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INTRODUCTION

ABOUT THIS HANDBOOK

To introduce Joseph M. Molina, M.D., Professional Corporation dba Molina Medical Group’s (“JMMD” or the “Company”) important policies, work rules and benefits, we compiled this handbook for your reference. For clarity, the term “handbook,” includes any accompanying appendices or supplemental memoranda. With the sole exception of the “at-will” employment policies, the contents of this handbook do not create any express or implied contractual obligations. Any previously issued employee policies inconsistent with these policies are superseded by this handbook.

Future circumstances may require changes in the policies, practices, procedures, and benefits described in this handbook. Accordingly, JMMD reserves the right to revise, modify, delete or add to any and all policies, procedures, work rules or benefits stated in this handbook, except for the policy of at-will employment. However, any such changes must be in writing and must be signed by JMMD’s Chief Operating Officer. This handbook supersedes and replaces any and all prior employee handbooks and manuals, and takes precedence over all memoranda and oral descriptions of the employment policies, practices, and procedures of JMMD with the exception of the benefit plan documents. Any written changes to this handbook will be distributed to all employees so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way change or alter the provisions of this handbook. This handbook sets forth the entire agreement between the employee and JMMD as to the duration of employment and the circumstances under which employment may be terminated.

Nothing in this handbook, or in any other personnel document, including benefit plan descriptions, creates or is intended to create a promise or representation, express or implied, of continued employment for any employee.

Even when not explicitly stated, it is JMMD’s policy and practice to comply with all local, state, and federal laws. This handbook describes JMMD’s policies and practices, which are applied company-wide. For policies or benefits that apply to a particular state, locality or entity, please refer to the proper appendix.

The following are the four core values that exemplify our organization:

- “One of our core values that has never wavered is that we care about the people we serve and advocate on their behalf.”
• “Another of the Molina core values is that we are healthcare innovators and embrace change quickly—our employees are the ones that help us drive this value.”

• “One of our core values is that we respect each other and value ethical business practices. Think about how you embody this value here at Molina.”

• “Our last core value, just as important as the others is that we are careful in the management of our financial resources and serve as prudent stewards of the public’s funds.”

As you review this document and in your everyday work think about how you might incorporate the core values into your work here at JMMD.

ABOUT JMMD

JMMD is a leader in providing quality healthcare for financially vulnerable individuals and families. JMMD provides and arranges for the delivery of healthcare services to individuals and families who receive their care through Medicaid, Medicare and other government-funded programs in multiple states.

JMMD’s history and patient-focused approach began with the vision of Dr. C. David Molina, an emergency room doctor who saw people in need. Dr. Molina wanted to help, so he opened a community clinic in 1980 in Long Beach, California, where caring for people was more important than their ability to pay.

At JMMD, we have been helping parents, children, families and seniors gain access to quality care for over three decades. We help patients navigate the healthcare system and build community partnerships to develop solutions to the challenges our patients face.

As of 2014, JMMD serves the diverse needs of patients across the United States through government-funded programs such as Medicaid, the Children’s Health Insurance Program (CHIP) and Medicare, focusing on promoting health, wellness and improved patient outcomes.

While JMMD has grown and distinguished itself as an industry leader, we always put people first. We treat everyone like family, just as Dr. C. David Molina did.

In addition, JMMD strives to be an employer of choice and a great place to work. We sincerely hope that this employment relationship will be mutually beneficial, and that you find in your employment at JMMD a place where you can thrive both professionally and personally.
EMPLOYMENT AT JMMD

“AT-WILL” EMPLOYMENT STATUS STATEMENT

Employment with JMMD is employment “at-will.” This means that employment is at the mutual consent of the employee and JMMD; consequently, either the employee or the company may terminate the employment relationship at any time, with or without cause, and with or without notice, except as required pursuant to terms of a JMMD employee’s specific employment offer letter. Similarly, the employee’s status (for example, position held, salary change, promotions, demotions, working conditions, etc.) may be changed “at-will” by JMMD with or without cause, and with or without notice. Nothing in any document or statement shall limit, in JMMD’s sole discretion, the right to terminate employment “at-will” or limit JMMD’s right to transfer, demote, suspend, administer discipline, or change the terms and conditions of employment.

No employee or representative of JMMD has the authority to modify the “at-will” employment policy except for the Chief Executive Officer of JMMD. This constitutes an integrated agreement with respect to the “at-will” nature of the employment relationship.

CLASSIFICATION OF EMPLOYEES

Regular Full-Time Employees (“FTE”) are those who are scheduled for, and work, 30 hours or more per week, or 60 hours in a pay period, in an authorized Full-Time position on a continuing basis. Full-Time employees are eligible for full-time benefits if they are scheduled to work a minimum of 20 hours per week, i.e., are a 0.5 or 50% FTE.

Regular Part-Time Employees are those who are scheduled for, and work a minimum of 20 but less than 29 hours per week in an authorized Part-Time position on a continuing basis. Part-Time employees are eligible for participation in a medical, dental, vision, and life insurance program (“Medical Benefits”).

Regular Full-Time Employees and Regular Part-Time Employees may be collectively referred to throughout this handbook as “Regular Employees.”

Casual/Per Diem Employees are those employees regularly scheduled to work fewer than 20 hours per week or who only work on an as-needed basis.

Casual/Per Diem employees are not eligible for any benefits, except where mandated by applicable law, and cannot expect any minimum number of hours per week.

Temporary Employees are those employed on a short-term or temporary basis to fill a position arising out of a special project, abnormal workload or staffing
shortage. A temporary work assignment may be canceled at any time by JMMD, including any time prior to the anticipated completion date. JMMD does not guarantee hours or days of work. Temporary employees are not eligible for any benefits, except where mandated by applicable law.

Locum Tenens: A provider providing services through a Locum Tenens agency is ineligible for the benefits described and set forth in this Handbook.

General Terms:

For all but the Regular Full-Time Employees, benefits to which the employee is eligible may be pro-rated.

For all employee classifications, employees at least 21 years old are eligible for 401K benefits.

Regardless of classification, the employment relationship can be terminated by the employee or JMMD at any time “at-will,” either with or without cause except as may be otherwise stated in writing signed by the President of JMMD and the employee.

EQUAL EMPLOYMENT OPPORTUNITY

JMMD is an equal opportunity employer and makes employment decisions on the basis of merit. JMMD’s policy prohibits unlawful discrimination based on race, creed, color, sex, sexual orientation, gender, gender identity, gender expression, genetic information, religion (including religious dress and grooming practices), marital status, age, national origin or ancestry, physical or mental disability, medical condition pregnancy, childbirth and pregnancy related medical condition, breastfeeding or medical conditions related to breastfeeding, citizenship status, veteran status, military service status, height and weight, or any other consideration made unlawful by federal, state or local law, or ordinance. All such discrimination is unlawful. Discrimination is also prohibited on the basis of a perception that a person has any of the above characteristics, or that the person is associated with a person who has, or is perceived to have, any of the above characteristics. JMMD is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in the operations of JMMD and prohibits unlawful discrimination by any employee of JMMD, including supervisors and coworkers. Selection for employment is based on the merits of the individual in relation to the requirements for the position. Promotions and salary increases at JMMD are granted on the basis of individual performance and ability. Terminations of employment and reductions in force due to decreased workloads are also based on these criteria. In the same work category, where employees have equal ability and performance records, seniority may be a deciding factor in such decisions.
To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, JMMD will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result, and will further engage in a good faith interactive process, as required by law.

Any otherwise qualified applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the employee’s supervisor or the Senior Medical Director or President and request such an accommodation.

The individual with the disability should specify what accommodation he or she needs to perform the job. JMMD then will conduct an investigation to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform his or her job. JMMD will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, JMMD will make the accommodation.

This policy applies to all phases of the employment relationship.

If the employee believes the employee has been subjected to any form of unlawful discrimination, the employee must provide a written complaint to the employee’s supervisor, a manager, or the Senior Medical Director or President, as soon as possible after the incident. The employee’s complaint should include details of the incident(s) and the name(s) of the individual(s) involved and the names of any witnesses. Supervisors and managers will refer all complaints to the Senior Medical Director or President, as soon as possible. JMMD will immediately undertake an investigation and attempt to resolve the situation. Failure on the part of a supervisor/manager to report allegations of discrimination will lead to disciplinary action up to and including termination, if it is determined that a supervisor or manager had knowledge but did not report the discrimination to the Senior Medical Director or President. To the extent permitted by law, JMMD will make reasonable efforts to maintain the confidentiality of the complaint, any investigation and the results of such investigation to protect the privacy of the complainant, person(s) subject to the complaint and witnesses.

If JMMD determines that unlawful discrimination has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by JMMD to be responsible for unlawful discrimination will be subject to appropriate disciplinary action, up to and including termination of employment. A designated company representative will advise all parties concerned of the results of the investigation and notify the complainant of any action taken, if any, was necessary. JMMD will not retaliate against any employee for filing a complaint or against anyone participating in any
investigation, and will not tolerate or permit retaliation by management, employees or coworkers.

JMMD encourages all employees to report any incidents of discrimination forbidden by this policy immediately so that complaints can be quickly and fairly resolved. Federal and state laws and JMMD’s policy prohibit retaliation against anyone who has expressed a good faith concern about unlawful discrimination or harassment against the employee or another individual, or who has participated in the investigation of any such concern. JMMD will not tolerate or permit retaliation by management, employees or coworkers.

Employees should also be aware that the Federal Equal Employment Opportunity Commission is the federal agency that investigates and prosecutes complaints of prohibited discrimination in employment. Individual states may also have their own agencies with similar authority. If an employee thinks the employee has been discriminated or retaliated against for resisting or complaining, the employee may file a complaint with the appropriate agency or agencies. The nearest office for federal, state or local agencies are listed in the telephone book or online.

POLICY AGAINST UNLAWFUL HARASSMENT, DISCRIMINATION AND RETALIATION

JMMD is committed to providing a work environment free of unlawful harassment. The policy strictly prohibits harassment because of sex (which includes sexual harassment, gender harassment, and harassment due to pregnancy, childbirth, breastfeeding, or related medical conditions), race, creed, religion (including religious dress and grooming), color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, gender, gender identity, gender expression, sexual orientation, citizenship status, veteran status, military service status, height and weight or any other basis protected by federal, state or local law or ordinance. All such harassment is unlawful. It is the intent of JMMD that all employees will work in an environment that is free from harassment of any employee by another employee, supervisor, contractor, client or customer.

This policy applies to all agents and employees of MMG, including supervisors and non-supervisory employees. Furthermore, this policy prohibits unlawful harassment in any form, including, but not limited to, the following behavior:

1. VERBAL HARASSMENT – Verbal harassment such as jokes, epithets, slurs, negative stereotyping, and unwelcome remarks about an individual’s body, color, physical characteristics, appearance, or talents, references to employees as “honey,” “doll,” or “sweetheart,” questions about a person’s sexual practices, and patronizing terms or remarks;
2. **VISUAL HARASSMENT** – Visual harassment such as offensive or obscene photographs, calendars, posters, cards, cartoons, drawings and gestures, display of sexually suggestive or lewd objects, unwelcome notes or letters, and any other written or graphic material that denigrates or shows hostility or aversion toward an individual because of a protected characteristic, that is placed on walls, bulletin boards, or elsewhere on the employer’s premises or circulated in the workplace;

3. **PHYSICAL HARASSMENT** – Physical harassment such as physical interference with normal work, impeding or blocking movement, assault, unwelcome physical contact, staring at person’s body, and threatening, intimidating or hostile acts that relate to a protected characteristic;

4. **THREATS AND DEMANDS** – Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors; and

5. **RETAILITY** – Retaliation for having reported or threatened to report harassment.

Any questions as to what constitutes harassment should be directed to the employee’s supervisor or the Senior Medical Director or President.

This policy applies to all phases of the employment relationship.

Sexual harassment deserves particular mention. Unwelcome sexual advances, requests for sexual favors, threats, and other physical, verbal, or visual conduct based on sex, where either (1) submission to such conduct is made an explicit or implicit term or condition of employment; (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment are prohibited. This includes such things as sexual innuendoes, suggestive comments, sexually oriented teasing or practical jokes, display of sexually suggestive posters or other materials, suggestive or insulting sounds, looks, or gestures, and physical contact such as patting, pinching, or brushing against another’s body. Obviously, more severe forms of harassment, such as assault and coerced sexual intercourse, are also prohibited. This policy applies at any JMMD location, as well as at JMMD-sponsored social or other events, and at activities at which the employee represents JMMD.

All JMMD’s employees are responsible for helping to assure that JMMD avoids unlawful harassment. If an employee feels that the employee, another applicant
or employee, or other licensed professional has been harassed in violation of this policy, the employee who believes such harassment has occurred is REQUIRED to immediately notify the Senior Medical Director or President, the employee’s supervisor, or any other JMMD supervisor or manager. The employee should be assured that the employee’s complaint of harassment, like complaint of discrimination, will be kept as confidential as possible, and that the employee will not be penalized in any way for reporting the harassment.

If an employee believes the employee has been subjected to any form of unlawful harassment, the employee must provide a written complaint to the employee’s supervisor, a manager or the Senior Medical Director or President, as soon as possible after the incident. The employee's complaint should include details of the incident(s) and the name(s) of the individual(s) involved and the names of any witnesses. Supervisors and managers will refer all complaints to the Senior Medical Director or President, as soon as possible. JMMD will immediately undertake an investigation and attempt to resolve the situation. Failure on the part of a supervisor or manager to report allegations of harassment will lead to disciplinary action up to and including termination, if it is determined that a supervisor or manager had knowledge but did not report the harassment to the Senior Medical Director or President.

If JMMD determines that unlawful harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by JMMD to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including termination of employment. A designated JMMD representative will advise all parties concerned of the results of the investigation and notify the complainant of the action taken, if any, was necessary. JMMD will not retaliate against any employee for filing a complaint or against anyone participating in any investigation and will not tolerate or permit retaliation by management, employees or coworkers.

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

As part of JMMD’s commitment to provide a harassment free workplace, JMMD provides and requires training for all managers and supervisors on sexual and all other forms of prohibited harassment, at least once every two years. While it is nearly impossible to prevent all employee conflict in any business, JMMD believes that training its management staff on how to recognize and prevent harassment goes a long way to eliminating it in the workplace altogether.

Employees also should be aware that the Federal Equal Employment Opportunity Commission is the federal agency that investigates and prosecutes complaints of prohibited harassment in employment. Individual states may have their own agencies with similar authority. If an employee thinks the employee has been harassed or retaliated against for resisting or complaining, the employee
may file a complaint with the appropriate agency or agencies. The nearest federal, state or local agency offices are listed in the telephone book or online.

**EMPLOYEE TRANSFERS**

JMMD encourages its qualified employees to apply for open positions within the company. Applying employees must qualify for available positions on the basis of education, experience, and other job-related criteria, and, absent special circumstances, must have been in their current position for a period of at least six months. Demonstrated ability, skill, knowledge, reliability, responsibility, and the employees’ overall work record, combined with the needs of the company, will be taken into consideration during the selection process. Employees under any written form of disciplinary action or discipline pending investigation results are not eligible.

**IMMIGRATION STATUS/ I-9 DOCUMENTATION**

JMMD is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

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

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Senior Medical Director or President. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

JMMD reserves the right to update all of its Employment Eligibility Verification forms on an as-needed basis.

**NO REHIRE FOR EMPLOYEES TERMINATED FOR WORKPLACE VIOLATIONS**

Employees who are terminated, or have been forced to resign, due to workplace conduct violations are considered ineligible for rehire and are disqualified from future consideration for employment, therefore they should not reapply for any position.
CREDENTIALING

Any provider who is required to be credentialed by JMMD must at all times maintain their credentialing status to be employed by JMMD. As an employee of JMMD’s who is required to be credentialed, you agree to participate in JMMD’s credentialing and re-credentialing process and shall satisfy, throughout the term of this Agreement, all credentialing and re-credentialing criteria established by JMMD. You shall also be responsible for immediately notifying the Senior Medical Director or President of any change in the information submitted or relied upon to achieve credentialed status. If your credentialing status is revoked, suspended or limited by JMMD, JMMD may at its discretion terminate your employment or agreement.
WAGE AND HOUR POLICIES

TIMEKEEPING REQUIREMENTS

Timesheets, electronic or paper, are legal documents. Federal and state laws require those employees eligible for overtime (“non-exempt”) to complete timesheets in an accurate and timely manner. Timesheets must reflect actual hours worked. Hours compensated but not worked (e.g. PTO, holidays, etc.), and hours not compensated (unpaid leave) must also be reported.

As exempt employees, JMMD employees are encouraged to record time daily and are required to submit time on a bi-weekly basis, using JMMD’s time and attendance process. These timesheets serve as the basis for payroll processing and are used to determine and pay exception time (e.g. PTO, jury duty, etc.) for exempt employees. All timesheets must be submitted no later than Monday morning, 9:00 a.m. Pacific, following the workweek being reported. Failure to submit timesheets may lead to disciplinary action. Additional information regarding Timekeeping procedures as it applies to specific JMMD employees can be accessed on JMMD’s Intranet.

PAY

Pay Period

The pay period covers all work originating on Sunday 12:01 a.m. through all work originating prior to 12:00 a.m. the second Saturday.

Pay Day

Pay day for each pay period occurs on the Friday following the completed pay period. Pay days that fall on a closed banking holiday will be moved to the day before the holiday.

The observed holidays can be found on JMMD’s Intranet.

Pay Method

Employees are paid by direct deposit or check.

OVERTIME

Exempt Employees

Exempt employees, as defined by federal and state laws, may have to work hours beyond their normal schedules, as work demands require. No overtime compensation will be paid to exempt employees, nor is compensatory “comp” time given. Rather, exempt employees are paid a pre-determined salary that is intended to fully compensate them for all hours worked. Bonuses or agreed-upon
incentive compensation paid to exempt employees will not affect their exempt status.

As a general rule, an exempt employee’s gross salary is not subject to pay changes due to the actual number of hours worked in a pay period. However, when an exempt employee has exhausted all PTO and misses additional full days off work for personal reasons, deductions may be made consistent with all applicable state and federal laws.

MEAL AND REST BREAKS

Introduction

Rest and meal periods are intended to provide employees with an opportunity for rest and rejuvenation. Accordingly, they should be enjoyed away from employee work areas, and employees are not permitted to perform any work duties during such periods. For on-site employees, break rooms are available for these purposes if desired, but employees may also choose to leave the premises during meal breaks. Each department or location, may have a different policy regarding whether or not employees may leave the premises for rest breaks (please check with the Senior Medical Director).

Meal Breaks

JMMMD encourages employees to take meal periods of at least 30 minutes. Scheduling of meal periods is left to each department to decide, taking into account each particular department’s workflow and business needs.

HOLIDAY PAY

Employees who participate in an Alternate Work Schedule (“AWS”) and are scheduled to work on a holiday should defer that holiday, in consultation with the department regarding workflow and business needs, to a different day during the same week in which the holiday falls.

PERSONAL TIME OFF

Personal Time Off (PTO) provides eligible employees with compensated time away from work, combining vacation and sick leave. Once accrued, PTO may be used with prior supervisor approval for any purpose, including scheduled vacation, personal illness (a physician’s written certification may be required if the use of PTO for incidental sick leave is excessive or exceeds three consecutive work days), family member’s illness requiring care, doctor and dental appointments, and/or personal business.
Eligibility

All employees classified as Regular Employees accrue PTO. Employees classified as Casual/Per Diem or Temporary do not accrue PTO. PTO accrual begins on the first day of employment and ends upon termination of employment or change of status to an ineligible classification. PTO does not accrue during an employee’s inactive period of employment (i.e. leave of absence).

Accrual Schedule

PTO accrual is based on an employee’s classification, length of service and active employment status. PTO accrues each pay period. Eligible employees may carry over accrued PTO from one calendar year to the next. However, the PTO maximum balance for Full-Time employees is 1.5 times an employee’s annual PTO accrual rate. Once an employee reaches the maximum PTO balance, the employee will not accrue PTO until the balance drops below the PTO maximum balance.

The standard PTO accrual schedules for all eligible positions can be accessed on JMMD’s Intranet at: Use of PTO.

PTO can be deducted in either full or partial-day increments. PTO may only be taken if the time has been accrued. Scheduled PTO should be requested and approved in advance of the date of absence. PTO that is taken, but not approved in advance by the employee’s supervisor is considered unscheduled PTO. Employees taking unscheduled PTO may be disciplined, up to and including termination.

PTO Cash Out

Employees may cash out accrued, but unused, PTO quarterly. In order to do so employees must have at least 40 hours of PTO remaining after the cash out.

The PTO Request Form can be found on our Intranet at: PTO Payout

Upon termination, any accrued but unused PTO will be paid to the employee at his/her current rate of pay.

VOLUNTEER TIME OFF

JMMD encourages volunteerism and believes that our Volunteer Time Off (VTO) program provides opportunities for employees to build strong community partnerships and connect with the people our company serves.

Examples of VTO eligible events include “hands on” volunteer activities for organizations that serve our member population in the areas of health, human services, housing, and education. Eligible organizations must be located in the United States and be recognized by the Internal Revenue Service (IRS) as tax
Exempt under 501(c)(3) or 509(a)(1,2 or 3) of the IRS. Employees must be active volunteers in the event, not merely participants.

Eligibility

Regular Full-Time Employees are eligible for up to sixteen hours of paid time off for volunteer activities each calendar year. Regular Part-Time employees are eligible for up to eight paid VTO hours each calendar year. Employees who are on a leave of absence from the company are not eligible for VTO benefits during the period of their leave.

Use of VTO

With prior approval, VTO can be used at any time: during normal work hours, after work, or on weekends. VTO hours will be charged to the employee’s annual VTO balance in a minimum of one hour increments. Employees will be paid for all VTO hours at the employee’s regular rate of pay, regardless of whether the time is worked during the employee’s regular shift or at another time, such as on a Saturday. Any unused VTO hours are not available for cash out and do not roll over from year to year. VTO hours are not paid to the employee upon termination. Employees may not be paid for PTO and VTO concurrently. Employees may not be paid for regular hours worked and VTO concurrently.

The VTO request form can be found on our Intranet.

JMMD recognizes that its continued success is dependent on the efforts and successes of its dedicated employees. Accordingly, JMMD strives to offer its employees the best benefit packages, options, and opportunities. JMMD is proud it can offer rich benefits and that its employees do not have to pay union fees to obtain these benefits and opportunities. Accordingly, JMMD will continue to take all steps reasonably necessary to avoid unions representing JMMD’s employees.

MEDICAL/DENTAL/VISION/LIFE BENEFITS

Regular Employees, who work twenty (20) hours or more per week are eligible for medical, dental, vision, and life benefits. Temporary, Casual/Per Diem employees are not entitled to medical, dental, vision, and life benefits.

Eligible employees will receive information explaining their benefits; the information can also be found on JMMD’s Intranet.

The employee’s portion of any medical, dental, vision if any, will be deducted from the employee’s paycheck. Costs of benefits are deducted automatically from an employee’s paycheck, except during certain leaves of absence. With the exception of certain leave of absence situations, if an employee fails to pay his or
her share of the insurance premium, the insurance will cease unless the employee thereafter makes a full contribution to maintain the coverage.

PRIVACY RIGHTS

JMMD contracts with a third party entity to provide health insurance (Plan) for its eligible employees. The Plan uses protected health information (“PHI”) to provide your health benefits under the Plan. The Plan shares your information to carry out treatment, payment, and health care operations, as well as for other reasons allowed and required by law. The Plan has a duty to keep your health care information private.

It is important to note that these rules apply to the Plan, not to JMMD as an employer. Different rules may apply to other JMMD programs or information unrelated to the Plan.

For more detail, please refer to the Plan’s Notice of Privacy Practices and/or contact JMMD’s Senior Medical Director or President.

COBRA

Employees and their dependents covered under the group medical plans may have certain individual group health continuation and conversion rights under federal and state laws. Questions regarding continuation coverage should be addressed upon termination of employment, change in dependent status, change or reduction in hours, or various other occurrences. Any employee with questions should contact the Senior Medical Director and/or refer to your Plan documentation for specifics pertaining to the continuation of benefits.

SHORT AND LONG TERM DISABILITY LIFE INSURANCE

Regular Full-Time Employees are eligible for participation in Short Term and Long Term Disability. Temporary, Casual/Per Diem and Regular Part-Time employees who work twenty hours or more per week are not entitled to Short Term and Long Term Disability.

Eligible employees will receive a booklet explaining these benefits, and the information is available upon a request made to the American Family Care.

401K

For all employee classifications, employees at least 21 years old are eligible for 401K benefits. JMMD provides a safe harbor matching contribution of up to 100% on the first 4% contributed by the employee.

More information can be found by accessing, among other things, the JMMD Molina Salary Savings Plan.
FLEXIBLE SPENDING ACCOUNT

Employees have the option of participating, annually in JMDM’s Flexible Benefits Plan, which permits employees to set aside money directly from their paycheck, tax-free, for reimbursement for eligible out-of-pocket medical and/or dependent care expenses.

More information can be found by accessing, among other things, the Flexible Spending Account Overview.

EDUCATION REIMBURSEMENT

Reimbursement for Education for Non-Physician Employees

JMDM offers up to $5,250 annually in reimbursements for non-physician employees successfully completing approved courses. To be considered successful, a course must be completed with a grade of a “C” or better or a “Pass.” The courses, certifications or licenses must relate to the employee’s current position or a likely future assignment and require management approval.

Eligibility

A. Regular Full Time non-physician employees who have been employed for a continuous six months with JMDM prior to beginning the course.

B. Employees who are employed on a Full-Time basis at the beginning through the completion of their course, as well as at the time of reimbursement for the completed course.

C. Employees who are not under disciplinary action at the beginning or the end of their course of study.

D. Employees who go on a Leave of Absence (LOA) prior to the completion of their course will be reimbursed once they return to active status, demonstrate successful completion of the course, and submit all of the necessary completion reimbursement documents.

E. Regular Part-Time, active non-physician employees who have been employed for a continuous six months with JMDM prior to beginning the course, are eligible for up to $2,625 annually in reimbursements for successfully completing approved courses.

Eligible Expenses

College Courses: Eligible expenses include tuition and books required to satisfactorily complete a course. Reimbursement is limited to 100 percent of
actual expenses to a maximum of $5,250 annually. Reimbursement will be reduced by any other financial aid that does not have to be repaid, such as the GI Bill, scholarships and grants.

Continuing Medical Education (CME) Allowance for Physician Employees

JMMD physician employees may receive up to $5,250 for CME courses and five (5) days paid, in a calendar year, to attend CME courses. An employee’s first year is pro-rated based upon date of hire.

This CME allowance must be expended during the calendar year and does not carry over year to year.

MEDICAL EDUCATION LOAN REPAYMENT PROGRAM

JMMD provides qualified employees the additional benefit through its Medical Education Loan Repayment Program (“MELRP”). This program helps those employees who qualify repay a portion of their student loans each year at the end of their first, second and third years of employment at JMMD. In order to be eligible for this benefit, employee must document to JMMD’s satisfaction that he or she has qualified medical education loans at least in the amount that he or she are eligible to receive under this program.

“Qualified medical education loans” are documented loans secured to pay for medical school tuition, other reasonable medical school educational expenses and reasonable living expenses during the tenure of enrollment in medical school, and are loans made by commercial banks and government (federal, state or local) agencies.

Non-qualifying loans are ineligible for the MELRP. Non-qualifying loans include loans from individuals, loans from private foundations, parent PLUS loans, cosigned loans, personal lines of credit, residency relocation loans and credit card loans. Furthermore, if an otherwise eligible qualified medical educational loan is consolidated and/or refinanced with your ineligible (non-qualifying) debt, no portion of the consolidated/refinanced loan will be eligible for the MELRP. Moreover, eligible educational loans consolidated with loans owed by any other person, such as a spouse or child, are also ineligible for the MELRP.

Employees who hold qualified medical education loans in the minimum amounts noted below, may be eligible to receive the amounts noted below at the conclusion of his or her first, second and third year (non-calendar) year employment with JMMD.

END OF YEAR 1 – EIGHT THOUSAND DOLLARS ($8,000.00)
END OF YEAR 2 – TEN THOUSAND DOLLARS ($10,000.00)
END OF YEAR 3 – TWELVE THOUSAND DOLLARS ($12,000.00)
Employees who leave the employment of JMMD either voluntarily or involuntarily at any point during a year of eligibility will not receive a prorated amount of payment for the proportion of the days worked during that year. Any amounts of money received through the MELRP are considered wages so all applicable taxes will be deducted by JMMD prior to payment to the employee.

JMMD may modify the terms and conditions of the MELRP at any time including, but not limited to, termination or limitation of the MELRP.

WORKER’S COMPENSATION

JMMD provides Worker’s Compensation Insurance at no cost to employees for injuries or illnesses that are deemed to have been caused by, or have taken place in, the workplace. If a work-related injury or illness occurs, employees are covered by Worker’s Compensation Insurance, which provides employees with benefits permitted by each state’s Workers’ Compensation laws, as appropriate. The employee must notify his or her supervisor, and/or the Senior Medical Director or President immediately at the time of the injury, or as soon as practically possible of any work-related injury or illness.

EMPLOYEE ASSISTANCE PROGRAM

JMMD supports the general wellbeing of our employees. In recognition of the fact that anyone may benefit from professional assistance, related to one’s personal concerns, JMMD provides an Employee Assistance Program (EAP). The EAP is a professional, confidential counseling service that is available to all personnel and members of their household to assist with a wide variety of questions and issues, such as relationship issues, budget questions, stress, work conflicts, drug and alcohol concerns, etc.

The EAP treats counseling discussions as confidential and does not report information to JMMD about who is using the EAP. All counseling through the EAP is on a voluntary basis and is offered to support employees and their households. Although employees are encouraged to participate in the program, participation does not relieve employees of their obligation to perform their work in an acceptable manner.

This confidential program is administered by an independent, outside vendor and contact information, as well as specific benefit information, can be found at:

Support Line – Employee Assistance Program
Phone: 1-888-881-LINC (5462) 24
Hours a Day, 365 Days a Year
Web: www.support-linc.com
Username: molinamedical
Password: line123
ATTENDANCE/LEAVES OF ABSENCE

ATTENDANCE AND PUNCTUALITY

Everyone at JMMD makes an important contribution, and most jobs must be coordinated with the schedules and responsibilities of other employees. JMMD expects employees to maintain regular attendance and timely arrival to work. Attendance by licensed healthcare professionals is considered an essential function of your job.

Except in unforeseen circumstances or absences related to an approved leave of absence, employees are expected to arrange time off in advance with their supervisors. If it is necessary to miss a day of work or to be late, employees must personally contact their supervisor as far in advance as possible. It is generally not acceptable to use other employees or individuals to relay messages, unless necessary due to medical issues, an accident, or similar uncontrollable circumstances. Employees must call in each day they are absent or tardy.

Employees should arrange for time off in advance pursuant to their department’s procedures.

An absence of three consecutive days without notifying a supervisor or the Senior Medical Director or President may be considered job abandonment and voluntary resignation. In addition, tardiness or three or more unscheduled absences in one month, may result in discipline, up to and including termination.

PERSONAL LEAVES OF ABSENCE

Personal

Regular employees will be considered for discretionary unpaid leaves of absence for a compelling reason not otherwise protected by federal and/or state law, based on the facts and circumstances surrounding their particular requests. JMMD will review such requests in light of a combination of factors, including an employee’s length of employment, performance and work record, the reason for the requested leave of absence, the position occupied, and the business needs of the department/work group ("Employee Factors"). These Employee Factors will be weighed against the Company Interests, which include the potential disruption the leave would cause, the company’s legitimate business needs, the duration of the leave requested, and the company’s ability to either find a temporary replacement or to leave the position vacant for the expected duration of the leave. Discretionary Personal leaves are not guaranteed.

All such leave requests must be submitted in writing and approved by the employee’s supervisor(s) or the Senior Medical Director or President before the discretionary Personal leave begins.
If JMMD does grant a discretionary Personal leave request, the leave is not protected and the employee may be called back from leave at any time with forty-eight hours’ notice. JMMD is not able to guarantee reinstatement from a discretionary Personal leave in all circumstances, but will make a reasonable effort to return an employee to his or her former position or a comparable position for which the employee is qualified. It is the employee’s responsibility to be available and report to work at the end of the approved leave. An employee who fails to report to work on the day after the discretionary Personal leave expires will be considered to have voluntarily resigned. In addition, it should be remembered that employment is at the mutual consent of the employee and JMMD, and either the employee or JMMD can terminate the employment relationship at will, at any time, either with or without cause or advance notice, and even while the employee is on a discretionary Personal leave of absence.

Discretionary Personal leaves are unpaid, and should be for a period of no more than thirty days. Employees do not earn or accrue any benefits during the period of a discretionary Personal leave of absence. All Employees will be fully responsible to pay the costs of any insurance benefits during a discretionary Personal leave of absence. If an employee has accrued PTO, the employee must exhaust their PTO prior to beginning any unpaid discretionary Personal leave.

**Bereavement**

For Regular Full-Time Employees, in the event of a death in the immediate family, a leave without loss of pay will be granted for a period not to exceed three scheduled workdays for the purpose of making arrangements for or to attend the funeral, of the said family member. For Regular Part-Time employees, a bereavement leave for a maximum of three consecutive scheduled workdays with twelve hours of pay will be granted in the event of a death of an immediate family member. In addition, if needed, Regular Employees will receive up to two days off, unpaid, for travel to and from a funeral, when a funeral takes place more than 300 miles from the employee’s residence. Immediate family members include: mothers, fathers, spouses, domestic partners, sisters, brothers, children, legal guardian, current parents-in-law, domestic parents-in-law, grandparents, and grandchildren.

**Religious Reasons**

As an equal opportunity employer, it is JMMD’s intent to reasonably accommodate the known religious observances and customs of its employees, when to do so would not impose an undue hardship on JMMD. If an employee needs to take time away from work, without pay, for religious reasons, the employee must submit a written request to the employee’s supervisor at least one week in advance of the anticipated leave of absence.
MEDICAL LEAVES OF ABSENCE

Family Care and Medical Leave

If an employee has completed at least twelve (12) months of service and has worked at least 1,250 hours during the previous twelve (12) months with JMMD, the employee is eligible under federal law to take up to twelve (12) weeks of unpaid family care/medical leave within a 12-month period. The 12-month period used to measure the 12-week limitation will coincide with the calendar year. Family care/medical leave time is (1) permitted for the birth of the employee’s “child”, (2) placement of a child with the employee for adoption or foster care, (3) to care for the employee’s spouse, child, or parent who has a “serious health condition”, (4) for a serious health condition where an employee is unable to perform the employee’s job, or (5) for any “qualifying exigency” arising out of the fact that the employee’s spouse, child or parent is on “covered active duty” (or has been notified of an impending call or order to covered active duty) in the Armed Forces in support of a contingency operation (“active duty leave”). An employee is also entitled to twenty-six (26) weeks during a single twelve (12) month period of unpaid leave to care for the employee’s spouse, domestic partner, child, parent, or next of kin who is a “covered service member” recovering from a serious injury or illness suffered while on active duty in the Armed Forces, National Guard or Reserves (“caregiver leave”).

Definitions

“Child” means a son or daughter who can be any biological, adopted, or foster child, a stepchild, a legal ward or a child of a person standing in loco parentis, who is either (A) under 18 years of age, or (B) 18 years of age or older and incapable of self-care because of a medical or physical disability (i.e., an adult dependent child). A person standing in loco parentis with a child is someone with day-to-day responsibilities to care for and financially support the child; there is no requirement for a biological or legal relationship between the person and child. For children under 18 years of age, an employee need only show that leave is required because a child is suffering from a serious health condition without regard as to whether the child has a disability. For adult dependent children, an employee is eligible to take medical leave to care for that adult child upon showing the following: the adult son or daughter (1) has a disability as defined under the American Disabilities Act (“ADA”), (2) is incapable of self-care due to that disability (i.e., needing assistance in three or more activities of daily living such as bathing, dressing, eating, transportation, etc.), (3) has a serious health condition (i.e. an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider) , and (4) is need of care due to the serious health condition. While the adult son or daughter’s serious health condition need not be directly related to his or her disability, the same condition may satisfy both the ADA definition of a disability and a serious health condition.
“Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country. “Covered active duty” for members of the reserve components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation, which may include deployment in international waters.

“Covered service member” is (a) any member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy or is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness or (b) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

“Qualifying exigencies” include (1) addressing any issue arising out of short notice deployment, (2) attending military events and related activities, (3) attending or arranging for child care and school activities, (4) making financial and legal arrangements, (5) attending counseling, (6) spending time with a covered military member on rest and recuperation leave, (7) attending post-deployment activities, (8) providing or arranging for parental care, and (9) any additional activities that the Company and employee agree to as leave.

“Serious health condition” is any illness, injury, impairment, or physical or mental condition that involves either inpatient care in a hospital, hospice, or other residential medical care facility, or continuing treatment or supervision by a health care provider. A “serious injury or health condition” with respect to a current member of the Armed Forces (including the National Guard and Reserves) means an injury or illness that existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating. For a covered veteran, a serious injury or illness means a qualifying injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

**Maximum Duration of Family and Medical Leave**

An employee can elect to take a maximum of the entire twenty six (26) weeks of leave for caregiver leave or take twelve (12) weeks for the five categories of family care/medical leave and the additional fourteen (14) weeks for caregiver leave during a twelve (12) month period.
In cases where both husband and wife are employed and the leave requested is for the (1) birth of a child, (2) adoption/foster care of a child, (3) to care for a sick parent, or (4) active duty or call to active duty, JMMD will not grant more than an aggregate of twelve (12) weeks of leave during any 12-month period. In cases where both husband and wife are employed and the leave requested is for caregiver leave, JMMD will not grant more than 26 weeks of total leave during any 12-month period.

Employees who are disabled because of pregnancy are also entitled to family medical leave and may be entitled to additional leave under state family medical leave law and/or as additional accommodation under federal and state disability laws (see state specific appendices).

Procedures for Requesting Family and Medical Leave

The following procedures shall apply when requests for family care/medical/military leave are made. Employees must contact their supervisor as soon as they become aware of the need for family/medical leave.

1. If the event necessitating the family care/medical leave becomes known to the employee more than thirty (30) calendar days before the need for the leave, the employee must provide notice as soon as he or she learns of the need for a leave and the leave request must be submitted in writing at least thirty (30) days before the time the leave is needed.

2. If the need for active duty leave is foreseeable, the employee must provide as much advance notice as is reasonable and practicable.

3. If the need for leave is not foreseeable, the employee must provide as much advance notice as possible. Written notice should be provided as soon as learning of the need for leave.

4. If the leave is needed for planned medical treatment or supervision, the employee must make a reasonable effort to schedule the treatment or supervision to avoid disruption to JMMD operations, subject to the approval of the health care provider of the individual requiring the treatment or supervision.

5. If the leave is needed for the employee’s own serious health condition, the employee must provide a certification from the health care provider which states:
   
   (a) Date of commencement of the serious health condition or serious injury or illness;

   (b) Probable duration of the condition; and
(c) A statement that the employee is unable to perform the essential functions of the position because of the serious health condition.

6. If caregiver leave is needed to care for a sick child, spouse, or parent, then the employee must provide a certification from the health care provider which states:

(a) The name, address, telephone number and fax number of the health care provider and type of medical practice/specialization;

(b) Date of commencement of the serious health condition or serious injury or illness;

(c) Probable duration of the condition;

(d) Estimated amount of time the employee will provide care; and

(e) Confirmation that the serious health condition or serious injury or illness warrants the participation of a family member.

7. If caregiver leave is needed to care for a covered service member, the employee must provide a certification from the health care provider which provides:

(a) A general statement providing:

(1) The name and address of the employer of the employee requesting leave to care for a covered service member, the name of the employee requesting such leave, and the name of the covered service member for whom the employee is requested leave to care.

(2) The relationship of the employee to the covered service member for whom the employee is requesting leave to care.

(3) Whether the covered service member is a current member of the Armed Forces, the National Guard or Reserves, and the covered service member’s military branch rank, and current unit assignment.

(4) Whether the covered service member is assigned to a military medical facility as an outpatient or to a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients (such as a medical hold or warrior transition unit), and the name of the medical treatment facility or unit.
(5) Whether the covered service member is on the temporary disability retired list.

(6) A description of the care to be provided to the covered service member and an estimate of the leave needed to provide the care.

(b) The name, address, and appropriate contact information of the covered service member's health care provider, the type of medical practice, the medical specialty, and whether the health care provider is (1) a United States Department of Defense ("DOD") health care provider, (2) a United States Department of Veterans Affairs health care provider, (3) a DOD TRICARE network authorized private health care provider, or (4) a DOD non-network TRICARE authorized private health care provider.

(c) Whether the covered service member's (1) injury or illness was incurred in the line of duty on active duty or aggravated when the veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating, or (2) physical or mental condition received a disability rating of 50% or higher from the Department of Veterans' Affairs Service, or (3) physical or mental condition impairs the service member's ability to secure gainful occupation as a result of the service-related disability, or (4) would do so absent treatment.

(d) The approximate date on which the serious injury or illness commenced, and its probable duration.

(e) Information sufficient to establish that the covered service member is in need of care and whether the covered service member will need care for a single continuous period of time, including any time for treatment and recovery, and an estimate as to the beginning and ending dates for this period of time.

(f) If request is for intermittent or reduced schedule basis for planned medical treatment appointments for the covered service member, whether there is a medical necessity for the covered service member to have such periodic care and an estimate of the treatment schedule of such appointments.

(g) If request is for intermittent or reduced schedule basis to care for a covered service member other than for planned medical treatment, whether there is a medical necessity for the covered service member to have such periodic care, which can include assisting in
the covered service member’s recovery, and an estimate of the frequency and duration of the periodic care.

8. If the leave is needed for a qualifying exigency arising out of active duty or call for active duty, the employee must provide certification, issued at such time and in such manner as the Secretary may be regulation prescribe, which provides:

(a) A statement or description, signed by the employee, of appropriate facts regarding the qualifying exigency for which family care/medical leave is requested;

(b) The approximate date on which the qualifying exigency commenced or will commence;

(c) The beginning and end dates for the absence;

(d) If the leave will be taken on an intermittent or reduced schedule basis, an estimate of the frequency and durations of the qualifying exigency; and

(e) If the qualifying exigency involves meeting with a third party, appropriate contact information for the individual or entity (i.e., name, title, organization, address, phone number, fax number and e-mail address) and a brief description of the purpose of the meeting.

JMMD will require certification by the employee’s health care provider that the employee is fit to return to the job.

Failure by the employee to provide certification by the health care provider of employee’s fitness to return to work will result in the employee being denied reinstatement until such time as the certificate is obtained.

JMMD may require, at its expense, a second opinion from a health care provider, designated by it. The health care provider designated to provide a second opinion will not be one who is employed on a regular basis by JMMD.

If the second opinion differs from the first opinion, JMMD may require, at its expense that the employee obtain the opinion of a third health care provider, designated or approved jointly by JMMD and the employee.

The opinion of the third health care provider shall be considered final and binding on behalf of JMMD and the employee.

If an employee takes a qualified family leave, the employee will be allowed to continue participating in any health and benefit plans in which the employee was
enrolled prior to the first day of the leave (up to a maximum of twelve (12) weeks). JMMD will continue to pay JMMD’s portion of the benefit.

The employee’s portion is due on the same schedule as payments were made before the beginning of the leave to JMMD’s health and benefits plan. A check in the correct amount must be received by JMMD prior to the beginning of the premium month for coverage to be continued.

In some instances, JMMD may recover premiums it paid to maintain health coverage for the employee if the employee failed to return to work following family care/medical leave. These premiums will be deducted from the employee’s final payroll check.

An employee may request or JMMD may require that accrued paid PTO, be substituted for unpaid leave to care for (a) a spouse, child or parent who has a serious health condition; (b) employee’s own serious health condition; or (c) caregiver leave.

If the employee substitutes paid leave for unpaid leave, the length of time available for caregiver leave will not exceed twenty six (26) weeks and family leave will still not exceed twelve (12) weeks. (Any paid and unpaid portions of the leave of absence shall be added together whether or not taken consecutively.)

Under some circumstances, the employee may take family/medical and active duty leave intermittently, which means taking leave in blocks of time, or by reducing his/her normal weekly or daily work schedule.

During a family care and medical leave period, the employee shall retain employee status, and the leave shall not constitute a break in service, for purposes of longevity, seniority, or any employee benefit plan. On return from family/medical leave, an employee is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An employee is entitled to such reinstatement even if the employee has been replaced or the position has been restructured to accommodate the employee’s absence, except where the law authorizes a different result. An employee returning from a family/medical leave has no greater rights to reinstatement than if the employee had been continuously employed. In addition, the employee’s use of family/medical leave will not result in the loss of any employment benefit that employee earned or was entitled to before using family/medical leave.

Reinstatement after family/medical leave may be denied to “key” employees. A “key” employee is an employee who is salaried and who is among the highest paid 10% of the employees by the employer within 75 miles of the worksite. Reinstatement may be denied if it would cause substantial and grievous economic injury to JMMD’s operations. JMMD shall notify the “key” employee of
its intent to refuse reinstatement at the time it determines that refusal is necessary, as provided by law.

Employees on leave of absence who seek or accept other employment without JMMD’s prior written approval may be subject to disciplinary action, up to and including immediate termination of employment.

Employees who falsify the reason for their leave of absence may be subject to disciplinary action, up to and including immediate termination of employment. If the employee’s leave expires and the employee has not contacted the Senior Medical Director, it will be assumed that the employee does not plan to return and that the employee has terminated employment.

The employee should be aware that the employee may be covered by disability insurance under a state mandated plan. This insurance may provide protection for illnesses or injuries not caused by the job such as those resulting from non-work related accidents, pregnancy or illness that prevent the employee from working.

For additional information about eligibility for family/medical leave, contact the Senior Medical Director and consult the state specific appendix.

Failure to comply with these notice rules is grounds for, and may result in, deferral of the requested leave until the employee complies with this notice policy.

MILITARY LEAVE AND REINSTATEMENT

Employees who serve in the uniformed services (that includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, any examination to determine the fitness of the person to any such duty, and funeral honors duty) are entitled to be absent from JMMD employment for military service for a cumulative period of up to five (5) years, during which time the employee shall be deemed on furlough or leave of absence. Employees must give thirty (30) days advance written or verbal notice of the uniformed service when feasible, or as far in advance as reasonably possible.

No employee shall be discriminated or retaliated against for past or present membership, applying for membership, or fulfilling an obligation in the uniformed service. Employees who are returning from uniformed service may be entitled to be reemployed by JMMD in the job they would have attained had they not been absent for military service, with the same seniority, status, and pay. An employee taking leave to perform uniformed service may be entitled to be reemployed upon completion of service if the following prerequisites are satisfied:

1. The employee provided proper advance notice to JMMD of the uniformed service;
2. The cumulative leave did not exceed five (5) years, with certain exceptions;

3. The employee reports back to work or submits an application for reemployment within the time limits, as determined by the length of uniformed service; and

4. The employee separated from the uniformed service under honorable conditions.

An employee wishing to be reemployed following return from uniformed service must provide documentation establishing that he or she satisfied the above requirements. JMMD is not required to reemploy an employee returning from uniformed service if doing so would be impossible or unreasonable due to changed circumstances, if the employee is no longer qualified for the position after leave such that reemployment would cause an undue hardship on JMMD, or the employee was originally hired for a brief, nonrecurring period with no reasonable expectation of continued employment for a significant time or recurring in the future.

**VOTING LEAVE**

JMMD strongly encourages employees to exercise their right to vote. Efforts should be made to vote before or after the normally scheduled workday. However, if not possible, any employee who cannot cast their ballot outside their normal working hours may request and be granted time off in order to vote. Such a request should be made to the employee’s supervisor at least two days before the election date, and all requests must be made in writing. Supervisors have the discretion to require this time off to vote be taken only at the beginning or end of the employee’s shift. Furthermore, the employee must bring his or her voter’s receipt to his or her supervisor on the next regular workday.

**JURY DUTY LEAVE**

JMMD, in its desire to encourage and facilitate social responsibility and ease any burdens felt by its employees in undertaking such responsibilities, grants ten days of paid leave for jury duty purposes to Regular Employees of JMMD. Regular Employees are entitled to unpaid jury leave for all jury duty lasting longer than ten days upon the presentation of the Jury Summons to his/her supervisor. Upon completion, certification of completion of Jury Duty is required. In particularly busy periods, the Company may request that the employee ask for a postponement from jury duty from the Jury Commissioner.

**WITNESS DUTY LEAVE**

JMMD does not discriminate against employees who miss work to testify as a witness. If there is an option to be notified on the day needed to testify, JMMD employees are encouraged to take that option. Employees may need to show
their supervisor a form of proof that they were subpoenaed to appear as a witness.

Victims of Serious Crimes

Employees who are victims of a serious crime may take time off to participate in judicial proceedings relating to the crime. Employees who are immediate family members of such crime victims may also take time off to participate in such a proceeding. Employees may use earned PTO to cover any time off. If no PTO is available, employees may take unpaid time off. Employees must submit proof that he or she was the victim of a serious crime, or that an immediate family member was a victim of a serious crime, and proof of the judicial proceeding to the Benefits Department.

EMPLOYMENT PRACTICES AND POLICIES

STANDARDS OF CONDUCT

Like all organizations, JMMD strives to promote efficiency, productivity, and cooperation among employees. Employees are expected to meet acceptable standards of conduct and performance. In order to provide employees some guidance concerning unacceptable behavior, the following are some examples of types of conduct that are considered impermissible. Compliance with these standards is the responsibility of every employee. Employees who engage in any misconduct or whose performance is unsatisfactory may be subject to disciplinary action, up to and including immediate termination. The list below is intended simply to provide some examples of disciplinary offenses and is not exhaustive.

1. Report to work punctually, as scheduled, and be at the assigned work location ready for work at the assigned starting time;

2. Timely notify the appropriate supervisor before the start of the employee's workday when unable to report to work, or unable to report for work on time;

3. Actively work during working hours;

4. Comply with all performance/conduct and safety/security policies and procedures;

5. Wear appropriate attire for and in accordance with the work being performed;

6. Perform assigned tasks efficiently and correctly;

7. Address fellow employees, patients, staff, and members of the public in a professional, courteous, and respectful manner;
8. Maintain workplace and work area cleanliness;
9. Refrain from behavior or conduct deemed offensive or undesirable;
10. Obtain approval from a supervisor before removing any company property for company or personal use;
11. Excessive absenteeism or tardiness;
12. Abusive or unauthorized use of company supplies and equipment;
13. Unauthorized use of company equipment, time, materials, facilities, and/or other property without JMMD's prior authorization;
14. Failure to immediately report an accident or job-related injury;
15. Falsification of employment records, employment information, or any other records;
16. Unlawful harassment or discrimination of others;
17. Theft and deliberate or careless damage or destruction of any property, or the property of JMMD, any employee, and/or any member of the public;
18. Provoking a fight or fighting during working hours;
19. Being convicting any felony or a crime of moral turpitude whether or not related to job performance;
20. Insubordination, including but not limited to, failure or refusal to obey the orders or instructions of a supervisor or the use of abusive or threatening language toward a supervisor;
21. Failure to observe work schedules, including rest and meal periods;
22. Failure to provide a health care provider’s certificate when requested or required to do so;
23. Sleeping or malingering on the job;
24. Making or accepting excessive personal telephone calls during working hours;
25. Excessive use of the internet for non-business activities and/or visiting inappropriate websites as defined by the company’s internet use policies;
26. Committing a fraudulent act or a breach of trust under any circumstances;

27. Solicitation on company property without permission;

28. Possession, with or without the intent to sell or use: alcoholic beverages, drugs or illegal substances on company premises, or reporting for work under their influence; and

29. Revealing confidential information, including but not limited to confidential patient or employee information, or trade secrets to anyone outside JMMD.

Other types of conduct detrimental to security, personal safety, employee welfare, and JMMD's operations are also prohibited. It should be remembered that employment is at the mutual consent of the employee and JMMD. Accordingly, either the employee or JMMD can terminate the employment relationship at will, at any time, either with or without cause or advance notice.

**TRAINING AND PERSONAL DEVELOPMENT**

Completion of certain instructor-led live and iLearn training courses are required by JMMD employees. Employees who fail to complete the required training courses in a timely manner may be subject to discipline, up to and including termination.

**REPORTING POLICY**

JMMD requires directors, officers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of JMMD we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

**Reporting Responsibility**

This Policy is intended to encourage and enable employees and others to raise serious concerns internally so that JMMD can investigate, address, and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, employees, and volunteers to report concerns about, among other things: dishonest or unethical behavior by any JMMD employee or executive; lying or making misrepresentations to a JMMD executive, director, or auditor; harassment or discrimination; threats of violence; conflicts of interest, safety or environmental violations; substance abuse; violations of laws or regulations that govern JMMD’s operations; any retaliation against a person who raised a legal, ethical or safety concern; fraud or deliberate error in the conduct of JMMD business, recording or maintenance of financial records, or deficiencies or
noncompliance with internal controls; or any other potential serious legal or ethical offenses.

*No Retaliation*

It is contrary to the values of JMMD for anyone to retaliate against any board member, officer, employee, or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of JMMD. Similarly, retaliation is not appropriate due to an employees’ participation in an investigation, proceeding, or hearing, or for refusing to comply with an order or instruction that the employee believes in good faith is in violation of the law. An employee who retaliates against someone, who in good faith has reported a violation, participated, or refused to comply with an order or instruction, is subject to discipline up to and including termination of employment.

*Reporting Procedure*

JMMD has an “open door” policy and suggests that employees share their questions, concerns, suggestions, or complaints with their supervisor. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor’s response, you are encouraged to speak with your supervisor’s supervisor, the Senior Medical Director, the President or any JMMD executive. Employees with concerns or complaints may also submit their concerns confidentially by logging into Healthcare Alert Line or by calling 1-866-606-3889, 24 hours a day, seven days a week.

**COMPLIANCE WITH FALSE CLAIMS LAWS AND DETECTION AND PREVENTION OF FRAUD, WASTE AND ABUSE**

In accordance with Section 6032 of the Federal Deficit Reduction Act of 2005 (“DRA”), JMMD is committed to complying with all other federal and state laws prohibiting fraud, waste and abuse in seeking reimbursement under the Medicaid and Medicare programs; and, to preventing and detecting any fraud, waste, or abuse in the organization. To this end, JMMD maintains this compliance policy and program and strives to educate JMMD employees on fraud and abuse laws, including the importance of submitting accurate claims and reports to the Federal and State governments.

- JMMD employees shall receive information and training regarding their responsibilities and rights under the DRA and False Claims Acts.

- Under the DRA and the False Claims Acts, JMMD and its employees have an obligation to abide by and follow all provisions contained in the laws. An employee who is found to be in violation with the regulatory requirements may be held liable to the government for any damages sustained.
Employees should be aware that the False Claims Act provides that certain liabilities shall be placed upon any person who:

1. knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval;

2. knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved by the Government;

3. conspires to defraud the Government by getting a false or fraudulent claim allowed or paid;

4. has possession, custody, or control of property or money used, or to be used, by the Government and, intending to defraud the Government or willfully to conceal the property, delivers, or causes to be delivered, less property than the amount for which the person receives a certificate or receipt;

5. authorized to make or deliver a document certifying receipt of property used, or to be used, by the Government and, intending to defraud the Government, makes or delivers the receipt without completely knowing that the information on the receipt is true;

6. knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or employee of the Government, or a member of the Armed Forces, who lawfully may not sell or pledge the property; or

7. knowingly makes, uses, or causes to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the Government, is liable to the United States Government for a civil penalty of not less than $5,000 and not more than $10,000, plus 3 times the amount of damages which the Government sustains because of the act of that person, except that if the court finds that:

A. the person committing the violation of this subsection furnished officials of the United States responsible for investigating false claims violations with all information known to such person about the violation within 30 days after the date on which the defendant first obtained the information;

B. such person fully cooperated with any Government investigation of such violation; and
C. at the time such person furnished the United States with the information about the violation, no criminal prosecution, civil action, or administrative action had commenced under this title with respect to such violation, and the person did not have actual knowledge of the existence of an investigation into such violation; the court may assess not less than 2 times the amount of damages which the Government sustains because of the act of the person. A person violating this subsection shall also be liable to the United States Government for the costs of a civil action brought to recover any such penalty or damages.

• All JMMD employees have an obligation to report any actual or reasonably suspected violation of False Claim Acts, suspected or actual misuse or illegal use of the government funds either by fraud, waste, or abuse of the benefit program.

• JMMD has an internal mechanism by which employees may report alleged, suspected or known violations, misuse, and/or inappropriate or illegal use of the funds and benefits. An internal, confidential, and anonymous reporting system includes using the Compliance hotline, reporting directly to the Compliance officer or their direct supervisor.

CONFIDENTIALITY

Confidential Information

JMMD has acquired and developed intellectual property, as well as obtained confidential and propriety information. Certain information pertaining to employees and/or patients is confidential and protected from improper use or disclosure under state and federal laws. The success of JMMD depends on its competitive edge, compliance with applicable laws and regulations, and the ability to safeguard confidential and sensitive information. JMMD’s employees must take all necessary steps to protect the JMMD’s interests, including but not limited to those of its customers, contracted providers, patients and employees in maintaining the confidentiality of private and sensitive information. Confidential information may include, but is not limited to, protected health information (PHI) relating to JMMD’s customers, patients, and employees; vendors names and addresses; communications; files; bills and payment records; employee wage and salary information; social security numbers; financial statements; profit and loss statements, or other financial information; the results and methodology of any marketing research; formulation processes, whether written, verbal, or stored electronically; information marked proprietary of confidential; technological and creative works; and information not generally known (“Information”). This Information is of substantial value, highly confidential, and in some instances constitutes the professional and trade secrets of JMMD and is being provided and disclosed to you solely for use in connection with your duties and
responsibilities at JMMD, subject to all state and federal laws. Additionally, as a healthcare provider, many of JMMD’s records and data systems contain PHI relating to JMMD’s customers, patients and/or employees. PHI is protected pursuant to state and federal laws, and its wrongful use or disclosure may result in civil and/or criminal penalties for the persons responsible for such violations. Note that failure to properly use and protect PHI may result in individual criminal and civil penalties, which are outside JMMD’s discretion or control.

All employees, at the time of hire, must execute JMMD’s Workforce Confidentiality Agreement.

**Health Insurance Portability and Accountability Act (HIPAA)**

The privacy and security of the personal information of our patients is a paramount concern of JMMD. Just as we must be good stewards and must be careful in the management of our financial resources, so must we be good stewards of the personal information that we have been entrusted with by our patients and government programs. Keeping the trust of our patients and government programs is critical to the provision of high quality services and our continued success as an organization.

HIPAA established national standards to ensure the privacy and security of protected health information (PHI). PHI is individually identifiable health information, including demographic information that pertains to the care or payment for care of our patients.

Both the internal use and the external disclosure of PHI are strictly regulated by HIPAA.

Protecting the privacy and security of PHI and other confidential information is a core responsibility of each and every JMMD employee. JMMD has implemented a variety of administrative, physical, and technical safeguards to protect the confidentiality of PHI. Employees are expected to know and abide by our policies and procedures, which are published on the JMMD Intranet. Failure to adhere to HIPAA or JMMD’s privacy/security policies and procedures may lead to the application of employee disciplinary action and other sanctions up to, and including, termination. In addition, all employees will be trained on the proper and prohibited uses and treatment of PHI.

Questions regarding HIPAA or employee responsibilities regarding the privacy and security of member and patient information should be directed to JMMD’s President.
CLEAN DESK POLICY

JMMD employees and other workforce members shall store and dispose of documents, film, microfiche, video, x-rays, reports, and other printed material that contain confidential information, including PHI or other sensitive patient information, in a manner that reasonably safeguards the confidentiality of the information and protects against the unauthorized use of disclosure of the PHI or other sensitive patient information.

Safeguards for Paper Confidential Information, including PHI or other Sensitive Patient Information

Workforce members shall maintain a clean desk and use safeguards to protect the confidentiality of PHI and other confidential or sensitive information (collectively “PHI”) that is used, created, received, or stored in their department work area. Those safeguards include, but are not limited to: proper supervision of data; logging off/locking workstations; escorting visitors; limiting printing of PHI; proper destruction of PHI; not removing PHI from the Premises; using only secure methods for mailing; minimizing copying of PHI; maintaining a secure/clean work area; ensuring conversations about PHI are private/not accessible to the general public or unauthorized staff; limiting disclosure of PHI in voicemail messages.

Knowledge of a violation or potential violation of this policy must be reported directly to the President or to the compliance hotline at 866-606-3889.

CONFLICT OF INTEREST

Situations of actual or potential conflict of interest are to be avoided by all employees. Personal or romantic involvement with a patient, client, licensed professional, or employee of JMMD, which impairs an employee’s ability to exercise good judgment on behalf of JMMD, creates an actual or potential conflict of interest. While JMMD encourages its employees to have friendly relations with members of the public, employees must always base their work decisions solely on JMMD’s needs and the quality of the services being provided to patients. Employees must not accept gifts, favors, entertainment, free services, discounts on personal purchases, or any other special considerations for themselves or family. All work dealings should be conducted in an open, honest, professional, and completely ethical manner.

Supervisor-subordinate romantic or personal relationships also can lead to supervisory problems, possible claims of sexual harassment and morale problems. An employee involved in any of the types of relationships or situations described in this policy should immediately and fully disclose the relevant circumstances to the employee’s immediate supervisor, Senior Medical Director or President, for a determination as to whether a potential or actual conflict
exists. If an actual or potential conflict is determined, JMMD may take whatever corrective action appears appropriate according to the circumstances.

Failure to disclose a potential conflict of interest or engaging in a practice determined to be a conflict of interest may result in disciplinary action, up to and including termination. If an employee has questions regarding what may be a conflict of interest, the employee should contact the Senior Medical Director or President to discuss the circumstances.

JMMD is proud of its reputation for fairness and integrity. Therefore, JMMD requires all of its employees to uphold this reputation in their medical practice and every work-related activity. Employees need to be particularly careful to avoid situations where personal gain may influence work-related decisions or relationships, or otherwise affect their judgment related to the treatment of patients. If an employee is ever in doubt about whether an activity meets JMMD’s ethical standards or might compromise its reputation, the employee should discuss any concerns with the Senior Medical Director or President.

**COMPLIANCE WITH ANTI-KICKBACK AND BENEFICIARY INDUCEMENT LAWS**

Company personnel shall adhere to the requirements of state and federal anti-kickback laws, and shall contact the Legal Affairs Department in advance of entering into any payment practice, contract or other arrangement (a) whose terms may not be fair market value, or (b) where compensation per unit of service varies with the volume or value of business referred between the parties. From time to time, JMMD may adopt policies that apply to specific practices and financial relationships between JMMD entities and physicians, hospitals, and others who receive or make referrals to JMMD entities.

**BADGES/SECURITY**

JMMD strives to provide a secure work environment for its employees, patients, and other members of the public at all times. The following security considerations are offered to help maintain a secure workplace. Employees are expected to follow all security procedures established at each location where services are provided at all times. Employees need to be aware of persons loitering for no apparent reason (e.g., in parking areas, walkways, entrances/exits and service areas). Employees must immediately report any suspicious persons or activities to supervisors and security or local law enforcement.

**DRESS STANDARDS**

JMMD’s dress standards are generally lab coats and business casual dress. Employee appearance must be appropriate for a customer, patient, regulator or other outside party interaction, even if the employee does not expect to be seen by an outside party on a specific workday. JMMD’s standard of professional
appearance applies to all employees, even those who may not have regular interaction with those outside of JMMD. Each location or department may have its own standards to reflect regional and department specific standards. Employees whose appearance does not meet professional standards may be asked to leave work until they are able to return appropriately attired and groomed.

As an equal opportunity employer which prohibits unlawful discrimination against religion, JMMD will reasonably accommodate religious dress and grooming practices based on religious beliefs and observances of its employees. Requests for accommodation should be made to the Senior Medical Director or President.

**WORKPLACE RESPECT**

*Employee responsibility for work areas*

Each employee is expected to maintain a clean, neat, and orderly work area or office and to contribute to keeping common areas in good condition. Decorating personal work areas should be done in keeping with the nature of a professional office environment.

PHI of our patients must be safeguarded at all times and placed in locked file drawers, out of the public view.

*Smoking*

As a medical practice, JMMD is committed to the philosophy of promoting a healthy and safe workplace. In keeping with this philosophy, it is important that the workplace and office environment reflect JMMD’s concern for good health. Smoking is therefore not permitted inside JMMD’s work area. Smoking is only permitted outside the work premises or designated areas, and must be limited to breaks and meal periods. Employees should not smoke in the open presence of patients.

*Scent Sensitivity*

All employees are expected to be sensitive to those who may express discomfort due to a reaction to a fragrance contained in a perfume, cologne, hairspray, lotion, cleaning solutions, reheated foods, etc. Employees are expected to be sensitive to those around them who may express discomfort and recognize that these concerns may be due to health reasons. While it is difficult to avoid all fragrances and other environmental exposures, such as dust, exhaust, etc., JMMD promotes a workplace environment that is healthy for everyone.
Distractions

We are committed to an environment that is free from non-work related distractions, including extended personal calls, texting, use of smart phones, music, social conversations in the work area, etc. All employees are required to be mindful of how their behavior could disrupt co-workers’ ability to focus on serving our customers. In addition, each department may have its own rules regarding cell phones, music, social conversations and other potential distractions.

COMPANY PROPERTY

JMMD invests substantial assets in order to provide employees access to property including but not limited to computers, blackberries, desks, voicemail, email, telephones, and other electronic devices or equipment (collectively referred to as “Company Property”) to perform the responsibilities of their jobs. Although many employees are provided Company Property for job-related purposes, all employees should fully understand that all Company Property and information temporarily or permanently stored or transmitted with the aid of Company Property remains the sole and exclusive property of JMMD, and is subject to access, copy, search, monitoring, and or use by JMMD in any manner it deems appropriate. Employees therefore should not assume any privacy right or interest in any information that is temporarily or permanently stored on Company Property, nor should employees anticipate receiving a proprietary interest in any such information or Company Property.

JMMD may periodically need to assign and/or change “passwords” and personal codes for electronic equipment. JMMD reserves the right to keep a record of all passwords and personal codes used and/or override any password system, if necessary.

All Company Property provided by JMMD, whether used entirely or partially on JMMD’s premises or with the aid of Company Property or resources must remain fully accessible to JMMD and, to the maximum extent permitted by law, will remain the sole and exclusive property of JMMD.

Any Company Property taken by employees from premises must be cleared in advance with the employee’s direct supervisor and/or appropriate authorizing authority. Intentional destruction or theft of Company Property will result in disciplinary action up to and including termination, demand for retribution and possible criminal or civil prosecution.

Employees who violate any aspect of this policy or demonstrate poor judgment in the manner in which they use any Company Property will be subject to disciplinary action, up to and including termination.
DRUG/ALCOHOL FREE WORK ENVIRONMENT

JMMD maintains a drug/alcohol-free workplace policy as part of its ongoing commitment to a safe and healthy workplace open to both employees and its patients. Therefore, JMMD is concerned about the use of alcohol, illegal drugs, or controlled substances at any of its facilities. Use of these substances whether on or off the job can adversely affect an employee’s work performance, efficiency, safety, and health and therefore seriously impair and jeopardize patient care. In addition, the use or possession of these substances while on the job constitutes a potential danger to the welfare and safety of other employees and exposes JMMD to the risks of property loss or damage, or injury to other persons.

The following rules and standards of conduct apply to all employees either on JMMD property or during the workday (including meals and rest periods). Behavior that violates JMMD’s policy includes:

1. Unauthorized use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of any controlled substance while on JMMD’s property or while conducting work on behalf of JMMD in any other location.

2. Reporting to work while under the influence of a controlled substance (except where use of the controlled substance is permitted by law and does not interfere with the employee’s ability to safely perform the essential functions of the job, with or without reasonable accommodation). Controlled substances include, but are not limited to, narcotics (such as heroin and morphine), cannabis (marijuana, hashish), stimulants (such as cocaine and amphetamines), depressants (tranquilizers) except by doctor’s prescription, and hallucinogens (such as PCP, LSD, and “designer drugs”).

3. Use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of any legal prescription drug in an illegal manner.

4. Reporting to work while impaired by the use of a legal drug whenever such impairment might preclude the employee from performing the essential function of the job, with or without reasonable accommodation, or whenever such impairment may pose a threat to the employee’s safety or the safety of others.

5. Reporting to work while under the influence of alcohol or use of alcohol on JMMD’s property.

6. Distribution, sale, or purchase of any illegal or controlled substance or alcohol while on JMMD’s property or managed premises.
Each employee is required to perform the employee’s duties unimpaired by any legal or illegal substance. Any employee reporting to work impaired will not be allowed to work and may be subject to drug and/or alcohol testing. Substance abuse includes the possession, use, purchase, manufacture, or sale of drugs and/or alcohol on JMMD (or JMMD-managed) premises or during work hours. Substance abuse also includes reporting to work or operating a JMMD-owned, leased, or rented vehicle under the influence of drugs or alcohol. Violation of this policy will result in disciplinary action, up to and including immediate termination of employment. JMMD also may bring the matter to the attention of appropriate law enforcement authorities.

Legally prescribed medications/drugs may be taken during working hours. However, the use of prescription drugs and/or over-the-counter drugs may affect an employee’s job performance and seriously impair the employee’s judgment or ability to perform his or her job duties safely. JMMD employees should notify their supervisor if the use of prescribed medications/drugs might affect their performance. Abuse of prescription medications/drugs will not be tolerated.

In order to enforce this policy, JMMD reserves the right to conduct searches of JMMD’s property or employees and/or their personal property, and to implement other measures necessary to deter and detect abuse of this policy.

An employee may be asked or required to submit to testing procedures designed to detect the presence of drugs and/or alcohol if (a) the employee is acting in a manner that leads to a suspicion that the employee either possesses, controls, or is under the influence of a drug and/or alcohol, (b) the employee was directly or indirectly involved in a work-related accident or mishap, or (c) the employee is suspected of having or having been involved in the use, possession, transfer, distribution, manufacture, and/or sale of drugs or alcohol in company controlled areas, on company-owned property, while on duty, or while operating a vehicle or potentially dangerous equipment owned or leased by JMMD.

A request for testing does not necessarily mean or imply that an employee is under the influence of any improper substance or has violated JMMD’s policy. However, such testing may be requested or required when JMMD determines that it is appropriate to promote the interests of this policy. Any employee who does not consent to and cooperate fully with any search and/or medical testing procedure is subject to disciplinary action up to and including termination of employment.

JMMD may report information with regards to possession, distribution, or use of illegal drugs to law enforcement officials. Also, any suspect substances found during a search of company property or an employee’s personal property on JMMD’s premises may be turned over to law enforcement officials. Employees convicted of drug or alcohol involvement may be considered to be in violation of this policy.
Job applicants who receive offers of employment may be asked to submit to and pass testing procedures that are designed to detect the presence of drugs and/or alcohol. All offers of employment to such individuals may be withdrawn on the basis of the results of a medical examination.

An employee’s conviction on a charge of illegal sale or possession of any controlled substance while off JMMD’s premises will not be tolerated because such conduct, even though off duty, reflects adversely on JMMD. In addition, JMMD must keep people who sell or possess controlled substances off JMMD’s premises in order to keep the controlled substances themselves off the premises.

JMMD or vendor-sponsored activities which may include the service of alcoholic beverages are not included in this policy. However, all employees are viewed as representatives of the company, whether at work or participating in these events. JMMD expects that such consumption will be in moderation so as not to reflect negatively on JMMD’s professional reputation. An employee should not operate a motor vehicle or otherwise engage in any hazardous activity if the alcohol consumed would impair the employee’s ability to safely perform those functions.

JMMD will encourage and reasonably accommodate employees with chemical dependencies (alcohol or drug) to seek treatment and/or rehabilitation. To this end, employees desiring such assistance should request a treatment or rehabilitation leave. JMMD is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of drug or alcohol use, nor is JMMD obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person’s job performance remains impaired as a result of dependency. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency or problem, will not automatically be given a second opportunity to seek treatment and/or rehabilitation. This policy on treatment and rehabilitation is not intended to affect JMMD’s treatment of employees who violate the regulations described above. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency.

All employees are asked and expected to cooperate with JMMD in connection with the administration of this policy and to comply with these requirements.

**TERMINATION AND/OR SEPARATION**

Employment with JMMD is for no definite period of time and may be terminated at the will of the employee or JMMD with or without cause and with or without advance notice. All discharges require the approval of the Senior Medical Director, President or his/her designee before the action is taken.

Termination, or separation of employment, will occur when the employee is no longer classified in an active status. Termination may be voluntary (resignation) or involuntary (discharge or lay-off) depending upon the circumstances.
Voluntary Termination (Resignation)

If an employee finds it necessary to resign, the employee is requested to give advance notice in writing to the employee’s supervisor specifying the last day employee will be at work. This date will be considered the effective date of the employee’s resignation. Employees are asked to give at least two weeks advance notice of the effective date of a resignation. Once notice is given, JMMD reserves the right to pay the applicable amount of wages for hours employee worked up to the employee’s advance notice, or up to the effective date of resignation (whichever is shorter), and excuse the employee not to return to work during that time. Employees who do not provide the requested notice may forfeit non-vested company benefits.

If an employee is absent from work for three (3) consecutive days (72 hours from the start of an employee’s missed scheduled work shift), or if an employee fails to return from an approved leave of absence, as agreed, JMMD will consider the employee to have resigned from JMMD.

Before leaving on the employee’s last day of work, the employee must return all JMMD property including but not limited to keys, credit cards, JMMD equipment, and all documents issued to the employee during the course of employment.

Involuntary Termination (Discharge or Workforce Reduction)

Employment at JMMD is at-will and may be terminated with or without cause or advance notice at any time by JMMD. Involuntary termination may occur under the two following scenarios:

Discharge: Discharge is normally based upon either misconduct (breach of company policy or procedure) or substandard work performance. Employees terminated for misconduct may not be eligible for rehire. Employees terminated for substandard work performance may be considered for rehire if the performance-related problem occurs through no direct fault of the employee and the employee has demonstrated a willingness to reapply for another position within the company for which they may be better qualified. In all cases the decision to rehire a former discharged employee remains at the sole discretion of JMMD.

In the event JMMD decides, in its sole discretion, that employee’s conduct warrants disciplinary action short of immediate termination, such decision shall in no way limit or alter the at-will employment relationship.

Workforce Reduction (Layoff): Under some circumstances, JMMD may need to restructure or reduce its workforce. If it becomes necessary to restructure operations or reduce the number of employees, JMMD will attempt to provide advance notice, if possible, so as to minimize the impact on those affected. If possible, employees subject to layoff will be informed of the nature of the layoff and the foreseeable duration of the layoff, whether short-term or indefinite.
In determining which employees will be subject to layoff, JMMD will take into account, among other things, its business operations and requirements; the skill, productivity, ability, and past performance of those involved; and also, when feasible, the employee’s length of service. JMMD will follow all applicable laws in conjunction with layoffs.

**Severance Pay**

Severance Pay may be available to the affected employees. Severance Pay is designed to assist affected employees in their transition, according to the following guidelines:

I. Eligibility for Severance Pay is limited to Regular Full-Time and Part-Time employees. Temporary or Per Diem/Casual staff are not eligible for Severance Pay. Contracted staff are governed by their specific contract.

II. The amount of Severance Pay is based on job category and completed years of service, according to the employee’s original hire date. One “week” of Severance Pay is defined as the employee’s average weekly base pay, excluding overtime, incentive, or other special pay.

III. Severance Pay will be in one lump sum with all deductions, on the last day of employment along with accrued Paid Time Off, if any.

V. If the affected employee returns to regular employment within one month of the original reduction in workforce, he/she may retain all prior seniority and benefits only if all Severance pay is returned at the time of rehire or reinstatement.

VI. Employees may voluntarily elect to be eliminated from the workforce to save a co-worker’s job, and will receive Severance Pay if otherwise eligible. However, Management reserves the right to refuse such offers based on organizational needs.

As with all policies, JMMD reserves the right to modify, change, or eliminate this policy at any time, with or without notice.

**SOLICITATION AND DISTRIBUTION**

Solicitation and distribution of literature and/or merchandise, on company premises, if left unrestricted can interfere with the normal operations of the organization, be detrimental to employee efficiency, offensive to customers, patients, visitors, and employees, and pose a threat to security. Accordingly, employees may not solicit and/or distribute literature and/or merchandise on company property or during work time.

JMMD maintains bulletin boards throughout its facilities, as well as on the intranet.
The bulletin boards and intranet are intended to communicate company information to employees and to post notices required by law. The bulletin boards are for posting company information and notices only and only those persons authorized by the Senior Medical Director or President may place notices on, or take down material from the bulletin boards. The unauthorized posting of notices, photographs, or other printed or written materials on bulletin boards or any other Company Property is prohibited.

**WORKPLACE SAFETY**

It is JMMMD’s policy to have a safe and healthy workplace.

Members of management are expected to do everything within their control to assure a safe and healthy environment and to always be in compliance with federal, state, and local safety regulations. Failure to comply may result in disciplinary action up to and including termination.

Employees are expected to obey safety rules, follow established safe work practices, and exercise caution in all their work activities.

All employees are expected to immediately report any unsafe conditions to their supervisor. Employees at all levels of the organization who are responsible for correcting unsafe conditions should do so.

In the event that an employee does suffer from a work-related injury the employee is required to immediately report the injury to the Senior Medical Director or President. JMMMD will coordinate medical attention if required. All workplace injuries will be investigated thoroughly in order for corrective action to be taken. If the employee is found to have been negligent in any way, disciplinary action up to and including termination of employment may be taken.

In terms of employee health and well-being, JMMMD has implemented the Injury and Illness Prevention Program ("IIPP"), which is available for review by request from the Senior Medical Director and on the intra-net.

**VISITORS**

For reasons such as the safety and security of company facilities, employees, and the technical and confidential aspects of company business, visitors are not permitted to enter certain areas of JMMMD’s facilities without authorization.

If a person who may not have proper authorization to enter the restricted areas of the building is seen, the employee must notify the employee’s supervisor.
WORKPLACE VIOLENCE

JMMD seeks to provide a safe, secure, and violence-free environment for all employees, patients, clients, volunteers, and guests. Workplace violence and threats of violence are considered misconduct and will not be tolerated.

Every verbal or physical threat of violence must be treated seriously and reported immediately to the employee’s supervisor and/or the Senior Medical Director or President. The Senior Medical Director or President, or a designee, will be responsible for consulting with the appropriate resources and witnesses. Where a violation of policy is found, JMMD will take appropriate corrective action.

If an employee is considered an actual or possible threat to him or herself or to other employees or patients while in the workplace or working, the employee may be suspended pending investigation into the matter, may be referred to the EAP, may be required to undergo a fit-for-duty examination, and/or may be disciplined up to and including termination.

In situations where an employee becomes aware of an imminent act of violence, a threat of imminent violence, or actual violence, they must seek emergency assistance immediately. In such situations, the employee should immediately call 911 and then inform a supervisor.

Employees should immediately inform their supervisor about any workplace security hazards. If an employee’s supervisor is not readily available, the employee should immediately inform the Senior Medical Director so that appropriate action can be taken.

VOICEMAILS AND E-MAILS

JMMD’s telephone and email systems (“Systems”) permit employees to receive, send, and transfer messages. The Systems are an important asset of JMMD and have been installed at substantial expense to facilitate business communications. Although employees are able to use codes to restrict access to messages that are left on the Systems, it must be remembered that the Systems are intended solely for business use. In keeping with this intention, JMMD maintains the ability to monitor any communications made on the Systems. It also maintains the ability to access any messages left on or transmitted over the Systems. Because JMMD reserves the right to access all voicemail and computer messages left on or recorded on the system, there is no personal right to privacy with respect to this information and employees should not assume that such messages are confidential or that access by JMMD or its designated representative will not occur.
COMPUTERS AND INTERNET

Employees who are provided computers or access to computers in the course of their jobs have significant responsibilities regarding their use. Because a variety of problems and concerns can arise in connection with computers, this policy offers employee’s guidance concerning the applicable rules that JMMD has established to protect its business interests.

When reviewing this policy and the applicable rules, employees should remember that all company computers and information, software products, and data stored within them remain the sole and exclusive property of JMMD. JMMD must therefore implement measures designed to comply with its legal obligations and safeguard its business interests.

To eliminate any confusion regarding software licenses, only JMMD or its designees shall install any software on JMMD’s computer systems. This includes but is not limited to personal digital assistants (PDAs), smartphones, games, photos, screensavers, and speakers.

Any employee violating these provisions, applicable state and federal laws, or other company policies and guidelines is subject to the loss of network privileges and disciplinary action, up to and including immediate termination of employment.

Use of Computers

Employees should not use or access computers in any manner that is unlawful, inappropriate, or contrary to JMMD’s best interests. They should also not allow or cause others to do so and should never allow, condone, or permit unauthorized individuals to use JMMD’s computers or access information regarding JMMD on such computers that has not been publicly disclosed. At no time should an employee allow another employee or unauthorized person to use that employee’s password to access any computer system. JMMD’s policies regarding solicitations apply to computers in the same manner that they apply to solicitations by any other means. Employees should therefore be familiar and comply with the policies prohibiting improper solicitations.

No Expectation of Privacy And Limitations on Authorized Use And Access

All computer systems, electronic, and technical resources are only to be used for job-related purposes. Misuse of such systems and resources or use thereof for personal or private purposes is strictly prohibited.

Individuals have no right to privacy as to any information or file maintained in or on JMMD’s property or transmitted or stored through JMMD’s computer system and electronic and/or technical resources. This also applies to any emails sent, received, and/or accessed via personal e-mail accounts but through JMMD’s
computer or electronic systems. Even when an e-mail message is erased it is still possible to recreate the message; therefore, there should be no expectation of privacy of deleted information.

For purposes of inspecting, investigating, or searching employee’s files or transmissions, JMMD may override any applicable passwords or codes in accordance with the best interests of JMMD, its employees, its patients, or its visitors. While computer systems and electronic and technical resources may accommodate the use of passwords for security, the reliability of such for maintaining confidentiality cannot be guaranteed.

If a situation arises that warrants the inspection of an employee’s files, electronic mail or voicemail, a written request is to be made by that employee’s supervisor stating the reason for the inspection and nature of what they are looking for. This request will require the written approval of JMMD or its designee.

Notwithstanding the foregoing, to ensure that the use of computer systems and electronic and technical resources is consistent with JMMD’s legitimate business interests, authorized representatives of JMMD may monitor the use of such equipment from time to time.

Employees may access only files or programs, whether computerized or not, that they have permission to enter, and only for the purpose of JMMD’s needs. Access for any other purpose is unauthorized. Unauthorized access, use, review, duplication, dissemination, removal, damage, or alteration of files, passwords, computer systems, or programs, or other property of JMMD, or improper access or use of information obtained by authorized or unauthorized means may be grounds for disciplinary action up to and including termination of employment, civil liability, and criminal prosecution.

Passwords and access codes for computer systems, technical resources, or alarm systems are intended to protect the resources of JMMD. They do not convey any right to privacy. Passwords and access codes are not to be divulged to anyone, including other employees of JMMD. If a password or access code has been given to someone else for operational reasons, the individual responsible must change the password upon next usage or access code prior to the next usage. Unauthorized utilization of someone else’s password, security, or alarm access code or accessing someone else’s computer without prior written authorization will be considered a security violation subject to disciplinary action up to and including termination of employment, civil liability, and criminal prosecution.

E-mail and voicemail messages are intended for business purposes. They are to be professional and may not contain matter that may be considered offensive to any employee, client, or patient. This policy also applies to the display of offensive material from any website or location on the Internet. Offensive content would include, but would not be limited to, derogatory comments, sexual
comments or images, racial slurs, gender-specific comments, or any communication that would offend someone on the basis of the person’s age, race, color, religion, sex, sexual orientation, national origin, political beliefs, physical or mental disability, or any other characteristic protected by law.

E-mail and any communication or technical resource may not be used as a means to solicit or collect funds or to advertise items or services for sale, for personal gain, or otherwise to be made available without the prior written authorization of JMMD or its designee.

JMMD’s computers should also not be used to engage in any activities or store any information that may be of a competitive, harmful, or a detrimental nature, as determined by JMMD in its sole and absolute discretion. JMMD has no desire to use the proprietary or legally protected information of other companies in any inappropriate or unauthorized manner. It similarly does not condone or allow the use of its information, materials, or resources, including computers, for any inappropriate manner or manner that is detrimental to its interests or those of its patients.

It is not possible to identify every type of inappropriate or impermissible use of JMMD’s computers. As a result, employees must exercise their best judgment and common sense at all times when using or accessing computers. Some additional examples of conduct that will not be allowed include: (a) the commercial use of JMMD’s computers or resources for any purpose that is not directly or immediately intended to benefit JMMD; (b) any use that would violate JMMD’s policies against unauthorized solicitations; (c) any use that infringes upon or misuses the proprietary, copyrighted, or patented information of another person or organization; (d) any use that would constitute an actual or potential conflict of interest with JMMD or lead to or involve activities that are in any way competitive with JMMD; and (e) any excessive non-work related activities.

Violation of any provision contained in this policy may result in disciplinary action up to and including termination of employment, civil liability, and criminal prosecution.

Employees who have questions regarding this policy or questions regarding the appropriateness of any activity relating to computers should direct them to the Senior Medical Director or President before engaging in any activities that may be found to be unauthorized or improper. Strict compliance with this policy and cooperation are essential. Violations of the policy will be subject to disciplinary action, up to and including immediate termination of employment.

SOCIAL MEDIA

Employee use of Social Media, defined as all websites and all means of communicating or posting of information or content on the Internet including, but not limited to Facebook, LinkedIn, MySpace, wikis, chat rooms, bulletin board, and blogs (including Twitter) is governed by the following:
• Employees are personally responsible for the content they publish or post in any form of social media.

• Employees must comply with all of JMMD’s policies, including but not limited to its harassment, confidentiality, and proprietary information policies.

• Any social media used to conduct official JMMD’s business must be established by way of a company account with the approval of the Senior Medical Director or President, is the property of JMMD, and all content must be approved by the Senior Medical Director or President.

There is no limitation on the existing rights and obligations of JMMD to request or obtain access to social media solely for the purpose to investigate workplace misconduct or in use in a related proceeding.

Since social media sites have created the opportunity for people to make public all aspects of their private and professional lives, its use has an impact on JMMD’s personnel, the business of the company, and/or its image. Use can also create liability for JMMD and personal liability to users. In consideration of these issues, personal and social use is subject to the following rules:

Know and Follow the Rules

Employees must carefully read this entire handbook and ensure postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject the employee to disciplinary action up to and including termination.

Be Respectful

Employees must always be fair and courteous to fellow employees, patients, clients, licensed professionals, or other members of the public doing business with JMMD. Employees must also keep in mind that they are more likely to resolve work-related complaints by speaking directly with their co-workers than by posting complaints to a social media outlet. Nevertheless, if an employee decides to post complaints or criticism, the employee should avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, that disparage employees, customers, vendors, or other members of the public doing business with JMMD, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone’s reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other status protected by law or company policy.
Be Honest and Accurate

Employees must make sure they are always honest and accurate when posting information or news, and any mistakes in postings must be corrected quickly. Employees must be open about any previous posts employees have altered. Employees must remember that in the Internet archives almost everything; therefore, even deleted postings can be searched. Employees must never post any information or rumors that the employee knows to be false about JMMD, fellow employees, licensed professionals, patients, clients, or other members of the public doing business with JMMD.

Post Only Appropriate and Respectful Content

Employees must do the following:

1. Maintain the confidentiality of JMMD’s patient medical information and all other private or confidential information. Examples of other private or confidential information include reports, policies, procedures, or other internal company-related confidential communications.

2. Not create a link from an employee’s personal individual blog, website, or other social networking sites to a company owned or operated website without identifying oneself as a company employee.

3. Not identify by name or through use of detail, or post pictures of any patient or any company employee unless permission to do so has been obtained in writing. Use of JMMD’s logos or trademarks is prohibited without advance written consent by the Senior Medical Director or President.

4. Express only an employee’s personal opinions. Employees must never represent themselves as a spokesperson for JMMD unless that is the case. If JMMD is a subject of the content an employee is creating, the employee needs to be clear and open about the fact that the employee is a company employee and that the employee’s views do not represent those of JMMD, fellow employees, patients, clients, or other members of the public doing business with JMMD. If an employee publishes a blog or post online related to the work the employee does or subjects associated with JMMD, the employee must make it clear that the employee is not speaking on behalf of JMMD. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of JMMD.”
**Using Social Media at Work**

Employees must refrain from using social media while on work time or on equipment JMMD provides, unless it is work-related as authorized by their manager. Employees should not use their company-issued email addresses and may only register on social networks, blogs, or other online tools utilized for personal use through their own personal email address.

**EXPENSE REIMBURSEMENTS**

JMMD will reimburse employees for all reasonable business expenses, inclusive of state medical licensing fees and state / national professional societies, incurred on behalf of the company in carrying out their assigned duties. Approval of all business-related expenses must be obtained by the employee’s direct supervisor. Reimbursable expenses must be supported by actual receipts and a properly completed and approved Expense Report. JMMD is not responsible for loss or damage of the employee’s personal property or personal funds while traveling on company business. Employees traveling on company business are representatives of JMMD and are expected to maintain a high level of professionalism at all times and follow all applicable JMMD policies.

For additional information JMMD please visit the Expense Reimbursement Policy. Expenses should be submitted using JMMD’s on-line reimbursement system.

**OUTSIDE EMPLOYMENT**

Outside work for JMMD employees may create a conflict of interest (all employees must adhere to JMMD’s Conflict of Interest Policy). It may also interfere with an employee’s ability to discharge their JMMD functions. Regular Employees are required to disclose to JMMD any outside employment on a Full or Part-Time basis, for which the employee is compensated, even if it may not present a conflict of interest. JMMD maintains discretion and the right to permit, restrict, or prohibit its Regular Employees from working outside JMMD. Regular Employees may not work an outside job on a Full or Part-Time basis without first obtaining their supervisor’s written approval. A Full-Time employee’s failure to disclose compensated outside work may result in discipline, up to and including termination.

**SAFE DRIVING/PERSONAL DATA ASSISTANT (PDA) POLICY**

JMMD expects employees to operate motor vehicles safely and in accordance with all applicable laws. Among other things, these laws prohibit the operation of motor vehicles in excess of applicable speed limits, while under the influence of alcohol, controlled substances, or medications that impair driving abilities, or in any other unsafe manner. Laws also recognize that the use of cellular phones and text messaging devices can create distractions. As a result, JMMD discourages the use of cellular telephones or blackberries, or other smart phones
and prohibits texting or emailing regarding work related matters while driving. If an employee operates a motor vehicle while using a wireless telephone, the wireless telephone must be used in a manner that allows hands-free listening and talking operations, and may not be used under any circumstances that would distract an employee from the duty to drive in a safe and non-negligent manner. Reading, preparing, typing, or sending text messages or emails while operating a motor vehicle of any kind is strictly prohibited.

**PERFORMANCE COACHING SESSIONS**

Delivering superior customer service is the responsibility of each JMMD employee. Employees are responsible for their own performance and for gathering the information and feedback that they need in order to ensure that their work with internal and external customers, providers, co-workers, and vendors results in a productive, high-quality and effective relationship.

Initiating communication about performance and customer service is the responsibility of all employees and may be accomplished through performance coaching sessions that should be scheduled as often as needed. Employees and supervisors should meet as needed to discuss goals, scorecard performance, personal development, and other key areas of performance. Additional information on coaching can be found on the Way We Work Site.

Employees who are not meeting the requirements of their position or who violate a JMMD policy may receive counseling from their supervisor. The supervisor may use the “Improvement Action Plan” section of the Performance Coaching Worksheet to outline the performance deficiency and the requirements for improvement. Counseling and improvement action plans are provided at the discretion of the Company and should not be construed to limit the Company’s “at-will” employment policy.

**SERVICE RECOGNITION**

JMMD recognizes service milestones in five-year increments, beginning with the employee’s five-year anniversary. Close to the service anniversary, employees are provided the opportunity to choose from a broad selection of awards at each anniversary level.