated. Any employee found to have harassed a fellow employee or subordinate would be subject to severe disciplinary action or termination. ECA will also take any additional

action necessary to appropriately remedy the situation. No adverse employment action will be taken towards any employee making a good faith report of alleged harassment.

Introductory Period

Your first 90 days of employment at ECA are considered an Introductory Period. This Introductory Period will be a time for getting to know your fellow employees, your Manager and the tasks involved in your job position, as well as becoming familiar with ECA services.

This Introductory Period is for both you, as an employee, and ECA, as an employer. During this Introductory Period, ECA will evaluate your suitability for employment, and you can evaluate ECA as well. At the end of the Introductory Period, your Manager will discuss your job performance with you. This review will be much the same as the normal job performance review that is held for full-time or part-time employees on an annual basis. Please understand that completion of the Introductory Period does not guarantee continued employment for any specified period of time, nor does it require that an employee be discharged only for "cause." Completing the Introductory Period does not guarantee an increase in compensation. If you take time off during the Introductory Period, the Introductory Period will be extended by that length of time. A former employee who has been rehired after a separation from ECA is considered a new employee and is required to complete the 90-day Introductory period.

Knowledge of EyeCare Associates

After having learned to competently perform your own duties, your next step is to familiarize yourself with other ECA services. This can prove valuable to you, our patients and ECA as well. ECA may provide additional cross training.

Knowledge of the services of ECA will help you avoid the "I don't know" syndrome. Our patients' confidence in you increases as you are able to answer their basic questions. However, please don't pretend you know the answer or try to guess the answer when you are uncertain. If you are unsure of the correct information, refer the inquiry to your Manager, or to a person more qualified to respond.

Outside Employment/Conflict of Interest

If you are employed by ECA in a full-time position, ECA will expect that your position here is your primary employment. Any outside activity must not interfere with your ability to properly perform your job duties at ECA, this includes, but is not limited to school.

If you are thinking of taking on a second job, please notify your Manager immediately. He or she may discuss this opportunity with you to make sure that it will not interfere with your job at ECA nor pose a conflict of interest.

Patient and Public Relations

The success of ECA depends upon the quality of the relationships between ECA, our employees, our patients, our payors, our vendors and the general public. Our patients' impression of ECA and their interest and willingness to use our services is greatly formed by the people who serve them. In a sense, regardless of your position, you are an ECA ambassador. The more goodwill you promote, the more our patients will respect and appreciate you, the ECA doctors and the services we provide.

Here are several things you can do to help give a good impression of ECA:

- Perform competently, professionally and deal with patients in a courteous and respectful manner.
- Communicate pleasantly and respectfully with other employees/Managers at all times.
- Follow up on orders and questions promptly, provide professional replies to inquiries and request, and perform all duties in an orderly manner.
- Take great pride in your work, in the professionalism of your work and appearance, and enjoy doing your very best.

Patient/Customer Complaint

If an ECA employee becomes aware of a patient/customer complaint, the employee is required to notify Management immediately.

Proof of U.S. Citizenship and/or Right to Work

Federal regulations require that 1) before becoming employed, all applicants must complete and sign Federal Form I-9, Employment Eligibility Verification Form; and 2) all applicants who are hired need to present documents of identity and eligibility to work in the U. S.

Disciplinary Actions

ECA reserves the right to use discipline deemed necessary according to the incident. Discipline may include verbal warning, written warning, suspension or termination.

Occurrences of any of the following activities, as well as violations of any ECA policies, is considered misconduct and may be subject to disciplinary action. This list is not all-inclusive.

- Unsatisfactory or careless work; failure to follow instructions.
- Leaving work before the end of a workday or not being ready to work at the start of a workday without approval of your Manager; stopping work before time specified for such purposes.
- Loitering or loafing during working hours.
- Unsafe/reckless driving in the parking lot.
- Excessive personal calls.
- Failure to report an absence or late arrival; excessive absence or tardiness, with or without an excuse.
- Failure to immediately report damage to, or an accident involving ECA equipment.
- Failure to maintain a neat and clean appearance in terms of the standards established by ECA; any departure from accepted conventional modes of dress or personal grooming; wearing improper or unsafe clothing.
- Eating food in patient care and/or service areas.
- Violation of the Tardiness Policy.
- Wearing or displaying ECA's name or logo in a manner or place that might damage ECA's image or goodwill in the community.
- Personal texting during working hours. (An employee may text during designated breaks and lunch hours as long as it is away from their work area and out of patient view. Any extenuating circumstance requiring texting must be pre-approved by your Manager.)

Generally speaking, we expect each person to act in a mature and responsible way at all times. Occurrences of any of the following violations, because of their seriousness, is considered misconduct, and may result in immediate termination. This list is not all inclusive.

- Violation of any ECA rule; any deliberate action that is extreme in nature and is obviously detrimental to ECA efforts to operate profitably.
- Negligence, or any careless action, which endangers the life or safety of another person.
- Being intoxicated or under the influence of controlled substance drugs while at work; use or possession or sale of controlled substance drugs in any quantity while on ECA premises except medications which do not impair work performance and are prescribed by a physician.
- Unauthorized possession of dangerous or illegal firearms, weapons or explosives on ECA property or while on duty.
- Engaging in criminal conduct or acts of violence, or making threats of violence toward anyone on ECA premises or when representing ECA; fighting, or horseplay or provoking a fight on practice property, or negligent damage of property.
- Insubordination or refusing to obey instructions issued by Management.
- Threatening, intimidating or coercing fellow employees.
- Engaging in an act of sabotage; willfully or with gross negligence causing the destruction or damage of business property, or the property of fellow employees, patients, suppliers, or visitors in any manner.
- Theft of ECA property or the property of fellow employees; unauthorized possession or removal of any ECA property, including documents, from the premises without prior permission from Management; unauthorized use of ECA equipment or property for personal reasons; using ECA equipment for profit. Theft of any type, not limited to ECA property, is subject to prosecution.
- Dishonesty
- Falsification or misrepresentation on your application for employment or other work records; falsifying reason for a leave of absence or other data requested by ECA; alteration of practice records or other ECA documents.
- Violating the confidentiality agreement; giving confidential or proprietary ECA information to competitors or other organizations or to unauthorized ECA employees; working for a competing business while an ECA employee; breach of confidentiality of personnel information.
- Non-Adherence to the Driver Safety/Computer Accepted Use/Social Media Policies.
- Malicious gossip and/or spreading slanderous rumors; engaging in behavior designed to create discord and lack of harmony; interfering with another employee on the job; willfully restricting work output or encouraging others to do the same.
- Immoral conduct or indecency on ECA premises.
- Conducting a lottery or gambling on ECA premises.
- Any act of harassment, sexual, racial or other; telling sexist or racial-type jokes; making racial or ethnic slurs.
- Failure to use the hand punch system; alteration/misrepresentation/falsification of your hand punch sheet, records, or attendance documents; using the record keeping system for any other means than actual time worked.
- Obscene or abusive language toward any Manager, rudeness towards a patient or fellow employee, any disorderly/antagonistic conduct on ECA premises.
- Defamation or speaking disparagingly in any form towards ECA as a company, any personnel, owners, or affiliates. This includes, but is not limited to, the use of blogs, forums, or any discussion groups/social media.
- Any and all violations of HIPAA, OSHA and Billing Compliance policies.
- Requesting or prescribing anything not authorized by a doctor.
- Refusal to allow a search of your person and personal items on company property, interfering with a search or refusal to a drug test. These violations are considered as a voluntary resignation.

Termination

Employment and compensation with ECA is "at will" in that employees can be terminated with or without cause, and with or without notice, at any time, at the option of either ECA or employee, except as otherwise provided by law.

If your performance is unsatisfactory due to lack of ability, failure to abide by ECA rules or failure to fulfill the requirements of your job, you will be notified of the problem. If satisfactory change does not occur, you may be terminated. Some incidents may result in immediate termination.

COMPENSATION & PERFORMANCE

Wage & Salary Policies

It is ECA's desire to pay wages and salaries that are competitive with other employers in the marketplace in a way that will be motivational, fair and equitable, variable with individual and practice performance and in compliance with all applicable statutory requirements. You are employed by ECA and will be carried directly on our payroll. No person will be paid directly out of petty cash or any other such fund for work performed.

Deductions from Paycheck (Mandatory)

ECA is required by law to make certain deductions from your paycheck each time one is prepared. Among these are your federal, state and local income taxes as required by law. These deductions will be itemized on your pay stub. The amount of the deductions may depend on your earnings and on the information you furnish on your W-4 regarding the number of dependents/exemptions you claim. Any change in name, address, telephone number, marital status or number of exemptions must be reported to the Accounting Manager in writing immediately by completing the Employee Information/Change form, to ensure proper credit for tax purposes. The W-2 form you receive for each year indicates precisely how much of your earnings were deducted for these purposes.

Any other mandatory deductions to be made from your paycheck, such as court-ordered attachments, will be explained whenever ECA is ordered to make such deductions. If your paycheck is incorrect please inform the Accounting Manager, by or no later, than the Wednesday after payroll.

Overtime Pay

From time to time, it may be necessary for you to perform overtime work in order to complete a job on time. All overtime **must be approved in advance by your Manager**. When it is necessary to work overtime, you are expected to cooperate as a condition of your employment. There are two types of overtime work:

- **Scheduled Overtime:** Scheduled overtime work is announced in advance by your Manager. This type of overtime becomes part of the required workweek of the people who are members of the team. If you need to be excused from performing scheduled overtime, please speak with your Manager.

- **Incidental Overtime:** Incidental overtime is not scheduled; it becomes necessary in response to extenuating circumstances. It is extra time needed to complete work normally completed during regular hours. Incidental overtime may become necessary when an illness or emergency prevents co-workers from being at work as anticipated. It may require you to return to the workplace for emergency work.

If you are a "non-exempt" (hourly) employee and you perform overtime work, you will be paid one and one-half (1 ½) times your regular hourly wage. "Exempt" employees are not paid overtime wages pursuant to the law.

Work Performed on Approved Holidays

Full-time employees who work on an approved holiday will be compensated at their overtime rate.

Paycheck Direct Deposit Procedures

Paychecks are direct deposited biweekly/every other Tuesday. Should the payday fall on a scheduled holiday or the day after, paychecks will be direct deposited on the first working day following the designated payday. Direct deposit is mandatory.

Time Sheet/Records

By law, we are obligated to keep accurate records of the time worked by "non-exempt" (hourly) employees. You must be clocked in for all work performed.

This is done by either the hand punch system or other written documentation. The employee hand punch system is the only way the Accounting Department knows how many hours are worked and how much to pay. Employees are to punch in and out for lunch and anytime they leave the premises. All employees are required to keep their Manager advised of their departures from and returns to the premises during the workday, excluding lunch. Employees are not permitted to punch in more than 5 minutes before their scheduled starting time nor more than 5 minutes after the scheduled quitting time without the Manager's approval.

Each employee is responsible for keeping his/her assigned punch records up to date. If you forget to punch in/out, or have any issues with your hand punch time sheet, email the Accounting Department. All PTO Requests must be approved by your Manager and turned into the Accounting Department so that electronic time sheets may be corrected. **It is each employee's responsibility to make sure their time is correct and that PTO slips have been turned in and applied.** Time Sheets are to be reviewed by employees for errors/omissions (via computer) on a daily basis.

Actual Hand Punch Time Sheets are distributed every other Monday prior to payroll. They are to be signed by the employee, initialed by the Manager and returned to the Accounting Department for payroll calculations and record keeping.

Falsification of anything relating to the time keeping system is cause for disciplinary action, including possible termination. Any error in recording of time is to be reported to the appropriate Manager immediately.

Performance

Performance Reviews

Performance reviews will be conducted annually. New employees may be reviewed more frequently. A review may also be conducted in the event of a promotion, change in duties and responsibilities, or problems needing improvement. A performance review does not guarantee an increase in compensation.

During formal performance reviews, your Manager will consider the following things, among others:

- Attendance, initiative and effort
- Knowledge of your work
- Ability to work with others
- Attitude and willingness
- Appearance/dress code
- The quality and quantity of your work
- The conditions under which you work
- Professionalism

The primary reason for performance reviews is to identify your strengths and weaknesses in order to reinforce your good habits and develop ways to improve in your weaker areas. This review also serves to make you aware of and to document how your job performance compares to the goals and description of your job. This is a good time to discuss your interests and future goals. Your Manager is interested in helping you to progress and grow in order to achieve personal as well as work-related goals, perhaps he or she can recommend further training or additional opportunities for you.

It is against ECA Policy to discuss performance review information with anyone other than your Manager. Any deviation from this policy may result in disciplinary action. This includes information provided inadvertently.

In addition to individual job performance reviews, Management may periodically conduct a review of job descriptions to insure that we are fully aware of any changes in the duties and responsibilities of each position and that such changes are recognized.

Work Schedule

The normal workweek consists of five (5) days, eight (8) hours long, Monday through Friday. Your schedule of daily work hours will be given to you by your Manager. You will be notified promptly whenever a change is necessary.

If you have to work on a Saturday, the hours are computed with the prior week. If you have to work on a Sunday, the hours are computed with the following week. Should you have any questions concerning your work schedule, please ask your Manager.

Tardiness/Absences (Unscheduled Time Off)

Once you are clocked in, you are expected to be at your work station and ready to work (eating and all grooming completed) at your assigned time. You are expected to remain at your work station until the end of your assigned work hours, except for approved breaks and lunch.

Tardiness makes work more difficult for other employees and it impairs our ability to deliver quality service on time to our patients. You will be counted as Tardy if you clock in (5) five minutes after your shift starts (including returning from lunch). Excessive tardiness is defined as being tardy more than (5) times in any (3) three month period or repeated abuse of the Tardiness policy (for example: being late (4) minutes consistently). Excessive abuse of this policy may be subject to disciplinary action. Management reserves the right to eliminate the (5) five-minute grace period for individuals who repeatedly abuse the grace privilege.

There are times that it may be necessary for you to be absent from work. We are aware that emergencies, illnesses, or pressing personal business that cannot be scheduled outside your work hours may arise. Paid Time Off has been provided for this purpose.

When you know you are going to be absent or late, immediately call/text/leave a voicemail on your Manager's cell phone. Give him or her as much time as possible to arrange for someone else to cover your position until you arrive. If you are unable to reach your Manager, call/text the Administrator or another Manager. **It is unacceptable to leave a message in any of the following ways: office voicemail, e-mail, with a fellow employee, or with the switchboard operator.** For late arrivals, please indicate when you expect to arrive for work. If you are unable to call in yourself because of an illness, emergency or for some other reason, be sure to have someone call on your behalf.

If you are absent because of illness for three (3) or more successive days, your Manager will request that you submit written documentation from your doctor. If you are absent five (5) or more days because of illness, you may be required to provide written documentation from a doctor that you are able to resume normal work duties before you will be allowed to return to work. You will be responsible for any charges made by your doctor for this documentation.

Excessive absenteeism is defined as being absent without prior approval for more than three (3) occurrences in any three month period. Excessive absences may be grounds for termination.

Absence from work for two (2) consecutive days without notifying your Manager will be considered a voluntary resignation or job abandonment.

Your attendance record will be considered when evaluating requests for raises, transfers, leaves of absence, and PTO.

Lunch Period

For your convenience and comfort, ECA provides an employee break room equipped with ample seating, microwave ovens and a refrigerator for employees who want to bring their lunch from home. This area is for everyone's use. It is your responsibility to do your share in keeping this facility clean and sanitary. Please clean up after yourself. Please remember to use containers with reliable seals and label your food with your name. You may not place your food in any of the clinic refrigerators designated as non-food storage.

Lunch period begins when you leave your work area and clock out. Do not abuse the lunch period by preparing your food, eating your lunch or cleaning up while you are clocked in.

Your particular hours of work and the scheduling of your lunch period will be determined and assigned by your Manager. Most employees are assigned to work a forty (40) hour workweek. You are required to take a one (1) hour unpaid lunch period daily; with the exception of clinical staff whose lunch schedule can be affected by the doctor's schedule, or at your Manager's discretion for appropriate staffing. **You may not "work through lunch" in order to arrive late or to leave early or to work extra time without prior permission from your Manager.**

Your Manager will give you your lunch period schedule. When you leave your workstation to take your lunch period, you must clock out. It is important to return to work on time at the end of your lunch period.

Employee Breaks

Paid time allowed for breaks is 15 minutes twice in an 8-hour day, on premises. This is not a time to disturb others who are working.

BENEFITS

The Benefits Package

In addition to receiving an equitable salary and having an equal opportunity for professional development and advancement, you may be eligible to enjoy other benefits, which will enhance your job satisfaction.

Eligibility for Benefits

If you are a full-time employee, you will enjoy all of the benefits described in this PPPM as soon as you meet the eligibility requirements for each particular benefit. If you are a part-time employee, you will enjoy only those benefits, which are required by law to be afforded to you, provided that you meet the minimum requirements set forth by law and in the benefit plan(s). Benefits afforded to part-time employees will be specifically noted. For benefit purposes, a minimum of 32 hours a week is required. If you fall below 32 hours, three (3) times in any 26 pay periods, you will lose all full-time benefits. You will be required to complete the Introductory Period (referenced on page 14) to regain full-time status.

Temporary employees are not eligible for benefits.

Continuing Education

ECA will offer in-house Continuing Education Units (CEU) for Certified Ophthalmic Technicians, Certified Ophthalmic Assistants and Ophthalmic Scribe Certification with the courses available online through our authorized access program.

No travel, hotel, or food reimbursements will be made to a technician attending an outside meeting. If American Academy of Ophthalmology or American Society of Cataract and Refractive Surgery (ASCRS), meeting is attended during normal work hours, Monday – Friday, 8:00 am to 5:00 pm, the technician's hourly rate will be paid to them as if they were at work. The appropriate documentation indicating meeting attendance must be

provided to the Clinic Manager for this payroll reimbursement. Reimbursement of \$200 will be made to those who attend the John Haley meeting in Dallas, and mileage reimbursement will be made to those who carpool.

Recertification

Recertification fees for Ophthalmic and Optician certification will be paid for by ECA.

(Added 1/1/2019)

Eye Wear Benefit

An Eye Wear benefit may be provided annually for all employees.

(Amended 1/1/2019)

Optical Shop

As an employee of ECA, you have a benefit of deeply discounted pricing for Optical Shop purchases. A purchase cannot be made if you have an existing balance on a previous purchase. If you have a balance with the Optical Shop at the time of an Eye Wear benefit, you have the option of paying your balance and using the Eye Wear benefit for glasses/contacts **OR** you can apply your Eye Wear benefit towards your balance. If you apply your Eye Wear benefit to an existing balance, you will not be allowed to “pay out” any future purchases.

Immediate and extended family members will receive a 25% discount on glasses.

(Added 1/1/2019)

Routine Optometric Eye Exam

An employee, spouse or dependent children (up to and including age 18) may receive an annual eye exam.

(Added 1/1/2019)

Holidays

Only full-time employees are eligible for holiday pay.

The following holidays are recognized by ECA as paid holidays:

New Year's Day

Memorial Day

Independence Day

Labor Day

Thanksgiving Day & following Friday

Christmas Eve (1/2 day)

Christmas Day

Usually, if a holiday falls on Saturday, ECA will observe the holiday on the preceding Friday. If a holiday falls on Sunday, ECA will usually observe the holiday on the following Monday.

If a holiday occurs during your approved scheduled PTO, you will be granted the same holiday leave as all other full-time employees and will not have to use PTO for the holiday.

In order to be eligible for a paid holiday, an employee must have worked his/her last **scheduled** workday before and after the holiday. The only exception is if an employee is ill either the day before or after a holiday and is able to supply a signed doctor's statement attesting to the illness. In that event, the employee is eligible for the paid holiday.

You are not eligible to receive holiday pay when you are on a leave of absence.

Paid Time Off (PTO) (Scheduled Time Off)

ECA provides all full-time employees with Paid Time Off (PTO). PTO may be used for vacation, sick or personal time off. However, PTO may not be used until his/her Introductory Period has successfully been completed. If an employee requests time off from work during their normally scheduled work time, a PTO Request form must be completed. The hours requested on the PTO Request form must equal the hours of your normal scheduled workday. PTO Request forms are to be signed by your Manager. If your Manager is unavailable the Accounting Department may pay from the form, but your Manager is to sign upon return. Employees are not allowed to leave without pay unless approved by their Manager.

PTO is accrued on an hourly basis. Accrual occurs on hours worked, PTO hours and Holidays. Full-time employees earn PTO according to years of service per the following schedule based on 40 hours per week:

0 – 5 years	.07 hours per hour worked	or	18 paid days off (144 hours)
6 – 10 years	.09 hours per hour worked	or	23 paid days off (184 hours)
Over 10 years	.10 hours per hour worked	or	26 paid days off (208 hours)

PTO may not be used before it is earned.

PTO may be taken at any time during the calendar year with the approval of the employee's Manager. It is desirable for directly assigned clinical personnel to take at least part of their PTO to coincide with vacation time taken by their physician.

PTO not used may be carried forward to the next calendar year until a maximum of 40 days (320 hours, 8 work weeks) is accrued. Any amounts in excess of 40 days (320 hours, 8 work weeks) will be paid to the employee at his/her normal compensation. This will be analyzed each December and paid by the 1st payroll in February. This PTO accrual is for your benefit for that unexpected illness or crisis that may arise.

PTO requests for anything other than illness must be scheduled as far in advance as possible (a request may not be submitted earlier than (6) months prior to the time requested) with a minimum of two (2) weeks advance notice required. **Do not** book any travel arrangements until your Manager has approved your PTO request. In the event of conflicting PTO requests, the request submitted first will be the request honored. If conflicts arise regarding PTO requests surrounding holidays, then Management's discretion may be used to rotate these dates between staff. Once the PTO Request form has been completed and signed by the Manager, the Manager will inform the phone room by placing the outage on the ECA calendar and "inviting" the phone room.

A holiday occurring during a period of PTO will be counted as a paid holiday and will not be charged against PTO earned.

If an employee does not successfully complete his/her Introductory Period, then he/she will not be compensated for any accrued PTO. PTO does not accrue when you are out on Workers' Compensation leave.

In the event of an injury or illness covered by Workers Compensation, ECA will defer to state statutes. As previously stated in the Absence/Tardiness section; If you are absent because of illness for three (3) or more successive days, your Manager will request that you submit written documentation from your doctor. If you are absent five (5) or more days because of illness, you may be required to provide written documentation from a

doctor that you are able to resume normal work duties before you will be allowed to return to work. You will be responsible for any charges made by your doctor for this documentation. Excessive absences may be grounds for termination.

Other Paid Leaves

Funeral (Bereavement) Leave

You are entitled to take up to three (3) workdays with pay to attend the funeral and take care of personal matters related to the death of a member of your immediate family (a parent, spouse, spouse's parent, brother, sister or child, step-child). Only full-time employees are eligible for paid bereavement leave.

Your PTO is not affected by bereavement leave.

With your Manager's approval, you may take up to one full day without pay to attend funerals of other relatives and friends. If you prefer, PTO may be used for this purpose.

Pay for a funeral leave will be made for actual time lost from work. If the death occurs at a time when work is not scheduled, payment will not be made. If a holiday or part of your vacation occurs on any of the days of absence, you may not receive holiday or PTO in addition to paid funeral leave.

An excused absence for family death may not be retroactive, postponed or split.

Jury Duty

If you are called for jury duty, ECA will grant you the necessary time off. Request for time off must be made in writing by completing a PTO Request form using either accrued PTO or leave without pay. You must notify your Manager within forty-eight (48) hours of receipt of the jury summons and provide a copy. When you return to work from jury duty you must be in your uniform.

Unpaid Leaves of Absence

Occasionally, for medical, personal, or other reasons, you may need to be temporarily released from the duties of your job with ECA, but may not wish to submit your resignation. Under certain circumstances, you may be eligible for an unpaid leave of absence. A leave of absence may be granted to full-time employees who have completed at least one year of continuous service.

There are several types of unpaid leaves (Family or Medical, Military Family and Personal) which you may be eligible for. Each of these requires you to complete the Request for Leave Of Absence form and submit your request to your Manager. ECA policy on Leaves of Absence is; that any employee who remains absent from the workplace for six months will be terminated.

ECA is committed to providing employees with leaves of absence in compliance with the Family and Medical Leave Act of 1993 ("FMLA"). This policy is intended to be construed in compliance with the FMLA but is not intended to provide greater rights than the FMLA provides.

FMLA

Family or Medical Leave

Eligible employees may take up to twelve (12) weeks of unpaid, job-protected leave for the following reasons:

- For incapacity due to pregnancy, prenatal medical care, childbirth, and to care for the newborn child. Both mothers and fathers may take FMLA leave for the birth of a child and to care for a healthy newborn child (*i.e.*, bonding) during the 12-month period beginning on the date of birth.
- For placement with the employee of a son or daughter for adoption or foster care, and to care for the newly-placed child. Leave for placement includes, but is not limited to, leave prior to the placement that is required for attendance at counseling sessions, court appearances, consultations with attorneys and doctors, travel to another country to complete an adoption, *etc.* Both mothers and fathers may take FMLA leave for placement of a child and to care for a healthy newly-placed child (*i.e.*, bonding) during the 12-month period beginning on the date of placement
- To care for the employee's spouse, parent, son or daughter who has a serious health condition.
- Because the employee's own serious health condition makes the employee unable to perform one or more of the essential functions of his or her job.
- A qualifying emergency arising out of the fact the employee's spouse, son, daughter or parent is a covered military member on covered active duty or called to covered active duty.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either:

- An overnight stay in a hospital, hospice, or residential medical care facility; or
- Continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by:
 - a period of incapacity of more than three (3) consecutive full calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves (i) treatment (an in person visit with a health care provider) at least two (2) times, the first of which occurs within seven (7) days of the first day of incapacity and the second within thirty (30) days of the first day of incapacity ,or (ii) treatment (an in person visit with a health care provider) one time within seven (7) days of the first day of incapacity resulting in a regimen of continuing treatment under the supervision of the health care provider; or
 - any period of incapacity due to pregnancy or due to a chronic condition (even if no treatment is received during the absence and even if the absence does not last at least three (3) consecutive full calendar days).
- In case of a member of the Uniformed Services, "serious injury or illness" means an injury or illness incurred by the member in line of duty on active duty in the Uniformed Services may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.

Other conditions may meet the definition of continuing treatment.

Military Family Leave

Eligible employees with a spouse, son, daughter, or parent who is a military member on covered active duty or call to covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces (including the National Guard or Reserves) may use their 12-week leave entitlement to address certain qualifying emergencies. Covered active duty or call to covered active duty involves deployment to a foreign country.

Qualifying emergencies may include addressing any issue that arises as a result of notice being given to the military member seven (7) or fewer calendar days prior to the date of deployment (leave for this purpose is limited to seven (7) calendar days); attending certain military events; attending certain family support and similar programs sponsored by the military; arranging for alternative childcare for the military member's child; arranging to transfer/enroll a military member's child into a new school or daycare; attending certain meetings with school or daycare staff; addressing certain financial and legal arrangements; attending certain counseling sessions; spending time with the military member who is on leave during deployment (up to 15 calendar days of leave may be used for this purpose); attending post-deployment reintegration briefings or other military programs that occur within 90 days of the conclusion of the active duty status; addressing issues that arise from the death of the military member while on covered active duty status; and arranging or providing care for the parent of a military member when the military member is on active duty. Other situations may qualify as emergencies.

Eligible employees who are the spouse, child, parent or next of kin of a covered service-member may take up to twenty-six (26) weeks of unpaid, job-protected leave to care for a covered service-member with a serious injury or illness. This leave is applied on a per-covered service-member, per injury basis as explained in the FMLA regulations. A covered service-member is:

- a current member of the Armed Forces (including a member of the National Guard or Reserves) who has an injury or illness for which the service-member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list that: (i) was incurred in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the service-member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and (ii) may render the service-member medically unfit to perform his or her military duties; or
- a veteran who was discharged or released under conditions other than dishonorable from the Armed Forces (including the National Guard or Reserves) at any time during the five (5)-year period immediately preceding the first date the eligible employee takes FMLA leave to care for the veteran and who has an injury or illness for which the service-member is undergoing medical treatment, recuperation, or therapy that: (i) was incurred by the service-member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the service-member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces); (ii) manifested itself before or after the service-member became a veteran; and (iii) meets the other requirements set forth in applicable FMLA regulations.

Eligibility

To be eligible for FMLA leave, you must meet all of the following requirements:

- You must have been employed by ECA for at least twelve (12) months as of the date the leave is to start. These 12 months need not be consecutive, however, employment periods prior to a break in service of seven (7) years or more will not be counted unless the break in service is due to fulfillment of your Uniformed Services Employment and Re-Employment Rights Act ("USERRA") service obligations or there is a written agreement concerning our intention to rehire you after the break in service. If applicable, the period of absence from work with ECA due to your USERRA service will be counted in determining whether you have been employed at least 12 months for purposes of this policy.

- You must have actually worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the requested leave. If applicable, an employee returning from fulfilling his or her USERRA service obligation shall be credited with the hours of service that would have been performed but for the USERRA service for purposes of determining whether this 1250 hour threshold has been met.
- You must be employed at a worksite where at least 50 employees are employed by ECA within 75 miles of that worksite.

If you request leave, we will inform you whether you are eligible under FMLA. If you are, the notice will specify any additional information required as well as your rights and responsibilities. If you are not eligible, then we will provide a reason for the ineligibility.

Amount of Leave

The period in which the 12 weeks of leave entitlement occurs is based on a rolling 12-month period measured backward from the date you use any FMLA leave. In contrast, the period in which the 26 weeks of leave entitlement occurs begins on the first day the eligible employee takes FMLA leave to care for a covered service-member and ends 12 months after that date (Note: An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during this 12 month period).

Spouses employed by ECA who both are eligible for FMLA leave are limited to:

- a combined total of twelve (12) weeks of leave during the applicable rolling 12-month period if the leave is taken for birth or placement of a child, for bonding with a healthy child after birth or placement, or to care for the employee's parent with a serious health condition; and
- a combined total of twenty-six (26) weeks of leave during a single 12-month period if the leave is taken to care for a covered service-member with a serious injury or illness, and also for birth or placement of a child, for bonding with a healthy child after birth or placement, or to care for the employee's parent with a serious health condition.

Continuous and Intermittent FMLA Leave

If you take FMLA leave after the birth, adoption or foster-placement of a child to care for a healthy child following birth or placement, your leave must be continuous. Eligibility for such leave expires at the end of the 12-month period beginning on the date of birth or placement.

FMLA leave for your own serious health condition, the serious health condition of a covered family member, or to provide care for a covered service-member with a serious injury or illness may be taken intermittently or on a reduced schedule where demonstrated to be medically necessary. If intermittent or reduced schedule FMLA leave is approved for planned medical treatment:

- We may temporarily transfer you to another position with equivalent pay and benefits that better accommodates your intermittent or reduced schedule leave; and
- You must make a reasonable effort to schedule your treatment in a manner that does not unduly disrupt Employer's operations.

FMLA leave due to a qualifying emergency also may be taken intermittently or on a reduced schedule basis.

Pay and Benefits

Generally, FMLA leave is unpaid. The salary of an exempt employee may be reduced for any hours taken as intermittent or reduced schedule FMLA leave. Although FMLA leave generally is unpaid, you must use accrued PTO from the commencement of your FMLA leave. Use of PTO does not extend your FMLA leave. You simply substitute paid leave for otherwise unpaid leave. Notwithstanding anything in this policy to the contrary, if you are on FMLA leave and are receiving some type of income replacement benefit during that leave (for example, worker's compensation or a disability benefit), you are required to use PTO to supplement the income replacement benefit.

During your FMLA leave, your group health insurance coverage will be maintained on the same terms as if you had continued to work. Your share, if any, for such insurance will be through a payroll deduction or other written payment arrangement. If your premium payment is more than thirty (30) days late, your health insurance will be subject to lapse. You will receive written notice that your payment has not been received at least fifteen (15) days before coverage ceases, advising that coverage will be dropped on a specified date unless payment is received by that date. If our group health plan allows, your coverage may be dropped retroactively to the date the unpaid premium payment was due.

If you fail to return to work after using up all of your FMLA leave, your group health benefits will cease, unless you continue them at your expense pursuant to COBRA.

Life insurance, disability insurance and other non-health benefits will be maintained during your FMLA leave only if you timely and properly pay the applicable premium.

If we pay any portion of your share of premiums for any benefits during FMLA leave, you must reimburse us, regardless of whether you return to work. To the extent permitted by law, if you fail to return to work at the conclusion of your FMLA leave, we may recover our share of health insurance premiums that we paid during any unpaid FMLA leave.

Reinstatement

As a general rule, at the conclusion of your FMLA leave, you will return either to the same position that you held at the beginning of your FMLA leave, or to an equivalent position with equivalent pay, benefits and other conditions of employment. In most cases, you will return to the same shift or to the same or equivalent work schedule. Please understand, however, that you have no right to return to the exact position held before your FMLA leave began.

Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of your leave. Moreover, upon timely return to work from FMLA leave, benefits that lapsed during the leave will be reinstated without any qualifying period, medical examination, pre-existing condition waiting period, *etc.*

It is your responsibility to timely respond to any inquiry concerning your intention to return to work and to advise us as soon as you know that you will not be returning to work.

Examples of situations where your right to reinstatement may be limited follow:

- You have no greater right to reinstatement or to other benefits or terms of employment than if you had been continuously employed.
- If you are a salaried "key employee" (top paid 10% of all employees within 75 miles of your worksite), it is possible that you will not be reinstated at the end of an FMLA leave if reinstatement would result in substantial and grievous economic injury to our operations. You will be advised if you are a "key employee" and whether reinstatement might not be available to you.
- If you fail to provide a required fitness-for-duty certificate.

- If you are unable to perform the essential functions of the job, with or without reasonable accommodation.
- If you fraudulently obtain FMLA leave.
- If you engage in outside or supplemental employment while on FMLA leave.

Notice of Need for Leave

With respect to leave due to a qualifying emergency, you must provide notice as soon as practicable, regardless of how far in advance such leave is foreseeable. With respect to FMLA leave for other reasons, you must provide at least thirty (30) days' advance notice of foreseeable leave. If 30 days' notice is not possible, you must provide notice as soon as practicable (usually the same day you learn of the need for leave or by the next business day). Depending on the circumstances, your failure to provide sufficient notice of leave may result in the delay or denial of your leave. You must follow our usual and customary notice and procedural requirements for requesting leave (for example, completing specific forms, reporting to specific individual, reporting absence in a timely manner, *etc.*). **You must promptly advise your Manager and Human Resources in writing (e-mail is acceptable) as soon as you know that you may need a leave of absence for any reason, or, if later, within the time periods set forth in this paragraph, so that a determination of your eligibility, rights and obligations may be made. You must provide the reasons for the requested leave, the anticipated start of the leave, the anticipated duration of the leave, and the information set forth in the following paragraph to enable us to determine whether the reason may be FMLA-qualifying. Failure to follow these requirements may result in the delay or denial of leave.**

When reporting your need for leave, you must provide sufficient information for us to determine if the leave may qualify for FMLA protection. Depending on the situation, such information may include that a condition renders you unable to perform the functions of your job; that you are pregnant or have been hospitalized overnight; whether you or your family member is under the continuing care of a health care provider; if the leave is due to a qualifying emergency, that a military member is on covered active duty or call to covered active duty status (or has been notified of an impending call or order to covered active duty), and that the requested leave is for one of the reasons listed in this policy or in the FMLA regulations; or, if the leave is for a family member, that the condition renders the family member unable to perform daily activities, or that the family member is a covered service-member with a serious injury or illness. **You must inform us if the requested leave is for a reason for which FMLA leave was previously taken or certified. Simply calling in "sick" is not sufficient.**

We will inform you if leave will be designated as FMLA-protected and the amount of leave counted against your leave entitlement. If we determine that the leave is not FMLA protected, we will notify you.

During any FMLA leave, you may be required to periodically report on your status and intent to return to work. If the amount of leave that you need changes, you must let us know within two (2) business days of the date you know of the change in circumstances.

Medical Certification

As a general rule, your request for FMLA leave for your own serious health condition; to care for a spouse, son, daughter, or parent with a serious health condition; to care for a covered service-member with a serious injury or illness; or because of a qualifying emergency must be supported by a certification. We will provide you with the required form, which must be completed and returned to Human Resources within fifteen (15) calendar days.

With respect to medical certifications for the serious health condition of the employee or covered family member, we may require a second opinion from a healthcare provider that we designate, at no cost to you. If there is a difference between the two opinions, we may require a third opinion from a mutually agreeable healthcare provider, at no cost to you, which will be final and binding.

From time to time, at your expense, recertification of a serious health condition may be required. Recertification generally will not be required more often than every thirty (30) days (or longer period if the minimum duration of your condition is certified to exceed 30 days) unless you request an extension of the FMLA leave, circumstances described in a previous certification have changed significantly, or there is a reason to doubt the validity of the prior certification.

A fitness-for-duty certification from a healthcare provider, at your expense, will be required before you may return to work following any FMLA leave due to your own serious health condition. This does not apply each time you return from intermittent leave; however, we may require a fitness for duty certification every 30 days (or longer period) in such situations if we have reasonable safety concerns regarding your ability to perform your duties.

You are responsible for providing a complete and sufficient certification. If you provide a certification that is not complete or sufficient, you will have seven (7) days to cure deficiencies that we bring to your attention. If you fail to meet timelines for providing a complete and sufficient certification, your request for leave may be delayed or denied.

Consistent with applicable law, if the employee fails to return to work upon the expiration of your leave, the employee will be subject to immediate termination unless an extension has been granted.

Reporting While On Leave

If you take leave because of your own serious condition or to care for a covered relative, you must contact ECA on the first working day of the first and third week of each month regarding the status of the condition and your intention to return to work. In addition, you must give notice as soon as practical (within 2 business days feasible) if the dates of leave change or are extended or initially were unknown.

FMLA and “Light Duty”

If you have a “serious health condition” and we may have light duty available to you, you have the option of (i) remaining on FMLA leave until you exhaust such leave or (ii) accepting light duty work. If you turn down light duty work, you may not be eligible to receive worker’s compensation wage benefits. If you accept a light duty position, your right to be restored to your same or equivalent position expires at the end of the 12 month FMLA leave year.

No Work While on Leave

The taking of another job while on FMLA leave or any other authorized leave of absence without prior approval of Human Resources may lead to disciplinary action, up to and including discharge.

Interference with Rights

It is unlawful to interfere with, restrain, or deny any right provided by this policy or to discharge or in any other manner discriminate against an employee for opposing any practice made unlawful by this policy.

It is unlawful to discharge or in any manner discriminate against any employee because the employee does any of the following:

- files any civil action, or institutes or causes to be instituted any civil proceeding under or related to this policy;
- gives, or is about to give, any information in connection with any inquiry or proceeding relating to any right provided by this policy; or
- testifies, or is about to testify, in any inquiry or proceeding relating to any right provided under this policy.

If any employee believes he/she is experiencing an interference with these rights or discrimination, the employee should immediately report such event to the Human Resources Department. Any employee interfering with or discriminating against another employee for exercising his/her rights under the FMLA will be subject to immediate discipline, including termination.

ECA's Responsibilities

Notification of FMLA provisions – In addition to posting the FMLA provisions, ECA will include the FMLA provisions in the employee handbook (PPPM). In addition, each time an employee provides notice of a need for FMLA, ECA shall provide the employee with written notice detailing the specific expectations and obligations of the employee and explaining any consequences of failure to meet those obligations.

Notice of Eligibility – It is ECA's responsibility to determine that an employee is eligible for FMLA leave. If an employee notifies ECA of a need for FMLA leave before the employee meets the eligible criteria, ECA will:

- Confirm the employee is eligible effective on the date leave is to start, or
- Advise the employee when the requirement will be met.

No additional notice of FMLA from the employee is required. If ECA does not advise the employee whether the employee is eligible prior to the date of leave is to start, the employee will be deemed eligible. ECA may not, then, deny the leave.

If the employee does not give notice of the need for leave more than two workdays before beginning leave, the employee will be deemed to be eligible unless notified of ineligibility within two workdays of the date the notice is received.

Designation of Leave as FMLA Leave

It is the responsibility of ECA to:

- determine that leave requested is for a FMLA qualifying reason; and
- Designate leave, whether paid or unpaid as FMLA leave even when an employee would rather not use the FMLA entitlement.

The key in designating FMLA leave is the qualifying reason(s), not the employee's election or reluctance to use FMLA leave or to use all, some or none of the accrued leave. ECA's designation must be based on information obtained from the employee or an employee's representative (e.g., spouse, parent, physician, etc.).

Enforcement

ECA will not interfere with, restrain, or deny the exercise of any right provided under the FMLA or discharge or discriminate against any person for opposing any practice prohibited by the FMLA or for involvement in any proceeding under or relating to the FMLA.

No one who attempts to exercise their rights under the FMLA will be subjected to retaliation of any kind for doing so. If you believe anyone has violated this policy, you should immediately report your concerns to Human Resources at ECA and/or call our compliance hotline at 888-283-5600. We will take immediate and appropriate corrective action (which may include unpaid suspension or termination) if we determine that a violation of this policy has occurred.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law which provides greater family or medical leave rights. The FMLA is enforced by the U.S. Department of Labor.

The Wage and Hour Division administers and enforces the FMLA. The Wage and Hour Division investigates complaints. If a violation cannot be satisfactorily resolved, the U.S. Department of Labor may bring action in court to compel compliance. An employee may also be able to bring a private civil action against an employer for violations.

Personal Leave of Absence

In very special circumstances, ECA may grant a leave for a personal reason. You should request an unpaid personal leave of absence from your Manager and submit a Request For Leave Of Absence form. A personal leave of absence will interfere with the operations of your work area. Your Manager will submit your request to the appropriate member of Management for final approval.

A personal leave of absence may be granted for up to thirty (30) days. ECA will pay our share of the Cafeteria Plan funding for a maximum of 30 days while you are on an approved personal leave. You will be responsible for any costs that are a part of the optional Cafeteria Plan. However, holidays will not be paid if they occur during the leave of absence.

Employees who must remain away from work for more than the period of time allowed above will be considered terminated from employment. They are welcome to re-apply subject to ECA usual hiring policies.

Limitations on Leaves of Absence

With the exception of leaves of absence for military duty, no leave of absence, by itself or in combination with other periods of leave, may last longer than six (6) months. Any employee who for any reason or combination of reasons misses a total of six (6) months of work in a twelve (12) month period, or a total of nine (9) months of work in an eighteen (18) month period, will be separated from employment due to the unavailability for work, subject to any reasonable accommodation duties ECA may have under the ADA or similar law. Any employee so separated will be eligible for rehire and will be able to apply for any vacancies that may exist at any given time, depending upon qualifications and availability of job openings.

Military Leave

ECA grants military leaves of absence if you are absent from work because you are serving in the U. S. Uniformed Services in accordance with the Uniformed Employment and Re-employment Rights Act (USERRA).

You must give your supervisor advance notice of upcoming military service, unless military necessity prevents advance notice or it is otherwise impossible or unreasonable.

You will not be paid for military leave. However, you may use any available accrued paid time off, such as vacation or sick leave, to help pay for the leave. Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which you are otherwise eligible.

If you are on military leave for up to 30 days, you must return to work on the first regularly scheduled work period after your service ends (allowing for reasonable travel time). If you are on military leave for more than 30 days, you must apply for reinstatement in accordance with USERRA and applicable state laws.

When you return from military leave (depending on the length of your military service in accordance with USERRA), you will be placed either in the position you would have attained if you had stayed continuously employed or in a comparable position. For the purpose of determining benefits that are based on length of service, you will be treated as if you had been continuously employed.

If you have questions about military leave, contact the Human Resources Department for more information.

Accepting Other Employment or Going into Business While on Leave of Absence

If you accept any employment or go into business while on a leave of absence from ECA, you will be considered to have voluntarily resigned from employment with ECA as of the day on which you began your leave of absence.

Cafeteria (Section 125) Plan

ECA offers full-time employees the option of participating in its Cafeteria Plan. A Cafeteria Plan is a benefit program under which each employee has the opportunity to choose the particular eligible benefits he/she desires and pay for them on a pre-tax basis. This means that the employee premiums are deducted from the employees' salary before taxes (FICA and Federal Income Tax) are calculated. As a result an employees' taxable income is lowered. Benefits under the Cafeteria Plan remain in effect for the entire year and can only be changed if there is a change in family status (i.e. marriage, divorce, death of a spouse or child, birth or adoption of a child, or termination of employment).

ECA contributes a monthly allowance into each employees Plan. With this monthly allowance, and any additional employee contributions, you may purchase any of the following benefits:

- Medical Health Care Coverage (Group Insurance)
- Dental Care Coverage
- Group Term Life Insurance
- AFLAC Products
- Un-Reimbursed Medical Expenses
- Dependent Child Care

As a full-time employee you will be need to contact the Accounting Department to see when you become eligible for these benefits. If you choose insurance coverage, our insurance company will provide information describing your benefits.

In the event of your termination of employment with ECA or loss of eligibility to remain covered under our group health insurance program, you and your eligible dependents may have the right to continued coverage (COBRA) under our health insurance program for a limited period of time at your or their own expense. For details see the

Accounting Manager.

Termination of Insurance

Your insurance will terminate when the insurance policy terminates, when you fail to make an agreed contribution to premium when due, when you cease to be eligible for coverage under the terms of our group insurance program, or when you cease to be employed as a full-time employee eligible for the insurance.

Workers' Compensation

Under the provisions of the law, if you are injured at work you are eligible for Workers' Compensation. Every ECA employee is protected by Workers' Compensation.

Workers' Compensation is a state regulated insurance program that pays your medical bills and replaces a **portion** of your lost wages if you have a work related injury or illness. PTO will not accrue while you are out on Workers' Compensation leave.

All injuries, no matter how slight, must be reported immediately to a Manager to assure consideration under Workers' Compensation Insurance, should complications develop later. Your Manager will see that you receive medical attention. ECA is required by Workmen's' Compensation law to complete the appropriate forms to insure your protection. It is imperative that you report your injuries immediately to your Manager or any of the Management team.

Other Benefits

401 (k) Investment Plan

ECA has adopted a 401K plan (Plan) to provide you with the opportunity to save for retirement on a tax-deferred basis. Your Summary Plan Description (SPD) contains valuable information regarding all the features of your Plan. You should take the time to read the SPD to get a better understanding of your rights and obligations in the Plan. You have the option of whether or not to participate in the Plan. Your SPD will answer all of your questions. These are available from the Accounting Department.

You are eligible to participate in the Plan if you are at least 21 years of age and reached your "entry date". Your entry date is the first payroll of the quarter following the date you satisfy the ninety (90) days of employment. As a participant you choose the amount up to 90% of your salary to be deducted each pay period, unless you are designated as a Highly Compensated Employee (HCE) per government guidelines. HCE contributions are restricted as defined by our plan. ECA matches 50% up to the first 4% of your salary. You are fully vested after 6 years.

Employee Medical Eye Care

As an employee of ECA, you may receive medical eye care from any of the providers of the practice which will be filed on your insurance. Verification of coverage must be made prior to seeing the doctor. Surgical care will be

reviewed on a case-by-case/Doctor-by-Doctor basis. Do not seek non-emergency non-ophthalmologic medical care from one of the physicians of ECA. You are expected to use your own family physician for such purposes.

OTHER POLICIES

Children of Employees at Work

It is in violation of ECA policy for an employee to have any children at work, with the exception of the child having an appointment with an ECA physician. Any extenuating circumstance must be approved by your Manager.

Communications

Successful working conditions and relationships depend upon successful communication. Not only do you need to stay aware of changes in procedures, policies and general information, you also need to communicate your ideas, suggestions, personal goals or problems as they affect your work.

In addition to the exchanges of information and expressions of ideas and attitudes which occur daily, make certain you are aware of and utilize all ECA methods of communication, including this PPPM, Joy/Concerns boards, discussions with your Manager, memos, staff meetings, training sessions and informational emails. All employees will be assigned an email address. This is to be used for business purposes only. It is mandatory that all ECA employees check their ECA email daily.

Compliance Plans

ECA has instituted compliance plans (including, but not limited to, HIPAA, OSHA and Billing) which contain policies, procedures, and standards of conduct designed to ensure ECA maintains compliance with federal laws and regulations. Failure to abide by the rules, policies and procedures established by this plan, or behavior in violation of any fraud and abuse law, regulation, or role will result in disciplinary action. Failure to comply with the policies and procedures contained in these plans will result in immediate termination.

Computer Accepted Use Policy

This Computer Accepted Use Policy applies to all employees of ECA who have access to computers and the Internet to be used in the performance of their work. Use of the Internet by employees of ECA is permitted and encouraged where such use supports the goals and objectives of the business. However, access to the Internet through ECA is a privilege and all employees must adhere to the policies concerning Computer, Email and Internet usage. Violation of these policies could result in disciplinary and/or legal action leading up to and including termination of employment. Employees may also be held personally liable for damages caused by any violations of this policy. All employees are required to acknowledge receipt and confirm that they have understood and agree to abide by the rules hereunder.

Computer, Email and Internet Usage

- Employees are expected to use the Internet responsibly and productively. Internet access is limited to job-related activities only.
- Job-related activities include research and educational tasks that may be found via the Internet that would help in an employee's role.
- All Internet data that is composed, transmitted and/or received by ECA computer systems is considered to belong to ECA and is recognized as part of its official data. It is therefore subject to disclosure for legal reasons or to other appropriate third parties.
- The equipment, services and technology used to access the Internet are the property of ECA and ECA reserves the right to monitor Internet traffic and monitor and access data that is composed, sent or received through its online connections.
- Emails sent via the ECA email system should not contain content that is deemed to be offensive. This includes, though is not restricted to, the use of vulgar or harassing language/images.
- All sites and downloads may be monitored and/or blocked by ECA if they are deemed to be harmful and/or not productive to business.
- The installation of software such as instant messaging technology is strictly prohibited.

UNACCEPTABLE Use of Computer, Email, Internet and Any Other ECA Electronic Infrastructure by Employees Includes, But Is Not Limited To:

- Sending or posting discriminatory, harassing, or threatening messages or images on the Internet or via ECA email service.
- Using computers to perpetrate any form of fraud, and/or software, film or music piracy.
- Stealing, using, or disclosing someone else's password without authorization.
- Downloading, copying or pirating software and electronic files that are copyrighted or without authorization.
- Sharing confidential material, trade secrets, or proprietary information outside of the organization.
- Hacking into unauthorized websites.
- Sending or posting information that is defamatory to ECA, its products/services, patients, colleagues and/or customers.
- Introducing malicious software onto the ECA network and/or jeopardizing the security of ECA's electronic communications systems.
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities.
- Passing off personal views as representing those of ECA.
- **Any** behavior that jeopardizes ECA's electronic infrastructure, including but not limited to the following:
 - USB memory cards
 - Personal computers, laptops, tablets, watches and phones
 - Charging personal phones from an ECA computer
 - Checking personal email accounts
 - Not paying attention to check boxes on websites (that install software)
 - Accepting physical or verbal assistance from any non-ECA employee
 - Video/audio streaming

If an employee is unsure about what constituted acceptable Computer, Email or Internet usage, then he/she should ask a Manager for further guidance and clarification.

All terms and conditions as stated in this policy are applicable to all users of ECA network and Internet connection. All terms and conditions as stated in this document reflect an agreement of all parties and should be

governed and interpreted in accordance with the policies and procedures mentioned above. Any user violating these policies is subject to disciplinary actions deemed appropriate by ECA.

Departmental Meetings

Your Manager will schedule departmental meetings before, during, or after work. It is mandatory to be at these meetings. You will be notified and compensated for your time. This gives you and your fellow workers a chance to receive information, review problems and possible solutions, and to make suggestions about your department or your job.

Disability Accommodation

ECA is committed to complying fully with the Americans with Disabilities Act (ADA). We are also committed to ensuring equal opportunity in employment for qualified persons with disabilities. We conduct all our employment practices and activities on a non-discriminatory basis.

Our hiring procedures have been reviewed and they provide meaningful employment opportunities for persons with disabilities. When asked, we will make job applications available in alternative, accessible formats. We will also give assistance in completing the application. We only make pre-employment inquiries regarding applicant's ability to perform the duties of the job.

We may require post-offer medical examinations for all positions regardless of a prospective employee's health or physical condition. We also keep medical records separate from other employee files and confidential.

Reasonable accommodation is available to an employee with a disability when the disability affects the performance of job functions, as long as such accommodation does not present an undue burden on ECA. We make our employment decisions based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists. We make all types of leaves of absence available to all employees on an equal basis.

ECA is also committed to not discriminating against any qualified employee or applicant because the person is related to or associated with a person with a disability.

ECA is committed to taking all other actions that are necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and any other applicable federal, state and local laws.

Donations/Joys and Concerns

There are many needs under our own roof and that is the reason for the "Joys/Concerns" board at each time clock. These are to let fellow co-workers know of a need. If you choose to, you may make an anonymous donation through our Accounting Department. The procedure is as follows: you may give to the Accounting Department an envelope with money/gift certificates, with the name of the intended recipient. They will strictly be a delivery service and will not disclose the giver or know the amount. This will protect everyone's privacy, and if you want the recipient to know who gave the money, you can indicate with a note on the inside of the envelope. This way

ECA can facilitate giving to each other. It is amazing to see the amount of care and concern shown here for each other while going through a crisis and/or trials of life!

Driver Safety Policy

ECA recognizes that our employees are our most valuable asset and the most important contributors to our continued growth and success. ECA will do everything possible to prevent workplace accidents and is committed to providing a safe working environment for all employees.

Motor vehicle accidents are the leading cause of work-related fatalities. The environment in which these accidents occur involves numerous complex factors, many uncontrollable. The purpose of ECA's Driver Safety policy is to provide the means to reduce such factors to eliminate unnecessary injuries and fatal circumstances. We value our employees not only as employees but also as human beings crucial to the success of their families, the local community and ECA.

This policy applies to all employees, whether they are driving a rental vehicle for company business or a personal vehicle for company business.

POLICY GUIDELINES

Driver Eligibility

Drivers must possess a valid driver's license for the type of vehicle to be operated, and keep the license(s) with them at all times when driving.

Drug/Alcohol Testing

Initial and periodic random drug and alcohol testing is mandatory. Testing will be conducted by a licensed medical facility designated by ECA. Any positive results will be grounds for termination. Driving under the influence of alcohol or any other illegal substances will be grounds for termination.

Insurance Requirements

Employees who use their personal vehicles for company business are required to carry adequate limits of liability, with a suggested minimum of \$100,000 for property damage and \$300,000 for bodily injury. A copy of the declaration page of your personal automobile insurance policy must be provided to ECA annually at your renewal date.

Driving Record Requirement

Motor Vehicle Records (MVRs) may be requested periodically at a minimum of at least once per year. ECA reserves the right to use its discretion in determining an unsatisfactory MVR. This applies to any employee driving on ECA time/business.

Basic Vehicle Operation Guidelines

Employees are required to adhere to the following basic vehicle operation principles:

- Always use seat belts.
- Drive defensively. Always anticipate what other drivers on the road might do wrong and plan your mode of escape. Never move through traffic aggressively.
- Respect speed limits and traffic signs. Follow all traffic signals.
- Always lock the vehicle and apply the parking brake when getting out, even if it remains in sight.
- During long trips, take breaks every four hours. Never drive more than 10 hours during a 24-hour period.

- When possible, avoid driving after midnight.
- Avoid driving in dangerous conditions, including drowsiness and inclement weather.

Traffic Violations

ECA is not responsible for any traffic violations or parking tickets acquired by violation of city ordinance, state or federal laws regarding your driving habits and operation of your motor vehicle. Any ticket issued is the employee's responsibility, even if the ticket is issued while conducting business for ECA.

Refueling Guidelines

For your safety when operating a vehicle, follow these guidelines:

- Turn off the vehicle's engine while refueling.
- Never smoke, light matches or use lighters while refueling.
- Do not get into the vehicle during refueling, as this presents a flash fire hazard.
- Do not overfill or top off the vehicle's fuel tank. The fuel dispenser shuts off automatically when the tank is full.
- Never force the hold-open latch on the gasoline pump with any means other than the latch provided.

Distracted Driving

ECA is committed to employee safety, and for this reason firmly prohibits all behavior that distracts employees while they are operating a company vehicle. General guidelines for behavior while driving are as follows.

- Use of cell phones while driving is strictly prohibited—this includes all functions of the cell phone including, but not limited to, phone calls, text messaging/SMS, email, MMS, Internet use and camera use.
- Use of electronic devices—including laptops, PDAs, cameras and pagers—while driving is strictly prohibited unless specifically outlined below.
- Voicemail must handle all calls while driving, and calls may only be returned when stopped or pulled off the road.
- Passengers making or taking calls for the driver is permissible provided the interaction does not affect the driver's performance.
- Regular callers must be informed that you will not be available while driving and should be notified of the best times to call based on your driving schedule.
- Employees who receive calls from co-workers who are driving are obligated to ask that the co-worker call back at a more appropriate time.

Headset/Hands-Free Use

The use of headsets or hands-free devices while driving is permissible IF:

- Device is pre-approved by ECA for use
- Use of the device does not cause distraction (for example, fiddling with the device or taking eyes off the road to get it to function properly)
- Any dialing or use of the handset is handled while stopped or pulled to the side of the road
- Conversations do not interfere with the driver's ability to drive safely
- Road conditions are generally good and do not threaten your safety

Emergency Calls

The only exception to the cell phone use guideline is calls placed to 911. If placing or accepting an emergency call, it should be kept short, with a hands-free option if available. The vehicle should be pulled over if possible.

GPS Systems

ECA understands that sometimes, especially when traveling in unfamiliar areas, drivers require assistance with directions. GPS systems are extremely helpful devices, but they can also be distracting if used improperly. Employees must adhere to the following:

- Mounted GPS systems may not block or obstruct the driver's view in any way.
- GPS systems must be voice-narrated and must not require that the driver look away from the road to follow instructions.
- Employees may not program the system while in motion.
- Programming or otherwise engaging with the GPS screen may only occur while stopped or while pulled off the road.

MP3 and Other Audio Devices

In some cases, worrying about music selection or touching dials and buttons on the radio, MP3 player or other audio device may be just as dangerous as cell phone use. It takes eyes and concentration off the road, which is not permissible under ECA policy. ECA does allow employee use of personal, portable audio devices. However, while the company does not want to eliminate the employee's ability to enjoy music while behind the wheel, they must follow these guidelines:

- Employees may not take eyes off the road to adjust music settings.
- Programming music settings while stopped or pulled off the road or before departing is permissible behavior.
- Employees may not, under any circumstances, use MP3 players or other handheld electronic audio devices with headphones—not only is it illegal in most states, it also impedes the driver's ability to properly hear warning signs, signals or sirens.

Accident Investigation Procedures

ECA realizes some accidents are not preventable. Drivers should seek medical attention immediately, if necessary. Providing detailed facts of the accident will help our insurance carrier deter fraudulent third-party insurance schemes.

Drivers are required to document all details of the accident: traffic flow, speed limits, stop lights/signs, weather conditions, citations issued, etc. Pictures should be taken to document the extent of damage to all vehicles involved.

Once this information is secured, the driver is to report all accidents immediately to his or her supervisor.

Prohibited Behavior

Behaviors that may result in suspension or termination include:

- Texting while driving
- Driving while under the influence of drugs or alcohol
- Negligent homicide
- Operating a vehicle with a suspended license
- Using a motor vehicle for commission of a felony
- Aggravated assault with a motor vehicle
- Reckless driving
- Hit and run
- Multiple convictions for moving violations
- Three or more major traffic violations
- More than two preventable accidents involving personal injury or property damage in any three-year period

Emergency Preparedness

Please familiarize yourself with the color coded “EMERGENCY EXIT PLAN” signs located throughout the building, to identify the nearest exit.

Fire

Fire drills are scheduled throughout the year for employee safety.

- Announce over the intercom “**911, 911 FIRE AT (name of location)**”
- Pull fire alarm
- Evacuate any people in immediate danger
- Proceed to the nearest exit
- People evacuating through the front of the building need to meet in the front parking lot
- People evacuating through the back of the building need to meet in the employee parking lot

Tornado

- In the event we are placed under a tornado warning, it will be announced over the intercom “**911, 911 WEATHER – DR. PENNELL’S WAITING ROOM**”. Direct patients as you are proceeding to Dr. Pennell’s waiting room.

Active Shooter

- If an active shooter enters the building, announce over the intercom “**911, 911 SHOOTER AT THE (location of shooter)**”
- Proceed immediately to the exit farthest from the shooter’s location and remain until the area has been secured.
- The following items are available in your work area to use as defense:
 - Panic Buttons
 - Panic Buttons are to be used only in a dire emergency as this goes to the alarm company and the police are dispatched
 - Fire Extinguishers
 - Hammers
 - Wasp Spray

Employment References

ECA Human Resources Department releases employment dates only in response to reference requests.

As an employee, do not under any circumstances respond to any requests for information regarding another employee. If you receive a request for a reference, you must forward the request to the Human Resources Department for a response.

Entry After-Hours

You are not allowed to enter ECA property after normal working hours for any reason without the express approval of your Manager or the Manager on duty. Your key tag only allows access to ECA during normal working hours.

Expense Reimbursement

Reimbursement will be given only after expenses have occurred. If you are sent on ECA business you will be required to fill out the Expense Reimbursement form with appropriate receipts in order to be reimbursed. Mileage will be reimbursed at the allowable IRS amount by completing the Mileage Reimbursement form. Any employee receiving reimbursement must read and adhere to ECA's Driver Safety Policy.

First Aid

Federal law, Occupational Safety and Health Administration (OSHA) requires that we keep records of all illnesses and accidents which occur during the workday. The Texas State Workers' Compensation Act also requires that you report any illness or injury on the job, no matter how slight. If you hurt yourself or become ill, please contact your Manager for assistance. If you fail to report an injury, you may jeopardize your right to collect workers' compensation payments as well as health benefits. OSHA also provides for your right to know about any health hazards which might be present on the job. Should you have any questions or concerns, contact your Manager for more information.

Grievances

ECA's goal is to maintain a comfortable working environment for everybody. This is done in several ways:

- By treating each employee as an individual and encouraging his/her maximum development;
- By recognizing that each employee is essential to the success and growth of ECA; and
- By maintaining direct communications with all employees and ensuring that each employee can speak directly with ECA's Management team.

Whenever you have a problem or complaint, employees are expected to speak up and communicate directly with Management. Employees are expected to use the following steps:

- First, talk with your Manager. Your Manager is most familiar with you and your job and is; therefore, in the best position to assist you. Your Manager works closely with you and is interested in seeing that you are treated fairly.
- If your Manager cannot help you resolve the matter, you may speak with the Administrator who will give your problem or complaint prompt consideration.

Hair Color

Hair must be neat, clean, well groomed and a color deemed professional by Management and Board. ECA strives for presenting a professional environment in the community. Under no circumstances is neon colored hair or streaked neon hair appropriate (including, but not limited to, purple, pink, blue, green, etc.)

Housekeeping

Neatness and good housekeeping are signs of efficiency. You are expected to keep your work area neat and orderly at all times -- it is a required safety precaution.

Easily accessible trash receptacles are located throughout the building. Please put all litter and recyclable materials in the appropriate receptacles and containers. Discard all types of medical waste material in the designated receptacles.

Please report anything that needs repairing or replacing to your Manager immediately by submitting the ECA Requisition Form.

Nursing Mothers Policy

In keeping with the Fair Labor Standards Act, all female faculty, staff and student-employees who breastfeed their children (collectively referred to herein as “nursing mothers”) will be provided reasonable break times to express milk throughout the day, each time they need to express milk, for as long as the employee has a need to express milk. ECA will also provide appropriate private areas for this purpose. The area provided, if not dedicated to the nursing mother’s use, will be made available when needed by the employee. The area provided will be shielded from view, and free from any intrusion from co-workers and the public.

Nursing mothers who need to express milk during the working day, should contact their Manager. Working with the nursing mother, the Manager is required to provide reasonable break times and to identify an appropriate location. If possible, break times may be taken during regularly scheduled meal and rest breaks.

Nursing mothers must be paid for short breaks (15 minutes or less) otherwise given to employees. If the nursing mother is a non-exempt (hourly) employee and her breaks exceeds 15 minutes, her Manager should make a good faith effort to permit the nursing mother to make up time. If no reasonable opportunity exists for a non-exempt nursing mother to make up time, a break time in excess of 15 minutes will not be paid. Nursing mothers who are exempt under the FLSA will not have pay docked for taking a break to express milk.

Parking Lot

You are expected to use the parking areas designated for our employees. Please keep in mind that the parking spaces adjacent to or in front of our building(s) are for patients and visitors only. Remember to lock your car every day and park within the specified areas. Parking in the front lot may occur only along the western spaces parallel to Jucy’s parking lot. Please drive at a safe speed in our parking areas and around the building. ECA doctors have assigned parking.

Personal Phone Calls, Texting & Mail

Receiving or making excessive personal phone calls and/or texting while at work is a form of theft of services and falsification of your time sheet. We recognize that personal phone calls and/or texting may be necessary occasionally. An employee's cell phone is not to be within patient view or hearing, and is never to interrupt patient care. Use of cell phone camera or video without authorization is prohibited in the workplace.

Do not use ECA as a personal mailing address, and do not put personal mail in the stacks that are to be run through the postage meter. ECA is not a post office. Please do not rely on ECA to provide postage services except in an emergency situation. Upon the need for **occasional** (once a month) need for postage, please take your money to the Accounting Department.

Personal Property

You may be assigned a locker for your personal possessions. Keys are initially furnished by ECA. You will be expected to pay the cost for replacement of lost keys to your assigned locker. You are responsible for keeping your locker clean, sanitary, and orderly. ECA cannot assume any responsibility for loss or damage to personal property of any employee. ECA employees should have no expectation of privacy. ECA reserves the right to conduct searches to monitor compliance with rules concerning the security of ECA and individual property, drugs and alcohol, possession of contraband items. This search may include searches of the employee, (authorization must be received prior to a search on an employee by completing the Authorization To Search form; no authorization is required for any other areas), the employees work area, lockers, vehicles if driven or parked on ECA property, and or other personal items. A request to search in no way accuses an employee of theft or any crime. If an employee refuses to allow a search, ECA will view this as a voluntary resignation of that employee.

Property & Equipment Care

It is your responsibility to understand the equipment you need to use to perform your duties. Good care of any equipment that you use during the course of your employment, as well as the conservative use of supplies, will benefit you and ECA. If you find that any equipment is not working properly or in any way appears unsafe, please notify your Manager using the ECA Requisition Form immediately, so that repairs or adjustments may be made. All ECA property, equipment and supplies are to be used for ECA business only. Non-business use of ECA property will be grounds for disciplinary action or termination.

Resignation/Termination

While we hope both you and ECA will mutually benefit from your continued employment, we realize that it may become necessary for you to leave your job with ECA.

If an employee presents a formal resignation letter, gives a minimum two weeks notice, and works the full two weeks, the employee will be paid all accrued and unused PTO time. You will receive your pay on the normal payday.

If terminated, no accrued PTO will be paid. You will receive your pay for time worked within six business days.

Return of Practice Property

Any ECA property issued to you must be returned to ECA at the time of your termination or resignation, or whenever it is requested by your Manager or a member of Management team. You are responsible to pay for any lost or damaged items. Theft, of any type, not limited to ECA property, may lead to prosecution. The value of any property issued and not returned may be deducted from your paycheck, and you will be required to sign a wage deduction authorization for this purpose. You are required to return entry key tag, additional keys and uniforms.

Safety Rules/Security

Safety is everybody's business. Safety is to be given primary importance in every aspect of planning and performing all ECA activities. We want to protect you against industrial injury and illness, as well as minimize the potential loss of production.

Please report all injuries (no matter how slight) to your Manager immediately, as well as anything that needs repair or is a safety hazard. Below are some general safety rules. Your Manager may post other safety procedures in your department or work area:

- Avoid overloading electrical outlets with too many pieces of equipment.
- Use flammable items with caution.
- Report to your Manager if you or a co-worker becomes ill or is injured.
- Do not lift heavy objects or move furniture.
- Keep cabinet doors and file and desk drawers closed when not in use.
- Keep your work area clean and orderly, and the aisles clear.
- Stack materials only to safe heights.
- Watch out for the safety of fellow employees.
- Request assistance when moving patients.

Smoking

Due to Tyler ordinance (City Code Section 4-43) which went into effect June 1, 2008, smoking will not be allowed in public places and places of employment. Smoking will only be allowed 20 feet from entrances, windows, and ventilation systems.

As a health care facility, ECA discourages smoking. We feel it is our responsibility to provide a workplace free of exposure to hazardous substances; therefore, we have established our facility and business as a smoke-free workplace. Smoking is only allowed outside the building at designated locations. Receptacles are provided and need to be **emptied on a weekly basis**. Do not damage or trash ECA with your cigarette butts. All employees are expected to abide by this policy.

Social Media Policy (HIPAA Applies)

Social media is a very powerful way to communicate, allowing a single individual to reach literally millions of others instantly. This policy has been developed to better protect our staff, clients, business associates, patients, and others.

Social media sites and tools include, but are not limited to, Facebook, Instagram, Friendster, video and photo sharing websites e.g. Flickr, YouTube, micro-blogging sites such as Twitter, weblogs, including corporate blogs,

personal blogs or blogs hosted by traditional media publications, forums and discussion boards such as Whirlpool, Yahoo! Groups or Google Groups, online encyclopedias such as Wikipedia, and any other web sites that allow individual users or companies to use simple publishing tools.

You are an Ambassador of ECA

Because you are a member of our staff, it is possible for comments you make, things you say, pictures you post, activities in which you participate, etc., to be perceived by others as representative of ECA. So, whether you are blogging or jogging, posting or hosting, it is important that the context and content be appropriate.

If you list ECA as your place of employment on a personal website (i.e. Facebook), we reserve the right to request removal or modification of any media or content that in our sole opinion reflects poorly on ECA. You agree not to post any content that is illegal, obscene, defamatory, threatening or infringing on intellectual property or invasion of privacy or otherwise injurious or objectionable.

You may not share information that is confidential and proprietary about ECA. This includes information about services, trademarks, product releases, sales, financing, number of employees, strategy, and any other information that has not been publicly released by ECA.

These are given as examples only and do not cover the range of what ECA considers confidential and proprietary. If you have any question about whether information has been released publicly or doubts of any kind, speak with your Manager before releasing information that could potentially harm our organization, or our current and potential products, employees, partners, and customers. You may also want to be aware of the points made in the non-disclosure agreement you signed when you joined ECA.

ECA encourages you to write knowledgeably, accurately, and using appropriate professionalism. Despite disclaimers, your Web interaction can result in members of the public forming opinions about ECA and its employees, partners, and products.

ECA's logo and trademarks may not be used without explicit permission in writing from ECA. This is to prevent the appearance that you speak for or represent ECA officially.

Privacy

As a staff member, we respect your right to privacy and your right to express yourself. As a business, we must also respect, and diligently protect, the privacy of our fellow staff members, customers, business associates, and others. Privacy and confidentiality must be maintained in every possible way.

Privacy and Security Settings

Social media often offers numerous settings to increase security and protect your privacy. Understand that even with the most secure settings in place, online content can be breached and may be viewed by individuals you never intended. These may include your current employer, future employer, family, friends, etc. As such, regardless of your settings, be respectful and responsible in everything if it in any way involves or references ECA.

Understand that online content is difficult, if not impossible to retract once posted or sent. Be aware of the long memory of cyberspace – everything you say is likely to be indexed and stored forever, either via search engines or through bloggers that reference your posts.

Disclaimer

When utilizing social media, if you choose to mention ECA or reference it in any way, you must indicate the following:

“I am an employee of EyeCare Associates of East Texas but the views expressed here are mine alone and do not necessarily represent that of ECA.”

If you are developing a site or writing a blog that will mention our organization, its services, employees, partners, customers, or competitors, let your Manager know first.

Personal Marketing

You may not sell any product or service that would compete with any ECA’s products or services without permission in writing from Management. This includes, but is not limited to training, books, products, and freelance writing.

Prohibited Social Media Conduct

Employees can be disciplined by ECA for online commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment.

Breach of Policy

Failure to comply with this policy may result in disciplinary action including verbal or written warnings, or termination of your employment. ECA may recover from you any costs incurred as a result of a breach of this Policy.

The Media

Media contacts, such as newspaper or television or radio, about ECA services, products, employees, partners, customers, and competitors should be referred to the Administrator.

Solicitations & Distributions

Solicitation for any cause during working time and in working areas is not permitted. ECA email may not be used for solicitation. Please utilize break areas for fundraisers. You are not permitted to distribute non-practice literature in work areas at any time during working time. Working time is defined as the time assigned for the performance of your job and does not apply to break periods and meal times. Working areas do not include the lunch room or the parking areas. Solicitation during authorized meal and break periods is permitted as long as it is not conducted in working areas. However, employees are not permitted to sell chances, merchandise or otherwise solicit money or contributions without Management approval.

(Amended 1/1/2019)

Substance Abuse

ECA cannot accept the risk in the workplace which substance use or abuse may create. The possession, sale or use of mood altering substances at the workplace, or coming to work under the influence of such substances shall be a violation of safe work practices and will be cause for **immediate termination**.

ECA is committed to providing its employees and patients with a safe workplace. **The policy of ECA is Zero Tolerance for the use of illegal drugs, addictive drugs, and or alcohol in the work place.** Employees are **expected** to be in suitable mental and physical condition while at work, allowing them to perform their job effectively and safely.

Whenever use or abuse of any mood altering substance (such as alcohol or other drugs) interferes with a safe workplace, appropriate action must be taken. Therefore, ECA has established the following policy:

- It is a violation of ECA policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.
- It is a violation of ECA policy for any employee to report to work under the influence of illegal drugs (in any detectable amount) in his/her body, blood, or urine. Employees taking medications that can cause any degree of impairment must notify their Manager immediately using the Employee Information/Change form.
- It is a violation of ECA policy for any employee to work under the influence of or impaired by alcohol.
- It is a violation of ECA policy for any employee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner other than prescribed. (However, nothing in this policy precludes the appropriate use of legally prescribed medications.)
- Violations of this policy are subject to disciplinary action up to and including termination.
- ECA reserves the right to require random and reasonable suspicion drug testing. Reasonable suspicion can include, but is not limited to, things deemed reasonably suspicious by a Manager or other employees, reports from witnesses, unusual, unsafe, or threatening behavior, or involvement in a work-related accident. Refusing to submit to a drug test will result in immediate termination. A positive drug test will result in immediate termination unless circumstances warrant otherwise.
- ECA reserves the right to conduct searches of employees, their work areas, lockers, and vehicles on ECA property to monitor Substance Abuse Policy compliance.

Theft

Theft of any type, not limited to ECA property, is subject to prosecution.

Uniforms/Professional Personal Appearance

Uniforms

ECA provides uniforms on an annual basis. Employees with clinical contact, or designated positions, are required to wear designated uniforms. It is your responsibility to keep your uniforms clean and wrinkle-free. No personal sweaters or jackets. Emails/Memos are distributed regarding the appropriate uniform coinciding with new uniform distribution.

Professional Personal Appearance

Our employees are expected to present a professional appearance at all times. Personal cleanliness as well as clean and pressed apparel is required. Hair must be neat, clean and well groomed; good personal hygiene is essential. The practice does not permit employees to display pierced or tattooed body parts with the exception of pierced ears. **Management reserves the right to judge your appearance and you may be asked to return home, without pay, to correct your attire.** Be considerate when wearing perfumes, colognes, aftershave as many others may be sensitive to them. Please minimize your personal aromas.

Weather

The board of physicians of ECA has established a policy regarding the closing of the clinic due to severe weather.

If the Tyler Independent School District is closed, ECA will also be closed. If the satellite clinics' local school district is closed, that satellite office will also be closed. If the school district has delayed opening, we are open at the regular time and staff is to arrive when they safely can.

You will not be required to call your Manager to check if we are open and this will enable you to plan your day accordingly. If your Doctor has surgery scheduled and you usually assist in one way or another, if possible, please try to contact your Doctor to inquire of his/her plans. Please share this policy with any patients if the weather is forecasted to be bad. For instance, if your job is to call and remind patients of their appointments and the weather is forecasted to be bad, inform them of our policy during the call.

If ECA is closed due to weather, you may either use PTO or choose not to get paid for the day.

Workplace Security

Terminated Employees

As a security precaution, employees who arbitrarily quit or are discharged may be asked to leave the workplace immediately and will be escorted while they gather their belongings and exit the premises.

Concealed Weapons

Pursuant to Section 30.07, Penal Code (Trespass By License Holder With An Openly Carried Handgun), a person licensed under Subchapter H, Chapter 411, Government Code (Handgun Licensing Law), may not enter this property with a handgun that is carried openly.

If you see an individual whose weapon is visible, please leave your work area, locate a Manager immediately and report the situation.

Workplace Violence

ECA will not tolerate workplace violence, of any kind. Examples included but are not limited to:

- Threats of any kind;
- Threatening, physically aggressive, or violent behavior, such as intimidation or attempts to instill fear in others;
- Any other behavior that suggests a propensity towards violence (such behavior includes, but is not limited to: belligerent speech, excessive arguing, swearing, sabotage, or threats of sabotage to ECA property, or a demonstrated pattern of refusal to follow ECA policies and procedures);
- Defacing ECA property or causing physical damage to facilities.

Reporting

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

To the extent possible, ECA will maintain the confidentiality of the reporting employee and of the investigation, but may need to disclose results in appropriate circumstances, for example, in order to protect individual safety. ECA will not tolerate retaliation against any employee who reports security violations or workplace violence.