

Buffalo River Services, Inc.

Employee Handbook



August 2024

ABOUT THIS HANDBOOK/DISCLAIMER

We prepared this Buffalo River Services, Inc. (BRS, Inc.) Handbook to help employees find the answers to many questions that they may have regarding their employment with BRS, Inc. Please take the necessary time to read it.

We do not expect this handbook to answer all questions. Supervisors and Human Resources also serve as a major source of information.

Neither this handbook nor any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. BRS, Inc. adheres to the policy of employment at will, which permits the Agency or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

No Agency representative other than the Executive Director may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be in a signed writing.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate Agency documents. These Agency documents are always controlling over any statement made in this handbook or by any member of management.

This handbook states only general Agency guidelines. The Agency may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and the Executive Director.

This handbook supersedes all prior handbooks.

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Section 1 - GOVERNING PRINCIPLES OF EMPLOYMENT

1-1. Introduction

For employees who are commencing employment with Buffalo River Services, Inc. ("BRS, Inc." or "the Agency"), on behalf of BRS, Inc., let me extend a warm and sincere welcome.

For employees who have been with us, thanks for your past and continued service.

I extend my personal best wishes for success and happiness here at BRS, Inc. We understand that it is our employees who provide the services that our customers rely upon, and who will enable us to create new opportunities in the years to come.

Phil Garner, Executive Director

1-2. Equal Employment Opportunity

BRS, Inc. is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, pregnancy-related conditions, and lactation), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws and ordinances. BRS, Inc.'s management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs, and general treatment during employment.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Chief of Compliance. BRS, Inc. will not allow any form of retaliation against employees who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact the Chief of Compliance. To ensure the workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

1-3. Reasonable Accommodations & Interactive Dialogue

BRS, Inc. is committed to complying with applicable federal, state, and local laws governing reasonable accommodations of individuals, including, but not limited to, the Americans with Disabilities Act (ADA) and the Pregnant Workers Fairness Act (PWFA). To that end, BRS, Inc. will endeavor to make a reasonable accommodation to applicants and employees who have requested an accommodation or for whom BRS, Inc. has notice may require such an accommodation, related to an individual's:

- Disability, meaning any physical, medical, mental, or psychological impairment, or a history or record of such impairment;

- Sincerely held religious beliefs and practices;
- Needs as a victim of domestic violence, sex offenses, or stalking;
- Needs related to pregnancy, childbirth, or related medical conditions; and/or
- Any other reason required by applicable law, unless the accommodation would impose an undue hardship on the operation of our business.

Reasonable accommodations can take many forms. For example, reasonable accommodations for pregnancy, childbirth, or related medical conditions include but are not limited to things such as the ability to carry or keep water near and drink, as needed; allowing the employee additional restroom breaks; allowing the employee whose work requires standing to sit and whose work requires sitting to stand; allowing the employee breaks, as needed, to eat and drink; accommodations related to lactation; time off to recover from childbirth; modification of equipment; appropriate seating; temporary transfer to a different position that the employee is able to perform; restructuring job duties; light duty; or a modified work schedule. BRS, Inc. will work with the employee to determine what accommodation is appropriate for the employee, given the employee's unique circumstances, that does not impose an undue hardship on BRS, Inc.

Any employee who would like to request an accommodation based on any of the reasons set forth above should contact the Chief of Compliance. Accommodation requests can be made in writing using a form which can be obtained from the Chief of Compliance. If the employee who has requested an accommodation has not received an initial response within five (5) business days, they should contact the Chief of Compliance.

Unless otherwise required by law, BRS, Inc. may request that the employee provide supporting documentation. Cooperating with BRS, Inc. by returning requested information in a timely fashion is required.

After receiving a request for an accommodation or learning indirectly that the employee may require such an accommodation, BRS, Inc. will engage in an interactive dialogue with the employee.

Even if employee has not formally requested an accommodation, BRS, Inc. may initiate an interactive dialogue under certain circumstances, such as when BRS, Inc. has knowledge that employee's performance at work has been negatively affected and a reasonable basis to believe that the issue is related to any of the protected classifications set forth above, in compliance with applicable law. In the event BRS, Inc. initiates an interactive dialogue, it should not be construed as BRS, Inc.'s belief the employee requires an accommodation, but will serve as an invitation for the employee to share with BRS, Inc. any information the employee desires to share, or to request an accommodation.

The interactive dialogue may take place in person, by telephone, or by electronic means. As part of the interactive dialogue, BRS, Inc. will communicate openly and in good faith with the employee in a timely manner in order to determine whether and how BRS, Inc. may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, BRS, Inc. will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the employee. BRS, Inc. is not required to provide the specific accommodation sought by the employee, provided the alternatives are reasonable and either meet the specific needs of the employee or specifically address the employee's limitations.

BRS, Inc. will endeavor to keep confidential all communications regarding requests for reasonable accommodations and all circumstances surrounding the employee's underlying reason for needing

an accommodation.

BRS, Inc. will not allow any form of retaliation against employees who have requested an accommodation, for whom BRS, Inc. has notice may require such an accommodation, or who otherwise engage in the interactive dialogue process.

Employees with questions regarding this policy should contact the Chief of Compliance.

1-4. Pregnancy Accommodations

In compliance with Tennessee Pregnant Workers Fairness Act, BRS, Inc. will make reasonable accommodations for medical needs arising from pregnancy, childbirth or related medical conditions of an applicant for employment or an employee, unless the accommodation would impose an undue hardship on business operations.

The Agency will not take adverse action against employees in terms, conditions or privileges of employment for requesting or using a reasonable accommodation to the known limitations for medical needs arising from pregnancy, childbirth or related conditions, including, but not limited to, counting an absence related to pregnancy under the attendance policy. The Agency will not require employees to take leave if another reasonable accommodation can be provided to the known limitations for medical needs arising from pregnancy, childbirth or related conditions.

Reasonable accommodations include but are not limited to:

1. making existing facilities used by employees readily accessible and usable;
2. providing more frequent, longer or flexible breaks;
3. modifying food or drink policy;
4. providing modified seating or allowing employees to sit more frequently if the job requires standing;
5. providing assistance with manual labor and limits on lifting;
6. authorizing a temporary transfer to a vacant position;
7. providing job restructuring or light duty, if available;
8. acquiring or modifying equipment, devices or work stations;
9. modifying work schedules;
10. allowing flexible scheduling for prenatal visits; and
11. providing a private place, other than a bathroom stall, for the purpose of expressing milk.

The Agency reserves the right, to the maximum extent permitted by applicable law, to request medical certification from a healthcare professional if an individual is requesting a reasonable accommodation related to temporary transfer to a vacant position, job restructuring, light duty or accommodations that require time away from work. The Agency will engage in an interactive process with the individual to determine if a reasonable accommodation can be provided, absent undue hardship, while the individual is making a good faith effort to obtain the medical certification. The Agency will not take adverse action against employees related to their need for accommodation while they are engaging in good faith efforts to obtain medical certification.

Any questions about or requests for a reasonable accommodation pursuant to this policy, should be directed to the Chief of Compliance.

1-5. Non-Harassment

It is BRS, Inc.'s policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information or any other characteristic protected by applicable federal, state or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by BRS, Inc.

The purpose of this policy is not to regulate our employees' personal morality, but to ensure that no one harasses another individual in the workplace, including while on Agency premises, while on Agency business (whether or not on Agency premises) or while representing the Agency. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

A. Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

B. Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual or physical conduct of a sexual nature when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

1. unwelcome flirtations, leering, whistling, touching, pinching, assault, blocking normal movement;
2. requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. obscene or vulgar gestures, posters or comments;
4. sexual jokes or comments about a person's body, sexual prowess or sexual deficiencies;
5. propositions or suggestive or insulting comments of a sexual nature;
6. derogatory cartoons, posters and drawings;
7. sexually-explicit e-mails, text messages or voicemails;
8. uninvited touching of a sexual nature;
9. unwelcome sexually-related comments;
10. conversation about one's own or someone else's sex life;
11. conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
12. teasing or other conduct directed toward a person because of the person's gender.

C. Reporting Procedures

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to the Employee's Supervisor. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the Chief of Compliance. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

D. Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

E. Retaliation Prohibited

In addition, the Agency will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

1. Each employee has a responsibility to maintain the workplace free of any form of harassment.
2. Any employee who believes that the actions or words of a fellow employee constitute harassment has a responsibility to report or complain as soon as possible to the appropriate Supervisor or Program Director or the Executive Director or his designee.

3. With respect to sexual harassment, the Agency prohibits offensive comments, jokes, innuendoes, suggestive comments about an individual's dress or body, other sexually-oriented statements, unwelcome sexual advances, flirtations, touching, requests for sexual favors, the display of sexually suggestive objects or pictures and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where:
 - Submission to such conduct is made either explicitly or implicitly a term or condition of employment.
 - Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment, evaluation, wages, advancement, assigned duties, career development.
 - Such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment.
4. The Agency also expressly prohibits any form of employee harassment based on race, color, religion, sex, national origin, age, disability or status in any group protected by state or local law.
5. The Agency prohibits retaliation against anyone for having raised a complaint in good faith or cooperating with an investigation of a complaint.
6. All complaints of any type of harassment will be investigated promptly in as impartial and confidential manner as possible. If an employee is not satisfied with the handling of a complaint or the action taken by the appropriate Supervisor or Program Director, the employee should bring the complaint to the attention of the Chief Executive Officer. In all cases, the employee making a complaint is to be informed about the findings and conclusions reached regarding the complaint.
7. Any employee who is found, after appropriate investigation, to have engaged in harassment of another employee will be subject to appropriate disciplinary action up to and including termination.
8. These apply to relationships between employee and persons served also.

Buffalo River Services does not permit or condone sexual harassment of any Employee, by any Employee, or by any third party interacting with Buffalo River Service Employees.

1-6. Abusive Conduct Prevention

At BRS, Inc. all employees have the right to be treated with dignity and respect. BRS, Inc. does not tolerate and prohibits abusive conduct in the workplace. These behaviors are unacceptable in the workplace and in any work-related settings such as business trips and Agency-sponsored social functions.

A. Abusive Conduct Defined

Abusive conduct is defined under this policy as acts or omissions that would cause a reasonable person, based on the severity, nature and frequency of the conduct, to believe that the employee was subject to an abusive work environment, which can include but is not limited to:

- repeated verbal abuse in the workplace, including derogatory remarks, insults and epithets;
- verbal, nonverbal or physical conduct of a threatening, abusive, violent, intimidating or humiliating nature in the workplace; or
- the sabotage or undermining of the employee's work performance in the workplace.

Abusive conduct does not include:

- disciplinary procedures in accordance with adopted Agency policies;
- routine coaching and counseling, including feedback about and correction of work performance;
- reasonable work assignments, including shift, post and overtime assignments;
- individual differences in styles of personal expression;
- passionate, loud expression with no intent to harm others;
- differences of opinion on work-related concerns; and
- the non-abusive exercise of managerial prerogative.

B. Reporting Procedures

If employees believe someone has violated this policy, they should promptly bring the matter to the immediate attention of the Chief of Compliance. Every supervisor who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, or who otherwise is aware of conduct in violation of this policy, must immediately report the issues raised or conduct to the Chief of Compliance.

C. Investigation Procedures

Upon receiving a complaint, the Agency will promptly conduct an investigation into the facts and circumstances of any claim of a violation of this policy. Employees who file complaints will not suffer negative consequences for reporting others for inappropriate behavior. To the extent possible, the Agency will endeavor to keep confidential each party involved in the investigation. However, complete confidentiality may not be possible in all circumstances. Employees are required to cooperate in all investigations conducted pursuant to this policy. The Agency will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if the Agency determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension or immediate termination.

D. Retaliation

The Agency will not tolerate retaliation, including any act of reprisal, interference, restraint, penalty, discrimination, intimidation or harassment against an individual or individuals exercising their rights under this policy.

Employees with questions or concerns regarding this policy should contact the Chief of Compliance.

1-7. Workplace Violence

BRS, Inc. is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to Agency and personal property. BRS is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, BRS has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

BRS, Inc. does not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, BRS, Inc. specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, BRS, Inc. does expect and encourage employees to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in Agency policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

A. Prohibited Conduct

Threats, threatening language or any other acts of aggression or violence made toward or by any Agency employee **WILL NOT BE TOLERATED**. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto Agency premises.

All employees should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of BRS without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, a person served, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate Supervisor or any other member of management. This includes threats by employees, as well as threats by individuals served, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a Supervisor/Program Director or Guidance Team Member. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

BRS will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, BRS may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

BRS encourages employees to bring their disputes or differences with other employees to the attention of their Supervisor or Program Director and, ultimately, the Guidance Team before the situation escalates into potential violence. BRS is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

B. Procedures for Reporting a Threat

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be maintained confidential to the extent that maintaining confidentiality does not impede BRS, Inc.'s ability to investigate and respond to complaints. All threats will be promptly investigated. All employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

If the Agency determines, after an appropriate good faith investigation, that someone has violated this policy, the Agency will take swift and appropriate corrective action.

If the employee is the recipient of a threat made by an outside party, that employee should follow the steps detailed in this section. It is important for the Agency to be aware of any potential danger in its offices. Indeed, the Agency wants to take effective measures to protect everyone from the threat of a violent act by employees or by anyone else.

1-8. HIPPA Notice of Privacy

For Employees: THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESSS And TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

This notice will tell you how we may use and disclose protected health information about you. Protected health information means any health information about you that identifies you or for which there is a reasonable basis to believe the information can be used to identify you. In the header above, that information is referred to as "medical information." In this notice, we call all of that protected health information, "medical information." This notice also will tell you about your rights and our duties with respect to health information about you. In addition, it will tell you how to complain to us if you believe we have violated your privacy rights.

Who Is Bound By This Notice?

This notice applies to All Buffalo River Services, Inc. locations.

We will all follow what is stated in this Notice.

How We May Use and Disclose Health Information About You.

We will share health information about you with each other as necessary to carry out treatment for health insurance claims, worker compensation claims, Teledoc or Betterhelp.com claims, payment, or our health care operations. We use and disclose health information about you for a number of different purposes. Each of those purposes is described below.

For Treatment by other parties which we pay.

We may use health information about you to provide, coordinate or manage the services, supports, and health care you receive from us and other providers. We may disclose health information about you to doctors, nurses, qualified mental retardation professionals, psychologists, social workers, direct support staff and other agency staff, volunteers and other persons who are involved in supporting you or providing care. We may consult with other health care providers concerning you and, as part of the consultation, share your health information with them. For example, staff may discuss your information to develop and carry out your individual service plan. Staff may share information to coordinate needed services, such as medical tests, transportation to a doctor's visit, physical therapy, etc. Staff may need to disclose health information to entities outside of our organization (for example, another provider or a state/local agency) to obtain new services for you.

For Payment.

We may use and disclose health information about you so we can be paid for the services we provide to you. We may also need to disclose health information to outside case managers.

How We Will Contact You.

Unless you tell us otherwise in writing, we may contact you by either telephone or by mail at either your home or your workplace. At either location, we may leave messages for you on the answering machine or voice mail. If you want to request that we communicate to you in a certain way or at a certain location, you need to request that of us. Notify Kelly Ray, Vice President of Compliance, Buffalo River Services, Inc., P. O. Box 847, Waynesboro, TN 38485 in writing.

Appointment Reminders.

We may use and disclose health information about you to contact you to remind you of an appointment for treatment or services related to workers compensation.

Treatment and Service Alternatives.

We may use and disclose health information about you to contact you about treatment and service alternatives that may be of interest to you.

Health Related Benefits and Services.

We may use and disclose health information about you to contact you about health-related benefits and services that may be of interest to you.

Disclosures to Family and Others.

We may disclose to a parent/guardian, personal representative, family member, other relative, a close personal friend, circle of support, case manager or any other person identified by you, health information about you that is directly relevant to that person's involvement with the services and supports you receive or payment for those services and supports. We also may use or disclose health information about you to notify, or assist in notifying, those persons of your location, general condition, or death. If there is a family member, other relative, or close personal friend that you do not want use to disclose health information about you to, please notify Kelly Ray, Vice President of Compliance, Buffalo River Services, Inc., P. O. Box 847, Waynesboro, TN 38485 or tell our staff member who is providing care to you.

Disaster Relief.

We may use or disclose health information about you to a public or private entity authorized by law or by its charter to assist in disaster relief efforts. This will be done to coordinate with those entities in notifying a parent/guardian, personal representative, family member, other relative, close personal friend, or other person identified by you of your location, general condition or death.

Required by Law.

We may use or disclose health information about you when we are required to do so by law.

Public Health Activities.

We may disclose health information about you for public health activities and purposes. This includes reporting health information to a public health authority that is authorized by law to collect or receive the information for purposes of preventing or controlling disease. Or, one that is authorized to receive reports of child abuse and neglect. It also includes reporting for purposes of activities related to the quality, safety or effectiveness of a United States Food and Drug administration regulated product or activity.

Victims of Abuse, Neglect or Domestic Violence.

We may disclose health information about you to a government authority authorized by law to receive reports of abuse, neglect, or domestic violence, if we believe you are a victim of abuse, neglect, or domestic violence. This will occur to the extent the disclosure is: (a) required by law; (b) agreed to by you or your personal representative; or, (c) authorized by law and we believe the disclosure is necessary to prevent serious harm to you or to other potential victims, or, if you are incapacitated and certain other conditions are met, a law enforcement or other public official represents that immediate enforcement activity depends on the disclosure.

Judicial and Administrative Proceedings.

We may disclose health information about you in the course of any judicial or administrative proceeding in response to an order of the court or administrative tribunal. We also may disclose health information about you in response to a subpoena, discovery request, or other legal process but only if efforts have been made to tell you about the request or to obtain an order protecting the information to be disclosed.

Disclosures for Law Enforcement Purposes.

We may disclose health information about you to a law enforcement official for law enforcement purposes:

As required by law;

In response to a court, grand jury or administrative order, warrant or subpoena.

To identify or locate a suspect, fugitive, material witness or missing person.

About an actual or suspected victim of a crime and that person agrees to the disclosure. If we are unable to obtain that person's agreement, in limited circumstances, the information may still be disclosed.

To alert law enforcement officials to a death if we suspect the death may have resulted from criminal conduct.

About crimes that occur at our facility.

To report a crime in emergency circumstances.

Coroners and Medical Examiners.

We may disclose health information about you to a coroner or medical examiner for purposes such as identifying a deceased person and determining cause of death.

Funeral Directors.

We may disclose health information about you to funeral directors as necessary for them to carry out their duties.

To Avert Serious Threat to Health or Safety.

We may use or disclose protected health information about you if we believe the use or disclosure is necessary to prevent or lessen a serious or imminent threat to the health or safety of a person or the public. We also may release information about you if we believe the disclosure is necessary for law enforcement authorities to identify or apprehend an individual who admitted participation in a violent crime or who is an escapee from a correctional institution or from lawful custody.

Military.

If you are a member of the Armed Forces, we may use and disclose health information about you for activities deemed necessary by the appropriate military command authorities to assure the proper execution of the military mission. We may also release information about foreign military personnel to the appropriate foreign military authority for the same purposes.

National Security and Intelligence.

We may disclose health information about you to authorized federal officials for the conduct of intelligence, counter-intelligence, and other national security activities authorized by law.

Protective Services for the President.

We may disclose health information about you to authorized federal officials so they can provide protection to the President of the United States, certain other federal officials, or foreign heads of state.

Security Clearances.

We may use health information about you to make medical suitability determinations and may disclose the results to officials in the United States Department of State for purposes of a required security clearance or service abroad.

Workers Compensation.

We may disclose health information about you to the extent necessary to comply with workers' compensation and similar laws that provide benefits for work-related injuries or illness without regard to fault.

Other Uses and Disclosures.

Other uses and disclosures will be made only with your written authorization. You may revoke such an authorization at any time by notifying Phil Garner, CEO, Buffalo River Services, Inc., P. O. Box 847, Waynesboro, TN 38485 in writing of your desire to revoke it. However, if you revoke such an authorization, it will not have any effect on actions taken by us in reliance on it.

Your Rights With Respect to Health Information About You.

You have the following rights with respect to health information that we maintain about you.

Right to Request Restrictions.

You have the right to request that we restrict the uses or disclosures of health information about you to carry out treatment, payment, or health care operations. You also have the right to request that we restrict the uses or disclosures we make to: (a) a family member, other relative, a close personal friend or any other person identified by you; or, (b) for to public or private entities for disaster relief efforts. For example, you could ask that we not disclose health information about you to your brother or sister.

To request a restriction, you may do so at any time. If you request a restriction, you should do so to Phil Garner, CEO, Buffalo River Services, Inc., P. O. Box 847, Waynesboro, TN 38485 and tell us: (a) what information you want to limit; (b) whether you want to limit use or disclosure or both; and, (c) to whom you want the limits to apply (for example, disclosures to your spouse).

We are not required to agree to any requested restriction. However, if we do agree, we will follow that restriction unless the information is needed to provide emergency treatment. Even if we agree to a restriction, either you or we can later terminate the restriction.

Right to Receive Confidential Communications.

You have the right to request that we communicate health information about you to you in a certain way or at a certain location. For example, you can ask that we only contact you by mail or at work. We will not require you to tell us why you are asking for confidential communication.

If you want to request confidential communication, you must do so in writing to Phil Garner, CEO, Buffalo River Services, Inc., P. O. Box 847, Waynesboro, TN 38485. Your request must state how or where you can be contacted.

We will accommodate your request. However, we may, if necessary, require information from you concerning how payment will be handled. We also may require an alternate address or other method to contact you.

Right to Inspect and Copy.

With a few very limited exceptions, such as psychotherapy notes, you have the right to inspect and obtain a copy of health information about you.

To inspect or copy health information about you, you must submit your request in writing to Phil Garner, CEO, Buffalo River Services, Inc., P. O. Box 847, Waynesboro, TN 38485. Your request should state specifically what health information you want to inspect or copy. If you request a copy of the information, we may charge a fee for the costs of copying and, if you ask that it be mailed to you, the cost of mailing.

We will act on your request within thirty (30) calendar days after we receive your request. If we grant your request, in whole or in part, we will inform you of our acceptance of your request and provide access and copying.

We may deny your request to inspect and copy health information if the health information involved is:

Right to Amend.

You have the right to ask us to amend health information about you. You have this right for so long as the health information is maintained by us.

To request an amendment, you must submit your request in writing to Phil Garner, CEO, Buffalo River Services, Inc., P. O. Box 847, Waynesboro, TN 38485. Your request must state the amendment desired and provide a reason in support of that amendment.

We will act on your request within sixty (60) calendar days after we receive your request. If we grant your request, in whole or in part, we will inform you of our acceptance of your request and provide access and copying.

If we grant the request, in whole or in part, we will seek your identification of and agreement to share the amendment with other relevant persons. We also will make the appropriate amendment to the health information by appending or otherwise providing a link to the amendment.

We may deny your request to amend health information about you. We may deny your request if it is not in writing and does not provide a reason in support of the amendment. In addition, we may deny your request to amend health information if we determine that the information:

- a. Was not created by us, unless the person or entity that created the information is no longer available to act on the requested amendment;
- b. Is not part of the health information maintained by us;
- c. Would not be available for you to inspect or copy; or,
- d. Is accurate and complete.

If we deny your request, we will inform you of the basis for the denial. You will have the right to submit a statement of disagreeing with our denial. Your statement may not exceed three (3) pages. We may prepare a rebuttal to that statement. Your request for amendment, our denial of the request, your statement of disagreement, if any, and our rebuttal, if any, will then be appended to the health information involved or otherwise linked to it. All of that will then be included with any subsequent disclosure of the information, or, at our election, we may include a summary of any of

that information.

If you do not submit a statement of disagreement, you may ask that we include your request for amendment and our denial with any future disclosures of the information. We will include your request for amendment and our denial (or a summary of that information) with any subsequent disclosure of the health information involved.

You also will have the right to complain about our denial of your request.

Right to an Accounting of Disclosures.

You have the right to receive an accounting of disclosures of health information about you. The accounting may be for up to six (6) years prior to the date on which you request the accounting but not before April 14, 2003.

Certain types of disclosures are not included in such an accounting:

- a. Disclosures to carry out treatment, payment and health care operations;
- b. Disclosures of your health information made to you;
- c. Disclosures that are incident to another use or disclosure;
- d. Disclosures that you have authorized;
- e. Disclosures for our facility directory or to persons involved in your care;
- f. Disclosures for disaster relief purposes;
- g. Disclosures for national security or intelligence purposes;
- h. Disclosures to correctional institutions or law enforcement officials;
- i. Disclosures that are part of a limited data set for purposes of research, public health, or health care operations (a limited data set is where things that would directly identify you have been removed).
- j. Disclosures made prior to April 14, 2003.

Under certain circumstances, your right to an accounting of disclosures to a law enforcement official or a health oversight agency may be suspended. Should you request an accounting during the period of time your right is suspended, the accounting would not include the disclosure or disclosures to a law enforcement official or to a health oversight agency.

To request an accounting of disclosures, you must submit your request in writing to Kelly Ray, Vice President of Compliance, Buffalo River Services, Inc., P. O. Box 847, Waynesboro, TN 38485. Your request must state a time period for the disclosures. It may not be longer than six (6) years from the date we receive your request and may not include dates before April 14, 2003.

Usually, we will act on your request within sixty (60) calendar days after we receive your request. Within that time, we will either provide the accounting of disclosures to you or give you a written statement of when we will provide the accounting and why the delay is necessary.

There is no charge for the first accounting we provide to you in any twelve (12) month period. For additional accountings, we may charge you for the cost of providing the list. If there will be a charge, we will notify you of the cost involved and give you an opportunity to withdraw or modify your request to avoid or reduce the fee.

Right to Copy of this Notice.

You have the right to obtain a paper copy of our Notice of Privacy Practices. You may obtain a paper copy even though you agreed to receive the notice electronically. You may request a copy of our Notice of Privacy Practices at any time. At the agency's discretion, you may be charged a printing fee for the cost of reproducing a copy of the notice.

You may obtain a copy of our Notice of Privacy Practices over the Internet at our web site, www.brstn.org or request one.

To obtain a paper copy of this notice, contact Kelly Ray, Vice President of Compliance, Buffalo River Services, Inc., P. O. Box 847, Waynesboro, TN 38485.

Our Duties

Generally.

We are required by law to maintain the privacy of health information about you and to provide individuals with notice of our legal duties and privacy practices with respect to health information.

We are required to abide by the terms of our Notice of Privacy Practices in effect at the time.

Our Right to Change Notice of Privacy Practices.

We reserve the right to change this Notice of Privacy Practices. We reserve the right to make the new notice's provisions effective for all health information that we maintain, including that created or received by us prior to the effective date of the new notice.

Availability of Notice of Privacy Practices.

A copy of our current Notice of Privacy Practices will be posted on the Announcement Bulletin Board at Buffalo River Services, Inc. Administrative Office and on the Announcement Bulletin Board at all other Agency locations. A copy of the current notice will also be posted on our web site, www.buffalo-river-services.com.

At any time, you may obtain a copy of the current Notice of Privacy Practices by contacting Kelly Ray, Vice President of Compliance, Buffalo River Services, Inc., P. O. Box 847, Waynesboro, TN 38485.

Effective Date of Notice.

The effective date of the notice will be stated on the first page of the notice.

Complaints.

You may complain to us and to the United States Secretary of Health and Human Services if you believe your privacy rights have been violated by us.

To file a complaint with us, contact Phil Garner, CEO, Buffalo River Services, Inc., P. O. Box 847, Waynesboro, TN 38485. All complaints should be submitted in writing.

You will not be retaliated against for filing a complaint.

Questions and Information.

If you have any questions or want more information concerning this Notice of Privacy Practices,

please contact Phil Garner, CEO, Buffalo River Services, Inc.

1-9. AT WILL EMPLOYMENT

Since this Handbook may change from time to time, it is not an employment contract or legal document. You are an "at will" Employee, which means you have the right to resign at any time for any reason; Buffalo River Services may also terminate any Employee's employment at any time for any reason.

1-10. TERMINATION

POLICY:

Termination is the discharge of an employee, initiated by the Agency or by employee resignation. Guidelines for terminations are established to insure that the Agency is in compliance with legal requirements. All terminated employees are provided with prompt and accurate information concerning benefit plan rights and options.

PRACTICE:

1. All employees are expected to give a written two-week notice of their intent to resign. Such notice generally allows sufficient time to calculate all accrued benefits, if applicable, and to bring the job to a satisfactory conclusion. In order to leave in good standing, an employee must give the two-week written notice and complete an exit interview. It is the employee's responsibility to schedule an exit interview with their Program Director and/or Human Resources
2. The Agency retains the right to determine if the employee who resigned will be allowed to work the full notice period. If an employee is released prior to the last day of the notice, wages will be paid through the last day worked.
3. Any employee who is absent from work without having notified the appropriate person of the absence and the reason for it will be considered as having resigned without notice.
4. Termination may be initiated immediately, without notice, in extraordinary cases of misconduct. (See Employee Discipline, Sec)
5. Former employees who leave the Agency in good standing may be re-employed. However, an employee's last period of employment will not be included when determining benefits.

1-11. Resignation

RESIGNATION

If you decide to leave the agency, we ask that you notify your supervisor/manager in writing at least two weeks before the effective date. You will be paid through your last day of employment and will be paid for 2/3 accrued PTO days if the following is satisfied:

1. The employee must have been employed for at least six months.
2. The employee must have submitted a written notice and WORK a minimal two week notice
3. The employee workload is current (this is determined by the department head).

An employee terminated for misconduct or not in good standing will forfeit all accrued PTO.

1-12. EMPLOYEE RECORDS

POLICY:

The Agency establishes and carefully maintains personnel records, which meet legal requirements for applicants and employees of the Agency. Appropriate safeguards are established to insure security and confidentiality.

PRACTICE:

1. All employee records are maintained in the Human Resources Assistant's Office and/or on the agency database.
2. Each employee may review his/her personnel file during normal working hours, with the Human Resources Officer or designee present.
3. Personnel files are confidential. Access to personnel files is limited to the employee, Human Resources Officer, Vice President of Compliance or the Chief Executive Officer or CEO designee.
4. Employees of certain state and federal government agencies may have access to specific documents contained within the file as authorized through contractual agreements or by law.
5. Information may be released from the file by order of law with approval of CEO or Vice president of Operations or VICE president of Compliance.
6. Employees or ex-employees may have copies of their files, but the Agency will charge a fee for those copies.
7. The procedure for releasing TBI letters or background checks to employees is as follows:
For employees who have been employed at least one year or are still currently employed, BRS will release a copy of the letter without charge. For employees who have left employment and worked less than one full year, there will be a charge to the employee.

PERSONNEL RECORDS

In order to keep your records up-to-date, you should immediately update your personnel record with any changes to your name, contact information, home address, marital status, dependents or your emergency contact information. It is an employment requirement that Buffalo River Services has a valid phone number where you can be reached.

The information about you in these files is treated confidentially within Buffalo River Services and is released only to comply with legal requirements. Supervisors and other Employees are prohibited from providing personal or employment references on current or former Employees. If the Buffalo River Services receives a subpoena or court order requesting information on an Employee, it will be

honored.

While you are employed at Buffalo River Services, you can view and request copies of your personnel file (there may be a charge for copies). If there is any incorrect information in your file, you can have it corrected. If you disagree with any comments within your file, you can add a written explanation.

REFERENCE CHECKS & EMPLOYMENT VERIFICATION

Buffalo River Services will not release any information to prospective employers about individual Employees without a written release, unless failure to release information creates a legal liability for Buffalo River Services.

1-13. Employee Behavior Modification for Guidance and Discipline

To help insure fair and consistent treatment, employees are expected to comply with Agency standards of behavior and performance.

PRACTICE:

1. Disciplinary procedures are an established, uniform system of progressive discipline, administered in a consistent manner.
2. Each employee is given an opportunity to improve his/her performance or to correct a disciplinary problem. The team's first responsibility is to have the Supervisor or designee sit down with the employee, explain the degree of seriousness of his/her behavior, explore options for correcting the behavior and agree on actions to be taken, and the consequences of failure to take action.
3. Disciplinary action can mean anything from a mild reprimand to termination. The primary objective of any type of disciplinary action is to correct or improve the behavior of individuals who are not meeting Agency standards of performance or conduct.
4. The following steps outline the progression of disciplinary action that must be followed by the teams in solving discipline problems:

Feedback: When performance issues are first recognized, employees receive informal feedback. With feedback, most issues are resolved early. However, if the feedback does not produce necessary changes, more formal actions are taken. Feedback may originate with the Supervisor.

Counsel: The Supervisor, the Program Director, and/or Human Resources meet with the employee and formally discuss the employee's problem. They encourage the employee to improve and offer some methods for improvement. After the meeting, the problem and the agreement reached, with time frames for corrected behavior by the employee, is documented. They insure that the employee understands that he/she has been counseled regarding his/her behavior or performance deficiency by all of the above signing the document. One copy is given to the employee and another placed in the employee's personnel file. The Supervisor, the Program Director, and/or Human Resources should monitor that this happens in a timely manner. The Agency sometimes refers employee to our Employee Assistance Counselor as a part of this process.

Warning: This step is taken upon repetition or continuation of identified shortcomings after reasonable opportunity and time for correction. This step usually is the result of an employee conducting himself/herself in a way that demonstrates a lack of response to previous counseling. The Supervisor, the Program Director, and/or Human Resources insure that the employee understands he/she is being "warned," i.e., that continuance of the behavior or performance deficiency may result in further disciplinary action, up to and including dismissal. The contents of this meeting will be documented and signed by both the employee and the Supervisor, the Program Director, and/or Human Resources with one copy given to the employee and another placed in the employee's personnel file.

Final Written Warning: Final written warnings occur when an Employee is put on notice that any additional Buffalo River Services policy or procedure violated will result in the termination of employment. A final written warning is appropriate when an Employee demonstrates a pattern of unacceptable behavior, repeatedly violates Buffalo River Services' policies, has received multiple Disciplinary Notices and/or commits a serious violation that does not warrant termination for a first offense. Depending on the severity of the violation, prior warnings may or may not have occurred.

Termination: This action is the most serious of all disciplinary procedures and is normally used only as a last resort. This action is taken when previous steps have not been successful in solving a problem. Termination requires approval by Executive Director with adequate documentation and recommendation from the Program Director and/or Human Resources.

The Program Director and/or Human Resources advises the employee about the reason(s) for termination. The contents of the terminating meeting are documented and signed by the employee, the designated Supervisor, and the Program Director, with one copy given to the employee and another placed in the employee's personnel file.

1. **Progressive discipline is not required for all offenses.** The Agency reserves the right to discipline employees, including termination for commission of serious infractions, regardless of progressive discipline guidelines or counseling.
2. The following offenses warrant immediate termination. These include but are not limited to:
 - a. Abuse/Neglect - of any person with a disability who receives services or supports from the Agency.
 - b. Theft - including, but not limited to, the removal of Agency property, the property of a person served of Agency services or another employee member from Agency premises without prior authorization.
 - c. Falsifying or altering Agency or person served records.
 - d. Drugs/Alcohol - reporting to work under the influence of alcohol or drugs, having or consuming such in Agency vehicles, on Agency property, or while on duty.
 - e. Possession of firearms, ammunition, dangerous explosives, or carrying a concealed weapon on Agency property, including Agency vehicles or personal vehicles operated in the course of Agency business.
 - f. Fighting or provoking or attempting to provoke a fight on Agency property.
 - g. Participation in or involvement (other than as a victim) with a serious crime, on or off duty, without regard to whether or not the employee's conduct results in a criminal conviction.
 - h. Sabotaging or willfully damaging Agency equipment or property or the property of other employee or consumers.

- i. Absence without notice to the Agency, in which event the employee will have been deemed to quit voluntarily.
- j. Knowingly breaking confidentiality of Agency's person served or other items of Agency confidentiality.
- k. Sabotaging or willfully attempting to harm the Agency's reputation in the community.
- l. Insubordinate behavior.

1-14. EMPLOYEE SELECTION/PRE-EMPLOYMENT PROCESS/BACKGROUNDS

Every effort is made to hire employees for jobs that make the best use of their abilities and in which they will be able to be highly productive while achieving personal satisfaction on the job. The Agency is an equal opportunity employer. Individuals are hired solely upon the basis of their qualifications for the job for which they have applied.

BRS relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

PRACTICE:

1. PREFERENCE FOR INTERNAL CANDIDATES - Job openings are filled by qualified persons from within this Agency when possible. Preference is given to internal candidates over external candidates when both are equally qualified. However, internal candidates are not guaranteed the positions for which they apply.
2. POSTING - Job openings and instructions for applying are posted on the TIMAS Intranet for a minimum of 7 business days. The Agency may begin an external search for applicants simultaneously with the job posting. However, no external applicants will be hired for at least seven (7) working days following the date of posting, except in the case of vacancies which must be filled on an emergency basis. Exception noted above.
3. TESTING/SCREENING - Applicants must provide documentation of their education and experience. Applicants for certain positions may be required to fill out a standard screening instrument and take a test as a condition of being considered for employment. All such tools will not discriminate against any ethnic, religious, disabled or other minority group.
4. INTERVIEWING Applicants - will be screened to determine who should become candidates for a job. Job candidates may be interviewed by more than one person, including an entire team. Part of the interview process may include observation at the job site with other Employees.
5. REFERENCES All applicants must provide three references. All applicants' backgrounds will be reviewed prior to employment. This shall include telephone contact with former employers and personal references, as well as a check for felony conviction records. You may also be fingerprinted for this purpose during your employment. Motor vehicle records will also be requested for any applicants for positions requiring driving.
6. TUBERCULOSIS TESTING - All nursing employees are required to have a tuberculosis test or present evidence of a test in the past year, verifying that they do not have tuberculosis.

This screening is at the employee's own expense. Employees who suspect they have been exposed should notify their supervisor immediately and have a test as soon as possible.

7. DRUG SCREENING - Applicants are required to undergo a pre-employment drug screening.
8. BACKGROUND AND REGISTRY CHECKS - will be completed for all new employees whose responsibilities include direct care to a person supported and any current employee who have a change in job responsibilities to include direct care to a person supported, prior to, but no more than thirty (30) days in advance of, employment or a change in duties. If there is a negative result from the final report, the person cannot be hired until, and only if, a clear letter is obtained and notarized by the court. The Agency may decide to hire an industry to perform an additional check at the discretion of the administration. Depending on the nature of the offense, the Agency may choose to decline hiring a person even if an all-clear letter has been obtained. Administration will run monthly OIG checks on all employees, board members and any sub-contract employees to determine if they have obtained serious convictions that BRS may not have been informed of. You will be required to sign a release for a background check during your interview. The following checks will be performed pre-hire: These checks will be filed in the employee personnel file.

- a. Tennessee Abuse Registry - Pre-employment, annual for Choices workers
- b. Tennessee Felony Offender Registry - Pre-employment, annual for ECF and Choices workers
- c. Tennessee Sexual Offender Registry - Pre-employment, annual for ECF and Choices workers
- d. National Sexual Offender Registry - Pre-employment, annual for ECF Choices workers
- e. List of Excluded Individuals/Entities (OIG)(LEIE) - This check will also be done monthly on each employee
- f. SIRI - Pre-employment
- g. ICOTS - Pre-employment
- h. A Background Check which includes MVR
- i. SAMS Registry Check - immediately when assigned to Choices program, then monthly

Any background with the following cannot be an employee of this agency:

- Anyone with a felony conviction
- Anyone with an abuse or assault charge
- Anyone with a sexual abuse record

Exception Requests on Failed Background Checks: CHOICES

If a potential employee fails a criminal background check and request an individualized assessment be conducted by this agency, the following process will be followed:

- A letter stating the potential worker has failed the background will be sent to them with background result attached
- The letter will state that according to the attached background check, we will not be hiring them as an employee
- The letter will also state if the information contained in the background report is not true, the employee can provide notarized documents from the Court stating the true circumstances

within 10 days of the date of our letter

- If this new information is provided, the agency may re-consider with what has been provided
 - The ultimate decision lies with our agency if any exception will be made
 - If the agency decides to re-consider hiring them, we will submit a request for approval from the Choices Compliance & Legal Department for approval prior to the potential worker working in the Choices program
 - An potential employee with a felony background may ask for an exception request be filed with DIDD and MCOS for consideration. This is at the agency's descretion.
1. At-qualified applicant, who has the attributes necessary to become a productive employee, will be selected.
 2. NEPOTISM - No employee shall directly or indirectly supervise the work of a close relative. (i.e. spouse, parent, child, sibling).
 3. RELATIVE OF BOARD MEMBER - A person who is a close relative (as defined above) of a member of the Board of Directors shall be considered carefully with signed agreements that the board member may have to resign if the person is to be employed by the Agency
 4. MVR MINIMUM REQUIREMENTS - The Agency will consider for hire anyone under the age of 18 on a case by case bases. Theagency will consider on a case by case basis anyone that has not been licensed and has at least 3 years driving experience. The Agency retains the right to not anyone to drive an Agency vehicle that has ANY of the following during the most recent three (3) year period:
 - DWI/DUI
 - Reckless Driving
 - Suspended License
 - Speeding 25 MPH, or more, above the speed limit
 - Drug Offense

1-15. No Tolerance for Discrimination Statement

Purpose: Our company is committed to providing a safe and inclusive work environment for all employees and people that we support. We do not tolerate any form of discrimination, harassment, or retaliation against employees, people supported or any other collaborators who do business with the agency.

Definition of Discrimination: Discrimination is defined as any unfair treatment of an employee or job applicant based on their race, color, religion, sex, national origin, age (40 or older), disability, or genetic information. Discrimination can take many forms, including but not limited to, hiring, promotions, compensation, and termination.

Prohibited Acts and Practices: Our company prohibits any acts or practices that are discriminatory in nature. This includes, but is not limited to, the following:

- Refusing to hire or promote an employee based on their protected characteristics.
- Paying an employee less than their peers based on their protected characteristics.
- Harassing an employee based on their protected characteristics.

Terminating an employee based on their protected characteristics.

Reporting Discrimination: Employees who experience or witness discrimination should report it immediately to their supervisor, HR representative, or the company's designated reporting channel. The company will investigate all reports of discrimination and take appropriate action to address the situation.

Consequences of Discrimination: Any employee found to have engaged in discriminatory behavior will be subject to disciplinary action, up to and including termination of employment.

1-16. Policy on Hiring and Employee Referral bonuses

Buffalo River Services, Inc. Policy on Hire-On and Referral Bonuses

Effective Date: 8-14-24

Purpose:

To outline the conditions under which employees of Buffalo River Services, Inc. are eligible for hire-on and referral bonuses, and to clarify the limitations on receiving multiple bonuses within a specified period.

Scope:

This policy applies to all employees of Buffalo River Services, Inc., including those involved in the hiring and referral processes.

Policy Statement:

Buffalo River Services, Inc. values the recruitment of qualified personnel and encourages employees to refer potential candidates. To incentivize these efforts, hire-on and referral bonuses may be awarded under the following conditions:

Hire-On Bonus Eligibility:

Employees who are newly hired into designated positions may be eligible at the total discretion of management, for a hire-on bonus, provided they meet the terms outlined in their employment agreement.

Referral Bonus Eligibility:

Current employees who refer a candidate that is subsequently hired into a designated position may be eligible at the total discretion of management, for a referral bonus, subject to the conditions stipulated by the administrative department.

Limitation on Bonus Entitlement:

One Bonus Per Year: Employees are eligible for only one hire-on or referral bonus within any given 12-month period, starting from the date the initial bonus is awarded.

Conditions for Bonus Forfeiture: If the employee who received the bonus leaves employment, takes an extended leave, or otherwise discontinues active work with Buffalo River Services, Inc. within 12 months of receiving the bonus, they are not entitled to any additional bonuses within the same 12-month period.

Referred Employee Status: If a referred employee leaves the organization within 12 months of being hired, the referring employee is not entitled to receive another referral bonus for the same position within the same 12-month period.

Procedure:

Bonus Disbursement:

The disbursement of hire-on and referral bonuses will be managed by the Administrative department in accordance with this policy and other applicable guidelines.

Monitoring and Compliance:

The administrative department will monitor the issuance of bonuses to ensure compliance with this policy. Any discrepancies or violations will be addressed promptly.

Exceptions:

Any exceptions to this policy must be approved in writing by the Chief Executive Officer.

Responsibility:

All employees and managers are responsible for understanding and adhering to this policy.

Questions or concerns regarding the application of this policy should be directed to the Human Resources department.

Section 2 - OPERATIONAL POLICIES

2-1. Employee Classifications

For purposes of this handbook, all BRS, Inc. employees fall within one of the classifications below.

Full-Time Employees - Employees who regularly work at least 40 hours (36 for LPNs) per week who were not hired on a short-term basis.

Part-Time Employees - Employees who regularly work fewer than 30 hours per week who were not hired on a short-term basis.

Short-Term Employees - Employees who were hired for a specific short-term project, or on a short-term freelance, per diem or temporary basis. Short-Term employees generally are not eligible for Agency benefits, but are eligible to receive statutory benefits.

PRN Employees (as needed): PRN BRS, Inc. employees are expected to work when and where needed unless other full-time employment prevents this.

Non-Agency Employees: The following classes of individuals are not considered employees of the Agency and therefore are not eligible for employee benefits:

1. Interns: Students who work for training benefits and/or educational credit, with or without a stipend.
2. Temporary Help: Individuals who are working at the Agency under contract with temporary help agencies or through individual contract.
3. Consultant or Trainer: An individual hired for a definite period of time and working on a specific project or projects.
4. Volunteers: A person who gives time and labor to the Agency without pay benefits (natural supports).

In addition to the above classifications, employees are categorized as either "**exempt**" or "**non-exempt**" for purposes of federal and state wage and hour laws. Employees classified as exempt do not receive overtime pay; they generally receive the same weekly salary regardless of hours worked. Such salary may be paid less frequently than weekly. The employee will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

2-2. Trial Period

The first six months of the employee's employment is an introductory period. This is an opportunity for BRS, Inc. to evaluate the employee's performance. It also is an opportunity for employees to decide whether they are happy being employed by the Agency. The Agency may extend the introductory period if it desires. Completion of the introductory period does not alter the employee's at-will status.

BRS, Inc. will conduct a formal performance review at the end of the introductory period.

2-3. Your Employment Records

In order to obtain their position, employees have provided personal information, such as address and telephone number. This information is contained in their personnel file.

Employees should keep their personnel file up to date by informing the Chief of Compliance of any changes. Employees also should inform the Chief of Compliance of any specialized training or skills they acquire, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach employees in a crisis could cause a severe health or safety risk or other significant problem.

2-4. Working Hours and Schedule

BRS, Inc. office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. Operations in homes and often work assignments vary around the 24-hour day, 7 days a week.

Employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of the business, at some point BRS, Inc. may need to change individual work schedules on either a short-term or long-term basis.

Employees will be provided meal and rest periods as required by law. A supervisor will provide further details.

2-5. Remote Work/Telecommuting

BRS, Inc. may allow employees to work remotely if their job duties and work performance are determined to be eligible for remote work. Eligibility will be decided on a case-by-case basis by the Agency. Employees also may be required to work remotely during periods of public health emergencies if government orders and mandates recommend such work.

This policy provides general information regarding remote work/telecommuting. Employees who are approved to work remotely should consult their individual agreement for specific details of their remote work/telecommuting arrangement, such as expected work hours, equipment provided, and other important information.

Any remote work/telecommuting arrangement may be discontinued by the Agency at any time and at the discretion of the Agency. Employees also may discontinue the arrangement but may not be guaranteed office space at the Agency's location.

A. At-Will Employment

This policy and any individual agreement addressing this work arrangement do not create a contract of employment and are not intended to be considered or construed as a promise of continued employment. Employment is at will and may be discontinued at any time by the Agency or employee without notice, cause, or liability.

B. Hours of Work

Scheduled hours of work will be set by the employees manager or supervisor. Employees should maintain regular contact with their supervisors and managers.

Nonexempt employees must accurately record all hours worked pursuant to the Agency's timekeeping system and take rest and meal breaks as required by law. Nonexempt, full-time employees may not work beyond scheduled working hours (including working more than 40 hours in a workweek) without prior written authorization from their manager or supervisor. Part-time employees may not work past 29 hours without prior written authorization from their manager or supervisor.

C. Location

If working for administrative jobs, working from home employees will provide, at their expense, a secure, dedicated work area. In all locations, employees are responsible for maintaining the work area in a safe, secure, and nonhazardous condition at all times, and they will maintain security devices and procedures necessary to prevent use by unauthorized persons, including by preventing the connection of any Agency-furnished computer system, network, or database to any computer, network, or database other than a computer, network, or database to which connections are provided or authorized by the Agency.

D. Duties

Employees are expected to follow all existing Agency policies and procedures. The duties, obligations, responsibilities, and conditions of employment with the Agency remain unchanged. Employees must stay engaged with work throughout the workday and be fully available during normal business hours. If employees do not successfully perform their job duties remotely, this arrangement will be revoked. Employees are expected to follow existing Agency policies with respect to scheduled and unscheduled time off, including the obligation to speak with their manager or supervisor before the scheduled start time in the event of an unscheduled absence, tardy, or early departure.

Practice:

1. Employees must be prepared to commence work at their scheduled start time.
2. A minimum of a 12-hour notice is required for an approved excused absence.
3. Employees are responsible for notifying their immediate supervisor of absences, late starts, or early ends to their work day.
4. Five (5) or more unscheduled absences, tardiness, or unscheduled early departures within a twelve (12) month period may result in corrective action up to and including termination of employment.

E. Accidents and Injuries

Employees agree to maintain safe conditions in the remote work space and to practice the same safety habits and rules applied on Agency premises. If employees incur an injury arising out of the course and scope of the assigned job duties while working in the remote work space, the workers' compensation provisions in place for the state in which the employees are working will apply. Employees must notify their supervisors or manager immediately and complete all necessary and/or requested documents regarding the reported injury. The Agency assumes no responsibility for injuries occurring in the remote work space outside normal working hours or for injuries that occur as

a result of a reasonably recognizable unsafe remote work space.

F. Equipment

Employees agree to use electronic equipment that has been encrypted and meets all of the Agency's security requirements. If the Agency provides equipment for home use, employees agree to provide a secure location for Agency-owned equipment and will not use, or allow others to use, such equipment for purposes other than Agency business. Employees have no expectation of ownership in such equipment, linkages, property, or other items installed or provided by the Agency. The Agency will bear the expense of removal of any such equipment, linkages, and installations provided by the Agency upon the termination of the remote work/telecommuting arrangement but not modification of or repairs to the work location. Employees hereby release the Agency from any damage or liability incurred in the installing or removal of the equipment provided by the Agency.

G. Return of Agency Property

All equipment, records, and materials provided by the Agency will remain Agency property. Employees agree to return Agency equipment, records, and materials upon request. All Agency equipment will be returned by employees for inspection, repair, or replacement as needed or requested or immediately upon termination of the remote work/telecommuting arrangement. All equipment must be returned within five (5) business days of written notice to the employees.

H. Expenses

Upon presentment of receipts and in accordance with the Business Expense Reimbursement policy, the Agency will reimburse employees for certain preapproved expenses.

Regular household utility charges, such as electricity, water, phone, Internet service, auto, homeowners' insurance, etc., are not reimbursable unless state law requires reimbursement.

Employees who work in services will follow the personal funds policy.

I. Confidentiality

Employees agree that they are subject to the Agency's policies prohibiting the nonbusiness use or dissemination of the Agency's confidential business information. Employees will take all appropriate steps to safeguard the Agency's confidential business information, including segregating it from personal papers and documents, not allowing nonemployees to access such information, and keeping such information in locked drawers or file cabinets when not in use. Employees will maintain confidential information, including, but not limited to, information regarding the Agency's products or services, processing, marketing and sales, client lists, client e-mail addresses and mailing addresses, client data, orders, memoranda, notes, records, technical data, sketches, designs, plans, drawings, trade secrets, research and development data, experimental work, proposals, new product and/or service developments, project reports, sources of supply and material, operating and cost data, and corporate financial information.

J. Contact

If employees have any questions concerning this policy or would like to apply to work remotely, they should contact their supervisor.

2-6. Timekeeping Procedures

Employees must record their actual time worked for payroll and benefit purposes. Non-exempt employees are required to clock in and out on TIMAS.

Exempt employees are required to record their daily work attendance and report full days of absence from work for reasons such as leaves of absence, sick leave or personal business.

Non-exempt employees may not start work until their scheduled starting time.

It is the employee's responsibility to sign time records to certify the accuracy of all time recorded. Any errors in the time record should be recorded on a payroll record form and turned into their Team Leader/Program Director immediately.

2-7. Overtime

When BRS, Inc. experiences periods of extremely high activity, additional work may be required. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations. Employees may work overtime only with prior management authorization. Any non-exempt employee who works overtime without authorization may be subject to disciplinary action, up to and including termination.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) their regular hourly wage for all time worked in excess of 40 hours each workweek, unless otherwise required by applicable law. Overtime pay is calculated based on actual hours worked. Paid time off, holidays, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations. For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Sunday and ends 168 hours later at 12 a.m. on the following Sunday.

2-8. Travel Time for Non-Exempt Employees

Overnight, Out-of-Town Trips

Non-exempt employees will be compensated for time spent traveling (except for meal periods) during their normal working hours, on days they are scheduled to work and on unscheduled work days (such as weekends). Non-exempt employees also will be paid for any time spent performing job duties during otherwise non-compensable travel time; however, such work should be limited absent advance management authorization.

Out-of-Town Trips for One Day

Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time, except for, among other things: time spent traveling between the employee's home and the local railroad, bus or plane terminal; and meal periods.

Local Travel

Non-exempt employees will be compensated for time spent traveling from one job site to another job site during a workday. The trip home, however, is non-compensable when the employee goes directly home from the final job site, unless it is much longer than the regular commute home from the regular worksite. In such case, the portion of the trip home in excess of the regular commute is compensable.

Commuting Time

Under the Portal to Portal Act, travel from home to work and from work to home is generally non-compensable. However, if a non-exempt employee regularly reports to a worksite near their home, but is required to report to a worksite farther away than the regular worksite, the additional time spent traveling is compensable.

If compensable travel time results in more than 40 hours worked by a non-exempt employee, the employee will be compensated at an overtime rate of one and one-half (1.5) times the regular rate.

To the extent that applicable state law provides greater benefits, state law applies.

2-9. Safe Harbor Policy for Exempt Employees

It is BRS, Inc.'s policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Those classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours they may work for BRS, Inc. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing wage replacement benefits for such absences (deductions also may be made for the exempt employee's full-day absences due to sickness or disability before the employee has qualified for the plan, policy or practice or after the employee has exhausted the leave allowance under the plan);
- full-day disciplinary suspensions for infractions of our written policies and procedures;
- Family and Medical Leave Act absences (either full- or partial-day absences);
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- the first or last week of employment in the event the employee works less than a full week; and
- any full work week in which the employee does not perform any work.

Salary may also be reduced for certain types of deductions such as a portion of health, dental or life insurance premiums; state, federal or local taxes; or social security.

In any work week in which the employee performed any work, salary will not be reduced for any of the following reasons:

- partial day absences for personal reasons, sickness or disability;
- an absence because the Agency has decided to close a facility on a scheduled work day;
- absences for jury duty, attendance as a witness, or military leave in any week in which the employee performed any work (subject to any offsets as set forth above); and
- any other deductions prohibited by state or federal law.

However, unless state law provides otherwise, deductions may be made to accrued leave for full- or partial-day absences for personal reasons, sickness or disability.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to a supervisor. If the supervisor is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), they should immediately contact the Payroll Clerk or any other supervisor in BRS, Inc. with whom the employee feels comfortable.

2-10. Your Paycheck

Employees will be paid bi-weekly for all the time worked during the past pay period.

Payroll stubs itemize deductions made from gross earnings. By law, BRS, Inc. is required to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received.

If there is an error in any employee's pay, the employee should bring the matter to the attention of the payroll clerk (PRC) immediately so the Agency can resolve the matter quickly and amicably.

Employees will have access to a mobile portal to view their paycheck stubs and pay information via computer. Each county center will have a computer that can be used to view the portal and print check stubs if needed, as BRS, Inc. is a paperless agency.

2-11. Direct Deposit

BRS, Inc. requires employees to use direct deposit. Authorization forms are available from the Payroll Clerk.

2-12. Salary Advances

BRS, Inc. does not permit advances on paychecks or against accrued paid time off.

2-13. Performance Review

Depending on the employee's position and classification, BRS, Inc. endeavors to review performance annually. However, a positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management.

In addition to these formal performance evaluations, the Agency encourages employees and supervisors to discuss job performance on a frequent and ongoing basis.

2-14. Record Retention

BRS, Inc. acknowledges its responsibility to preserve information relating to litigation, audits and investigations. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against the Agency and its employees and possible disciplinary action against responsible individuals (up to and including discharge of the employee). Each employee has an obligation to contact the the Chief of Compliance to inform them of potential or actual litigation, external audit, investigation or similar proceeding involving the Agency that may have an impact on record retention protocols.

2-15. Job Postings

BRS, Inc. is dedicated to assisting employees in managing their careers and reaching their professional goals through promotion and transfer opportunities. This policy outlines the online job posting program which is in place for all employees. To be eligible to apply for an open position, the employees must meet the following requirements:

- Be a current, regular, full-time or part-time employee;
- Have been in current position for at least six (6) months;
- Maintain a performance rating of satisfactory or above;
- Not be on conduct/performance-related probation or warning;
- Meet the job qualifications listed on the job posting; and
- Provide their current manager with notice prior to applying for the position.

Jobs will be posted in TIMAS for five working days. If employees find a position of interest on the job posting website and they meet the eligibility requirements, an online job posting application must be completed in order to be considered for the position. Not all positions are guaranteed to be posted. The Agency reserves the right to seek applicants solely from outside sources or to post positions internally and externally simultaneously.

For more specific information about the program, please contact management or Human Resources Department.

BRS provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, notices of all regular, full-

time job openings are posted, although BRS reserves its discretionary right not to post a particular opening. Job openings will be posted on TIMAS and remain open for seven working days. Each job posting notice will include the dates of the posting period, job title, department, location, essential duties, and qualifications (required skills and abilities). The agency reserves the right not to post job openings during restructuring and other serious situations.

To apply for an open position, employees should submit in writing via TIMAS email to the The Vice President of Compliance should describe how their current experience with BRS and prior work experience and/or education qualifies them for the position. Employees should also note what locations/days/hours they would be giving up should they receive the position.

Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring manager. Other recruiting sources may also be used to fill open positions in the best interest of the organization.

PROCEDURES:

1. The primary purpose of this policy will be more consistency for Agency employee and individuals served. It is hard to provide excellent service if there is constant change.
2. An employee who is in good standing and have "meets expectations or above" performance rating can apply for positions using TIMAS email. Additionally, Employees must possess the qualifications for the position, meet the position requirements, be in their current positions for a minimum of six months (management discretion), and demonstrate effective performance and behavior. Fair consideration will be given to qualified, inter candidates.
3. New employees who are currently in PRN/LPN or part-time positions and are wishing to work a full-time position may apply for open positions even if they have not completed their six months.

The Agency reserves the right to make exceptions to the above policy depending on each situation.

2-16. Physical Requirements Of Employment with BRS, Inc.

Activities

Demands

Sitting

Minimal. This would only be required when the person conducting this position is doing paper work.

Standing Constantly/ Walking

The surfaces may vary from carpeted to concrete. Surfaces outdoors would include various surfaces. As far as transporting persons with disabilities, the driveway as well as the parking lot of the facility is gravel. Surfaces are described as basically uneven.

Lifting/Carrying	This is described as medium to heavy, depending upon the particular task and it could vary from day to day. The person filling this job position is encouraged to seek help when trying to transfer a person with a disability. The same is true for the transfer of equipment into vans and for loading and unloading. The person is trained in proper lifting techniques and when to seek assistance.
Pushing/Pulling	This is described as a variety of levels and continuous throughout the day. It may vary from day to day in terms of how frequently persons with disabilities are loaded and unloaded onto the van and transported. This would involve opening and closing doors, retrieving items to set up a job task situation, moving chairs, setting up furniture. Again, this varies from day to day, with the particular schedule for that day, and whether the actual tasks that day are on-site or off-site. These also involve pulling and pushing a lawn mower and the pulling required to start the lawn mower.
Climbing	Whether the amount of climbing is minimal, frequent or constant would again vary with particular job tasks. However, on an average day, this is described as minimal.
Bending	This is continuous and constant throughout the day.
Twisting	There seems to be no predominance as to whether this would be at the knees or the waist and again described with the variety of tasks through the day, but there is quite a bit of bending and twisting, both at the knees and the waist.
Crawling	This is described as minimal. This would again be specified by a particular job task, but not an actual detail that would be involved in the job description.
Reaching	This could be described as continuous throughout the day, depending on the particular job tasks assigned, but the person conducting this position would be involved in the set-up for each job tasks preparation and then storage of the materials after the completion of the tasks.

Reaching overhead	This would vary again with tasks, but could be described as the potential to be continuous throughout the day on any given workday.
Fingering/Motor Skills	Constant throughout the day. Employer Fine describes this again as required in demonstrations for persons with disabilities as to how to complete the tasks. Because of the level of some of these people, this may have to be repeated several times during one demonstration.
Hearing/Talking/ Seeing	Constantly required. This position requires that a person provide both verbal and written instructions to those persons with disabilities that are able to follow the written instructions. For the most part, people at this facility rely very heavily on visual and auditory feedback. They require intense one-on-one demonstrations, even after a demonstration for the entire group.

2-17. Use of Enabling Technology

In any location where Enabling Technology is used, BRS, Inc. will assure the following:

1. Access to a High-Speed Internet connection with enough bandwidth to support recommended enabling technology devices.
2. A central networking system using wired-connection, WI-FI gateway, Infrared, Blue Tooth, or cloud connectivity. BRS, Inc. management will work with the ET vendor and IT decisions to determine and acquire the most functional method possible.
3. Agency staff assigned to remote support of an individual will be provided with agency-owned internet-capable devices including computers, smartphones, or mobile tablets for the receipt and transfer of remote support data. Personally owned devices will be prohibited in the transfer and/or receipt of remote support data and other company business data.
4. All agency-owned internet-capable devices will be managed through secured web-based and/or mobile interface that meets the information technology requirements explained in this policy.
5. All agency-owned internet-capable devices will have the ability to send and receive daily communication, notifications, and alerts through emails, texts, and/or video and phone conferencing.
6. Such devices and associated data collected will comply with all Information Technology policies and procedures previously listed in this policy.

2-18. Electronic Signature

BRS, Inc. defines an electronic signature as a digitized identifier intended by the person using it to have the same force and effect as the use of a manual signature by employing a private identification password as the method of attaching the digitized identifier.

As documents are verified by the composer, a digital signature is attached to each document to authenticate the entry. Every digital signature is unique to the signer because every staff member is required to complete a password code each time a signature is required. The password code is known only by the staff member. Staff members are not allowed to divulge their password code to any person. Once the password code is submitted, the staff member's name (as used in a signature) will appear in the signature line. Once signed, the system will not allow any modification to the original note without another signature. If the staff member recognizes an error or realizes that additions or modifications to the note are necessary, the staff member must log an addendum to the note and sign it separately. Given the fact that a signature private identification password is initially assigned by the computer from a random set of symbols and that no other person can have the staff member's private identification password, staff members will not be allowed to deny the willful and intentional signing of a document.

Procedure:

1. Sharing of passwords is prohibited.
2. Electronic signature identifies staff person and title.
3. Staff will sign Statement of Assurance - Computer Password Integrity.

2-19. Succession Planning in Workforce

1. Reasons for succession planning:
 - a. Retain key talent
 - b. Prepare individuals for future challenges, e.g. growth, new strategies, etc.
 - c. Accelerate development of key individuals
 - d. Ensure continuity of management culture
 - e. Avoid lost productivity
 - f. Control cost (developing internal talent is less expensive than hiring)
 - g. Make the organization more attractive to job candidates
 - h. Achieve diversity goals

Ref: Grow Your Own Leaders, William Byham, Workforce/Succession Planning Guide

The agency will attempt to plan for succession of leadership and other jobs as much as possible.

Implement the Workforce Plan

At this point, the agency is implementing a single Workforce Plan, which consists of a number of strategies. If the agency has a robust strategic planning process, the Workforce Plan should be integrated into that process. If the strategic planning process is limited, there will need to be additional emphasis placed on implementation.

Each strategy should strive for both long term and quick-winning solutions and consider:

- Processes impacted, improved
- Resources to implement and maintain - people, dollars, and technology
- Culture as enabler and/or barrier
- Policies impacted, improved
- Knowledge/Skills/Abilities/Competencies to implement & maintain
- Timeline to execute the strategy
- Structure if it is a barrier

Strategies to close gaps are linked to the business and fall into the broad categories of:

1. Recruitment/selection: to find and hire recent graduates or qualified candidates from other agencies or the private sector.
2. Staff development: to prepare employees for different positions, titles, or occupations.
3. Succession planning: to ensure there are highly qualified people capable of filling mission-critical positions.
4. Knowledge transfer: to capture the knowledge of experienced employees before they leave the agency.
5. Retention: to encourage employees to stay in the agency.
6. Redeployment: career transition or separation for surplus roles.
7. Position classification actions: redefining class series, adding new job classifications, and rewriting job descriptions to better reflect future functional requirements.
8. Leadership Development: to provide agency with qualified leaders to meet business objectives and achieve the mission.

2-20. Agency Purchasing

The Agency shall require authorization and approval prior to purchase of any supplies, services or equipment.

1. Supplies and Services:

a. Each staff member wishing to make a supply or service purchase with program funds should first submit a Request _____ for these supplies or services as trained by their Team Leader/Program Director.

b. The Chief of Compliance will approve according to budget. A Purchase Order will then be issued.

c. The purchase order will be returned to the appropriate Team Member to make the purchase. This Team Member is _____ responsible for getting a receipt and turning it back in to the Administrative Assistant for payment. The Team Member _____ must write his/her initials and title on the receipt.

d. Regular, recurring purchases (gasoline, utilities, etc.) will not fall under these rules.

e. Purchase Orders will be prepared daily, once per day (unless an emergency), so employees must PLAN AHEAD.

f. All paperwork must be FULLY completed. If not completed in full, the paperwork will be returned to the employee.

g. Employees are to get a tax-exempt form to prevent any vendor charging BRS, INC. sales tax.

h. Employees are never to make a purchase without a Purchase Order.

i. In-house supplies requests should be turned into the administrative office each residential home. See the Administrative Assistant for schedule.

2. Equipment:

a. Whenever equipment items (items with an acquisition cost of \$1500 or more) are to be purchased, the requesting staff shall develop the specifications for these items. The Chief of Compliance shall provide direction if needed.

b. The staff member shall request written bids from at least three vendors. These bids shall be retained on file at the Agency. Attempts will be made to solicit bids for the Family Support program, although not required by DIDD.

c. When bids are comparable, the low bid shall be accepted. Bids will be kept with the invoice once the purchase is made. Page 70 of 122 Revised August 2014.

LENGTH OF TIME RECORDS ARE KEPT

The Agency will keep financial records a minimum of seven (7) years. The agency will keep personnel records as required by law for each category. See Program Section for records retention for people supported.

CASH CONTROL SYSTEM

The Chief of Compliance is responsible for control of Agency cash and assets. Revenue is receipted by the Administrative Assistant into a mail receipts form. The Accounting Assistant then receipts to the proper Accounts Receivable journal and makes deposit slips for the proper bank account. The Chief of Compliance and/or Senior Accounting Clerk then makes the bank deposit. Bank Statements are reconciled by the Senior Accounting Clerk and then reviewed by the Chief of Compliance.

PETTY CASH

Petty cash is available for purchase of items under \$10 (some exceptions). Requests for petty cash forms are available in the Agency form box. Complete all information on the form, get Team Leader approval and bring to the Accounting Assistant. When purchases are made, remember the Agency is tax exempt and does not pay sales tax. The receipt must be initialed and brought back to the Accounting Assistant (petty cash custodian). The Agency is not responsible for any purchase made without prior approval from your Team Leader and the petty cash custodian and an invoice/receipt.

2-21. Process Regarding Internal Job Postings

Jobs are posted for 7 calendar days on the agency's internal email system, TIMAS.

There may or may not be other notifications. After 7 days of internal posting, the agency may elect to advertise outside or may appoint someone to the job.

When there is only one applicant of a current staff member requesting to get the job, the selection process will be fairly simple. If the supervising manager desires to transfer that single applicant, barring any issues, that person will be selected. Of course, a person needs to be in good standing and have a good performance record to be eligible to request a transfer. Issues will be considered case by case.

When more than one person applies for a transfer into an open position, other considerations must be made. Seniority or tenure with the agency is very important, but it is not the only determinant for making a decision. Other things to consider are workplace attitude, behavior and performance. Also, records of attendance and punctuality. Any evaluations in the last two years should also be considered.

In the event that years of employment and other factors provide no sufficient evidence to make a decision between applicants, interviews may be necessary.

Once decisions are made, all candidates will be informed of the decision as appropriate.

2-22. Change in Positions/Status

Once assigned to a position, the employee must remain in that position for six months.

PROCEDURES:

1. The primary purpose of this policy will be more consistency for Agency staff and individuals served. It is hard to provide excellent service if there is constant change.²When staff change position or status (part-time to full-time), they will remain in this position for a six-month period. Staff will need to decide before signing for a shift if they are willing and/or able to stay in that position for this time frame.
2. New staff who are currently in PRN or part-time positions and are wishing to work a full-time position may apply for the position even if they have not completed six months in current position.
3. The Agency reserves the right to make exceptions to the above policy depending on each situation.

2-23. Artificial Intelligence

The Agency recognizes that the use of artificial intelligence (AI) tools can potentially assist employees with the performance of job duties. However, there are many risks. To ensure the protection of confidential information and the integrity of our operations, as set forth below, all employees who wish to use AI tools must receive management approval and, if granted, comply with the below best practices.

Evaluation of AI tools. Employees must evaluate the utility and security of any AI tool before using it. This includes reviewing the tool's security features, terms of service, and privacy policy. Employees also should review the reputation of the tool developer and any third-party services used by the tool. But most importantly, employees must receive management approval prior to using any AI tool after explaining the manner in which it will be used and the benefits to the business.

Protection of confidential data. In using any AI tool, employees must not upload or share any confidential, proprietary, or protected data without prior written approval from Executive Director. This includes data related to customers, employees, or partners. Similarly, employees must ensure any AI tool does not utilize confidential or copyrighted information of a third party.

Access control. Employees must not give access to any AI tools approved for business use to anyone outside the Agency without prior approval from Executive Director and implementation of processes as required to meet security compliance requirements. This includes sharing login credentials or other sensitive information with third parties.

Compliance with security policies. Employees must apply the same security best practices we use for all BRS, Inc. and customer data. This includes using strong passwords, keeping software up-to-date, and following the Agency's data retention and disposal policies.

2-24. REPORTING FRAUD AND FISCAL ABUSE, WHISTLEBLOWERS PROTECTION AND FALSE CLAIMS ACTS

POLICY:

All staff members, board members and other partners of Buffalo River Services, Inc. are expected to report all known or suspected violation of Federal False Claims Act (FFCA) or the Tennessee False Claims Act (TFCA) and collectively referred to as FCA to their supervisor, department head, or the Buffalo River Services, Inc. Executive Director. Buffalo River Services complies with federal and state laws that detect and prevent Fraud, Waste and Abuse in federal health care programs.

PRACTICE:

This agency cooperates with all state and federal agencies in the investigation of fraud and abuse. Reportable fraud and abuse included suspected fraud and abuse in the administration of the TennCare program, Provider fraud and abuse and Member fraud and abuse. Any suspected fraud and abuse will be reported to the Tennessee Bureau of Investigation Medicaid Fraud Control Unit and the Office of Inspector General. Any suspected fraudulent activity will be reported to any of the following:

- Employees may report TennCare/Medicaid/Medicare enrollee fraud and fiscal abuse to the State of Tennessee Office of Inspector General, TennCare Fraud division at 1-800-433-3982. Employees may report TennCare (Medicaid) provider fraud and fiscal abuse to the Tennessee Bureau of Investigation, Medicaid Fraud Control Unit at 1-800-433-5454 or log onto www.tn.gov/tnoig/ReportTennCareFraud.shtml and follow prompts for "Report Fraud Now".

In 2005 Congress passed The Deficit Reduction Act (DRA), a piece of legislation that impacted many areas of American government and commerce. The DRA included provisions that have an impact on Federal Health Care Programs. Federal Health Care programs include: 91) Any plan or program that provides health care benefits, whether directly, through insurance, or otherwise, which is funded directly, in whole or part, by the United States Government; or (2) Any State health care program, as defined in section 1320a-7 (h) of this title. This organization falls under that definition.

The DRA changes that impacted Federal Health Care Programs became effective January 1, 2007. Because this agency is a provider for a Federal Health Care Program, this agency is required to be

compliant with several new requirements promulgated by the legislation including whistleblower protections. Specifically, this agency will train all staff on the provisions of the False Claim Act.

DEFINITION OF FRAUD:

An intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself or some other person. It includes any act that constitutes fraud under applicable Federal or State Law.

FALSE CLAIMS ACT (Title 31, Section 3729)

The False Claim Act provides Liability for certain acts.

(a) Liability for Certain Acts. Any person who---

- Knowingly presents or causes to be presented, to an officer or employee of the United States Government or a member of the Armed Forces of the United States a false or fraudulent claim for payment or approval;
- 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;
- Conspires to defraud the Government by getting a false or fraudulent claim allowed or paid;
- 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;
- 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
- 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 \$25,000, 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

- The person committing the violation of this subsection furnished officials of the United States responsible for investigation 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;
- Such person fully cooperated with any Government investigation of such violation; and At the time such person furnished the United States with the information about the violation, no criminal prosecution, civil 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 that 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 cost of a civil action brought to recover any such penalty or damages.

B. DEFINITION OF PROVIDER FISCAL ABUSE:

Provider practices that are inconsistent with sound fiscal, business, or medical practices, and result in an unnecessary cost to the Medicaid program, or in reimbursement of services that are not medically necessary or that fail to meet professionally recognized standards for health care. It also includes recipient practices that result in unnecessary cost to the Medicaid/TennCare/Cover TN Program.

C. TYPES OF FRAUD AND PROVIDER FISCAL ABUSE:

Examples of cases that the Office of Inspector General investigates include unreported income or insurance, TennCare/Cover TN recipients living out of state, drug seeking behavior, incarceration, individuals receiving bills (or EOB statements) for services never provided, provider billing irregularities, over or under utilization of health care services, and misrepresentation of credentials. Provider fraud involves not only doctors, but nursing homes, home health, durable medical equipment, pharmacies, mental health facilities, laboratories, transportation and dentists, to name a few.

- **The Act establishes liability when any person or entity improperly receives from or avoids payment to the Federal government—tax fraud excepted. In summary, the Act prohibits:**
- Knowingly presenting, or causing to be presented to the Government a false claim for payment;
- Knowingly making, using, or causing to be made or used, a false record or statement to get a false claim paid or approved by the government;
- Conspiring to defraud the Government by getting a false claim allowed or paid;
- Falsely certifying the type or amount of property to be used by the Government;
- Certifying receipt of property on a document without completely knowing that the information is true;
- Knowingly buying Government property from an unauthorized officer of the Government, and;
- Knowingly making, using, or causing to be made or used a false record to avoid, or decrease an obligation to pay or transmit property to the Government.

It is also the policy of Buffalo River Services, Inc. that persons reporting such violations, sometimes known as "whistleblowers" will not be retaliated against (by discharge, demotion, suspension, harassment or in any manner) for making such reports in good faith even if the report turns out not to be correct.

All persons making reports or compliance concerns are assured that such reports will be confidential to the extent permitted by law. Such reports will be shared with others only on a bona fide need-to-know basis.

NO RETALIATION

Buffalo River Services, Inc. prohibits retaliation against anyone for the good faith reporting of a perceived violation or cooperation with an internal or external investigation. Such retaliation by any Employee or third party is a violation of our Policy and Procedures. If retaliation occurs, the employee may be entitled to reinstatement with the same seniority status had the retaliation not occurred, litigation costs and reasonable attorney's fees.

2-25. ELECTRONIC COMMUNICATION – Internet, Mail, computers

I. ELECTRONIC COMMUNICATION – Internet, Mail

This policy establishes broad use of the internet, media, and other electronic methods of communication. All computing resources are the property of Buffalo River Services, Inc. As such, the agency reserves the right to monitor all electronic communications.

The agency encourages the use of the internet, email, and electronic methods to support the mission and the working of BRS. These services provided by the agency, like other BRS equipment and resources are generally to be used only for authorized purposes, such as Agency business, research, training, and professional development.

Every employee at Buffalo River Services is expected to read all of their agency emails in the database whenever on duty, in a timely manner. Upon opening the database email, employees are responsible for all of the content data. In addition, employees are encouraged to reply appropriately and in a timely manner. The agency owns all TIMAS and other agency email and archives these emails for future reference.

To further clarify the use of email as memos, as information, as policy changes - it is expected that all employees upon opening the mail and reading its contents, that if there are questions or concerns about that email, the employee would go to their immediate supervisor with those questions or concerns. The agency email is considered a communication and documentation module.

A. Other information in general:

1. Internet traffic will be blocked when it has been determined to be detrimental to network resources or causes a security concern.
2. Emails containing viruses, video files and/or extremely large attachments may be blocked from entering the agency network.
3. Certain types of websites may be blocked within the agency network.
4. Employees should be aware that their use of BRS equipment is monitored. Anyone using equipment consents to such monitoring. If monitoring reveals evidence of possible misconduct or criminal activity, such evidence may be referred to law enforcement or other officials for appropriate action. In addition, direct observation of receipt of inappropriate materials may be cause for such action. To the extent that employees wish that their private activities remain private, they should avoid use of agency internet or email for such activities. Specifically, employees may not use agency computers for:
 - a. Pursuit of private commercial business activities or profit-making ventures.
 - b. Use that could generate or result in an additional charge or expense to the agency.
 - c. Participation in or encouragement of illegal activities or the intentional creation, downloading, viewing, storage, copying, or transmission of materials that are illegal or

discriminatory.

- d. Use of Buffalo River Services emails address in a manner that will give the false impression that an employee's otherwise personal communication is authorized by the agency. An employee may not use his/her title or the name of the agency when using email for personal communication as it might imply the communication is official.
- e. Any emails that discriminate against employees by virtue of any protected classification including race, gender, nationality, religion, etc. will be dealt with according to the policies reflecting discrimination.

- A. Social Networking (See Social Networking Policy)**
- B. Staff Activities in Social Networking (See Social Networking Policy)**
- C. Service Recipient Generated Interests in Social Networking**

In regards to a policy that addresses the participation of client-generated interest in social networking sites, we believe that this is best handled through the auspices of the client's Individual Support Plan (ISP) and their advocates, families and support staff. The ISP cannot circumvent and or supersede state and federal laws. Parents and conservators will provide permission for social networking activities and acknowledge and assume all risks inherent in computer based communications. They will provide the agency with a "hold harmless and indemnify" disclaimer relating to any injuries or harm experienced as a result of social networking (for BRS and any employees directed to assist individuals in social networking activities).

The ISP will identify and designate an appropriate staff member to facilitate (input/typing, guidance, use of the computer, etc.) the individual's participation on his/her own personal social networking site. This staff member will receive an "orientation briefing" from the agency (prior to their facilitating) as to the proper topics to be included on the site, protecting against privacy violations and other avenues to insure the individual's safety and security.

I. MANAGEMENT OF ELECTRONIC DATA/MEDIA

Buffalo River Services, Inc. will protect records generated, stored, and/or retrieved in electronic format in a manner consistent with federal guidelines.

A. Storage of Electronic Records

Confidential information stored on electronic media, including both mainframe and PC - generated data, is stored in a single location by way of an extensive Wide Area Network. To ensure that local machines contain no confidential data, each machine is periodically

reformatted and reloaded with its original or upgraded image. In the event that a PC is to be discarded, the storage media is removed from the unit and destroyed prior to the unit's placement in public disposal bins. If a PC is transferred to another position, it is given a fresh new image.

A. Safety of Electronic Records

To prevent theft or intentional destruction of data, the physical access to the media is protected by a single entrance that can only be accessed by authorized personnel provided a key access code. To prevent destruction of data from disaster, all data is copied to a removable media on a daily basis. This copy is then removed from the agency by agency personnel designated to do so. In the event that the computer resources become temporarily unavailable due to severe damage to the servers, the data can be restored on other servers maintained by IT professionals.

A. Confidentiality and Integrity of Electronic Records

Access to any data belonging to Buffalo River Services requires a login and password combination unique to each user. Each position or computer is assigned an authorization level that only allows access to data on a need-to-know basis predefined for that position. Further, the ability to read information, add information, update or remove information are all recognized as separate modes of access, and positions are assigned only the modes appropriate for their job function.

A. Physical Security

The information systems facilities are designed to prevent the total loss or corruption of data from environmental hazards and theft. The computer systems are housed in a secure area accessible only by a key entrance into the building.

A. System Backups

Taped copies of data backup are removed daily from the agency by designated personnel.

A. Login Security

Each individual user of the network resources is issued a unique login ID and a password. Each person is responsible for ensuring the confidentiality of this information. Sharing of login IDs and passwords is prohibited even among peer groups. Forced changing of passwords is periodically completed. Administrative passwords are changed and are cryptic and non-pronounceable.

A. Data Access

Each login and password connects an employee to a network of menus that is appropriate for the department in which the employee works. The user can only work with the data that is

accessible by programs that reside on the menu assigned to user. There is also a process by which rights are assigned within the system for users in various menus (i.e., some users may be read only; others may be allowed to add, others to delete, etc.).

A. Suspected Violations

If a suspected security violation occurs, the employee who becomes aware of the situation must report it immediately to the Chief Financial Officer or Executive Director. The CFO and Executive Director will ensure that an immediate investigation takes place. An emergency meeting of Management within 5 days of the event will be requested to thoroughly review the occurrence and recommended actions. All authorities will be notified of the situation and subsequent follow up will take place as directed by internal and external entities. A final report will be presented by the Executive Director to the BRS Board of Directors within 90 days of the event.

I. Safeguards

- BRS runs all information behind a firewall and remote systems are connected to the network through a VPN. Unauthorized access detection mechanisms are built into the firewall system and closely scrutinized by BRS and IT personnel.
- No person is allowed access to the BRS system outside of the firewall. Antivirus software is installed and maintained on all computers that are allowed access to the BRS system, including all incoming and outgoing electronic mail systems.
- All software installed on BRS computers must have a valid license registered to Buffalo River Services
- The only personally owned computers connected to the Buffalo River Services are approved through the Director. These computers are usually owned by management and are installed with the correct VPN connection by the Chief Financial Officer.
- BRS does not use Instant Messaging. Staff members are not allowed to use such software on agency computers.
- BRS will offer Microsoft Office software as the word processing, spreadsheet and presentation programs on applicable computers. Computers will be provided with an Anti Virus, and Acrobat reader program installed. All BRS computers will have access to the TIMAS database. Any other software that is needed must have a valid license assigned to BRS. Staff members are not permitted to download any software from the Internet without authorization from the CFO of BRS.
- BRS Staff must not attempt to gain access to any computer service or information for which they have not been granted access.
- Problems with the network or with a PC or any other request should be reported to the CFO through the email system. If the matter seems urgent, telephoning the CFO is also allowable.
- BRS Staff must not attempt to repair computer equipment, which would require the removal of the case.
- Any defective equipment must be returned to the agency where it will be removed from the asset list and correctly disposed of.
- Every staff member has access to a username and password to access the BRS network. Additionally, each staff person has a unique username and password to allow access to TIMAS database. This username and password must be known only by that staff member.

Staff will not allow anybody to use their username and password to access the network. Anyone having a problem accessing the system must notify the CFO to get the problem resolved.

- BRS web interface email (@brs.com) is the only email system to which the BRS IT Department will provide support. Only management staff is assigned these email addresses. Any staff member who elects to utilize a mail client (i.e. POP3 address) will not receive assistance with its functionality or use.
- All staff members must adhere to HIPAA guidelines when accessing, sharing or storing electronic information.
- BRS will maintain a list of every computer and software system used. Computers will be replaced as needed and in accordance with the cfo/executive director and IT recommendations.

A. Anticipated Failures

In spite of ongoing diligence to safeguard equipment, it is understood that failures of equipment and software will occur. Buffalo River Services maintains daily scheduled backups of all electronic information that can be activated in the case of hard drive failure. All electronic records are maintained on tapes and an external hard drive. These servers are constantly synchronized as a primary method of preventing data loss. Every day between 1:00 am and 3:00 am, the backup runs a copy of all data. These tapes are stored each day.

2-26. General Training Practice

ORIENTATION, TRAINING AND DEVELOPMENT

POLICY:

To help employees do their best on the job, the Agency orients new employees to the organization's mission and work and offers training and educational opportunities to broaden employee skills and competencies.

PRACTICE:

1. The primary purpose of the employee orientation program is to provide information to a newly hired employee about the Agency's mission, values, goals, policies, procedures, and benefits, as well as information related to his/her specific job.

1. All employees are encouraged to engage in approved training/education. All employees are required to engage in training that is mandated by the State and/or the Agency. We conform to the State of Tennessee Department of Intellectual and Development Disabilities and the Home and Community Based TennCare Choices program training guidelines for orientation and annual in-service. A list of these required trainings and their frequency is kept in the

training files. It is the responsibility of the employee to assure that the appropriate training is achieved during the year.

2. All employees, who do not have all of their employment requirements and/or training completed within the first 30 days of their employment with BRS, may be dropped to an hourly pay rate of minimum wage or the beginning rate of pay. The employee will remain at lower wage for a maximum of 30 days, at which time, if all of the requirements are not met, he/she may be terminated. The only exception to this is medication training and MANDT training; however, the employee must have both of these classes before his/her pay rate is increased above the initial hire rate. (This applies only if these particular classes are not offered in the 30 day time frame.)

1. Rules regulating attendance and participation at training are the same as during any other work day.
2. Certain costs (travel, expenses, texts, tuition, etc.) for training that is required by the Agency will be paid for by the organization. Costs of training that is requested by the employee, but not required by the Agency, may be paid by the organization, the employee, or shared. Such training cost reimbursement requests must be approved by the CEO.
3. Full-time employee that are scheduled to work an eight-hour day on the day of In-service Training will be paid for eight hours;

a. unless they have to leave for personal reasons, or arrive late

- a. unless inclement weather is present, then inclement weather policy will be followed,
- b. or, unless otherwise stated by the person in charge of the Agency.

Part-time employee will be paid for the number of hours for which they are scheduled to attend the In-service;

- a. unless they have to leave for personal reasons, or arrive late.
- b. unless inclement weather is present, then inclement weather policy will be followed
- c. or, unless otherwise stated by the person in charge of the Agency.
- d. The training curriculum required by the various programs that fund the services that we offer will be found in the Payroll Clerk's office. This will show what training is required and the frequency required. Documentation of these trainings will also be filed in Payroll Clerk's office or on the agency database.

2-27. EMPLOYMENT OF FAMILY MEMBERS OF PERSONS SUPPORTED

POLICY:

Criteria for hiring employees to support persons served who are in the immediate or extended family of a person served.

PURPOSE:

The purpose of this is to establish policy regarding employment of family members. This policy is to assist administration as a guide when interviewing applicants who are related to persons served. The policy and procedure will guide Agency personnel on what issues might arise that would complicate or enhance supports to the individuals served. This policy will also assist the potential applicant in understanding more about specific expectations of the workplace, making the decision to be a paid position supporting their family member.

All applicants will be expected to fill out the Agency application materials. Family members of our individuals served will not be an exception to this. All applicants will be expected to interview, provide references, and follow all procedures the Agency requires for any potential employee. If hired, the employee must follow all BRS policies and procedures including, but not limited to, attending all required training, following specific individual training, and attending to requirements of the job description.

RATIONALE:

BRS makes every attempt to approach all work situations from a person-centered point of view. Being an advocate for the individuals we serve is one of the most important functions of our work. One area that creates some conflict occasionally is when a family member makes application wishing to be hired as a Direct Support Professional. This becomes potentially problematic if the applicant makes an expressed request to work with his or her family member.

Confusing issues often arise when opinions of the Agency administration will be in direct opposition to the family. This may arise when the Agency will advocate for the individual served in such a way that may threaten the ideology of the family. Having a family employee in a situation such as this has the potential of causing a conflict between BRS Policies & Procedures and the desire of the family member.

The Agency expects its employees to be able to express opinions and to challenge PRACTICE. However, after all views have been expressed and all discussion has been closed, all employees are expected to follow directions as relayed from Agency management. For some family members, this may be difficult, if not impossible, to do. Family members who become employees often find it too complicated to be able to be an advocate for their family member and also to be completely supportive of the Agency's Mission, Vision, and Policies. On many occasions, Agency administration will be in precarious and paradoxical problem situations. During times when such issues arise, management is required to make decisions for the well-being of the entire Agency. Decisions will be made that will be of greatest benefit for all persons served and employees. Employees are always expected to follow instructions for the best interest to the organization as a whole, which could interfere with wishes for one individual served.

It is because of these potential problems that BRS perceives the act of hiring family members to work with a person served in his/her own family as a particularly sensitive matter. We reserve the right to use all necessary interviewing and administrative analysis techniques to determine if the applicant will be able to function on behalf of the individual served and also the entire organization.

This may include, but is not limited to, inviting team members to sit in on interviews, requirements of special additional training, and signing of special letters of understanding.

The Agency reserves the right to refuse employment based entirely on the belief that the person may not be able to remain objective and rational in the job. This belief must be supported with evidence that is documented by personal references, professional references, background checks, observation, self-disclosure, and any other credible information. Documentation will be filed for a period of time per human resources procedures for personnel files. Upon request, the applicant will be debriefed about why he/she was not selected; however, BRS, in its sole discretion, will make the final decision, and the Agency's decision will prevail.

In the event a family member is employed, the employee will be expected to treat all individuals served equally and not give more attention to his/her family member than any other individual served to which he/she is assigned. Should any conflict occur, the Agency will apply all Policies & Procedures to the situation, including the disciplinary process, up to and including termination.

2-28. CHOICES and DIDD: ELECTRONIC VISIT VERIFICATION (EVV)

DEFINITIONS:

Electronic Visit Verification System: An electronic system that paid caregivers use to check-in at the beginning and check out at the end of each period of service delivery. The system is used to monitor Member receipt of specified ECF, CHOICES and DIDD PA and LPN HCBS and also to generate claims for submission by the provider.

All staff will be trained to use the GPS device and Telephony as the backup in the event the staff cannot use the GPS device.

PRACTICE:

- . Reporting is required as soon as possible to the MCO and DIDD as it relates to any deviations from the members plan of care. Report may be made via email or phone
- . The agency will have at least one full time staff devoted to EVV monitoring and two staff persons fully trained and knowledgeable of the EVV system and its functionality including, at a minimum, billing exception handling, scheduling, and late and missed visit reporting
- . The agency will have an on-call process outlined for after- hours monitoring of EVV
- . The agency will ensure they have sufficient staff to provide services in accordance with the member's plan of care. The provider is responsible for having adequate backup staff in the event the originally scheduled worker cannot provide services in accordance with the plan of care
- . The agency will comply with timely submission of any and all information needed regarding the member visit status, i.e. late and missed visits
- . The agency will schedule all visits in EVV in advance
- . The agency will work all EVV exceptions within 24 hours of occurrence
- . The agency only has 120 days from the actual date of service to submit claims to the MCO
- . The agency will verify a member's eligibility prior to providing services

- . The agency will train all staff that provide services in the member's home how to clock in and out of the system as well as enter the task performed while in the member's home. Training must include education for workers on what to expect if the system is not utilized correctly
- . The agency will have a mechanism in place for updating staff contact information in the EVV system and with Sandata, Therap etc.
- . The agency will have a process for notifying the MCO of any member status change, i.e. hospitalizations, vacations, or nursing facility stays

2-29. INCLEMENT AND DANGEROUS WEATHER

In the event of snow, ice, storms and other inclement weather, the agency reserves the right to adjust these practices depending upon circumstances in the time and context of each location. The management may choose to have transportation arranged for direct workers, DSPs and LPNS to be taken to work. The individual employee will be expected to take advantage of these resources unless there are serious limiting circumstances. The employee should make every reasonable effort to work their scheduled shift. This is also intended for office staff. The agency does not expect anyone to place themselves at undue risk of danger. Office staff may at times be approved to work remotely instead of reporting to the office during inclement weather.

At times, workers, including managers may be required to work longer or to take on shifts, to stay over 16 hours for their own safety and for the operation of homes. The agency may choose to pay for sleep time during these unavoidable circumstances. Staff should work together at all times with their team members to work out arrangements so that our homes are never left unsupervised. This is the main idea behind this policy. The agency may choose to pay stipends and incentives to staff who work during difficult times.

Everyone should be careful when moving around on threatening ground surfaces, i.e. snow, ice, flooded floors etc. All efforts should be made to avoid risks of falling and harm. When inclement weather is in progress, staff working in homes should stay in contact with management often throughout the day. If known in advance, efforts to secure food, heaters, de-icer etc. should be made ahead of the event.

No automatic approval of time off will be made for inclement weather ahead of time. Approval will be on case by case basis. In cases where approval is not officially given, there may be disciplinary action.

2-30. Open Door Policy

All employees have the opportunity to express ideas and opinions to management. The Agency believes that open communication is essential to a successful work environment, as well as to the Agency's success. All employees may express ideas and opinions directly to Agency management. Employees who would like to bring an idea or suggestion to the Agency's attention, or just simply wishes to discuss an issue not covered by a separate reporting procedure, are always welcome to send an email or make a call to Human Resources.

Section 3 - COMMON TERMS AND DEFINITIONS

3-1. Terms and Definitions

DEFINITIONS

Some of the terms used throughout this policy manual are defined as follows:

A. "Accidents" within the meaning of this policy means an occurrence where an employee is injured in the workplace or in the scope of employment which must be recorded in the OSHA 300 log; an employee causes injury to another employee, person served or the public through his or her actions; the employee creates a hazardous situation which represents danger either to the employee, another employee, a person served, or the general public; or an employee is involved in a vehicular accident in a BRS vehicle or while using BRS equipment or while on BRS business.

B. "Alcohol" as used in these rules shall have the same meaning as in the federal regulations describing procedures for the testing of alcohol by programs operating pursuant to the authority of the United States Department of Transportation as currently compiled at 49 Code of Federal Regulations (C.F.R.) Part 40.

C. "Alcohol test" means an analysis of breath, or blood, or any other analysis, which determines the presence, and level or absence of alcohol as authorized by the relevant regulations of the United States Department of Transportation.

D. "Conviction" means a finding of guilt, including a plea of guilty or no contest, by any judicial body charged with the responsibility to determine violations of federal or state criminal alcohol or drug statutes.

E. "Confirmation test," "confirmed test," or "confirmed drug test" means a second analytical procedure used to identify the presence of a specific drug, or alcohol, or metabolite in a specimen. Confirmation testing must be done by certified agency using approved methods providing requisite specificity, sensitivity, and quantitative accuracy.

F. "Drug" means any controlled substance subject to testing pursuant to drug testing regulations adopted by the United States Department of Transportation.

G. "Drug rehabilitation program" means a service provider that provides confidential, timely and expert identification, assessment and resolution of employee drug or alcohol abuse.

H. "Employee" means a full-time, part-time, or temporary employee of Buffalo River Services, Inc.

I. "Employee Assistance Program (EAP)" provides confidential counseling and referral services to employees for assistance with such problems as drug and/or alcohol abuse or addiction. It is the employee's responsibility to seek assistance from the EAP prior to reaching a point where his or her judgment, performance, or behavior has led to imminent disciplinary action. Participation in the EAP after the disciplinary process has begun may not preclude disciplinary action, up to and including termination of employment

J. "Fail a test" or "test positive," means that the alcohol or drug test shows positive for a prohibited drug or alcohol in a person's system.

K. "Injury" means a harm or damage to an employee occurring in the workplace or in the scope of employment which must be recorded, in accordance with Occupational Safety and Health Administration (OSHA) reporting guidelines, in the covered employer's OSHA 200 log.

L. "Prohibited drug" means the drugs and classes of drugs, which are tested for under this policy. This policy tests for the presence of the following five classes or panels of drugs: amphetamines, cocaine, marijuana, opiates, and phencyclidine ("PCP").

M. "Substance abuse professional" means a licensed physician; i.e., a medical doctor (or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor) certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission, with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders.

N. "Post-accident" - conducted after accidents on employees whose performance could have contributed to the accident (as determined by a citation for a moving traffic violation) and for all fatal accidents even if the employee is not cited for a moving traffic violation.

O. "Reasonable suspicion" - conducted when a trained supervisor or company official observes behavior or appearance that is characteristic of drug or alcohol misuse.

P. "Random" - conducted on a random unannounced basis just before, during, or just after

performance of safety-sensitive functions, meaning basically any time while the employee is working, just before working or just after performing any job function at BRS.

Q. "Return-to-duty and follow-up" - conducted when an employee who has violated the prohibited alcohol conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced. At least 6 tests must be conducted in the first 12 months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return to duty.

R. "Safety-sensitive" - All jobs and functions at all locations of Buffalo River Services, Inc., at any time or day, everyday are considered safety-sensitive. We are responsible for the wellness and safety of vulnerable people all the time. Each and every employee might at any time be called upon to provide direct support and service for an individual served. Extreme care and caution is necessary at all times to protect the life and well being of those whom we serve.

S. "VP " means a Vice President of BRS.

T. CEO means Chief Executive Officer

U. "Classification/Reclassification" means the placement of a position in a specific job classification at a specific pay grade based on the duties and responsibilities of the position.

V. "Compensation" means the combination of salary or wages and benefits provided to an employee.

W. "Discipline" means any action taken by the executive director, human resources or a supervisor that is designed to correct the job performance or work-related behavior of an employee.

X. "Employee" means an individual who receives compensation for employment with BRS.

Y. "Executive Director" should be replaced with Chief Executive Officer.

Z. "Exempt employee" means an employee who is not subject to the overtime requirements of the Fair Labor Standards Act.

AA. "Non-exempt employee" means an employee who occupies a position that is subject to the

minimum wage and overtime requirements of the Fair Labor Standards Act.

BB. "Promotion" means the reassignment of an employee from the employee's present position to another existing position that is at a higher pay grade.

CC. "Salary" means a fixed portion of an employee's compensation that is paid on a regularly scheduled basis.

DD. "Supervisor" means an employee who is responsible for assigning work to others, determining the standards of performance, and providing formal evaluations of others' work performance. The term "supervisor" may be used interchangeably with the term "manager" and/or "team leader".

EE. "Temporary employee" means an individual employed in a position that is time-limited in duration.

FF. "Transfer" means a personnel action that results in the reassignment of an employee from one position to a different position that has the same pay grade as the employee's previous position and that does not result in a break in service.

Section 4 - SAFETY AND HEALTH

4-1. Flu Vaccinations and TB Skin Tests

The agency will offer a flu vaccine to all employees annually at no cost to the employee as long as the agency is financially able to do so. Each employee must sign a form either accepting or declining the flu vaccine.

All nursing staff are required to have a valid TB Skin test or chest x-ray at time of employment and annually thereafter. Nursing staff are also required to have an annual doctor's note stating they are free from communicable diseases. All other staff are only required to have a TB Skin Test if exposed.

4-2. Infectious or Communicable Diseases

In order to reduce the incidence and spread of infectious or communicable disease, the following procedures shall be implemented:

1. Any employee contracting an infectious or communicable disease must inform their supervisor or oncall manager immediately.
2. Upon request of management, the employee shall present a physician's statement concerning the status of the disease.
3. Employees with an infectious or communicable disease will not be allowed to perform work that will bring them into direct contact with a person(s) supported.
4. The Executive Director or designee, in consultation with the supervisor and in accordance with policy, shall determine the employee's work assignment or work status.
5. Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. BRS, Inc. supports these endeavors as long as employees are able to meet acceptable performance standards and physical requirements. As in the case of other disabilities, BRS, Inc. will make reasonable accommodations, in accordance with all legal requirements unless it creates an undue hardship, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.
6. Medical information of individual employees is treated confidentially. BRS, Inc. will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.
7. Employees with questions or concerns about life-threatening illnesses are encouraged to contact Human Resources or the BRS, Inc. Employee Assistance Program for information and referral to appropriate services and resources.

4-3. Employee Safety

The Agency provides a work environment as free as possible from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by management or by federal, state or local law.

To assist in providing a safe and healthful work environment for employees, persons supported, and visitors, BRS, Inc. has established a workplace safety program. This program is a top priority for BRS, Inc. The Safety Officer has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all.

BRS, Inc. provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, memos, emails, or other written communications.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

1. The Executive Director has appointed a Safety Officer who is the Leader of the Safety Committee. This team is assigned the task of developing a comprehensive safety program suited for the Agency's particular needs. The responsibilities include:
 - a. Monitoring compliance with the Agency's safety rules and regulations and the applicable safety and health standards established by the Occupational Safety and Health Administration (OSHA);
 - b. Investigating, correcting and eliminating recognized unsafe working conditions or potential hazards;
 - c. Representing the Agency during investigations conducted by OSHA, DIDD, Fire Marshall, etc.;
 - d. Establishing fire prevention programs and monitoring fire drills; and
 - e. Investigating all accidents and fires involving the Agency employees or which occur on the Agency's premises, and preparing all reports.

All employees are to:

1. Inspect their work areas periodically.
2. Familiarize themselves with all safety and health procedures relevant to their work.
3. Receive safety training.
4. Identify conditions that are recognized as being unsafe.
5. Report accidents to the team leader in writing. The supervisor should send a report to the administrative office the same day as the accident.

4-4. Maintenance of Work Areas

For reasons of public image, safety, health and security, all employees are expected to keep their work areas organized, clean and orderly at all times. This includes vehicles.

The following rules and policies are always to be followed:

1. Employees are responsible for the orderliness and cleanliness of their work areas. This includes:
 - a. cleaning the area and restrooms
 - b. storage of all work materials in designated areas
 - c. emptying waste cans which contain materials that will spoil (i.e. food waste)
2. Machines, equipment, and supplies should be properly used and cared for during business hours. They should be stored, covered, and turned off when not in use.
3. Desks and other work areas should be free of clutter and waste materials.
4. Personal attention and concern for safety by employees in the work place will avoid unnecessary accidents.
 - a. Only one file cabinet drawer should be opened at one time.
 - b. Desk drawers should be closed immediately after use.
 - c. Electrical and phone cords should be kept away from walkways. Extension cords should be avoided.
 - d. Objects which may cause a fall should be removed from areas where someone could trip.
 - e. Sharp objects should be properly stored in areas away from general traffic.
5. Food and beverages should be consumed only in designated areas.
6. At the end of the workday, all cabinets and files should be locked. Designated equipment, computers, and lights should be turned off. Materials of a sensitive or confidential nature should be stored properly in a locked cabinet. All outside doors should be properly secured.

4-5. Disease Pandemic and Safety

When Public Health Emergencies or Crisis illness occurs, i.e. CONTAGIOUS DISEASES, such as Covid - 19, the following will occur:

The agency leadership will communicate with federal, state, and local agencies as well as with other providers to learn how occurrences/outbreaks/issues have emerged and/or have been addressed/resolved, and procedures that have occurred to determine what's working and what's not working. In any event such as a Public Health Emergency or pandemic, all elements of this Action Plan will seek guidance from the following sources, including but not limited to:

- Centers for Disease Control and Prevention (CDC)
- World Health Organization (WHO)
- Red Cross
- TennCare
- Tennessee Department of Intellectual and Developmental Disabilities (DIDD)

- Local Health Department
- Advice & Counsel from fellow organizations & businesses

These sources and others will be consulted on a continuous and ongoing basis as the crisis develops and conditions change.

The CEO will call to order and direct the leadership into an adhoc **Health & Safety Committee** to promote collaboration, flexibility, and adaptability for the purpose of determining an organizational plan that includes initiation of an emergency plan of action at varying levels of urgency with Directors and team members. This committee will also serve to review and update the Public Health Emergency & Crisis Plan Best Practice/Policy & Procedures. This committee will meet as needed and also may include authorized alternate service delivery options based on local and state guidelines, including measures of isolation or partial or full closure of various programs. **Updates will be made to Buffalo River Services, Inc.'s website, email, letters and social media pages apprising families, employees, and associated members of the organization's operational status.**

In addition, the leadership will issue statements to family members, conservators, staff, and to the general public, via news/social media, promptly and regularly as needed. The CEO-Executive Director will update the board as needed.

In certain cases, employees' work schedules, locations and duties may change based on an as-needed basis. These decisions will be made after discussions with the leadership team and approval of the CEO.

Guidance will be sought from CDC & WHO, Tennessee Departments of Intellectual and Developmental Disabilities and Health to ensure:

- Planning for surge onset based on CDC projections.
- Limiting the spread of infectious disease within homes and facilities.
- Protecting healthcare and direct care workers and person's supported.
- Learning ways to maintain, augment, and stretch the workforce.
- Prioritizing healthcare resources in an organized way to do the greatest good for the greatest number of people.(Planning the Calm before the Crisis – Relias 03-17-20)

Leadership will begin immediately by assessing and communicating determinations that include:

- Inventory checks, monitoring supplies and assisting with procurement from alternate suppliers.
- Critical High-Risk Persons Identification.
- Food and Supply orders are adequate and maintained.
- Ensuring careful oversight of changes in care that accurately reflect changing service delivery specifications in varied location settings.
- Assessing staffing plans and making changes based on the number of available staff.
- Assisting Directors with schedule changes and reassignment of staff. (To ensure the least amount of risk exposure is maintained by avoiding unnecessary cross-working in home-to-home scenarios.)
- Carrying out directives issued by the CEO-Executive Director and Leadership.
- Ensure that all actions work within policies, procedure, and best practices, including ensuring that unannounced and supervisory visits occur regularly to maintain compliance and well-being of all persons supported. Including calling homes to do screenings etc.

- Receiving reports from the RN and the lead LPN that include constant monitoring and status of all persons, employees or persons supported, regarding illness status and wellness.
- Ensuring that the quality and integrity of care and oversight continues in the programs and homes and supervisory oversight continues, even as supervision requirements may change and focus on telephonic or email communication methods when a crisis dictates that a level of social distancing is required.
- Maintaining contact with DIDD and MCO's to adhere to specific allowances or requirements during crisis/ illness times.
- Working alongside the Direct Support Staff and Team Leaders in assuring safety & security for those people attending the various programs from private homes, people working in the community, or those still wishing to receive community participation services, if they are offered.
- All findings and recommendations for follow-through and orders will be presented to the CEO for approval.

The Register Nurse and Lead LPN:

The RN and Lead LPN serve to inform and advise the leadership and the adhoc Health & Safety Committee on vital medical and health considerations for organizational planning as pertinent for changing crisis/illness scenarios.

Leadership, the RN and Lead LPN will maintain contact with entities regarding regional health services and will ensure signage & communications are developed for the uniform understanding by all staff as it relates to protocols, screenings, processes, etc. Suspected exposure to illness or contagions will be immediately reported to the leadership (on-call if after hours) for further assessment and determination. Anyone answering yes to the screening tool questions which indicates illness (See Screening Tool) must be assessed by the Director of Health Services for next steps before entering the workplace.

The Leadership Team comprised of the CEO, the Chief of Compliance, Quality Assurance, RN, Lead LPN, Directors, Administrative Assistant and others as appointed will be the organization's central command in remaining apprised of all emerging information as it relates to developing pandemics, epidemics, and/or public health crises. Action Plans will be developed for the health and safety of the organization's person's supported and staff to include both the homes in the community as well as any agency facilities or operation sites, and shall be approved and communicated by the CEO.

The Leadership Team will:

- Set the tone and educate Directors on the approach needed to best deal with emerging health needs.
- Ensure that all homes have necessary information posted for staff instruction on appropriate precautions and procedures.
- Ensure that all homes have the necessary Personal Protective Equipment.
- Ensure all agency affiliated facilities with persons supported or employees have the necessary Personal Protective Equipment and follow the same guidelines as the main facility.

As phases of any outbreak escalate, so too should the level of the organization's due diligence. At some point, program suspensions or limitations of certain supports and activities may be temporarily suspended due to associated risks or staffing needs. Temporary relocations may occur due to

increased staffing burdens or fluctuations of illnesses. These recommendations and decisions are made with careful consideration and must be approved by the CEO.

Health Care Discussions & Planning will include preparations for illness surges in homes or in facility-based locations, or agency location sites, and how CDC projections recommend action for conducting business safely, self-isolation, treatment at home or in the hospitals as it relates to specific regions of the country.

Ongoing communication will be communicated through Directors on the current status of crisis/illness updates regarding ongoing prevention, treatment, and processes to Team Leaders and Lead Staff, and to all staff at various locations through memos, TIMAS emails, and telephone calls or texts etc. as part of an effort to educate staff and families of how to limit the spread of illness within the homes, facilities, and to the public, employees or other persons supported.

The Leadership Team

Serves to advise the Health & Safety Committee and to ensure that efforts and practices relating to crisis preparation are considered as it relates to Mandt/Positive Behavior Supports, and to facilitate actions necessary for people have a sense of normalcy during periods of altered day to day status, whether at home, work, or in the community. This also includes ensuring discussions of options for continued employment or community participation when it is reasonably safe to do so, and by person's right and staffing availability .

- Ensure practices regarding compliance occur agency wide in hiring, training, and all organizational program components, including abbreviation or temporary suspension of some nonessential trainings.
- Members of the Leadership will Log Public Health Emergency communications from all entities and ensure policies, procedures, and best practices are formed, occur, and are maintained as crisis/illness develops at every stage.
- Maintain communication with DIDD Provider Supports and ensure necessary changes to organizational procedures occur to reflect changing needs with regard to policy, training, and Public Health Emergency planning measures in conjunction with the Health & Safety Committee.
- Assure that all persons are aware of Protection from Harm changes and reporting methods to meet CDC or DIDD, TennCare guidelines. Including reporting all person supported testing, confirmations reported to hotline, and subsequent notifications as required.
- Create/Update Policies and Procedures/Best Practices/Forms.
- To ensure all areas of service delivery are considered in planning strategies for safe operation and compliance with CDC guidelines.

Supports & Services **

Day Services - may alter typical day to day activities as deemed necessary for the benefit of all persons supported and to meet family and organizational needs.

Employment Services may alter in ways dependent upon the employers of persons supported. Such alterations may result in the person securing private transportation or the person may elect to stay home.

Schedules and classes may experience some modifications to the original schedule and locations.

In cases where staffing becomes problematic, resulting actions will include temporary measures for securing assistance from previously trained/former DSP office staff and, in extreme cases, sources such as office staff, local volunteers, families, churches, and/or natural supports, etc. may be utilized.

*** The application of these procedures will be identified in the Health Section below.**

**** While all adjustments to service programs will attempt to adhere to DIDD and TennCare guidance, the organization will reserve the right to take whatever additional steps it deems necessary for the safety and health of the people we support and our employees.**

TRANSPORTATION SERVICES

In the event that people supported choose to use transportation by Buffalo River Services, Inc. to go out into the community for services, work, or community participation, the organization will attempt in every way possible to see that transportation is made available within the guidance of federal, state, and local officials. Extreme caution will be taken to clean and sanitize the inside of all agency vehicles, including seats, door knobs, windows, etc. before transporting the next person. To ensure that the people supported are exercising their right to make informed choices and still remain safe, supporting staff should consult with management to validate the purpose of the outing.

Emergency travel to and from medical appointments or ER should practice extreme sanitation of all vehicles before and after use to avoid any potential risks for cross contamination during the crisis.

In cases where deemed unsafe, travel may be temporarily suspended until such time as the CDC & WHO announce a change in their position.

HEALTH

During onset and escalating Public Health Emergencies Use these Prevention Strategies –

- Handwashing - Wash hands often, or use sanitizer.
- Coughing & Sneezing strategies - cough or sneeze into the crook of your elbow or into a tissue.
- Social Distancing - practice staying 6ft minimally away from people.
- Know where and how to use Personal Protective Equipment - (PPE)
 - PPE should be changed each time a person leaves the room when working with active contagious diseases.
 - How to properly use PPE for maximum protection, i.e. masks over nose and mouth.
 - PPE consists of masks, face shields, isolation gowns, eye protection, and exam gloves.
 - Face shields may be reused but need to be disinfected with each use.
 - Staff should not share a face shield.
 - Rationing and careful use of existing supplies of PPE will likely be necessary.
 - The locations of approved testing sites will be communicated to all management personnel.
 - Via the DIDD self-testing for DSPs, it may be available and all DSPs who self-test will follow DIDD guidelines.
- Be advised the use of masks is required in all cases of close contact, i.e. mealtimes, oral care, bathing etc.
- The safety and prevention of risk of exposure to all persons supported must be first in Buffalo River Services, Inc. Employee Strategies. Wear a Mask, Wear Gloves. Stay 6ft or further apart

when possible. If there are concerns or questions about this, please call your supervisor, agency nurse or someone in leadership.

- All staff and individuals in a vehicle must wear a mask.
- In the office buildings, all personnel must also wear masks when around others less than 6 feet.
- The usage of PPE remains until Buffalo River Services, Inc. The Health and Safety Committee indicates otherwise.
- IN office buildings, if staff are in an office alone, a mask does not need to be worn. However, if someone enters, the mask should be accessible and worn during the visit.
- All office areas which are shared will be evaluated for risk factors, i.e. spacing, constant flow of traffic etc. Adjustments will be made to minimize risk exposure by relocations, adjusting practices, i.e. using mailboxes instead of "in person" drop offs, measured furniture placements for safe distancing etc.
- Employees who wish to take vacations must submit vacation plans and locations for review by the leadership to determine if the leave will be approved and what next steps will need to be upon return, i.e. traveling to a hot spot will require a CONTAGIOUS DISEASES Test.
- Employees will not have the option of refusing a test if requested by management. The tests are of no cost at the Health Department.
- The Safety Committee will continue to meet, evaluate and communicate about changes in agency actions as the health crisis progresses or improves.

CDC – Guidelines for persons supported

Care at Home strategies can help stop the spread of illnesses and help protect people who are at risk of becoming seriously ill.

Monitor for signs or symptoms of illness, prevent the spread of germs, treat symptoms, and carefully consider when to end home isolation.

- Fever
- Feeling unwell
- Runny nose
- Stuffy nose
- Loss of smell/appetite
- Fatigue
- Body aches
- Pink eye
- Cough

Monitor the person for worsening symptoms. Know the emergency warning signs.

*Keep healthcare provider's contact information on hand.

*If it appears the person is getting sicker, call the healthcare provider. For medical emergencies, call 911 and notify the dispatch personnel about what illness they are suspected to be infected with.

- Emergency symptoms may include:
- Trouble breathing
- Persistent pain or pressure in the chest

- New confusion or inability to arouse
- Bluish lips or face
- Other unusual symptoms

Prevent the spread of germs when caring for someone who is sick

*Have the person stay in one room, away from other people, including yourself, as much as possible.

- If possible, have them use a separate bathroom.
- Avoid sharing personal household items, like dishes, towels, and bedding.
- If facemasks are available, have them wear a facemask when they are around people, including you.
- If the sick person can't wear a facemask, you should wear one while in the same room with them, if facemasks are available.
- If the sick person needs to be around others (within the home, in a vehicle, or a doctor's office), they should wear a face mask.

*Wash your hands often with soap and water for at least 20 seconds, especially after interacting with the sick person. If soap and water are not readily available, use a hand sanitizer that contains 60% alcohol. Cover all surfaces of your hands and rub them together until they feel dry.

- Avoid touching your eyes, nose and mouth.
- Clean all surfaces every day that are touched, often like counters, tablecloths, and doorknobs.
- Use household cleaning sprays or wipes according to the label instructions.

*Wash laundry thoroughly

- If laundry is soiled, wear disposable gloves and keep the soiled items away from your body while laundering.
- Wash your hands immediately after removing your gloves.

*Avoid having any visitors.

*For any additional questions about a person's care, contact their healthcare provider or state or local health department.

*Make sure the sick person drinks a lot of fluids to stay hydrated and rests at home.

*Over the counter medicines may help with symptoms.

*For most people, symptoms last a few days and get better after a week.

When to end home isolation (staying home)

People with CONTAGIOUS DISEASES-19, or other illnesses who have stayed home (Home Isolated) can stop home isolation under the following conditions:

If they will not have a test to determine if they are still contagious, they can leave home after these three things have happened:

1. They have had no fever for at least 72 hours (that is 3 full days of no fever without the use of medicine that reduces fevers, and
2. Other symptoms have improved (for example, when their cough or shortness of breath has improved, and
3. At least 10 days have passed since their symptoms first appeared.

If they will be tested to determine if they are still contagious, they can leave home after these three things have happened:

1. They no longer have a fever (without the use of medicine that reduces fevers).
2. Other symptoms have improved (for example, when their cough or shortness of breath has improved).
3. They received two negative tests in a row, 24 hours apart. Their doctor will sign an "all clear".

Page last reviewed: August 13, 2020

Content source: National Center for Immunization and Respiratory Diseases (NCIRD), Division of Viral Diseases

Staffing in an infected (CONTAGIOUS DISEASES) home

Safer at home scenarios means that in all cases, where possible, the same staff should report to work in the same homes/work locations in order to minimize risk of exposure from an outside source. This holds true even when persons supported are known to already have the infection.

Staffing for persons supported that have tested positive for CONTAGIOUS DISEASES should be limited to as few DSP's as possible. These DSP's should not work with people who are not infected.

When one person in a home is infected and is isolated from common rooms and other people in the home, this is known as **In-Home Isolation**. People who are infected with CONTAGIOUS DISEASES and are In-Home Isolation should have their own staff, their own room and their own bathroom. Great care and diligence should occur to keep the remaining members of the household safe and avoid cross contamination through handwashing, social distancing, self-isolation and preventing any possibility of blending of items/ meals/ bathrooms etc. If there are concerns or specific problems with adherence to this procedure, you must contact your supervisor immediately.

PPE must be worn when supporting people and must be changed before working with the next person supported. Fabric face masks must be changed, disinfected, and washed regularly. Even though fabric masks are reusable, they must not be re-worn after exposure to a sick person & area. A new face mask must be worn upon re-entry into the sick area.

When a person/employee is confirmed ill, the home will be in **Quarantine until 14 days after the last person's illness/exposure or unless cleared by Buffalo River Services, Inc. Leadership.**

When everyone in a home is infected with an illness, it should be in **Quarantine**. This will allow for greater optimization of PPE because it doesn't have to be changed after each contact with a person

infected, since everyone is infected.

Homemade or alternative equipment may be useful; however, care should be taken to ensure that any alternative type of mask for an infected person allows for adequate breathability.

RESIDENTIAL SERVICES

Preventative Measures during a rising crisis will often change with the ongoing evolution of the crisis. In cases where it may be permissible to go out during the early phases of an outbreak, as the crisis escalates, travel and exposure risks may indicate more severe restrictions on activity. The guidance expressed by federal, state, and local officials will be the gauge on how Buffalo River Services, Inc. proceeds in its practices.

During times of Public Health Emergencies, all homes should have at minimum 15 days' worth of food and supplies, access to the crisis/illness response plan, and communicate with management frequently to receive and relay valuable operational and support information. The Directors of Residential Services will ensure all homes are adequately staffed and maintained and inventory levels are sufficient.

It is of critical importance that management continuously project a positive attitude and maintain a calm and measured approach during daily staff interactions and communication. At no time must the appearance of fear and/or panic be allowed to rise to a level where persons supported are affected by staff reactions.

All staff are encouraged to exercise restraint when shopping, conserve food inventory in the home, and to practice strong health practices, including frequent hand-washing and sanitizing surfaces when cooking and preparing meals to minimize the risk of exposure to illnesses. Staff must at all times ensure that the people supported are well hydrated and are practicing social distancing when necessary. The Lead LPN will issue posters on a variety of topics from good handwashing, Infection Prevention, Signs/Symptoms etc.

In some cases, management oversight may occur through telephonic means, emails, or virtual meetings when available technology exists. During periods when face to face oversight visits are limited, all supervisors are expected to increase and document telephonic or electronic communications. This will help staff in the homes have a source to depend on for advice and counsel, and to keep the supervisors abreast of any emerging issues which can then be communicated to the ISC/Conservator/Director.

During a Public Health Emergency, staff working in Supported Living Homes should be prepared to stay over in the event that the next shift is not able to report to work as scheduled, and should keep a change of clothing and supplies on hand in the event of extreme emergencies.

To maintain a sense of normalcy, staff should be prepared to do a variety of activities with the persons supported to minimize the risk of "cabin fever," boredom, anxiety, or acting out behaviors. People who are accustomed to going out every day may not understand the sudden change in their day-to-day routine and may need frequent redirection and encouragement. Staff should always account for a person's unique and individualized response to stressors and support them accordingly.

During the early phases of a Public Health Emergency, when official guidance permits, it is possible some day to day and community functions may be participated in if certain health criteria are met. If people in the home elect to go to the community, staff should first take their temperature. Community

outings should be limited and not involve being around other people if possible. If their temperature has a reading of less than 99.6 they are eligible to attend the Day Program, go to their work site, or to their preferred community outing. If the person supported has a fever or is presenting symptoms including but not limited to fever, coughing, runny nose, etc., then staff must contact Leadership or nurse immediately and begin isolation and disinfecting procedures in the home and arrange for housemates to be separated in order to minimize the risk of cross contamination. There should be no sharing of items, bathrooms, or meals between persons supported when such procedures are in effect.

If a person in a home exhibits signs or symptoms of illness, steps should be taken immediately to follow all CDC and local guidance and recommendations for caring for someone at home.

COMMUNITY PARTICIPATION SERVICES

During the early phases of a Public Health Emergency and in keeping with the HCBS settings rule, the people that are supported will follow the lead of official CDC and local guidance in their communities. If the local community is staying home to minimize risks of contagion through community spread, then so too should the people supported, unless they specifically request to go out into the community.

Their need/request will be reviewed by management and will be vetted in order to establish if the want/need for the outing justifies the risk of exposure to the people supported and the staff members. At no time should the people supported or staff be put at risk for non-essential activities. Informed choices should be offered to people supported and can include different alternatives that may allow choosing locations and times that are agreeable and that still helps people participate without exposing themselves to large groups of people or in unsafe locations. In most cases, schedules and routines will need to be altered to keep all people safe at all times. Routine doctor visits will be rescheduled unless deemed urgent or done by telemedicine where possible, banking and eating out should be done through drive-through only, etc. The precautions and guidance initiated by the agency will in no way be targeted towards persons with intellectual disabilities, but will instead be what is accepted for all persons of society. During Public Health Emergencies, special considerations and restrictions will be implemented for the greater good.

HOUSEKEEPING

Housekeeping and other assigned staff will all assume responsibility for the daily cleanliness and disinfecting of all areas of the offices. Staff will ensure meeting areas or areas of high use are cleaned after each use. Each area should have access to cleaning supplies, gloves, and disinfectant sprays.

Housekeeping will ensure tissues are accessible for easy access to avoid the spread of contagion through sneezing or coughing, and that tissues are available in all areas where people are gathered.

Soap dispensers, hand sanitation stations, and paper supplies will be checked routinely.

Order needs will be communicated daily to the COO who will order supplies when necessary.

All staff must assume responsibility for cleaning and disinfecting items in their work area, i.e. keyboards, telephone, etc.

Upon Health & Safety Committee Recommendation, the Sanitation Machine may be used to sanitize large areas.

VISITORS

During a Public Health Emergency, people/professional visitors may come into the agency's work site locations under the normal requirements of the Visitor Policy. However, the screening tool will be asked and must be answered by the visitor before admitting the visitor to the area. (Some HIPPA privacy rules are suspended during declared public health emergencies) Any visitor answering YES to any of the following questions will NOT be admitted to the center or residence.

- Have you recently traveled outside the country, and if so, where?
- Have you passed thru any airports or ports of call within the last 14 days?
- Have you been anywhere in the US with confirmed cases of CONTAGIOUS DISEASES?
- Have you had known exposure to anyone with CONTAGIOUS DISEASES?
- Have you had any fever or flu like symptoms i.e. signs of respiratory infection, cough, sore throat or shortness of breath over the past 7 days?
- And they must have a temperature of less than 100 degrees.

Any of these answered "yes" will cause the person to be asked to leave and to make connections via phone etc.

A Screening Tool may be used to further evaluate the person's risk associations.

The Lead LPN will post the following Notice in all highly visible areas:

Attention Visitors

We ask that you postpone your visit if you have a fever or undiagnosed respiratory symptoms such as a cough, sore throat or experienced any flu-like symptoms in the past 7 days.

Or

If you have traveled outside the country, passed through any airports or ports of call in the last 14 days, or had known exposure to anyone with CONTAGIOUS DISEASES, or other communicable disease.

Thank you for your assistance in keeping the people we support and our staff healthy!

During a Public Health Emergency, people/professional visitors will be prohibited from entering the work site location. However, they may continue to communicate or conduct business via phone or email. It is likely during this time that the people supported are in their homes practicing "safer at home" strategies and that visits will not be possible in their homes unless otherwise approved by management ahead of time.

In times of high risk, closure, or state/federal declared lock-downs, visitors are prohibited in the building and in homes and only Limited Essential Staff will be permitted into the buildings and worksites. Social Distancing protocols will be followed at all times by the Limited Essential Staff.

The Screening Tool (See Form A)

The Screening Tool will be used for persons supported, families, conservators, new employees and existing staff as deemed necessary by management.

In extreme cases, for example, CONTAGIOUS DISEASES Such as Covid 19, each week a Screening Tool must be completed by all employees and turned in to their supervisor a minimum of one day per week. This is a preventative measure intended to lower the risk of people contaminating others when they may not know they have symptoms.

The Screening Tools will be collected by management and any "yes" responses will require immediate notification to management for assessment. All completed Screening Tools will be retained in the Nurses' Office. The employee should not enter the work location if any "yes" is answered for the questions.

Temperature Assessment Stations

In cases of severe Public Health Emergency, there may be temperature assessment stations set up for the purpose of recording and logging each employee's daily temperature on a form. These stations will be set up in an entry area with adequate space for quick entry & exit if necessary, and will be designated as the only point of entry and exit into the facility or home. Paperwork/logs, sanitizer, thermometers, pens will be available and should be sanitized before and after each person's use.

Anyone exhibiting a temperature of 100 or greater must notify the management (on call if after hours) immediately, and may not report to the work area until after discussing conditions with management. Daily temperature logs must be turned in to management weekly with the Screening Tool.

Temperature B-4 U Enter! If the employee's temperature is within normal range, then the employee may proceed. If the employee exhibits a fever, they must immediately exit and phone the Director of Health Services or designated nurse for further instructions and assessment.

Screening Tools & Temperature Assessment Stations will comply with CDC guidelines.

Oversight/Supervision

Managers may use teleconferencing and Facetime, Zoom , calls etc. to help maintain the integrity of daily supports and services. If needs arise that show a determination of practices, i.e. increased medicine variances, poor logs, increased behaviors, then the supervisor may make needed visits to the home to converse in an area where social distancing is possible and masks must be used.

Scheduling/staffing - Homes should be maintained as risk free as possible, including creating sound staffing patterns by managers. Plan smartly and plan for the people you support to be as healthy as possible with careful consideration. Avoid sending staff to work in multiple homes. (This has the potential of a mass contamination scenario.)

The same staff should work in "consistent" locations as much as possible. There should not be a mix of people coming and going into a person's supported homes. If a DSP works for another agency, they should report any outbreak or exposure to contagious diseases from the other agency.

Applications/Interview/Building Entry

Once a job applicant is called for an interview, they will be given instructions to arrive on the interview date, call ahead of time, and the interviewer will meet them outside with a thermometer and take their temperature if interviewed in person. Telephone or Internet interviews are encouraged.

Once an acceptable temperature reading has been established and the Employee Screening Tool is

completed and found to be in good order, the interview can proceed under masked protection.

In good weather, interviews should be conducted outside. In bad weather, interviews should be held indoors in a location where there is space sufficient to support above average social distancing.

TRAINING

New Employee Orientation & Training Best Practices should include careful consideration of training considered to be "essentially necessary" for persons supported and staff. Since training is basically considered essential when in the caregiving business, it is difficult to define what is essential and what is not essential. All training should be delivered in a safe and responsible manner according to the level of Public Health Emergency that is present.

While there will be extenuating circumstances and unforeseen events, the examples below identify some possible training scenarios.

Training regarding **Mealtime Guidelines** - if a person is not a choking risk or has dysphagia, then classroom Dysphagia training would not be necessary in order for the employee to be hired or to work with that person. However, if a person is likely to choke on food that is not prepared properly, then the risk associated with choking on the wrong texture far outweighs the risk of not training someone. While formal Dysphagia training may not be offered, staff to staff direct training ensures that the new hire is made aware of the specific needs of a person's mealtime guidelines and is competency observed by a signed-off Designated Trainer.

New Hires & TSNi training - All TSNi training must be provided in a responsible manner.

TSNi (Training Specific to the Needs of the Individual)

Seasoned Staff will do the following:

- Provide the new hire with TSNi information.
- Review the information with them, ask questions, and cover specifics in all areas of care and need.
- Verify the importance of stressing specific needs for the health and safety of the person they will be supporting.
- Ask for any further questions.

Existing Staff filling positions & TSNi Training - All TSNi training must be provided in a responsible manner and with the understanding that existing employees are already familiar with the TSNi training process.

Seasoned staff will:

- Provide the new hire with TSNi information.
- Allow the existing staff time to read the material and form any questions.
- Seasoned staff will stress specific needs for health and safety.
- Ask for any further questions.

Responsible and superior care must always be the end goal.

Classroom Trainings - Gathering for essentially necessary training in order to keep the person safe

should always use the 6 feet apart or more social distancing standard and no hands-on approach. This includes Mandt when and if offered, as well as CPR/First Aid or any other class room type setting.

Instructor taught classes will occur in the Waynesboro or Lawrenceburg locations with tables set apart at a minimum of 6 ft. Social distancing will be required between all employees in training/orientation. Training schedules may vary as needed.

At the beginning of the day, each training group/person will be given the **Screening Tool** that must be completed and turned in to the Training Coordinator. If the person answers YES to any of the questions, they must be referred to management immediately.

No more than 6 people and 1 instructor training at the same time.

Trainings may be held outside in good weather.

Training must only be held in designated areas where designated staff are to sanitize after each use.

Training may include more severe restrictions if merited or recommended by CDC, WHO, DIDD, or Red Cross.

Classes may be suspended until the health crisis is over.

For Relias Training

- Computer stations will be 6ft apart.
- The stations will be sanitized daily in the morning, during lunch, and at the end of the day.
- The Screening Tool will be discussed each day and signed to ensure that from day to day the person remains symptom free.
- If symptoms or known associations occur, the management, through the Department of Health, will provide additional screening and assessment.

Additional Supports i.e. Seating and Positioning Clinics may be suspended. DIDD Investigations may be held telephonically as well as other meetings related to a person or their services. Incident Management meetings may be done via email and will have a signature sheet indicating the people involved and the nature of the meeting via email.

Pre-scheduled QA, FAR, and ECF surveys (agency or individual) may be postponed or continue based on guidelines and the current status of the Public Health Emergency.

Information regarding disaster preparedness may occur online through various sources.

Behavioral Supports

Behavioral health concerns of both employees and persons supported alike may be exacerbated by the anxiety associated with the spread of disease as well.

Buffalo River Services, Inc. encourages open dialog and communication about preventing the spread of disease and providing positive reinforcement to staff, including encouragement to engage in productive activities versus dwelling on negative circumstances. It is imperative that sound communication occurs and a sense of normalcy be maintained as much as possible in day to day life. Doing things that instill a sense of calm and security is imperative for both staff and persons

supported. It includes activities that are engaging and include multi-sensory approaches. People who are not stimulated will often become anxious or behaviorally aggressive. Staff must be cognizant of the people they support and potential behavioral support needs.

If there are emerging Behavior Support or Mental Health needs, please contact management immediately.

Behavior Support Plans and Guidelines should be followed at all times and continually monitored, and any issues documented.

Responsible Employee Expectations

It is expected from each and every employee of Buffalo River Services, Inc. to lead and conduct business in a normal and deliberate manner under whatever conditions exist. At no time should an employee without authorization or direct knowledge:

1. Speculate about an illness.
2. Communicate without confirmed knowledge as to the possibility of a known risk.
3. Withhold knowledge of a potential risk or case from Director Level staff.
4. Conduct business in a panicked and unprofessional manner.
5. Demonstrate behavior that causes disharmony or fear in people or coworkers.

It is essential that all staff remain calm and provide the same level of high-quality care as every other day. Staff should know if they are feeling worried or panicked. They should contact their Director level staff.

It is essential that all staff understand that if they feel like they are themselves a possible risk of contagion, they need to self-report this to their director immediately.

If staff know they have a family member who is sick and they are scheduled to work, **THEY SHOULD NOT REPORT TO WORK WITHOUT THE Management's EXPRESSED APPROVAL**. Employees will not be allowed to return to work without executive management authorization.

Any person disregarding this step risks potentially infecting multiple people supported and staff.

PLEASE DO NOT COME TO WORK IF YOU HAVE A FAMILY MEMBER WHO IS ILL. SEEK COUNSEL FROM YOUR HEALTHCARE PROVIDER FIRST and inform management. If it is an employee who has been confirmed sick with **CONTAGIOUS DISEASES** or other pandemic/epidemic illness, a doctor's order/release must be submitted before returning to work. See the Return to Work Guideline.

Steps for employees who suspect they may have been exposed by contact with personal contacts, traveled to Hot Spot areas or have been identified by fever.

1. Immediate exit of the facility site and call management at the office or on call if after hours.
2. The employee will not be permitted to work once a fever has been detected, or exposure is detected.
3. A **CONTAGIOUS DISEASES** Test will be required as indicated by Tennessee Law and the remaining time shall be spent under CDC recommended Quarantine Status.
4. Once the employee is made aware of the results, the Lead LPN, the Chief of Compliance or the CEO will be notified for next steps. (i.e. re-staffing, additional staff testing, additional

person supported testing, relocations, etc.

5. The employee will not return to work until they are symptom free or within the 12-14-day period recommended by CDC.

Persons Supported Property & Household Inventory

Staff should ensure that employees are exercising prudent and reasonable measures to safeguard the person's supported inventory and food supply. At no time should staff borrow or take supplies from persons supported home or the main office. These items are the sole property of the designated parties and paid for with their money. Stealing is prohibited and will be handled with expedient action and will include termination of employment and possibly legal action. A household inventory checklist shall be completed/updated as items are discarded and at shift change.

Items should not be shared or borrowed at any time, especially during a Public Health Emergency. Some items can be sanitized, bleached, laundered, etc. Staff should ensure that all items that are handled or mouthed are washed, sanitized, or thrown away. Remember to inform managers when discarding items so that the inventory listing remains current and reconciled.

Buffalo River Services, Inc. employees provide life services to persons with Intellectual and Developmental Disabilities and are considered essential to persons supported & their well-being at every level.

Mental Health & Wellbeing Factors for Buffalo River Services, Inc. CONTAGIOUS DISEASES Heroes (essential staff)

Working under the stresses of a pandemic can quickly weaken a strong workforce. Buffalo River Services, Inc. will do everything in its power to ensure that staff are compensated, safe and appreciated on a regular basis. Front line staff are critical and, for that reason, their presence and availability to work their shifts as normal is paramount. That is why responsible staff behavior in exercising every precaution is essential to maintaining a strong workforce. When staff become lazy or too relaxed in precautions they can become sick, and therefore pose a risk which results in a compromised and weakened work force. Staff's serious attention to details of social distancing, hand washing, covering coughs and sneezes, wearing a mask when within 6ft of someone, and avoiding large crowds is necessary, and when not adhered to can cause an extra unnecessary burden of responsibilities on others to cover unexpected workloads.

Additional Considerations/Precautions -

During employee incentive meals provided by Buffalo River Services, Inc., the following precautions must be observed:

1. Gloves & masks are worn in the preparation of food by designated personnel.
2. No food items are shared, i.e. ketchup bottles, salt and pepper shakers, serving spoons, pitchers etc.
3. All food items must be individually packaged and individually consumed.
4. Drinks should be pre-prepared in cups with ice, no stacked cups, no bowls of ice, and no 2-liter drinks etc. Silverware will be prepacked or prewrapped by designated personnel.
5. Foods should be served by pre-designated and pre-screened staff.
6. When gathering, 6 ft or greater, reminder markers should be present to keep people from getting too close in line. Areas where meals are served should also have signs reminding

people to have social distance and seating should not have more than 3 people at a large table.

7. Potluck dinners/buffets are prohibited. Food sources must be risk free before serving. This cannot happen when prepared in a variety of homes and by numerous people. Food, if prepared, must be prepared at the work site by limited and designated staff, where full precautions can be implemented.

4-6. EMERGENCY PROCEDURES

It is the employee's responsibility to familiarize him/herself with emergency procedures.

1. Monthly emergency drills are conducted to insure that employees know evacuation procedures.
2. If an employee becomes aware of a fire or another emergency, he/she should activate the emergency system and all customers should be immediately evacuated from the building utilizing the nearest evacuation routes. Upon evacuation of the building, all customers and staff should be grouped a safe distance from the structure at the designated area and a count of persons made to determine if all are present. The Executive Director shall be notified as soon as possible but at least within one hour of the occurrence.
3. Personnel shall call the fire department (911) as soon as possible.
4. During periods of thunder and lightning, all customers and staff should come indoors.
5. In the event of tornado warnings, all customers and staff shall go immediately to an inside room of the building and wait, sitting, until the warning is lifted.
6. When a customer is discovered missing, the following procedures should be followed:
 - a. All available personnel should begin an immediate search of the building and grounds.
 - b. If the customer is not located within 10 minutes, the police having local authority should be called and provided with a description of the customer. A picture may be provided from the customer's file.
 - c. The Program Director should be called as soon as possible, but at least within one hour. If after office hours, the "On Call" number should be called.

Major disaster will be defined as fire, earthquake, tornado or any other type of natural or unnatural phenomenon that will damage a building so that it cannot be safely used.

If in the event we have a major disaster to one of our day buildings, we will proceed to ask the National Guard Armory in the respective county to allow us to bring our customers to their facilities for temporary occupation until such time that a more permanent building can be found. Community organizations such as churches and civic clubs should be approached for both financial assistance and volunteer help to move the Agency back in to a normal routine as soon as possible. Temporary housing for day activities should be found that will allow for the meeting of the fire and safety codes of the Department of Mental Health and Mental Retardation Licensure and the State Fire Marshall's office.

In the event of such disaster, staff must notify the Executive Director immediately and then proceed

to notify all appropriate state personnel. It goes without saying, that during such event happening, all procedures for fire, tornado and other disaster drills will be followed should this occur while during operating hours.

If the disaster occurs at one of the residential units, immediate shelter will be located at one of the National Guard Armory stations in the respective county or in another dually designated location as described by that county's emergency plan. This could be church or other public building. After the immediate crisis is over, the residents may be moved to an arranged living quarter at local hotels or other such establishments.

All salaried staff members are expected to assist in the assessment and stabilization of any such event of disaster to any property of the Agency at any given time. Shifts will be created to minimize the risk of fatigue by staff during the stabilization process.

If needed, professional counselors will be obtained to assist consumers in the adjustment of the trauma of losing home or day building. Routines will be established as quickly as possible to help in relieving as much stress and anxiety as possible. It will be of utmost importance for the Agency to begin business as usual as soon as possible.

Volunteers will be asked to assist in the repair of buildings or structures if appropriate. Special precautions must be made to insure that customers and families continue to receive services as soon as feasibly possible, preferably not to exceed five working days.

Emergency aid will be sought through local Red Cross chapters and local food and clothing donors. If appropriate, federal funding for disaster relief will be procured as soon as it is available. The Agency insurance agent must be contacted as soon as the Executive Director makes an assessment of the situation.

Medications that may have been lost or destroyed during the event must be replaced as soon as possible. Agency staff will locate the appropriate medical chart for each customer affected in another location that holds the client records. The pharmacists will be contacted with names of physicians and type of medication in order for the prescription to be refilled. This must occur within the same day before 6 hours pass.

4-7. EMERGENCY ON-CALL PROCEDURE For all staff

POLICY:

It is the practice of this agency to have an answering service that will answer call after business hours and on weekends. The answering service will be responsible to notify the staff on call.

PROCEDURE:

Staff may call 931-722-3217 after regular office hours and on weekends for emergencies that cannot wait until regular business hours. This number should only be used for emergencies and/or to give your 12 hour notice after regular office hours and on weekends.

This is an answering service, so when you call, give the operator the following information

- . Your name
- . Where you are working or are scheduled to report to work

- . Your telephone number - the manager on call will call you back
- . The nature of your emergency - you need to give details, as the answering service determines if your call can wait until regular business hours or at least after sleep hours to notify the manager on call
- . You are not to call the on-call manager directly unless they have SPECIFICALLY instructed you to do so. Only call the number listed above
- . If a BRS manager has not returned your call within 45 minutes and you need to report an alleged abuse, mistreatment, neglect and/or exploitation of a person supported, you are to proceed with calling the State Investigator line as noted on the posters in each home. You can report this directly at any time without calling on call. 1-888-633-1313

Section 5 - RECYCLING AND WASTE MANAGEMENT

5-1. Procedure:

BRS, Inc. supports environmental awareness by encouraging recycling and waste management in its business PRACTICE and operating procedures. This support includes a commitment to the purchase, use, and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment.

BRS, Inc. encourages reducing and, when possible, eliminating the use of disposable products. Source reduction decreases the consumption of valuable resources through such workplace PRACTICE as:

- communication through computer networks with e-mail;
- posting memos for all employees;
- two-sided photocopying;
- use of computerized business forms;
- reusing paper clips, folders, and binders;
- reusing packaging materials;
- reusing wooden pallets; and
- turning off lights when not in use.

Whenever possible, employees of BRS, Inc. are encouraged to purchase products for the workplace that contain recycled or easily recyclable materials. Buying recycled products supports recycling and increases the market for recyclable materials.

By recycling, BRS, Inc. is helping to solve trash disposal and control problems facing all of us today. If you have any questions or new ideas and suggestions for the recycling program, contact the Executive Director.

While BRS, Inc. is committed to making reasonable efforts to accommodate an Employee's personal request for an alternative work arrangement, it is essential that any approved arrangement meets the needs and interests of the Employer, delivers quality service, and provides support to the organization and other Employees. To ensure the success of alternative work arrangements, requests should be made to Human Resources and your supervisor. Fair consideration will be given to requests.

Section 6 - BENEFITS

6-1. Benefits Overview

In addition to good working conditions and competitive pay, it is BRS, Inc.'s policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations and holidays, and insurance and other plan benefits. We are constantly studying and evaluating our benefits programs and policies to better meet present and future requirements. These policies have been developed over the years and continue to be refined to keep up with changing times and needs.

The next few pages contain a brief outline of the benefits programs BRS, Inc. provides employees and their families. Of course, the information presented here is intended to serve only as guidelines.

The descriptions of the insurance and other plan benefits merely highlight certain aspects of the applicable plans for general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon request from the Payroll Clerk. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this handbook.

Further, BRS, Inc. (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement.

While the Agency intends to maintain these employee benefits, it reserves the absolute right to modify, amend or terminate these benefits at any time and for any reason.

If employees have any questions regarding benefits, they should contact the Payroll Clerk.

6-2. Paid Holidays

Full-time employees are eligible to be paid for the following holidays:

SEE PAYROLL OFFICE FOR LIST

When holidays fall or are celebrated on what otherwise would be a regular workday for the eligible employee, eligible employees will receive one (1) day's pay at their regular straight-time rate. Eligible employees who are called in to work on a holiday will receive one (1) day's pay at their regular straight-time rate and an additional payment of straight-time for the actual time they work that day unless otherwise required by applicable law.

6-3. Lactation Accommodations

BRS, Inc. will provide a reasonable amount of break time to accommodate employees desiring to express breast milk for their child, in accordance with and to the extent required by applicable law. The break time, if possible and permitted by applicable law, must run concurrently with rest and meal periods already provided. If the break time cannot run concurrently with rest and meal periods already provided, the break time will be unpaid, subject to applicable law.

The Agency will make reasonable efforts to provide employees with the use of a room or location in close proximity to the employee's work area, other than a bathroom, to express milk in private. This location may be the employee's private office, if applicable. Please consult the Chief of Compliance with questions regarding this policy.

Employees should advise management if they need break time and an area for this purpose. Employees will not be discriminated against or retaliated against for exercising their rights under this policy.

6-4. Workers' Compensation

Staff members are protected under the state worker's compensation law against loss of income due to injury or death that occurs during work activities. The Agency pays the entire cost of the Worker's Compensation insurance premium. Employees must report all job-related accidents, injuries and illnesses immediately after experiencing symptoms. The insurance carrier will determine the benefits, if any, the employee receives.

1. Any employee injured on the job will report the injury immediately to his/her Team Leader and the administrative office, regardless of whether the injury is minor or of no apparent significance.
2. An Incident Report will be completed promptly by the employee, Team Leader or designee to ensure documentation and expedite compensation. The incident report must be turned in or at least called in to the CFO or designee within the same working day as the injury. If the administrative office is closed at the time of injury, the report is due at the next opening of the administrative office. In the event the injury is serious, the person on call must be notified. The administrative office will contact the insurance company and file the necessary documentation.
3. Anytime a staff member has an accident/injury to him/herself, that is not inflicted by another individual, or has a vehicle accident with an Agency vehicle, and Agency management cannot readily determine that it is not the member's fault, the Program Director will perform a drug test as soon as it is reported. This accident investigation will then be forwarded to the Risk Management Committee for peer review. The Risk Management Committee will make recommendations to the Guidance Team about any safety procedures that should be put in place in order to prevent accidents/injuries from occurring again. The Program Director will do the accident investigation within 48 hours of the

accident/injury. A copy of the investigation will be forwarded to the Finance Director and the Risk Management Committee Chairperson.

4. The Agency has the right to deny a claim if the injury is not work-related. Duties may be re-assigned according to physician recommendation and the Executive Director's discretion.

5. If medical care is needed as a result of a work injury, the list of approved physicians is posted on the Agency Bulletin Board at each facility.

If you do not use our approved physicians, we are not liable for any cost that you incur. Contact the Finance Director if you feel you need to see a physician; an appointment can be made for you.

6. An administrative staff may accompany you to the physician at any time and/or make the appointment for you. You may choose only one approved physician, and once this physician is seen, you must see no other physician regarding the injury, unless our approved physician refers you to another physician.

7. At that point, the doctor that you have been referred to is your only approved doctor for Worker's Compensation benefits. The CFO or designee must be notified, in writing, of this referral and any and all appointments with this physician.

8. If you feel you should see a doctor or any other medical provider other than those approved, you must request in writing to the CFO or designee for approval under worker's compensation benefits. The Agency may deny your request. Should you see an unapproved physician, the Agency or its worker compensation carrier will not be responsible for the expenses.

9. You may not, at any time, be seen by two physicians during the same period of time, without the Agency's written permission and both physicians having full knowledge of the treatment plans of the other physician and the CFO having knowledge of any and all appointments scheduled.

10. All claims (medical, pharmacy, etc.) must be filed through the CFO's office. Prescriptions received from an approved physician must be brought to the CFO or designee for approval. The CFO/designee will then send you to an approved pharmacy.

11. In the event lost work time arises from the work injury, it is expected that the employee will abide by the doctors' recommendation as to when and how to return to work. If light duty is available, we expect both the physician and employee to utilize this program, with the only exception being a person who is bed-ridden or very seriously ill. Our Agency will work with the physician's recommendation as long as the Executive Director deems it a possible situation. It is further expected that while out of work, the employee will call in to the CFO/designee on a weekly basis with an update of their condition, physician recommendations, doctor's appointments, etc. The Agency may also contact the physician directly regarding work injuries for recommendations, etc.

12. The Agency tries to make light duty work available for staff who have been injured so they may return to work as soon as possible. Light duty work will be done in the administrative office or other office. It will consist of duties such as answering the telephone, filing, making copies, totaling mileage sheets, and assisting administrative staff in their duties as permitted. A doctor's note is required stating how many hours a staff member may work per day and what the exact limitations are.

Please keep in mind, Worker's Compensation is an insurance benefit for all employees in the event of a work injury. Let's all work together to keep this benefit by being safety conscious every day while working.

Date

Name
Address
Name,

This letter is to inform you that we are accommodating your work injury from (date) by temporarily letting you transfer to work at the office in (Office location) for modified duty. While working on modified duty, your immediate supervisor will be (supervisor name and title). Per your restrictions from (Doctor name and restrictions).

Work Schedule: (Hours they work)

When - (days and time they will work)

Clocking in & out - In TIMAS code to your regular department

On any days when you work six (6) hours or more, you are required to take at least a 30-minute lunch and you are allowed two (2) breaks (not to exceed 10 minutes) if you work at least eight (8) hours on that day. For days you work six (6) hours or less, you are allowed one (1) break.

You will need to contact (Sup. Name) or me if you have to leave early during a regular work schedule. Also, the 12-hour notice policy must be followed when you are going to be absent. The procedure for this is if it is during business hours from 8 a.m. to 4:30 p.m. call and speak to your supervisor (supervisor's name) or me (Amanda) and if it is after hours, call the on-call number (931) 722-3217 and tell them. Your supervisor can be reached at (931) 722-5401 and, if he/she is not available, call me at (931) 253-2303 and leave a detailed message on my voicemail if you don't get me.

While you are working, if anyone asks you to do anything that is not outlined in your doctor's note, please explain that you cannot. If needed, refer them to me, but I am holding you responsible to ensure that you do nothing outside of your restrictions. Also, when individuals are in the office while you are working, please get behind a closed door to prevent future injuries while these restrictions are in effect.

Temporary modified duty is granted until your doctor releases you back to work, or for 4 months only. To return to full duty, a doctor's note stating you can come back to work full duty with no restrictions is required to be turned in to us.

Sincerely,

Amanda Thompson

Cc: supervisor's and admin staff

Building Relationships

Reaching Goals

Supporting Individuals

**** Serving People With Disabilities Since 1972 ****

**** Not to teach, tell or lead, but to listen, support and accompany ****

6-5. Jury and Witness Duty Leave

The Agency assures the salaries of regular full-time employees who are summoned to jury duty or witness duty for up to a maximum of fifteen (15) working days per calendar year.

Procedure:

1. To qualify for jury duty or witness duty leave, employees must submit to the Payroll Clerk a copy of the summons to serve as soon as it is received. In addition, proof of service must be submitted to the Payroll Clerk when the period of jury duty is completed.
2. The Agency will pay the full salary of eligible employees while serving jury duty, less the amount of compensation the employee receives from the courts. Part-time employees will be paid for the hours they are normally scheduled to work.
3. If an employee is served with a subpoena requiring him/her to serve as a witness, that individual will be permitted time off to attend hearings/trial without loss of pay or threat of loss of pay or job. Subpoenaed staff will be paid the difference between their regular salary and the amount received as the witness (where applicable). Documentation of witness times and fees must be submitted to the Payroll Clerk.
4. An employee serving less than four hours per day on jury duty is required to report to work for the remainder of the normal work period. You will be required to provide proof and time of jury service each day.
5. The Agency will make no attempt to have service on a jury postponed except when business conditions necessitate such action.

6-6. Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in a statewide election, if required by state law, the employee may take off enough working time to vote. Such time will be paid if required by state law. This time should be taken at the beginning or end of the regular work schedule. Where possible, supervisors should be notified at least two (2) days prior to the voting day.

6-7. Insurance Programs

Full-time employees may participate in BRS, Inc.'s insurance programs. Under these plans, eligible employees will receive comprehensive health and other insurance coverage for themselves and their families, as well as other benefits.

Upon becoming eligible to participate in these plans, employees will receive summary plan descriptions (SPDs) describing the benefits in greater detail. Please refer to the SPDs for detailed plan information. Of course, feel free to contact the Payroll Clerk with any further questions.

6-8. Long-Term Disability Benefits

Full-time employees are eligible to participate in the Long-Term Disability plan, subject to all terms and conditions of the agreement between BRS, Inc. and the insurance carrier.

This is solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

6-9. Short-Term Disability

BRS, Inc. provides enhanced monetary short-term disability benefits to full-time employees. These enhanced monetary benefits are inclusive of any monetary workers' compensation or statutory short-term disability benefits.

This is not a leave of absence provision. Employees who will be out of work must request a leave of absence. See the Leave of Absence sections of this handbook for more information. Employees will be required to submit medical certification as requested by BRS, Inc. Required medical certification under this policy may differ from the medical certification required for any leave of absence requested.

6-10. Employee Assistance Program

BRS, Inc. provides the Employee Assistance Program, which offers qualified counselors to help employees cope with personal problems they may be facing. Further details can be obtained through Human Resources.

6-11. Employee Referral Awards

BRS, Inc. encourages all employees to refer qualified job applicants for available job openings. All employees are eligible to receive employee referral awards. When making referrals, instruct the applicant to list the employee's name on their employment application as the referral source. If the referral is hired and completes 6 months of service and the employee is still the employee of the Agency, the employee is eligible to receive a monetary award. The reward amount currently varies for regular part-time hires and for regular full-time hires.

6-12. Retirement Plan

BRS, Inc. does not offer a retirement plan at this time. However, we encourage staff to open personal IRA's and can refer them to local agents for assistance. When the agency has the financial ability due to extra revenue, occasionally longevity bonuses will be paid based on tenure. Also every once in a while, excess PTO and holiday time may be sold back to the agency. When these these payments are made, employees are strongly encouraged to use them for lasting benefit such as IRAs.

6-13. Paid Time Off (PTO) Program

Buffalo River Services, Inc. understands the importance of vacation time for its employee's well-being. Paid time off (PTO) provides eligible employees with a flexible approach to time off. This allows the employee responsibility for managing his/her own PTO hours for vacation, illness, funerals, personal appointments, emergencies and/or other personal needs that require time away from work.

PTO hours will accrue for a full-time and a part-time employee (see Payroll Office for accrual). Employees may accrue, but may not be paid PTO until the employee has worked for a minimum of six months in the eligible class. The employee will accrue PTO starting from the first month in which he/she worked a minimum of ten (10) regularly scheduled days and is in the eligible class.

If full-time employees work less than 40 hours per week, PTO will be taken. To have an excused absence, an employee must give a twelve (12) hour notice and receive prior approval from the person on call. This applies to all employees scheduled to work.

Cash conversion privileges are available each year for employees with at least one year of service. All PTO hours exceeding a total of 80 hours may be sold back to the Agency at the employee's current rate of pay, not to exceed 80 hours, providing the Agency can financially afford this option.

A limited number of PTO hours may be sold to the Agency if all of the following conditions apply:

1. Staff are subject to losing PTO;
2. Time off cannot be scheduled due to coverage issues or can only be covered with overtime hours;
3. The Agency has the financial ability to afford this; and
4. The amount of hours sold does not exceed 80 hours and the employee has taken at least 40 hours leave within the past 12 months.

Employees meeting the criteria above may also elect to transfer 40 hours of PTO to Long Term Sick Leave (LTSL) up to the maximum limit allowed by LTSL. Once a transfer is made, hours cannot be returned to the PTO account.

Employees may also donate their PTO time to employees who do not have leave time or whose leave time has run out under the following conditions:

1. Employees donating must keep a balance of 80 hours for themselves;
2. Employees donating must request in writing the number of hours they wish to donate and the employee whom they wish to donate to, and the employees must sign this in order for BRS, Inc. to remove it from their PTO leave balance;
3. The employee who is receiving the time being donated must have a very serious medical issue going on, and the request must come from their Program Director via the administrative office. Employees are not allowed to ask other staff to donate to them; and
4. Employees receiving the PTO donation will not be eligible for the without-pay drawing that is held each year to reward those who did not have without pay.

A balance may be carried into the next year, but no time shall the balance exceed 240 hours for full-time employees and 60 hours for part-time employees.

No PTO is accrued by an employee having 10 days or more without pay in any month.

When an employee transfers from part-time to full-time, his/her PTO is accrued while part-time can be used six months from his/her part-time employment date. All PTO he/she accrues while full-time can be used six months from his/her full-time employment date.

PTO should be planned as far in advance as possible. When not possible, a 12-hour notice is required for an excused absence. You must submit a leave slip and get approval from your

immediate supervisor for an excused absence. The supervisor will post absence on the front calendar and give the leave slip to the Payroll Clerk.

Requested PTO conflicts will be settled with the department head having the final authority.

At the request of the supervisor, an employee may use PTO for low census time off.

6-14. Disclosure of Benefits

The Agency provides its employees with various benefits. Information and summary communications intended to explain these benefit plans are furnished to all plan participants and beneficiaries on a timely and continuing basis.

1. All benefits provided by this policy are described in official documents maintained by the Administrative Team. These documents are available for examination by any plan participant or beneficiary. These documents are the only official and binding documents concerning the Agency's benefits, and all summaries and communications, both written and verbal, must refer to them as binding in cases of questions or disputes. The Agency reserves the right to modify, amend and/or terminate its benefits.
2. The Executive Director, CEO, or any person designated by the Executive Director or CEO, serves as Administrator of the Agency's benefit plans. The Administrator is responsible for all communications and disclosures concerning the Agency's benefits and for compliance with all applicable laws and regulations. In addition, the Administrator is available to answer employee questions concerning benefits and to counsel new employees, employees as they achieve eligibility, retiring employees and non-employee beneficiaries as to specific benefit coverage and required forms and designations to the extent required by law. The Agency does not have an insurance clerk, and the employee has sole responsibility to file their own claims and communicate with the insurance company regarding their benefits and claims.
3. Employees, spouses and dependents covered by the Agency's health benefits plan are to be notified, when appropriate, that they have the opportunity to acquire continuing health protection in certain specified situations including lay off, termination, reduction in hours of employment and separation or divorce.
4. Subject to the availability of funds, we will pay up to \$50.00 per person, per year for expenses incurred for continued education at an accredited junior (two-year) or four-year college. Other qualifying classes may include business or trade school, if the subjects are relevant to the objectives of that employee's position (i.e. computer training). All expenses must be pre-approved by the employee's Team Leader and the Executive Director, in writing. If an employee gets a grade of less than C+, he/she may be exempt from future benefits of continued educational funding. This decision lies with the Executive Director. The employee must provide proof of completion.

6-15. The Mentor Program

To establish the "Mentor" Program so that all team members who qualify may obtain the rewards and benefits of senior staff members who have been great assets to the Agency. These employees serve as models or examples to other direct contact team members. These people will serve as teachers and role models of excellent customer relations and teamwork.

Mentors will nominate those employees whom they believe meet these requirements. The Executive Director and core Guidance Team members and Administrative Staff are not eligible to receive this

honor.

1. These employees must be full-time or regular part-time employees for at least two years. They must be Direct Care workers.
2. They must demonstrate a positive attitude on a regular basis, as evidenced by the following:
 - * Always attempting to find solutions, not just complaining.
 - * Being supportive of Team values and principles.
 - *Pitching in to help others with no complaining.
3. They must have respect from the customers, parents, guardians, co-workers, Independent Support Coordinators and people in the community.
4. These employees must go above and beyond the call of duty on a regular basis.
5. Mentors exemplify the spirit of willingness to help others, be they program participants or other team members.
6. They are prompt and on time. They have good attendance and excellent work habits.
 - The Mentor process has no set limits on the number of staff selected. Anyone who qualifies for the Mentor status will be recognized. There is no competition to attain this status. Mentors are chosen on the abilities and skills they demonstrate, as well as the goodwill they generate. There may be three or thirty.
 - Guidance Team members and current Mentors will nominate staff members to be considered.
 - Only three people can be elected per year. Any number can be nominated. Mentors will be given a bonus of \$ 500.00 dollars and a Mentor Agency ring, value \$250 (Employees will help to design this ring style before the first Mentor is made.) Mentors will become part of the Agency leadership staff, attending Guidance Team meetings as they can and being appointed to certain board level committees. They will be recognized in local newspapers.

The overall quality that expresses the characteristics of a Mentor is that of "servantship". The final decision by the Guidance Team will be based on this quality being present.

6-16. The Scholar Program

At BRS, Inc., a Scholar is someone who serves as a model and/or example to other employees. Each year, managers and current Scholars nominate those employees whom they believe meet the requirements of a Scholar's role model. There are three tiers or levels that the person must move through to attain the Scholar Award.

To attain the nomination of Scholar, an employee must:

1. be a full-time employee for at least three years,
2. display a positive attitude on a regular basis,
3. have the respect of peers, program participants, parents or guardians, and people in the community,
4. go above and beyond the call of duty,
5. exhibit excellent work habits and a willingness to help others,
6. treat others the way he/she would like to be treated,
7. be very knowledgeable in his/her particular job,
8. be seen as an obvious team player.

Tier One: Senior

To be eligible for Scholar, the employee must have been awarded the status of Senior. This award is given to an employee for all the traits mentioned above, and he/she must have been employed for at least two years. Fellow employees and/or supervisors nominate the employee for this honor in writing. The person considered for the Senior award must have evidence of his/her ability to assist other team members. The Senior will be awarded a one-time bonus of \$100.00 and will be recognized by the Board of Directors with a special plaque.

Tier Two: Faculty Member

In addition to being considered for Scholar, they must have gained the status of Senior and maintain that status for at least one year. The person must continue to offer training and information for the remainder of the year to be considered for Scholar. A person may not be nominated for Faculty Member unless he/she is already a Senior.

Employees are determined eligible for Faculty Member status by meeting the following requirements. These staff members excel as subject matter experts. They are knowledgeable in such areas as normalization theory, creativity, administrative techniques, first aid and safety techniques, behavior techniques, teamwork, adaptive equipment, grant writing and specific disabilities such as autism. Because it is the premise of BRS, Inc. to have as many staff members as possible engaged in the learning process, it is possible for several employees to achieve the status of Faculty Member.

BRS, Inc. has established many areas of concern in which it is useful to have in-house experts. Senior Staff members, who want to share their insight, should apply through their Team Leader or a Guidance Team Member for consideration by the organization's Guidance Team. Once selected, staff persons make a commitment to stay informed of the best practices in their fields of expertise, to calculate appropriate readings, and to be available for individual consultation. They also serve as instructors within the staff continuing-education arena and offer to do training on the job or during in-service trainings. They must log 10 hours of instruction. Becoming and maintaining Faculty Member status is the second stage of becoming a Scholar.

Staff considered for this honor must have in-depth, collective knowledge of all the different areas of Agency operations. They must be able to assist other staff in solving problems in many different areas of the Agency. This must be evident from past behavior. Any direct care staff person may also apply as a Faculty Member. This will be taken into consideration for all nominations for Mentor but is not a necessity. Faculty members will receive a lapel pin/pendant (a \$150 value), a check for \$150, and a plaque acknowledging their status.

Tier Three: Scholar

BRS, Inc. is dedicated to insuring that each staff member who exemplifies the values and principles of BRS, Inc. on a daily basis and who serves as a role model to all employees is recognized. It is hoped that all team members will attain this status of Scholar. To reinforce this goal, the Scholar nomination process has no set limit on the number of employees selected. Anyone who qualifies for Scholar status will be recognized. It is not mandatory to represent each program area.

Employees do not compete with each other to attain this status. Scholars are chosen on merit, whether two or twenty are selected. Only one Scholar may be selected in a 6-month period. Any member of the Guidance Team or any Scholar may bring a Faculty Member's name up for consideration as Scholar.

In addition to a \$400.00 bonus, Scholar Key value \$150 (which the Scholars design themselves), and recognition in all local area newspapers, Scholars become part of the Agency's leadership staff. They are included on various committees, participate in seminars and workshops with management, and attend the annual leadership retreat. As excellent workers, they can teach Team Leaders a great deal about Servant Leadership.

Fast Track:

With unanimous approval by the Guidance Team and the Board of Directors of BRS, Inc., a person who has met the above criteria and who has seniority at the Agency, along with an exemplary work history may have the honor of Scholar conferred upon them, negating the time frame. Several factors must be present before this can happen. These include:

1. A fellow employee must request that the nominee be considered for the "Fast Track" process in writing.
2. The prospective employee must have worked at the Agency 10 years or more.
3. The prospective employee must have an impeccable record.
4. The prospective employee must agree to perform the duties of Faculty Member for one year. This requires the teaching of instructional materials beyond the scope of the regular job. In order to apply, three newspaper/journal articles informing the public about BRS, Inc. or some other related educational material must be submitted by the prospective employee.
5. Although they may eventually move into management, they do not have to be in management, nor is it the intent of the Scholar program to remove model employees from the job they do so well. Scholars are models of employee performance at the most critical level of the organization. They must be nurtured, encouraged, developed, and recognized.

6-17. Long-Term Sick Leave (LTSL)

The Agency makes provisions for time away from work for serious/extended illnesses.

Immediate family is defined as the employee, spouse, or children living in the employee's home.

1. LTSL will be accrued at a rate of 5 hours per month. LTSL will be accrued only by regular full-time employees.
2. A doctor's note will be required for LTSL.
3. LTSL can only be used after using 40 consecutive hours of Personal Time Off (PTO), Holiday leave, or leave without pay and can be used for the following:
 - Outpatient testing (immediate family)
 - Outpatient surgery (immediate family)
 - Hospital confinement (immediate family)
 - Long-term illness/treatment (cancer or other serious illness of immediate family)
 - Serious injury (immediate family)
 - Follow-ups, if the above criteria have been met (immediate family)
4. LTSL may be carried over from one calendar year to the next but cannot be accrued beyond

150 hours.

5. No payments are made to staff for accrued unused LTSL in the event of termination.
6. LTSL may not be used during the two weeks following notice of resignation.
7. If LTSL is exhausted and PTO is available, PTO may be used under the same conditions noted above.
8. LTSL is not accrued in any month where an employee has 10 days or more without pay.

6-18. SALARY ADMINISTRATION

POLICY:

To attract, retain and motivate above average employees, the Agency attempts to pay wages and salaries that are competitive with rates being paid for similar jobs by other employers in the community.

PRACTICE:

1. Salary scales are maintained that compare favorably with those maintained by other non-profit organizations and the local business community for similar work. Salaries are paid in a manner that recognizes the scope, accountability and impact of jobs. Wages and salaries are reviewed regularly to determine whether existing salary ranges remain competitive and whether the salaries of individual employees accurately reflect job requirements and accountabilities.
2. Salary increases are not guaranteed. But as the agency can based on reimbursement rates from the managed care organizations, TennCare and The Department of Intellectual and Developmental Disabilities increases wages are adjusted. Each employee is eligible for increases as around documented in the DPS LEVEL and Administrative periodic tenure advancements. However, eligibility for a salary increase does not guarantee that an increase will be given. The process for level advancement and increases associated with that are located with the payroll personnel.
3. Increases are related to improvements in results, productivity in achieving results and continuous quality improvement of work procedures. Improvement is based on both individual and team performance. Ongoing and annual performance review discussions serve to summarize progress throughout the year.
4. Salary increases depend on the Agency's ability to meet its budget. Income is not entirely dependent upon the organization itself and its operation, since the sources of income include government funds and local contributions. Therefore, any changes to income by these sources will affect the organization's ability to provide raises.
5. Cost of living adjustments may be made at the discretion of the Chief Executive Officer as empowered by the Board of Directors. Such adjustments depend on the overall financial status of the Agency and may be neither automatic nor granted on any regular basis.
6. New employees generally are hired at the base rate assigned to their jobs, except in cases of exceptional experience and performance level.
7. In November of each year, the agency will pay staff an amount per year for each year of continuous, fully completed year of employment, up to 30 years of employment. This is considered

Longevity pay. There are other criteria that must be met . Refer to the Longevity Policy. This plan is always conditional upon the agency's financial ability to do this.

Section 7 - LEAVES OF ABSENCE

7-1. Personal Leave

If employees are ineligible for any other Agency leave of absence, BRS, Inc., under certain circumstances, may grant a personal leave of absence without pay. A written request for a personal leave should be presented to management at least two (2) weeks before the anticipated start of the leave. If the leave is requested for medical reasons and employees are not eligible for leave under the federal Family and Medical Leave Act (FMLA) or any state leave law, medical certification also must be submitted. The request will be considered on the basis of staffing requirements and the reasons for the requested leave, as well as performance and attendance records. Normally, a leave of absence will be granted for a period of up to 30 days. However, a personal leave may be extended if, prior to the end of leave, employees submit a written request for an extension to management and the request is granted. During the leave, employees will not earn vacation, personal days, or sick days. BRS, Inc. will continue health insurance coverage during the leave if employees submit their share of the monthly premium payments to the Agency in a timely manner, subject to the terms of the plan documents.

When the employees anticipate returning to work, they should notify management of the expected return date. This notification should be made at least one (1) week before the end of the leave.

Upon completion of the personal leave of absence, the Agency will attempt to return employees to their original job or a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed.

Failure to advise management of availability to return to work, failure to return to work when notified or a continued absence from work beyond the time approved by the Agency will be considered a voluntary resignation of employment.

Personal leave runs concurrently with any Agency-provided Short-Term Disability Leave of Absence.

7-2. Military Leave

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide management with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask management for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give management as much advance notice of their need for military leave as possible so that BRS, Inc. can maintain proper coverage while employees are away.

7-3. Family and Medical Leave (FMLA)

The Leave Policy

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides employees information concerning FMLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA leave, they should contact the Payroll Office.

I. Eligibility

FMLA leave is available to "eligible employees." To be an "eligible employee," the employee must: 1) have been employed by the Agency for at least 12 months (which need not be consecutive); 2) have been employed by the Agency for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

Special hours of service eligibility requirements apply to airline flight crew employees.

II. Entitlements

As described below, the FMLA provides eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration.

A. Basic FMLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a 12-month period measured forward from the start date of the employee's first FMLA leave. Leave may be taken for any one (1), or for a combination, of the following reasons:

- To care for the employee's child after birth or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter or parent (but not in-law) who has a **serious health condition**;
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one (1) or more of the essential functions of the employee's job; and/or
- Because of any **qualifying exigency** arising out of the fact that the employee's spouse, son, daughter or parent is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserves component of the Armed Forces for deployment to a foreign country in support of contingency operation or Regular Armed Forces for deployment to a foreign country.

A **serious health condition** is an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents employees from performing the functions of their job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or

one (1) visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

B. Additional Military Family Leave Entitlement (Injured Servicemember Leave)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a **covered servicemember** is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember shall only be available during a single-12 month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A "**covered servicemember**" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." **Covered servicemembers** also include a veteran who is discharged or released from military services under condition other than dishonorable at any time during the five (5) years preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

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

C. Intermittent Leave and Reduced Leave Schedules

FMLA leave usually will be taken for a period of consecutive days, weeks, or months. However, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember. Qualifying exigency leave also may be taken on an intermittent basis.

D. No Work While on Leave

The taking of another job while on family/medical leave or any other authorized leave of absence is grounds for immediate discharge, to the extent permitted by law.

E. Protection of Group Health Insurance Benefits

During FMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

F. Restoration of Employment and Benefits

At the end of FMLA leave, subject to some exceptions including situations where job restoration of

"key employees" will cause the Agency substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. The Agency will notify employees if they qualify as "key employees," if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

G. Notice of Eligibility for, and Designation of, FMLA Leave

Employees requesting FMLA leave are entitled to receive written notice from the Agency telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) Agency's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

The Agency may retroactively designate leave as FMLA leave with appropriate written notice to employees provided the Agency's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, the Agency and employee can mutually agree that leave be retroactively designated as FMLA leave.

III. Employee FMLA Leave Obligations

A. Provide Notice of the Need for Leave

Employees who take FMLA leave must timely notify the Agency of their need for FMLA leave. The following describes the content and timing of such employee notices.

1. Content of Employee Notice

To trigger FMLA leave protections, employees must inform the Head of Human Resources and/or their Manager of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow the Agency to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant or have been hospitalized overnight;
- they or a covered family member are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active duty status to a foreign country; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to the Agency's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which the Agency has previously provided FMLA-

protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

2. Timing of Employee Notice

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide the Agency notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with the Agency and make a reasonable effort to schedule treatment so as not to unduly disrupt the Agency's operations, subject to the approval of the employee's health care provider. Employees must consult with the Agency prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both the Agency and the employees, subject to the approval of the employee's health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, the Agency may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, the Agency may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise the Agency of the reason why such leave is medically necessary. In such instances, the Agency and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting the Agency's operations, subject to the approval of the employee's health care provider.

C. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three (3) types of FMLA medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide the Agency with timely, complete and sufficient medical certifications. Whenever the Agency requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after the Agency's request, unless it is not practicable to do so despite the employee's diligent, good faith efforts. The Agency will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven (7) calendar days to cure deficiencies. The Agency will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested

medical certifications.

With the employee's permission, the Agency (through individuals other than the employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide the Agency with authorization allowing it to clarify or authenticate certifications with health care providers, the Agency may deny FMLA leave if certifications are unclear.

Whenever the Agency deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

1. Initial Medical Certifications

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If the Agency has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at the Agency's expense. If the opinions of the initial and second health care providers differ, the Agency may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by the Agency and the employee.

2. Medical Recertifications

Depending on the circumstances and duration of FMLA leave, the Agency may require employees to provide recertification of medical conditions giving rise to the need for leave. The Agency will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide the Agency with medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. The Agency may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

D. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, the Agency may require employees to provide: 1) a copy of the military member's active duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to covered active duty status and the dates of the military member's covered active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to covered active duty status of the same or a different

military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, the Agency may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, the Agency may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

E. Substitute Paid Leave for Unpaid FMLA Leave

Employees may use any accrued paid time while taking unpaid FMLA leave.

The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with the employee's FMLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement.

F. Pay Employee's Share of Health Insurance Premiums

During FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless the Agency notifies employees of other arrangements, whenever employees are receiving pay from the Agency during FMLA leave, the Agency will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If FMLA leave is unpaid, employees must pay their portion of the group health premium through staff bring/mail premiums into office.

IV. Questions and/or Complaints about FMLA Leave

If you have questions regarding this FMLA policy, please contact the Payroll Office. The Agency is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain, or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact the Payroll Office immediately. The Agency will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

V. Coordination of FMLA Leave with Other Leave Policies

The FMLA does not affect any federal, state, or local law prohibiting discrimination, or supersede any State or local law that provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult the Agency's other leave policies in this handbook or contact the Payroll Office.

7-4. Parental Leave

Full-time employees with at least 12 consecutive months of service as a full-time employee are entitled to unpaid Parental Leave of up to four (4) months in the event of pregnancy, childbirth, nursing the infant and adoption in accordance with Tennessee Code section 4-21-408. With respect to adoptions, the leave period begins when the employee receives custody.

In order to qualify for Parental Leave, advance notice to BRS, Inc. generally is required. BRS, Inc. must be notified of: the anticipated date of departure for leave, the length of the leave and the intended date of return to full-time employment. Employees who provide three (3) months' notice will be reinstated to the same or similar position after returning from leave. Employees also are eligible for reinstatement and do not forfeit their rights and benefits if they are prevented from giving three (3) months' notice due to a medical emergency or because they received notice of the adoption fewer than three (3) months in advance. In these situations, employees should provide as much advance notice as possible.

If the employee's job is so unique that the Agency cannot, after reasonable efforts, fill that position temporarily, then reinstatement is not guaranteed and the employee will be notified.

Leave runs concurrently with any other leave provided by the Agency to the extent permitted by applicable law. Employees may substitute accrued paid time-off for the unpaid Parental Leave, but this substitution does not extend the length of the leave.

If employees have any questions regarding this policy, they should contact the Chief of Compliance.

Section 8 - GENERAL STANDARDS OF CONDUCT

8-1. Workplace Conduct

BRS, Inc. endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense, and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge, in the Agency's sole discretion. The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Stealing, removing, or defacing BRS, Inc. property or a co-worker's property, and/or disclosure of confidential information.
3. Completing another employee's time records.
4. Violation of safety rules and policies.
5. Violation of BRS, Inc.'s Drug and Alcohol-Free Workplace Policy.
6. Fighting, threatening, or disrupting the work of others or other violations of BRS, Inc.'s Workplace Violence Policy.
7. Failure to follow lawful instructions of a supervisor.
8. Failure to perform assigned job duties.
9. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness, or unexcused absences.
10. Gambling on Agency property.
11. Willful or careless destruction or damage to Agency assets or to the equipment or possessions of another employee.
12. Wasting work materials.
13. Performing work of a personal nature during working time.
14. Violation of the Solicitation and Distribution Policy.
15. Violation of BRS, Inc.'s Harassment or Equal Employment Opportunity Policies.
16. Violation of the Communication and Computer Systems Policy.
17. Unsatisfactory job performance.
18. Any other violation of BRS, Inc. policy.
19. Theft or inappropriate removal or possession of property
20. Being less than alert or sleeping while on the Agency clock caring for Individual(s) Served
21. Leaving an Individual(s) Served unattended
22. Neglect of an Individual(s) Served
23. Falsification of any and all records including timekeeping
24. Working under the influence of alcohol or illegal drugs
25. Boisterous or disruptive activity in the workplace
26. Negligence or improper conduct leading to damage of employer-owned or person served-owned property
27. Insubordination or other disrespectful conduct
28. Violation of safety or health rules

29. Smoking in prohibited areas
30. Sexual or other unlawful or unwelcome harassment
31. Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
32. Excessive absenteeism or any absence without notice
33. Unauthorized absence from work station during the workday
34. Unauthorized use of telephones, mail system, or other employer-owned equipment
35. Unauthorized disclosure of business "secrets" or confidential information
36. Violation of personnel policies
37. Unsatisfactory performance or conduct
38. Substantiated cases of abuse, neglect or mistreatment of a person served

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and BRS, Inc. reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. The Agency will deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a given situation. However, BRS, Inc. will endeavor to utilize progressive discipline but reserves the right in its sole discretion to terminate the employee at any time for any reason.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

8-2. Punctuality and Attendance

Employees are hired to perform important functions at BRS, Inc. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive and disruptive and place an unfair burden on fellow employees and supervisors. The Agency expects excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

The Agency does recognize, however, that there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify supervisors as early as possible, but no later than the start of the workday. Asking another employee, friend, or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the absence and its expected duration, every day of absenteeism.

Unreported absences of three (3) consecutive workdays generally will be considered a voluntary resignation of employment with the Agency.

8-3. Use of Communications and Computer Systems

BRS, Inc.'s communication and computer systems are intended primarily for business purposes; however limited personal usage is permitted if it does not hinder performance of job duties or violate any other Agency policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of the BRS, Inc. systems.

BRS, Inc. may access the voice mail and e-mail systems and obtain the communications within the

systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when the Agency deems it appropriate to do so. The reasons for which the Agency may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Agency operations continue appropriately during the employee's absence.

Further, BRS, Inc. may review Internet usage to ensure that such use with Agency property, or communications sent via the Internet with Agency property, are appropriate. The reasons for which the Agency may review employees' use of the Internet with Agency property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Agency operations continue appropriately during the employee's absence.

The Agency may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

The Agency's policies prohibiting harassment, in their entirety, apply to the use of Agency's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Further, since the Agency's communication and computer systems are intended for business use, all employees, upon request, must inform management of any private access codes or passwords.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited.

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

Electronic data which belongs to the agency may be stored off site in a secured site.

Violators of this policy may be subject to disciplinary action, up to and including discharge.

8-4. Use of Social Media

BRS, Inc. respects the right of any employee to maintain a blog or web page or to participate in a social networking on or through websites or services such as X (formerly Twitter), Facebook, Threads, LinkedIn, YouTube, Instagram, TikTok, SnapChat, or similar sites/services (collectively "social media"). However, to protect Agency interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not use social media during work time or at any time with Agency equipment or property.

All rules regarding confidential and proprietary business information apply in full to social media. Any information that cannot be disclosed through a conversation, a note, or an e-mail also cannot be disclosed through social media.

When using social media, if the employee mentions the Agency and also expresses either a political

opinion or an opinion regarding the Agency's actions that could pose an actual or potential conflict of interest with the Agency, and it is either implicit or explicit that the poster is affiliated with the Agency, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is a personal opinion and not the Agency's position. This is necessary to preserve the Agency's goodwill in the marketplace.

Employees may not use the Agency's logos or trademarks for commercial purposes or to endorse any product or service.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through social media. For example, posted material that is discriminatory, obscene, defamatory, libelous, or violent is forbidden. Agency policies apply equally to employee social media usage.

Employees with any questions should review the guidelines above and/or consult with their manager. Failure to follow these guidelines may result in discipline, up to and including discharge.

8-5. Personal and Company-Provided Portable Communication Devices

BRS, Inc.-provided portable communication devices (PCDs), including cell phones, personal digital assistants, and EVV I-pads, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes, as permitted, the right to monitor personal communications as necessary.

Some employees may be authorized to use their own PCD for business purposes. These employees should work with the IT department to configure their PCD for business use. Communications sent via a personal PCD also may be subject to monitoring if sent through the Agency's networks and the PCD must be provided for inspection and review upon request. These devices must be secured and protected at all times with agency firewalls, passwords, etc.

All conversations, text messages and e-mails must be professional. When sending a text message or using a PCD for business purposes, whether it is a Agency-provided or personal device, employees must comply with applicable Agency guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles. Using a Agency-issued PCD to send or receive personal text messages is prohibited at all times and personal use during working hours should be limited to emergency situations.

If employees who use a personal PCD for business resign or are discharged, they will be required to submit the device to the IT department for resetting on or before their last day of work. At that time, the IT department will reset and remove all information from the device, including but not limited to, Agency information and personal data (such as contacts, e-mails and photographs). The IT department will make efforts to provide employees with the personal data in another form (e.g., on a disk) to the extent practicable; however, the employee may lose some or all personal data saved on the device.

Employees may not use their personal PCD for business unless they agree to submit the device to the IT department on or before their last day of work for resetting and removal of Agency information. This is the only way currently possible to ensure that all Agency information is removed from the device at the time of termination. The removal of Agency information is crucial to ensure compliance

with the Agency's confidentiality and proprietary information policies and objectives.

Please note that whether employees use their personal PCD or a Agency-issued device, the Agency's electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect.

Portable Communication Device Use While Driving

Employees who drive on Agency business must abide by all state or local laws prohibiting or limiting PCD (cell phone or personal digital assistant) use while driving.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while driving, and permitted by law, employees must use a hands-free option and advise the caller that they are unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a cell phone while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting, e-mailing, and hands-on calling while driving is prohibited in all circumstances.

8-6. Camera Phones/Recording Devices

Due to the potential for issues such as invasion of privacy, sexual harassment and loss of productivity, as well as inappropriate disclosure of confidential information, no employee may use a camera phone function on any phone on BRS, Inc. property or while performing work for the Agency unless specifically approved ahead of time.

The use of tape recorders, Dictaphones, or other types of voice recording devices anywhere on Agency property, including to record conversations or activities of other employees or management, or while performing work for the Agency, is also strictly prohibited, unless the device was provided to you by the Agency and is used solely for legitimate business purposes. All pictures of events authorized by the Agency on a private phone remain property of BRS, Inc. and should be deleted after delivery.

8-7. Inspections

To the maximum extent permitted by applicable law, BRS, Inc. reserves the right to require employees while on Agency property, or on client property, to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on Agency or client property, and work areas. This includes lockers, vehicles, desks, cabinets, work stations, packages, handbags, briefcases and other personal possessions or places of concealment, as well as personal mail sent to the Agency or to its clients. Employees are expected to cooperate in the conduct of any search or inspection.

8-8. Personal Visits and Telephone Calls

Disruptions during work time can lead to errors and delays. Therefore, personal telephone calls must be kept to a minimum, and only be made or received after working time, or during lunch or break time.

For safety and security reasons, employees are prohibited from having personal guests visit or accompanying them anywhere in BRS, Inc. facilities other than the reception areas.

8-9. Solicitation and Distribution

To avoid distractions, solicitation by the employee of another employee is prohibited while either employee is on work time and in all immediate patient care areas. "Work time" is defined as the time the employees are engaged, or should be engaged, in performing their tasks for BRS, Inc. Solicitation of any kind by non-employees on Agency premises is prohibited at all times.

Distribution of advertising material, handbills, printed or written literature of any kind in immediate patient care areas and all other working areas of Agency is prohibited at all times. Distribution of literature by non-employees on Agency premises is prohibited at all times.

8-10. Bulletin Boards

Important notices and items of general interest are continually posted on BRS, Inc. bulletin boards. Employees should make it a practice to review bulletin boards frequently. This will assist employees in keeping up with what is current at BRS, Inc. To avoid confusion, employees should not post or remove any material from the bulletin board.

8-11. Confidential Company Information

During the course of work, employees may become aware of confidential information about BRS, Inc.'s business, including but not limited to information regarding Agency finances, pricing, products, and new product development, software, and computer programs, marketing strategies, suppliers, and customers and potential customers. Employees also may become aware of similar confidential information belonging to the Agency's clients. It is extremely important that all such information remain confidential, and particularly not be disclosed to BRS, Inc.'s competitors. Any employee who improperly copies, removes (whether physically or electronically), uses, or discloses confidential information to anyone outside of the Agency may be subject to disciplinary action up to and including termination. Employees may be required to sign an agreement reiterating these obligations.

8-12. Conflict of Interest and Business Ethics

It is BRS, Inc.'s policy that all employees avoid any conflict between their personal interests and those of the Agency. The purpose of this policy is to ensure that the Agency's honesty and integrity, and therefore its reputation, are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal interests or relationships that actually or

potentially conflict with the best interests of the Agency.

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, the situations that would constitute a conflict in most cases include but are not limited to:

1. Holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do, business with the Agency, by any employee who is in a position to directly or indirectly influence either the Agency's decision to do business, or the terms upon which business would be done with such organization;
2. Holding any interest in an organization that competes with the Agency;
3. Being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do, business with the Agency or which competes with the Agency; and/or
4. Profiting personally, e.g., through commissions, loans, expense reimbursements, or other payments, from any organization seeking to do business with the Agency.

A conflict of interest would also exist when a member of the employee's immediate family is involved in situations such as those above.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

It is the employee's responsibility to report any actual or potential conflict that may exist between the employee (and the employee's immediate family) and the Agency.

8-13. Use of Facilities, Equipment and Property, Including Intellectual Property

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

Employees should notify their supervisor if any equipment, machines, or tools appear to be damaged, defective or in need of repair. Prompt reporting of loss, damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Supervisors can answer any questions about the employees' responsibility for maintenance and care of equipment used on the job.

Employees also are prohibited from any unauthorized use of the Agency's intellectual property, such as audio and video tapes, print materials and software.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including discharge.

Further, the Agency is not responsible for any damage to employees' personal belongings unless the employee's supervisor provided advance approval for the employee to bring the personal property to work.

8-14. Hiring Relatives/Employee Relationships

A familial relationship among employees can create an actual or at least a potential conflict of interest in the employment setting, especially where one relative supervises another relative. To avoid this problem, BRS, Inc. may refuse to hire or place a relative in a position where the potential for favoritism or conflict exists.

In other cases, such as personal relationships where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or discharged from employment, at the discretion of the Agency. Accordingly, all parties to any type of intimate personal relationship must inform management.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. The Agency generally will attempt to identify other available positions, but if no alternate position is available, the Agency retains the right to decide which employee will remain with the Agency.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

8-15. Employee Dress and Personal Appearance

Employees are expected to report to work well groomed, clean, and dressed according to the requirements of their position. Some employees may be required to wear uniforms or safety equipment/clothing. Employees should contact their supervisor for specific information regarding acceptable attire for their position. If employees report to work dressed or groomed inappropriately, they may be prevented from working until they return to work well groomed and wearing the proper attire.

BRS, Inc. expects employees to be appropriately groomed and dressed for the work situation. Dress and behavior are an important expression of professionalism and safety.

The following should be adhered to by all employees:

1. Employees often have contact with the public and therefore represent the Agency in their appearance as well as in their actions. All employees have to use good judgment in choosing their attire.
2. Since employees serve as models for individuals served with whom they have contact, they should be aware of the appropriateness of their attire. Part of our job is to teach normalization and how to fit in with the majority of the community.
3. The Agency is not responsible for jewelry being broken or stolen and clothing damaged while at work. For this reason, we encourage employees not to wear expensive clothing or jewelry at work.

A. BOTTOM WEAR (WAIST AND BELOW)

Bottom wear must be size appropriate (no sagging) and worn securely around the waist. No form-fitting spandex material will be allowed.

B. SHORTS/SKORTS

Shorts or skorts must be no shorter than 3" (dollar bill width) from the top of the knee.

C. TOP WEAR

All top wear must be appropriately sized. Sleeveless shirts/blouses must fit around the arm. No bare midriiffs, strapless or spaghetti straps, or muscle shirts are allowed. Appropriate undergarments must be worn. Cleavage revealing tops are not allowed.

D. DRESSES/SKIRTS

Ladies may wear dresses/skirts that are no shorter than three inches above the top of the knee. Dresses must also conform to the top wear code (from the waist up). Sagging pants are not allowed.

E. SHOES

Shoes must be worn at all times. While working in direct care, employees must wear a closed toe, closed heel shoe with a slip resistant sole. House shoes are not allowed. Croc-style shoes are not allowed without special permission.

F. ALL APPAREL

Any other type of clothing, personal item, or tattoos, bearing reference to alcoholic beverages, tobacco products, drugs, drug-related slogans, and/or other wording, drawing, pictures, etc., which in any way can be interpreted as being sexually suggestive, obscene, or offensive, such as references to death, etc., must be covered while working at this Agency.

Employees are to wear clothing in the manner it was designed to be worn - i.e. clothing worn backward or inside out, suspenders undone are not allowed. No see-through or cut-out clothing is allowed. Pajamas are not allowed.

G. HEADWEAR

No hats, bandanas, hoods, sweatbands, curlers, rollers, or sunglasses will be worn in the building except for medical reasons or on special occasions such as "dress-up" day. Hats are not appropriate in the office or for formal meetings. Head covers that are required for religious or to honor cultural tradition are allowed. Some situations may be allowed with special permission for activities and outings.

H. JEWELRY/ACCESSORIES

Employees are not allowed to wear jewelry, ornaments or accessories which distract/irritate individuals served, such as excessively noisy jewelry and/or belts. No body-piercing jewelry is allowed to be seen except to the ears. No heavy metal chains (such as made out of steel, chrome, alloy, etc.) and look-a-likes that are not formal jewelry are allowed around the neck, around the waist, or hanging from the waist into the pocket. Employees may not wear metal-spiked apparel or similar accessories. Employees wearing earrings should not wear hoop earrings while in direct care (for safety reasons). Studs are appropriate.

I. OTHER

Employees should not to wear extreme facial makeup that is disruptive to the work environment. Employees are required to wear their hair in such a manner that is not considered unkempt, unclean, or impairing vision. Employees with long hair should have their hair put up in some environments for safety.

Employees working in environments where biting or scratching occur should wear long sleeves.

8-16. Publicity/Statements to the Media

All media inquiries regarding the position of the Agency as to any issues must be referred to the Executive Director. Only the Executive Director is authorized to make or approve public statements on behalf of the Agency. No employees, unless specifically designated by the Executive Director, are authorized to make those statements on behalf of the Agency. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of the Agency must first obtain approval from the Executive Director.

8-17. Operation of Vehicles

All employees authorized to drive Agency-owned or leased vehicles or personal vehicles in conducting Agency business must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to management immediately. An F endorsement or similar license is required.

Employees must have a valid driver's license in their possession while operating a vehicle off or on Agency property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times.

Agency-owned or leased vehicles may be used only as authorized by management.

8-18. Business Expense Reimbursement

Employees will be reimbursed for reasonable approved expenses incurred in the course of business. These expenses must be approved by the employee's Supervisor, and may include air travel, hotels, motels, meals, cab fare, rental vehicles, or gas and car mileage for personal vehicles. All expenses incurred should be submitted to the Accounting Office along with the receipts in a timely manner.

Employees are expected to exercise restraint and good judgment when incurring expenses. Employees should contact their Supervisor in advance if they have any questions about whether an expense will be reimbursed.

8-19. References

BRS, Inc. will respond to reference requests through Vice President of Compliance Department. The Agency will provide general information concerning the employee such as date of hire, date of discharge, and positions held. Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to the Chief of Compliance Department.

Only Vice President of Compliance Department may provide references.

8-20. If You Must Leave Us

Should any employees decide to leave the Agency, we ask that they provide a Supervisor with at least 2 weeks advance notice of departure. Thoughtfulness will be appreciated. All Agency property including, but not limited to, keys, security cards, parking passes, laptop computers, fax machines, uniforms, etc., must be returned at separation. Employees also must return all of the Agency's Confidential Information upon separation. To the extent permitted by law, employees will be required to repay the Agency (through payroll deduction, if lawful) for any lost or damaged Agency property. As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

8-21. Exit Interviews

Employees who resign are requested to participate in an exit interview with the Executive Director and the Chief of Compliance, if possible.

8-22. Fleet Usage

In providing and maintaining a fleet of vehicles, the Agency must assure that all vehicles are used in a responsible manner to fulfill its service mission.

PROCEDURES:

1. In order to operate any Agency vehicle, the driver must possess a current Class D Operator's License with an "F" endorsement issued by the Tennessee Department of Public Safety. The driver's license number and expiration date should be on file in the employee's personnel file.
2. It is the employee's responsibility to keep this information up-to-date, including reporting to Human Resources any moving violations or changes in driving status within five (5) days of the violation or change.
3. Agency vehicles may be operated only by Agency Employees specifically approved by the Chief Executive Officer.
4. Agency vehicles may be utilized only for specifically authorized purposes, for the benefit of the persons served by Agency services, and for conducting the business and services of the Agency. They shall not be used for the benefit or convenience of employees, individuals or groups either affiliated or nonaffiliated with the Agency without specific authorization of the CEO
5. Agency vehicles shall only transport persons served, employees as appropriate, or other persons specifically authorized, in writing, by the CEO. No unauthorized persons shall be transported in Agency vehicles.
6. The individual operating an Agency vehicle is responsible for buckling their seatbelt and assuring that the driver and ALL passengers are secured by a seat belt or other proper restraining device(s).
7. The individual operating an Agency vehicle is responsible for maintaining the vehicle in a clean and orderly condition, including removing debris, closing windows and locking the

vehicle at the conclusion of the trip.

8. The individual operating an Agency vehicle is responsible for checking the water level, oil level, and tire pressure each time gas is put in the vehicle. If training is needed in order to do this, the Program Director should be notified immediately.
9. The individual operating an Agency vehicle is responsible for promptly reporting any maintenance needs or operating problems to the appropriate person(s), in writing, unless it is an emergency situation.
10. The individual operating the vehicle is responsible for the completion and submittal of all required operating documentation, such as Van Mileage Log and gas sheets.
11. The individual operating the vehicle is responsible for insuring that passengers behave in an orderly and responsible manner and do not exhibit behaviors that would reflect negatively on the Agency or the individuals it serves.
12. If any Agency vehicle is involved in an accident resulting in any injury or property or vehicle damage, the proper law enforcement officers should be called immediately and a police report completed. All accidents, no matter how minor, should be reported to the Vice President of Compliance immediately.
13. Any individual driving an Agency vehicle is responsible for obeying all applicable traffic laws and regulations. If any Agency vehicle receives any moving traffic violation, the driver should submit a written report to Human Resources within twenty-four (24) hours. All reports of traffic violations, e.g., exceeding the posted speed limit, shall be investigated. Any repeated offenses or any offense occurring when persons served/residents are in the vehicle shall result in disciplinary action and possible termination. Multiple accidents may also result in disciplinary action (accidents defined as fender benders, running into stationary objects, and major accidents, but are not limited to such).
14. Agency vehicles should not be utilized for trips further than one hundred (100) miles (round trip) from the vehicle's home base without specific authorization from the VP of Compliance or Executive Director.
15. The use of tobacco products (including e-cigs and/or any other vapor device or nicotine device, pipe, etc.), alcohol or drugs in Agency vehicles by drivers or passengers is strictly prohibited.
16. No food or drinks, except for water, are allowed to be opened or consumed in Agency vehicles.
17. All vehicles, Agency or personal, shall be locked while on any Agency property. Vehicles with open beds shall be free of any and all sharp objects or hazardous and/or flammable materials.
18. You may not use your cellular phone or similar device to receive or place calls, text messages, surf the Internet, use Facebook, check phone messages, or receive or respond to email while driving if you are transporting people we support and/or driving an agency vehicle at any time. If a person must use their device, the vehicle must be parked in a safe way and the ignition switched off. This could result in progressive disciplinary measures or termination if we determine it to be serious enough. There will be consequences if you are seen doing this. It has now become a potential reportable to the state if you are seen doing these things and you could face serious consequences as it can turn into an investigation. Cell phones may not be used while re-fueling an Agency vehicle; it presents a fire hazard.

8-23. Drug-Free and Tobacco-Free Workplace

TOBACCO POLICY:

The Agency's facilities are maintained as smoke free/tobacco-free environments because of concern for the total health of the individuals served and due to the awareness that second-hand smoke is detrimental to the health of non-smokers.

1. Smoking and/or tobacco products are not permitted anywhere in the Agency's facilities or vehicles. This includes e-cigs and/or any or all vapor or nicotine devices, including pipes.
2. In situations where the Agency's property is rented or leased to an individual served, that property is considered to be the individual's property.
 - a. If the individual served smokes, he/she should be encouraged to smoke outside, especially when others in the home do not smoke, but ultimately that is up to him/her, as long as the property is maintained in good condition and in a safe manner.
 - b. For safety reasons, a smoking area is designated at Agency facilities.
 - c. Employees must never smoke in Agency facilities or vehicles. Employees must always smoke outside at appropriate break times, and these breaks should never interfere with work that should be completed or coverage of individuals served.
3. Smoking is allowed outside the Agency's facilities in designated areas, but employees are requested not to smoke in the front entrance of the building. Smoke breaks are not guaranteed for Employees when they are working in direct care.
4. Any use of smokeless tobacco products shall be restricted to the outdoors in designated tobacco-use areas.
5. Smokers or smokeless tobacco product users are responsible for keeping the outdoor area clean and free of smoking and tobacco debris.
6. Violation of this policy will result in disciplinary action.

DRUG-FREE POLICY:

The Agency strictly prohibits the use, sale, dispensing, possession or manufacture of illegal drugs or alcoholic beverages in the workplace or while engaged in Agency business. Doing so is inconsistent with the behavior expected of employees; subjects all employees, consumers and visitors to unacceptable safety risks; and undermines the Agency's ability to operate effectively and efficiently.

BRS, Inc. is committed to providing a safe, efficient, and productive work environment for all employees. Using or being under the influence of drugs on the job may pose serious safety and health risks. To help insure a safe and healthful working environment, job applicants and employees may be asked to provide body substance samples (such as urine and/or blood) to determine the illicit or illegal use of drugs and alcohol. Refusal to submit to drug/alcohol testing is considered a positive and will result in immediate termination.

All employees are prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using controlled substances. Any employee member violating this policy is subject to discipline, up to and including termination, for a first offense. No employee shall unlawfully manufacture, sell, distribute, dispense, possess, use, or be under the influence of a prohibited drug while on duty for regularly-scheduled or emergency work, or while operating BRS, Inc. vehicles or equipment, or off the job so as to affect the employee's job performance or integrity on the job as a representative of BRS, Inc. No employee shall report to work while under the influence of alcohol or consume alcohol

while on BRS, Inc. property, while on duty for regularly scheduled or emergency work or while operating BRS, Inc. vehicles or equipment. Employees are further prohibited from using alcohol within four (4) hours prior to reporting to duty. An amount of alcohol or prohibited drug in an individual's body equal to or higher than the cut-off-level as detected by an alcohol or drug test will, for the purposes of this policy, be considered to be a prohibited use by the individual in violation of this policy. Violation of this policy subjects an employee to disciplinary action up to and including termination.

As a condition of employment, any employee convicted of violating a criminal drug statute must inform the Executive Director and/or Human Resources of such conviction (including pleas of guilty or nolo contendere) within five (5) days of the conviction occurring. Failure to so inform the Agency subjects the employee to disciplinary action up to and including termination for the first offense. In order to assure a drug-free work place, the Agency requires drug testing of all new employees and may, at its discretion, require any and all employees to undergo drug testing. Employees may be required to undergo such testing on a random, unannounced basis or when there are incidents that raise questions about potential drug use (e.g., following an auto accident, filing a Worker's Compensation claim).

All employees are prohibited from bringing alcoholic beverages, cannabis-based drugs, all illegal drugs to work; using or being under the influence of such substances while working; or otherwise possessing such substances on Agency premises - including any Agency building, home or facility; any Agency owned, leased, or approved vehicle; or any Agency-sponsored work related event or activity. Abuse of alcohol to the extent that it negatively, consistently affects the employee's work performance may be considered alcoholism. If the employee shows a desire to overcome the problem, the Agency will help the employee in his/her efforts toward rehabilitation. If the employee is unwilling to seek assistance, or if rehabilitation efforts are unsuccessful, the employee will be terminated in accordance with Agency employee discipline procedures. An employee who is diagnosed as a drug abuser or alcoholic may be granted a medical leave of absence to undertake rehabilitation treatment. All guidelines for medical leave apply. The employee will not be permitted to return to work until certification is presented that the employee is capable of performing his/her job. Failure to cooperate with an agreed upon treatment plan may result in disciplinary action, up to and including termination.

It is the desire of BRS, Inc. to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in an appropriate mental and physical condition to perform their jobs in a satisfactory manner. While on BRS, Inc. premises and while conducting business-related activities off BRS premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or any impairing drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences. To inform employees about important provisions of this policy, BRS, Inc. has established a drug-free awareness program. The program provides information on the dangers and effects of substance abuse in the workplace, resources available to employees and consequences for violations of this policy.

Employees with questions or concerns about substance dependency or abuse are encouraged to use the resources of the Employee Assistance Program. They may also wish to discuss these

matters with their Supervisor, their Program Director, Human Resource, and/or Executive Director to receive assistance or referrals to appropriate resources in the community. Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program. Leave may be granted if the employee agrees to abstain from use of the problem substance and abides by all BRS, Inc., policies, rules, and prohibitions relating to conduct in the workplace and if granting the leave will not cause BRS, Inc. any undue hardship.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify BRS, Inc. of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction. Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their Supervisor, the Program Director, Human Resource personnel and/or Executive Director without fear of reprisal.

I. SUBSTANCE ABUSE EDUCATION/AWARENESS:

Each year, in accordance with the Tennessee Drug-Free Workplace Program, BRS, Inc. must provide at least one (1) hour of education/awareness for all employees about substance abuse in the workplace. Completion of one (1) hour is mandatory. Furthermore, this program is also a good opportunity to reinforce the Agency's policies and procedures regarding workplace substance abuse, treatment options, and help to produce a more harmonious work environment.

All supervisors are required to have completed a minimum of two (2) additional hours per year of workplace substance abuse recognition training, which includes recognizing signs of substance abuse in the workplace, how to document and collaborate with additional signs of employee substance abuse and how to refer substance-abusing employees to proper providers for treatment.

II. PURPOSE:

ALCOHOL AND DRUG RULES: AN OVERVIEW

The information is intended to provide a general summary of the rules; it should not be relied upon to fulfill all legal requirements stipulated in the regulations.

WHAT ARE THE RULES?

The BRS, Inc. regulations require alcohol and drug testing of all employee members. BRS, Inc. rules include procedures for urine drug testing and breath alcohol testing.

WHO IS AFFECTED BY THESE RULES?

The BRS, Inc. rules apply to all employees. This policy has been developed in an effort to achieve those goals and represents Buffalo River Services, Inc.'s commitment to comply with the Tennessee Drug-Free Workplace Program, T.C.A. §§ 50-9-101 et seq. and other applicable laws. The provisions of this policy may be amended at any time with or without prior notice to employees, except as required by law. If any provision or part of this policy is declared or determined by a court of competent jurisdiction or governmental agency to be invalid or unenforceable, the validity and enforceability of all remaining provisions and parts shall not be affected thereby, but shall continue in full force and effect.

III. POLICY SPECIFICS:

A refusal of an employee to be tested for alcohol or prohibited drugs in accordance with this policy will be considered insubordination and will constitute grounds for immediate termination in accordance with Tenn. Code Ann. § 50-9-108(b) and (f). Failing an alcohol or a drug test or refusing to be tested will result in a potential forfeiture of workers' compensation benefits as authored by

Tenn. Code Ann. § 50-9-101 et. Seq. and § 50-6-110.

It is a condition of employment for an employee to refrain from reporting to work or working with the presence of drugs or alcohol in the employee's body, and if an injured employee refuses to submit to a test for drugs or alcohol or receives a confirmed positive drug or alcohol test, the employee may forfeit eligibility for workers' compensation medical and indemnity benefits. Tenn. Code Ann. § 50-9-101 et. seq. Pursuant to Tenn. Code Ann. § 50-9-110(c) if an employee tests positive for either a drug or alcohol test, it is presumed that the presence of either the drug or alcohol was the proximate cause of a workplace injury. This presumption may be rebutted by a preponderance of the evidence that such drug or alcohol was not the proximate cause of the injury.

An employee who is not terminated may be mandatorily referred to substance abuse counseling and subsequent referral to rehabilitation as described later in this policy. However, nothing in this policy shall be deemed to preclude BRS, Inc. from taking steps to terminate any employee found to be in violation of any part of this policy.

IV. PROCEDURES FOR NOTIFYING EMPLOYEES OF COVERAGE:

As required by the Tennessee Drug Free Work Place Act, BRS, Inc. will notify all employees that they are covered by this policy and will provide them a summary of this policy. Applicants for positions covered by this policy will also be given a summary of the policy prior to pre-employment testing. Employees and applicants will be advised that the Chief Financial Officer/Human Resource Personnel will be available to them should they have any questions regarding this policy or the testing procedures used by this policy. Employees will also be advised that copies of this policy and of BRS's testing procedures will be made available to all employees and applicants upon request.

V. RESPONSIBILITIES:

The Executive Director has responsibility over all of BRS's drug and alcohol prevention and testing programs and for approving disciplinary actions that occur as a result of a positive alcohol or drug test or refusal to be tested. The Chief of Compliance has the functional responsibility for the administration of this program, coordinating with the Medical Review Officer (MRO) and the laboratory selected for testing, keeping records relative to alcohol/drug testing, and coordinating and initiating testing of applicants and employees.

VI. SUBSTANCE ABUSE COUNSELING:

Employees are reminded that costs of counseling, treatment or rehabilitation may be covered under the employee's group health insurance plan, subject to eligibility requirements, limitations and conditions of the plan. All costs of counseling, treatment or rehabilitation that are not paid by the employee's insurance carrier will be the responsibility of the employee. BRS, Inc. strongly encourages employees who are misusing alcohol and/or using illegal drugs to voluntarily refer themselves to a counseling or rehabilitation program. BRS, Inc.'s Employee Assistance Program offers resource information on various sources of employee assistance in our community including, but not limited to, drug and alcohol abuse programs. Nothing contained herein should be construed as restricting BRS, Inc.'s right to terminate a covered employee for violating this Substance Abuse Policy.

VII. TESTING PROCEDURES AND METHODOLOGY

BRS, Inc., and any MRO, laboratory, collection site personnel, and their agents will conduct drug and alcohol testing in accordance with the Tennessee Drug-Free Workplace Act and the Department of Transportation Procedures for Transportation Workplace Drug and Alcohol Testing, Programs. 49 C.F.R., Part 40 ("DOT Procedures"), unless it is impossible or impracticable to do so and except as stated herein. To ensure control, identity, integrity and accuracy of the test results, all individuals

involved in the testing will follow appropriate specimen collection methods, preparation and transportation of the specimens, chain of custody procedures, analysis, and reporting in accordance with DOT Procedures, except as stated herein or in the Tennessee Drug-Free Workplace Act.

A. Drug Testing Procedures:

Drug testing under this policy consists of an analysis of urine samples for the following drugs or classes of drugs:

- Amphetamines; Methamphetamine, Amphetamine
- Barbiturates; Amobarbital, Butalbital, Pentobarbital, Secobarbital, Phenobarbital
- Benzodiazepines; Desmethyldiazepam, Diazepam, Oxazepam, Valium
- Marijuana metabolites; Cannabinoids, 9 Carboxy- THC
- Cocaine Metabolites; Benzoyllecgonine
- Methadone; Methadone, Methadone Metabolite
- Opiates; Codeine, Morphine, 6- Monoacetylmorphine
- Phencyclidine (PCP); Phencyclidine
- Propoxyphene; Norpropoxyphene, Darvon

BRS, Inc. reserves the right to test for any other controlled substance. The current cutoff levels at this reading may be adjusted without notice to meet laboratory standards. The MRO will be the resource for data concerning the cut-off levels. Drug testing under this policy will involve the screening of urine samples for the prohibited drugs. The initial test performed on the urine sample will be an immunoassay test, which will be used to eliminate negative urine specimens from further consideration. Any specimens identified as positive in the initial test will be confirmed by using gas chromatography/mass spectrometry ("GC/MS") techniques at the cutoff levels set forth above. The initial and confirmation testing will be performed at BRS Inc.'s expense. Any applicant or employee who tests positive may arrange for a retest by a Department of Health and Human Services ("DHHS") certified laboratory. However, any retest must be performed on the original sample and will be at the applicant or employee's expense. The urine samples will be collected at designated collection sites by personnel trained in the process of collecting urine specimens and seeing that correct chain of custody procedures are followed. Collection sites can be any suitable location permitted by DHHS guidelines and regulations, including properly equipped mobile facilities.

BRS, Inc. or any other designated contracted entity performing BRS, Inc.'s urine specimen collection shall have all necessary personnel, materials, equipment, facilities, and supervision to provide for the collection, security, temporary storage, certified drug testing laboratory designated by BRS, Inc.

BRS, Inc. will choose a laboratory, which is a DHHS certified lab to perform the testing. The laboratory will be responsible for performing the required test in a professional manner and in accordance with its standard operating procedures. The laboratory will maintain strict confidentiality of any test results, and will communicate test results only to the employee tested, a Medical Review Officer, (if one is designated), and/or to the Chief Financial Officer/Human Resource Personnel or the Executive Director of BRS, Inc.

It is the employee's or job applicant's responsibility to notify the laboratory of any administrative or civil action brought pursuant to the State of Tennessee's Drug Free Workplace Program.

All individuals being tested will be required to sign authorization forms necessary to allow BRS, Inc. or its designated contractor to perform the drug test and to allow BRS, Inc. to be advised of the

results. In addition, BRS, Inc. reserves the right to test for any other controlled substance or prohibited drug in addition to the drugs or classes of drugs identified by this policy.

B. Alcohol Testing Procedures:

Alcohol testing will be conducted using evidential breath testing ("EBT") devices approved by the National Highway Traffic Safety Administration ("NHTSA"). The locations for alcohol testing will afford sufficient privacy to the individual being tested to prevent unauthorized persons from seeing or hearing test results. BRS (or its agents for alcohol testing) may utilize mobile collection facilities that meet the privacy requirements. A qualified breath alcohol technician ("BAT") utilizing an EBT will perform a screening test. Any screening test with an alcohol concentration less than 0.02 percent is considered a negative test, and no further action will be taken. However, if the alcohol concentration in the screening test is 0.02 percent or greater, a second or confirmation test will be conducted after a 15 -minute waiting period. The confirmation test must be performed no sooner than 15 minutes and no later than 30 minutes after the initial screen.

The confirmation test result is deemed to be the final result upon which any disciplinary action will be taken under this policy. The employee and BAT will complete and sign an alcohol testing form and the BAT will report the test results to the Chief Financial Officer/Human Resource Personnel. An alcohol concentration of 0.10 percent is presumptively positive and will subject the employee to disciplinary actions up to and including termination. Employees with a concentration between 0.04 and 0.10 percent may be subject to disciplinary action, including termination, depending upon the circumstances. If an employee is found to have an alcohol concentration of 0.04 percent or greater, but less than 0.10, the employee will be removed from his or her position without pay for the remainder of the shift. The employee will not be allowed to perform or continue to perform his or her functions until the start of the next regularly-scheduled shift, but not less than 24 hours following the administration of the test and only after testing below 0.04 on a breath alcohol test before performing his or her next shift. An employee testing between 0.04 and 0.10 on the follow-up retest is subject to disciplinary action up to and including termination.

In the event the employee is seriously injured, unconscious or otherwise unable to evidence consent to an alcohol breath test, BRS, Inc. will take all reasonable steps necessary to obtain a blood sample for testing. Any physician, registered nurse, licensed practical nurse, clinical laboratory technician, licensed paramedic, or licensed emergency medical technician approved to establish intravenous catheters and withdraw blood is qualified to take the blood sample, which will be processed by a DHHS certified laboratory. An alcohol concentration of 0.10 percent is presumptively positive and will subject the employee to disciplinary action, up to and including discharge. Employees with a blood alcohol concentration between 0.04 and 0.10 percent may be subject to disciplinary action, including termination, depending upon the circumstances.

Alcohol is a legal substance. However, using alcohol is prohibited while performing work functions or while engaged in any BRS, Inc. job duties. All job functions of BRS are considered to be "safety-sensitive".

Performance of safety-sensitive functions is prohibited:

- While using alcohol,
- While having a breath alcohol concentration of 0.04 percent or greater as indicated by an alcohol breath test, and
- Within four hours after using alcohol.

In addition, refusing to submit to an alcohol test or using alcohol within eight hours after an accident or until tested are prohibited. This may result in disciplinary action against the employee up to and including immediate termination of employment.

HOW DOES RANDOM ALCOHOL TESTING WORK?

Random alcohol testing must be conducted just before, during, or just after a employee member's performance of safety-sensitive duties. The employee member is randomly selected for testing from a "pool" of subject employee members. The testing dates and times are unannounced and are reasonably spread throughout the year. Each year, the number of random tests conducted by the employer must equal at least 10% of the average number of employee member positions subject to the regulations. For our purposes, there are to be 12 employee members randomly tested for drugs twice per year for a total of 24 random, individual screenings. Random alcohol screenings will be done according to the discretion of management.

HOW WILL ALCOHOL TESTING BE DONE?

The rules allow for screening tests to be conducted using saliva devices or breath testing using evidential breath testing (EBT) and non-evidential breath testing devices approved by the National Highway Traffic Safety Administration (NHTSA). NHTSA periodically publishes a list of approved devices in the Federal Register. Two tests are required to determine if a person has a prohibited alcohol concentration. A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a "negative" test. If the alcohol concentration is 0.02 or greater, a second confirmation test must be conducted. The employee member and the individual conducting the confirmation breath test (called a breath alcohol technician (BAT) complete the alcohol testing form to ensure that the results are properly recorded. The confirmation test, if required, must be conducted using an EBT that prints out the results, date and time, a sequential test number, and the name and serial number of the EBT to ensure the reliability of the results. The confirmation test results determine any actions taken.

WHAT ARE THE CONSEQUENCES OF ALCOHOL MISUSE?

Employee members who engage in prohibited alcohol conduct must be immediately removed from safety-sensitive functions. Employee members who have engaged in alcohol misuse cannot return to safety-sensitive duties until they have been evaluated by a substance abuse professional and complied with any treatment recommendations to assist them with an alcohol problem. To further safeguard transportation safety, employee members who have any alcohol concentration (defined as 0.02 or greater) when tested just before, during, or just after performing safety-sensitive functions must also be removed from performing such duties for 24 hours. If a employee member's behavior or appearance suggests alcohol misuse, a reasonable suspicion alcohol test must be conducted. If a breath test cannot be administered, the employee member must be removed from performing safety-sensitive duties for at least 24 hours.

HOW WILL EMPLOYEES KNOW ABOUT THESE RULES?

BRS, Inc. must provide detailed information about alcohol misuse, the employer's policy, the testing requirements, and how and where employee members can get help for alcohol abuse. Supervisors of safety-sensitive employee members must attend at least one hour of training on alcohol misuse symptoms and indicators used in making determinations for reasonable suspicion testing.

ARE EMPLOYEES ENTITLED TO REHABILITATION?

Employee members who violate the alcohol misuse rules will be referred to the EAP counselor or another substance abuse professional for evaluation. Any treatment or rehabilitation would be provided in accordance with the employer's policy or labor/management agreements. The employer is not required under these rules to provide rehabilitation, pay for treatment, or reinstate the employee member in his/her safety-sensitive position. If BRS does decide to return a employee member to safety-sensitive duties, administration must ensure that the employee member: 1) has been evaluated by a substance abuse professional; 2) has complied with any recommended treatment; 3) has taken a return-to-duty alcohol test (with a result less than 0.02); and 4) is subject to unannounced follow-up alcohol tests.

WHO DOES THE TESTING?

BRS, Inc. may do this using its own employees or contract services, or by joining together in a consortium that provides services to all member companies. Under certain circumstances, post-accident tests conducted by law enforcement personnel will be acceptable. Any individual conducting the test must be trained to operate the EBT and be proficient in the breath testing procedures.

WHO MAY COLLECT URINE SPECIMENS FOR DRUG TESTING?

BRS, Inc. may use any collection agency to collect samples randomly or otherwise at the Agency's administration's discretion. The Agency may also have Agency personnel trained and may use those employee members for collection at the discretion of administration.

A collector must meet training requirements to be permitted to act as a collector in the drug-testing program and meet each of the requirements of this section. A collector must have:

- a. Basic information. You must be knowledgeable about this part, the current "DOT Urine Specimen Collection Procedures Guidelines," and DOT agency regulations applicable to the employers for whom you perform collections, and you must keep current on any changes to these materials. The DOT Urine Specimen Collection Procedures Guidelines document is available from ODAPC (Department of Transportation, 400 7th Street, SW., Room 10403, Washington DC, 20590, 202-366-3784, or on the ODAPC web site (<http://www.dot.gov/ost/dapc>).
- b. Qualification training. You must receive qualification training meeting the requirements of this paragraph. Qualification training must provide instruction on the following subjects:
 - 1. All steps necessary to complete a collection correctly and the proper completion and transmission of the Custody and Control Form (CCF);
 - 2. "Problem" collections (e.g., situations like "shy bladder" and attempts to tamper with a specimen);
 - 3. Fatal flaws, correctable flaws, and how to correct problems in collections; and
 - 4. The collector's responsibility for maintaining the integrity of the collection process, ensuring the privacy of employees being tested, ensuring the security of the specimen, and avoiding conduct or statements that could be viewed as offensive or inappropriate;
- c. Initial Proficiency Demonstration. Following your completion of qualification training under paragraph (b) of this section, you must demonstrate proficiency in collections under this part by completing five consecutive error-free mock collections.
 - 1. The five mock collections must include two uneventful collection scenarios, one

insufficient quantity of urine scenario, one temperature out of range scenario, and one scenario in which the employee refuses to sign the CCF and initial the specimen bottle tamper-evident seal.

- 2. Another person must monitor and evaluate your performance, in person or by a means that provides real-time observation and interaction between the instructor and trainee, and attest in writing that the mock collections are "error-free." This person must be a qualified collector who has demonstrated necessary knowledge, skills, and abilities by --
 - i. Regularly conducting Department of Transportation drug test collections for a period of at least a year;
 - ii. Conducting collector training under this part for a year; or
 - iii. Successfully completing a "train the trainer" course.
- d. Schedule for qualification training and initial proficiency demonstration. The following is the schedule for qualification training and the initial proficiency demonstration you must meet:
 - 1. If you became a collector before August 1, 2001, and you have already met the requirements of paragraphs (b) and (c) of this section, you do not have to meet them again.
 - 2. If you became a collector before August 1, 2001, and have yet to meet the requirements of paragraphs (b) and (c) of this section, you must do so no later than August 1, 2004.
 - 3. If you become a collector on or after August 1, 2001, you must meet the requirements of paragraphs (b) and (c) of this section before you begin to perform collector functions.
- e. Refresher training. No less frequently than every five years from the date on which you satisfactorily complete the requirements of paragraphs (b) and (c) of this section, you must complete refresher training that meets all the requirements of paragraphs (b) and (c) of this section.
 - Error Correction Training. If you make a mistake in the collection process that causes a test to be cancelled (i.e., a fatal or uncorrected flaw), you must undergo error correction training. This training must occur within 30 days of the date you are notified of the error that led to the need for retraining.
 - Error correction training must be provided and your proficiency documented in writing by a person who meets the requirements of paragraph (c)(2) of this section.
 - Error correction training is required to cover only the subject matter area(s) in which the error that caused the test to be cancelled occurred.
- f. As part of the error correction training, you must demonstrate your proficiency in the collection procedures of this part by completing three consecutive error-free mock collections. The mock collections must include one uneventful scenario and two scenarios related to the area(s) in which your error(s) occurred. The person providing the training must monitor and evaluate your performance and attest in writing that the mock collections were "error-free".
- g. Documentation. You must maintain documentation showing that you currently meet all requirements of this section. You must provide this documentation on request to DOT agency representatives and to employers and C/TPAs who are using or negotiating to use your services.

As the immediate supervisor of an employee being tested, you may not act as the collector when that employee is tested, unless no other collector is available and you are permitted to do so under agency drug and alcohol regulations.

VIII. PRE-EMPLOYMENT DRUG TESTING:

WHAT ABOUT DRUG TESTING?

The drug testing rules cover the same employee members as the alcohol testing rules. The types of tests required are pre-employment, reasonable suspicion, post-accident, random, return-to-duty, and follow-up.

WHO REVIEWS AND INTERPRETS THE LABORATORY RESULTS?

All drug test results are reviewed and interpreted by a physician Medical Review Officer (MRO) before they are reported to the employer. If the laboratory reports a positive result to the MRO, the MRO contacts the employee member (in person or by telephone) and conducts an interview to determine if there is an alternative medical explanation for the drugs found in the employee member's urine specimen. If the employee member provides appropriate documentation and the MRO determines that it is legitimate medical use of the prohibited drug, the drug test result is reported as negative to the employer.

WHAT ARE THE CONSEQUENCES OF A POSITIVE DRUG TEST?

An employee member must be removed from safety-sensitive duty if he/she has a positive drug test result. The removal cannot take place until the Medical Review Officer (MRO) has interviewed the employee member and determined that the positive drug test resulted from the unauthorized use of a controlled substance. A employee member cannot be returned to safety-sensitive duties until he/she has been evaluated by a substance abuse professional, has complied with recommended rehabilitation, and has a negative result on a return-to-duty drug test. Follow-up testing to monitor the employee member's continued abstinence from drug use is also required.

All applicants for a position at BRS, Inc. will be required to submit to a urinalysis test for the detection of prohibited drugs as a part of the required pre-employment process. An applicant refusing to complete any part of the drug testing procedure, or testing positive on the drug test, will not be hired and will not be eligible to be considered for employment until the applicant shows proof of successful completion of a drug rehabilitation program or proof that the applicant has otherwise been successfully rehabilitated and is no longer engaging in prohibited drug use.

IX. POST-ACCIDENT TESTING:

Accidents that trigger post-accident drug and alcohol testing under this policy are described under Section II, and a drug and/or alcohol test will be administered as soon as possible following such an accident. However, nothing herein is intended to require the delay of necessary medical attention for injured individuals or prohibit an employee subject to post-accident testing from leaving the scene of the accident for a period of time necessary to obtain assistance or necessary emergency medical care. If any employee is injured, unconscious, or otherwise unable to evidence consent to a substance abuse test, BRS, Inc. will take all reasonable steps necessary to obtain the testing sample but will ensure that any injury will be treated first.

In the case of non-emergency injuries reported to BRS, Inc. after the fact, the injured employee must submit to testing at the time the injury is entered into the OSHA 200 Log.

If an employee subject to post-accident testing fails to remain readily available for testing, the employee may be deemed by BRS, Inc. to have refused to submit to substance abuse testing. Any employee refusing to submit to post-accident testing will be charged with insubordination and necessary procedures will be taken to discharge the employee. An employee testing positive on a post-accident test will be subject to disciplinary action, up to and including termination. A positive test or a refusal to test may also result in a forfeiture of workers' compensation benefits.

X. RANDOM DRUG TESTING:

Under this Substance Abuse Policy, all employees are subject to random drug testing on an annual basis. The process will be unannounced as well as random. The frequency of testing dates will vary, and testing will be reasonably spread throughout the year. Employees will be notified that they have been selected for random testing after they have reported for duty on the day of collection.

The selection of employees for drug testing under this part will be done using a random number table or a computer-based random number generator that is matched with an employee's social security number or other appropriate identification number. If an employee refuses to submit to random drug testing, the refusal will be considered insubordination and necessary procedures will be taken to terminate the employee. An employee who tests positive on the random drug test will be subject to disciplinary action up to and including termination. BRS will randomly select and test 50% of the entire employee in a 12-month period. This will be done by having no less than two unannounced, random screenings per annum.

XI. REASONABLE SUSPICION TESTING:

Whenever BRS, Inc. reasonably suspects that an employee's work performance or on-the-job behavior may have been affected in any way by a prohibited drug or alcohol, or that an employee has otherwise violated BRS, Inc.'s Substance Abuse Policy. BRS, Inc. may require the employee to submit to a drug and/or alcohol test. Reasonable suspicion sufficient to test will be based on a reasonable and articulable belief that the employee is using a prohibited drug or is misusing alcohol, or is otherwise in violation of BRS, Inc.'s Substance Abuse Policy, and will be grounded upon specific, contemporaneous, or continuing physical, behavioral, or performance indicators of probable drug or alcohol misuse. The decision to conduct a reasonable suspicion test may also be based upon information provided by a reliable and credible source.

Suspicion sufficient to justify testing may be based on, but is not limited to: (1) direct observation of drug or alcohol use or symptoms of drug or alcohol use; such as slurred speech, unsteady walk, impaired coordination, displays of violent, abnormal or erratic behavior, argumentative, improperly talkative, loud or controlled laughter, odor, etc.; (2) a significant deterioration of job performance that has resulted in a pattern of events identifiable with drug or alcohol misuse, to include a high rate of tardiness/absenteeism; (3) a report of drug or alcohol use provided by a reliable and credible source; (4) information that an employee has caused contributed to, or been involved in an accident at work; or (5) other behavior that gives rise to a reasonable suspicion of drug or alcohol use, including but not limited to, an arrest or conviction of a drug or alcohol related offense or identification the focus of a drug-related or alcohol-related criminal investigation.

When BRS, Inc. is of the opinion there are grounds for reasonable suspicion of drug testing, a documentation of the facts and basis for this opinion will be recorded by BRS, Inc. within seven (7) days after testing. A copy of this documentation shall be given to the employee upon request and the original documentation shall be kept confidential by BRS, Inc. pursuant to Tenn. Code Ann. § 50-9-109 and shall be retained by BRS, Inc. for at least one (1) year.

An employee who is requested to submit to a drug or alcohol test based upon reasonable suspicion, but who refuses to submit to such a test will be considered insubordinate and necessary procedures will be taken to discharge the employee. An employee who tests positive for drugs or alcohol as a result of a reasonable suspicion test will be in violation of this policy and will be subject to disciplinary action up to and including termination.

XII. RETURN- TO-DUTY AND FOLLOW-UP TESTING:

Return-to-duty and/or follow-up testing are not an option under this policy if BRS, Inc. terminates an employee who has either tested positive or has refused to take a test administered under this policy.

An employee, who has either refused to take or has failed an alcohol or drug test or has been given the opportunity to undergo counseling or rehabilitation, must pass a return-to-duty substance abuse test before the employee will be allowed to return to duty and will, as a condition of the return to duty, be required to agree to reasonable follow-up testing established by BRS, Inc. The extent and duration of the follow-up testing will depend upon the nature of the employee's position and the nature and extent of the employee's substance abuse problem, but it will not be less than once a year for a two year period after the employee's return-to-duty. The Agency may consult with its MRO, and/or other substance abuse professionals in determining the appropriate follow-up testing program. Advance notice of a follow-up test is prohibited.

An employee returning to duty after failing a drug or alcohol test will be required to sign a Return-to-Work agreement before returning to duty. This agreement will include, among other things, any required follow-up drug and alcohol testing and other conditions pertinent to that employee's continued employment with BRS, Inc. Any employee subject to return-to-duty or follow-up testing who fails an alcohol test or has confirmed a positive drug test result, or who refuses to submit to a return-to-duty or follow-up test, will be in violation of this policy and subject to immediate termination.

A return-to-duty alcohol test required by this section will be conducted immediately before the employee returns to work, and the employee must have a test result indicating an alcohol concentration of less than 0.04 percent before returning to duty. A drug test required by this section will be conducted prior to the employee returning to work, and the results of the test must be reported to BRS, Inc. as negative before the employee will be allowed to return to duty.

XIII. INSPECTION/SEARCH

BRS, Inc. expressly reserves the right, based upon reasonable suspicion of a violation of this policy, to inspect and search an employee's office, desk, locker, and other BRS property under the control of the employee, as well as the employee's personal effects in or on BRS property or job sites, such as parcels, packages, purses, lunch boxes, briefcases, and employee vehicles located on BRS property or in BRS designated parking areas.

Reasonable suspicion sufficient to justify a search may be based upon a reasonable belief, through observation or information provided by a reliable or credible source, that prohibited drugs or alcohol are being used, possessed, distributed, or sold while on duty, while operating BRS vehicles or equipment, while on BRS, Inc. property or job sites, or that an employee is otherwise violating this policy. The decision to search should be made by a supervisor or manager in consultation with the Executive Director, and the search should be conducted by the supervisor/manager and the Executive Director or their respective representatives.

In certain circumstances, an immediate search may be necessary. Generally, an immediate search is necessary where it is likely that the object of the search may be removed, altered, or destroyed before a more thorough evaluation of the situation can be made. If an immediate search is conducted, the purpose of the search should be explained to the affected employee if the employee

is present at the time of the search. At least two members of supervision or management should be present to observe and conduct the search.

An employee who refuses to allow a search of his or her personal property or vehicle will be in violation of this policy and charged with insubordination, and will be subject to immediate termination. Searches of BRS, Inc. property under the control of an employee (e.g., offices, desks, filing cabinets, lockers, etc.) are subject to being conducted without notice to the employee once the reasonable suspicion standard has been satisfied.

In addition to the foregoing, BRS, Inc. reserves the right, where it deems it appropriate, to use trained dogs and law enforcement personnel to detect prohibited drugs or alcohol. Identification of the presence of prohibited drugs or alcohol by the trained dogs will constitute individualized reasonable suspicion to allow BRS, Inc. to search any property pursuant to this Section and to request that the employee submit to a reasonable suspicion test. Any substance in question will be turned over to local law enforcement agencies as soon as discovered.

XIV. CRIMINAL CHARGES AND CONVICTIONS:

Any employee who is criminally charged with or convicted of a drug-related offense or with violating a criminal law related to operating a motor vehicle under the influence of alcohol, while on or off-duty or off BRS, Inc.'s property, must report the charge or conviction to the employee's supervisor no later than five (5) days after the individual has been charged with or convicted of such an offense. If an employee who drives the Agency's vehicle or equipment has his or her license suspended, revoked or canceled because of a criminal offense, or if the employee is otherwise disqualified from driving due to such an offense, the employee must notify the Chief of Compliance before the end of the business day following the day the notice was received. Failure to comply with these reporting requirements will lead to disciplinary action up to and including termination. BRS, Inc. will investigate the circumstances of the charge or conviction and, depending upon the circumstances, the charge or conviction could result in disciplinary action up to and including termination.

XV. USE OF PRESCRIPTION DRUGS:

BRS, Inc. recognizes the use of prescription drugs under the supervision of appropriate health professionals, is protected under the Americans with Disabilities Act. However, illegal use of certain prescription drugs by employees may cause impairment and create dangerous situations in the workplace. Accordingly, employees who are required to take prescription drugs which may cause impairment must strictly conform to the limits prescribed by a licensed medical practitioner familiar with the employee's medical history and assigned duties. Moreover, all employees are directed to advise their physician of any safety-sensitive responsibility that they perform for BRS, Inc. before taking prescribed medication that may prevent them from performing their jobs in a safe manner.

An employee may not possess or ingest prescription drugs that may cause impairment or create dangerous situations in the workplace without an appropriate prescription issued to the employee. A violation of this provision may subject the employee to discipline, including termination. If the employee's personal prescribing physician determines that working while taking the medication will create a safety risk, the employee is directed to (1) advise his or her supervisor of any safety risks so that accommodations can be made and the assignment of steps can be taken to eliminate the risks, or (2) not report to work while taking any required medication which prevents the employee from performing in a safe manner.

Violation of any of the foregoing requirements will lead to disciplinary action up to and including termination.

It is the responsibility of any employee who drug tests positive to inform the MRO of any prescription or non-prescription drug use that may have affected the results of the test. The purpose of this disclosure is to assist the MRO in determining whether such prescription or non-prescription drug use is the source of any positive test results. Any records of prescription drug use in the possession of the MRO will be maintained in a confidential manner and disclosed to BRS only to the extent necessary to address any work-related safety risks.

XVI. MEDICAL REVIEW OFFICER:

The Agency may at its sole discretion appoint a third party MRO who will be a licensed physician with knowledge of drug and alcohol abuse disorders.

The MRO is responsible for receiving laboratory results generated by the drug-testing program and for interpreting and evaluating an individual's confirmed positive test result together with his or her medical history and any other relevant biomedical information. The MRO is further responsible for verifying that the laboratory report and assessment are correct and for determining if any positive test occurred as a result of legally prescribed medication or other alternative medical explanation. An employee or job applicant who receives a positive confirmed test result may contest or explain the result to the MRO within five (5) working days after receiving written notification of the test result. It is the responsibility of the employee to inform the MRO that prescription drug use may have affected the drug test result.

If the MRO determines that there is a legitimate medical explanation for the positive test other than the use of a prohibited drug, or if the MRO concludes, based on available data, that a particular test is scientifically insufficient, the MRO will conclude that the test is negative for that individual. If the MRO determines that there is no legitimate explanation for the positive test other than the use of a prohibited drug, the MRO will conclude that the test is positive. The MRO will advise the Chief Financial Officer/Human Resource Personnel of all test results, and will maintain complete confidentiality, except as otherwise permitted by the individual employee or other applicable federal or state law.

If BRS, Inc. does not appoint an MRO, the laboratory will report positive and negative test results directly to the Chief Financial Officer/Human Resource Personnel who will, in turn, advise the appropriate manager of negative test results and will advise the employee (or applicant) of positive test results. It is the responsibility of the employee (or applicant) to inform the Chief Financial Officer/Human Resource Personnel if any prescription or non-prescription drug use may have affected the drug test result. BRS, Inc. reserves the right, in its discretion, to have such an employee's (or applicant's) test results referred to a physician designated by BRS, Inc. In that event, the physician will verify that the laboratory report and assessment are correct and will determine if the positive test occurred as a result of legally prescribed medication or other alternative medical explanation. The physician will report whether the test is to be considered positive or negative to the Chief Financial Officer/Human Resource Personnel, who will advise the employee (or applicant) and act accordingly.

Employees and job applicants may consult with the MRO for technical information regarding prescription and non-prescription medication. The MRO is responsible for informing the employee (or applicant) of his or her right to request the retest. If the retest does not confirm the original test, the MRO will cancel the test and report the reasons for the cancellation to the Chief Financial Officer/Human Resource Personnel and the employee (or applicant). The person requesting the retest is responsible for paying the cost of the second test, but if the retest is negative, the cost will be reimbursed.

Results of negative tests will be communicated by the MRO to the Chief Financial Officer/Human Resource Personnel who in turn will advise the appropriate manager as indicated by the employment status of the person tested.

XVII. RECORD KEEPING - CONFIDENTIALITY:

BRS, Inc. will maintain records relative to drug and alcohol testing under this policy for a period of at least one (1) year. Information regarding an individual's testing results is confidential. These records will be kept separate from employee's personnel records in their confidential medical file in a secured facility. The custodian of such records will be limited to the position of the Chief of Compliance and Human Resources or their appropriate designee. Such records will be released by BRS, Inc. only upon the written consent of the individual employee or applicant, except that such information will be released, regardless of consent, to proper governmental authorities or in case of administrative action or a civil action filed in state or federal court, or as otherwise may be required by law. Such consent must include the following information: the name of the person authorized to obtain the information, the purpose of disclosure, the precise information to be disclosed, the duration of the consent, and the employee's signature. BRS Inc.'s management personnel with a need to know will be informed of the results of any drug or alcohol testing under this policy.

ARE EMPLOYEE MEMBER'S DRUG TESTING RECORDS CONFIDENTIAL?

Yes. Drug testing results and the employer, the drug-testing laboratory, and the medical review officer maintain records under strict confidentiality. They cannot be released to others without the written consent of the employee member. Exceptions to these confidentiality provisions are limited to a decision-maker in arbitration, litigation or administrative proceedings arising from a positive drug test. Employers and drug testing laboratories maintain statistical records and reports. This information is aggregated data and is used to monitor compliance with the rules and to assess the effectiveness of the drug testing programs.

The provisions of this policy may be amended at any time with or without prior notice to employees. Absent a written agreement to the contrary, employment at BRS, Inc. is at will and nothing in this policy is intended to alter or change that employment relationship.

In Addition:

Since BRS, Inc. has many persons served who use prescription medications, it is very important that we have procedures to follow when a medicine is lost or missing. The following will be implemented when medication is found to be missing. The person who discovers that the medication is missing will report this immediately to the Program Director, the Executive Director or one of the Management Team members. The medication lock box will be secured by counting all medications immediately. With two employees present, the second employee will double-check the first count. A list will be made of all medications present. As soon as feasible, all employees having worked in the immediate area will undergo a drug test. The person on-call or the Program Director will notify the CFO and immediately follow state regulations. That person will also immediately report the incident to the local police officials. There may be an investigation by the local police department and, if so, the Program Director will request a copy of the completed police report.

The Violation of Drug Free Workplace Policies Return to Work Contract will be used to outline the requirements for any employee to be allowed to resume duties. The contract must be completed jointly with the employee, supervisor and one other approved supervisor and/or Human Resources.

Compliance With Laws and Regulations

Employees shall conduct all work-related activities in compliance with all laws, regulations, policies, and procedures. BRS, Inc. employees are charged with understanding the applicable laws, recognizing potential dangers, and knowing when to seek management or legal advice.

8-24. On-Call Rotation

This policy describes the activities for all employees taking the on-call rotation who are officially required to be accessible by telephone, cell phone, or pager (beeper) and who might return to work sites of BRS, Inc. within a designated period to provide necessary services. The employee must be accessible and available for work upon being contacted via telephone, cell phone, or pager (beeper). If contacted via pager, an employee must call back within a reasonable time frame (usually 15 minutes) and acknowledge that they have received the page and will be following up with staff members. The employee must report to work within a reasonable time if the situation requires it after being contacted by the answering service, usually within one (1) hour, if the situation requires bodily presence. The employee must also be in a physical condition that allows him/her to resume duty.

On-call employees are not required to be at any specific work location while on call. The idea is for the employee to be able to continue with a personal, routine agenda. If the on call employee receives notification from the answering service of a problem, it is necessary for a call to be returned to the individual making the emergency contact. Once that has been done, the on-call staff member must use their best judgment to determine if they need to go to the agency site in a crisis or if the situation can be handled remotely. At any rate, efforts to resolve urgent and emergency situations will need to be activated immediately. Once the crisis is resolved, the on-call employee may resume their personal agenda.

BRS, Inc. prefers that on-call staff members should not have to go to relieve others who call out absent. It is preferred that on-call employees work a very limited number of times to replace absent staff or to relieve staff that need to leave the workplace. It is desired that on-call staff assist in finding a replacement for absent staff members if at all possible. Employees working in the homes will also assist in finding proper coverage.

On-call employees are only prohibited from engaging in activities that may impair their ability to perform their job safely if called to work. Otherwise, employees on call are encouraged to do personal activities and to not be working on the agency's business while on-call. Employees may be polled occasionally to ensure that they are engaging in activities of their own choice while on-call.

Employees shall be disciplined for outright and repeated refusals to respond to on-call duty.

Administrative and professional employees are not eligible for on-call compensation. Other than those who take weekend on-call, the agency pays a stipend for on-call duty beginning Friday at 4:30p through the following Monday 8:00 a.

Travel time spent to and from work while on-call shall be considered time worked, and the amount of time spent working while on-call must be included when computing overtime for those non-exempt employees who qualify for such compensation. To be eligible for on-call compensation, an employee must be scheduled during a period of normal time off and be available to return to duty, ready to work, within a reasonable time (usually one (1) hour) or be available by phone for giving instruction and problem solving activities. Employees who are scheduled as "back-ups" are not regarded as being on-call.

On-call employees will be contacted for duty by telephone, cell phone, or pager.

- a) Pagers/cell phones shall be carried by the employee.
- b) Employees who are to be contacted by telephone must leave word of where they can be reached with the administrative office and the answering service.
- c) On-call staff members must check in with the answering service if they have been out-of-range or not close to the telephone for a period of 30 minutes or more.

Employees should be notified in advance, whenever possible, of the days and hours that they will be required to be on-call.

Salaried employees called to work while on-call will be provided a minimum of two (2) hours of flex time, even if the actual time worked is less. If the actual time worked exceeds the initial two (2) hours, they will receive flex time equal to the time worked.

Every staff member with on-call duty is responsible for keeping the following records of time spent by employees while on-call: 1) on-call schedules; 2) home visit logs; 3) logs of the reason for each call-back and the length of the call-back (time records); 4) staff call out forms.

Normal Working Hours: BRS, Inc.'s normal working hours are from 8:00am - 4:30 pm, Monday-Friday, except Holidays. Support (on-call) calls are defined as any emergency call for support placed outside those hours.

On-Call List: The Chief of Compliance will maintain the on-call roster. The roster will contain as a minimum: the name, pager number, cell phone number, and home phone number, for everyone who is subject to the roster. The roster will list the current call representative at least one month in advance. Unless indicated on the roster, the on-call period will be for one week beginning each Monday at 4:30 P.M. through the following Friday at 8:00 A.M. The hours of on-call will be typically from 4:30 P.M. through 8:00 A.M. the next day, consecutively. Weekend on-call will begin at 4:30 P.M. on Friday and end at 8:00 A.M. on Monday each weekend for the full round-the-clock periods because there are no normal office hours during weekends. Holiday on call begins at 8a on the Holiday and ends at 8a the following day unless it falls during weekend on call hours. (i.e. a Holiday on Friday ends at 430p Friday when weekend on call begins). The on-call roster may be accessed by either the BRS, Inc. answering service or the front desk.

Switching Duty: Switching duty is permitted. The on-call representative will ensure notification of the switch to the answering service contact and affected staff members. Employees in the on-call rotation are encouraged to swap times if there is a need. This is allowed but should only be done after making all parties aware of the changes in advance. It is necessary to inform the administrative team and the answering service of changes being made.

Maintenance of Documentation: The on-call representative will keep written forms of all events that occur during the period for which he/she is responsible. The forms must contain an entry for each event for which the on-call representative was contacted, and a detailed description of any action taken. A copy of the form will be submitted to the appropriate Program Director, Human Resources and others for review. The on-call documentation will be forwarded to human resources & payroll at the end of the on-call period.

Response Time: Anytime an encounter occurs, the appropriate on-call representative will be notified. The notification from the answering service will first occur by page, cell phone or phone: the work number during business hours; the home number at other times; or at a number specified by the on-call person.

The on-call representative will immediately be paged or phoned. If after 10 minutes from the initial attempt to contact the person on-call, another attempt is to be made. If after another 10 minutes has gone by and there is still no response, the answering service will attempt the next person on the back-up list.

The on-call representative will be expected to provide a response to the caller within 15 minutes of notification.

If for any reason you are not able to respond to the initial contact (i.e. the phone number is busy or it rings with no answer), an entry will be made in the documentation. Another attempt will be made after 5 minutes of the initial attempt to respond and will be annotated in the documentation. The on-call representative will make 2 additional attempts to respond. The 3rd and 4th attempts are to be made 15 minutes apart and documented in the documentation.

Responsibility: The on-call representative is responsible for timely resolution of any encounter brought to his/her attention. While on-call, the on-call representative should plan his/her activities so that he/she can quickly respond to any call. It is expected for all critical issues that the on-call representative will be available on-site or connect within 60 minutes. Critical issues are defined as matters that require another person to lend support for client safety, wellness, protection or that require the on-call person to stand in for an employee.

8-25. Vehicle Emergency Procedures

Emergency procedures for vehicle operations are:

1. In the event of a flat tire or mechanical difficulty, pull off the roadside as safely as possible, turn on the emergency flashers, place gear into park or set the hand brake, advise the riders to sit quietly, and remove the key from the ignition. Then, make contact with the Agency. If necessary, stop a passing vehicle and request assistance. Make sure individuals served are in a safe place away from the road.
2. In the event of an injury or vehicle accident, gather the riders in a secure place away from the road, stop a passing vehicle for assistance or send one rider for help. Perform first aid, if needed. Call the proper authority and get a police accident report for insurance purposes. Do not move the vehicle prior to police arriving on the scene.
3. In the event of fire, evacuate the vehicle and move the riders a safe distance from the vehicle. Then attempt to extinguish the fire, if the attempt does not constitute a danger.
4. In the event of a tornado or severe storm, move the riders from the vehicle to a ditch, depression or other safe place.

8-26. Agency Vehicles for Personal Use

Procedures for Agency employee using Agency vehicles for personal transportation to work:

1. If Supervisors cannot find anyone else to cover at a residential/supported living facility, Program Directors may give approval for employees to use an Agency vehicle to transport them to work that shift. This should be an isolated situation and NOT an ongoing situation. The employees must NOT be on the Agency clock until they arrive at the location for which they have agreed to work and

should clock out at the end of their shift before driving back. The Agency will charge the employee \$5 each trip (\$10 round-trip). All Program Directors involved will be responsible for talking with each other and agreeing that their vehicle is available for use in this situation. Unless the Program Directors agreed who would do the documentation when they communicated, the Program Director needing the coverage will be responsible for documenting the information about who, what, when, and where and turning it in to administration (payroll).

2. If On-Call Employee get a last-minute call out, they have the authority to approve a one-time isolated situation for an employee to drive an Agency vehicle to work if there is absolutely no one available or willing to work that has transportation. The employees must NOT be on the Agency clock until they arrive at the location for which they have agreed to work and should clock out at the end of their shift before driving back. The Agency will charge the employee member \$5 each trip (\$10 round-trip). Information about who, what, when, and where must be documented and turned in to administration (payroll).

3. Both of these situations must be documented by Program Directors/On-Call Employee, and a copy of that documentation must be submitted to the administrative office. The trip fees must be paid no later than the next payday. If non-payment becomes an issue, disciplinary action will occur.

8-27. Error Correction

The Agency does not use liquid paper, whiteout or any method that eliminates what was initially written, to make correction of errors on permanent records. When an error is made and the wrong word or words are written, the staff member must draw a single (one) line through the part that is incorrect, write the correct entry and initial it.

8-28. Weapons

Buffalo River Services does not permit weaponry of any kind on its premises including parking lots. Weaponry is defined to include, but is not limited to all guns, swords and knives (exception: cutlery being utilized for purposes of food preparation and serving), explosives, caustic or other dangerous chemicals (exception: materials being utilized for purposes of facilities repair and maintenance).

8-29. Employee Grievance Process GRIEVANCE PROCEDURES

POLICY:

Employees are encouraged to bring to the attention of leadership their grievances about work-related issues. Employees will be provided an opportunity to present their complaints and appeal leadership decisions through a formal grievance procedure. All grievances will be resolved promptly.

PRACTICE:

A grievance is defined as an employee's expressed feeling of dissatisfaction concerning conditions of employment or treatment by leadership or other employees. Examples of actions that may be causes of grievances include:

- Application of Agency policies, PRACTICE, rules, regulations and procedures believed to be

to the detriment of an employee;

- Treatment considered unfair by an employee, such as coercion, reprisal, harassment or intimidation;
- Alleged discrimination because of race, color, sex, age, religion, national origin, marital status, disability or any other non-merit factor which is not tolerated under and circumstance; and
- Improper or unfair administration of employee benefits or conditions of employment such as benefits, promotions, retirement, performance reviews or salary.
- Employees are encouraged to use this Grievance Procedure and are not to be penalized for doing so. The Agency is responsible for processing the grievance until the employee is satisfied with the level of review or until the employee's right of appeal is exhausted.

1. The following steps outline the Grievance Procedures:

- a. The employee brings a work-related problem to the attention of the Supervisor or Program Director in writing within five (5) working days from the event that inspires the grievance. The Supervisor or Program Director is responsible for investigating the grievance, attempting to resolve the grievance, and communicating a decision to the employee within 10 working days. If the employee's problem is with the Supervisor/Program Director, the employee is encouraged to talk to the Supervisor/Program Director, but the employee may feel free to talk with the Vice President of Compliance.
 - a. If the aggrieved employee is not satisfied with the Supervisor/Program Director's decision, he/she is permitted to appeal to the Chief Executive Officer (CEO) within five working days of the impasse. The Supervisor/Program Director documents the employee's grievance and the decision for review by the Executive Director. The Executive Director will discuss the matter with the employee and the Supervisor/Program Director and make a decision concerning the grievance within a five working day period.
 - a. If the appeal to the CEO fails to satisfy the employee, he or she is permitted to request a hearing with the Personnel Committee appointed by the Board of Directors by requesting an appeal. The aggrieved employee should request a meeting within five (5) working days from the impasse.
 - a. If the appeal to the Personnel Committee is not satisfactory, the employee may request a hearing with the full Board of Directors at their next scheduled meeting. The employee will have the opportunity to address the Board of Directors, along with the Supervisor or Program Director and CEO. The Board of Directors will make the FINAL decision and explanation of the decision will be documented. The CEO or Chairperson of the Board may expedite this process at their discretion.
1. Information concerning an employee grievance will be received in confidence.
 2. Time spent by aggrieved employees in grievance discussions with management during their normal working hours will be considered hours worked for pay.

3. Management decisions on grievances will not be precedent setting nor binding on future grievance unless they are officially stated as Agency policy.
4. Whenever possible, the decision will be retroactive to the date of the employee's official complaint.

8-30. Social Media and Networking

SOCIAL NETWORKING POLICY

Buffalo River Services, Inc. takes no position on your decision to start or maintain a blog or participate in other social networking activities. However, it is the right and duty of the company to protect itself from unauthorized disclosure of information. Buffalo River Services, Inc.'s social networking policy includes rules and guidelines for company-authorized social networking and personal social networking and applies to all executive officers, management and staff.

Blogging or other forms of social media or technology include but are not limited to video or wiki postings, sites such as Facebook and Twitter, chat rooms, personal blogs or other similar forms of online journals, diaries or personal newsletters not affiliated with Buffalo River Services, Inc.

Unless specifically instructed, employees are not authorized and therefore restricted to speak on behalf of Buffalo River Services, Inc. Employees may not publicly discuss clients, products/types of services, employees or any work-related matters outside company-authorized communications. Employees are expected to protect the privacy of Buffalo River Services, Inc. and its employees and clients and are prohibited from disclosing personal employee and nonemployee information and any other proprietary (the right of ownership, or something exclusively owned) and nonpublic information to which employees have access. Such information includes but is not limited to customer information, trade secrets, financial information and strategic business plans.

Employer Monitoring

Employees are cautioned that they should have no expectation of privacy while using the Internet. Your postings can be reviewed by anyone, including Buffalo River Services, Inc. Buffalo River Services, Inc. reserves the right to monitor comments or discussions about the company, its employees, clients and the industry, including products and competitors, posted on the Internet by anyone, including employees and non-employees.

Employees are cautioned that they should have no expectation of privacy while using company equipment or company facilities for any purpose, including authorized blogging.

Buffalo River Services, Inc. reserves the right to use content management tools to monitor, review or block content on company blogs that violate company blogging rules and guidelines.

Reporting Violations

Buffalo River Services, Inc. requests and strongly urges employees to report any violations or possible or perceived violations to supervisors, managers or the HR department. Violations may include discussions of employees and clients, any discussion of proprietary information and any unlawful activity related to blogging or social networking.

Discipline for Violations

Buffalo River Services, Inc. investigates and responds to all reports of violations of the social networking policy and other related policies. Violation of the company's social networking policy will result in disciplinary action and may include immediate termination. Buffalo River Services, Inc. reserves the right to take legal action where necessary against employees who engage in prohibited or unlawful conduct.

Authorized Social Networking

The goal of authorized social networking and blogging by Buffalo River Services is to become a part of the industry conversation and promote web-based sharing of ideas and exchange of information. Authorized social networking and blogging is used to convey information about company products and services, promote and raise awareness of the Buffalo River Services, Inc. brand, search for potential new markets, communicate with employees and customers to brainstorm, issue or respond to breaking news or negative publicity, and discuss corporate, business-unit and department-specific activities and events.

When social networking, blogging or using other forms of web-based forums, Buffalo River Services, Inc. must ensure that use of these communications maintains our brand identity, integrity and reputation while minimizing actual or potential legal risks, whether used inside or outside the workplace.

Rules and Guidelines

The following rules and guidelines apply to social networking and blogging when authorized by the employer and done on company time. The rules and guidelines apply to all employer-related blogs and social networking entries, including employer subsidiaries or affiliates.

. Only authorized employees can prepare and modify content for Buffalo River Services, Inc.'s blog located on buffalo-river-services.com and/or the social networking entries located on Face Book, etc. Content must be relevant, add value and meet at least one of the specified goals or purposes developed by Buffalo River Services, Inc. If uncertain about any information, material or

conversation, discuss the content with your manager.

. All employees must identify themselves as employees of Buffalo River Services, Inc. when posting comments or responses on the employer's blog or on the social networking site.

. Any copyrighted information where written reprint information has not been obtained in advance cannot be posted on Buffalo River Services, Inc.'s blog.

. Business units and departments (Teams) are responsible for ensuring all blogging and social networking information complies with Buffalo River Services, Inc.'s written policies. Business unit and department heads (Program Directors, Program Coordinators, CFO) are authorized to remove any content that does not meet the rules and guidelines of this policy or that may be illegal or offensive. Removal of such content will be done without permission of the blogger or advance warning.

. Buffalo River Services, Inc. expects all guest bloggers to abide by all rules and guidelines of this policy. Company reserves the right to remove, without advance notice or permission, all guest bloggers' content considered inaccurate or offensive. Buffalo River Services, Inc. also reserves the right to take legal action against guests who engage in prohibited or unlawful conduct.

Personal Blogs

Buffalo River Services, Inc. respects the right of employees to write blogs and use social networking sites and does not want to discourage employees from self-publishing and self-expression. Employees are expected to follow the guidelines and policies set forth to provide a clear line between you as the individual and you as the employee.

Buffalo River Services, Inc. respects the right of employees to use blogs and social networking sites as a medium of self-expression and public conversation and does not discriminate against employees who use these media for personal interests and affiliations or other lawful purposes.

Bloggers and commenters are personally responsible for their commentary on blogs and social networking sites. Bloggers and commenters can be held personally liable for commentary that is considered defamatory (false and malicious statement that damages somebody's reputation), obscene, proprietary or libelous (constituting or containing a false published statement that damages somebody's reputation) by any offended party, not just Buffalo River Services, Inc.

Employees are encouraged not to use employer-owned equipment, including computers, company-licensed software or other electronic equipment, nor facilities while on company time, to conduct personal blogging or social networking activities. Excessive use for personal reasons may be

challenged. Employees are encouraged to only use cell phones and other devices when on breaks or in emergencies. This includes checking Face Book or other personal blogging or social networking activities. We realize that it is important in today's world to have access to the social networking. However excessive activities of this kind can and will be challenged per person if becomes competitive with caring for clients or interfering with work performance.

Employees shall not use blogs or social networking sites to harass, threaten, discriminate or disparage against employees or anyone associated with or doing business with Buffalo River Services, Inc.

If you choose to identify yourself as a Buffalo River Services, Inc. employee, please understand that some readers may view you as a spokesperson for Buffalo River Services, Inc. Because of this possibility, we ask that you state that your views expressed in your blog or social networking area are your own and not those of the company, nor of any person or organization affiliated or doing business with Buffalo River Services, Inc.

Employees cannot post company-privileged information, including copyrighted information or company-issued documents without permission from management.

Employees cannot post on personal blogs or social networking sites photographs of clients, vendors or suppliers, nor can employees post photographs of persons engaged in company business or at company events without proper permission of management and written releases.

Employees should always have permission of fellow employees before posting. If contacted by the media or press about their post that relates to Buffalo River Services, Inc. business, employees are required to speak with their manager before responding.

Clients or participants in our program are encouraged to have personal choice about having a social networking site as described above. If the person wishes to have social networking staff members and Circles of Support should be responsible to educate the person on Internet Safety and confidentiality issues. Personal identifying information such as social security numbers, telephone numbers, and addresses should be protected. It is the agencies policy to guard personal information on the behalf of our clients. Each staff person is charged to protect the client's information.

If you have any questions relating to this policy, your personal blog or social networking, ask your manager or supervisor.

8-31. PARTICIPATION IN PROFESSIONAL AND CIVIC ORGANIZATIONS

Employees are encouraged to participate in professional and civic organizations that promote professional development and enhance professional networking.

1. The agency pays for a limited number of memberships in designated professional and civic organizations when the budget allows.
2. Employee participation in the activities of these organizations is generally outside working hours.

However, such participation can be considered hours worked if the Agency benefits from the activity. This is determined by the Chief Executive Officer or designee.

3. Employees should give advanced notice to the Chief Executive Officer before seeking or accepting any official position in a professional or civic organization. If positions are accepted then agreements about limits on work time and other resources in performing office duties will be decided mutually.

4. Employees are encouraged to contribute articles, make presentations and give speeches to professional and civic organizations.

8-32. Corrective Action For multiple medication errors and description of Code Red corrective actions

1) Progressive disciplinary action will be taken with each staff as errors occur. Each error will be filed in the staff member's personnel record. The disciplinary process for medication errors/omissions/non-signatures will cover a 6 month span of time from the first date of disciplinary. After 6 months, unless a staff has reached the probationary period of this process, the process will be started fresh and the past 6 months disciplinary not counted. If a staff has reached the probationary period of the disciplinary process, it must continue and their disciplinary process will not start over until the full probationary period is completed successfully. The Progressive disciplinary process is as follows:

1st offense: Staff receives written verbal warning from Team Leader or County Manager.

2nd offense: Staff receives written warning from Team Leader or County Manager & counsel with agency RN.

3rd offense: Staff receives last written warning and counsel from County Manager.

4th offense: Staffs medication certification is revoked, must re-take 3-day training, and placed on 90 day probation.

Last offense: Staffs employment may be terminated.

In situations where a specific work location has unidentified errors (the person/persons responsible for the errors cannot be identified) or numerous identified errors, that team will be placed on Code Red Status. (see Code Red Status Policy).

.Medication Administration Code Red Status Policy What is "Code Red" status?

Code Red is the status in which work locations are placed under when unidentified med errors or numerous identified med errors have been occurring within the location at high frequencies. The purpose of the Code Red status is to increase oversight of medication administration within the location, to help identify the causes of unidentified med errors (i.e. persons making the errors), and to reduce the amount of med errors from occurring.

What are "identified" and "unidentified" med errors?

Identified med errors are errors in which the person responsible for making the error can be identified

based on the MAR, med counts, or by admission. Unidentified med errors are errors that have occurred in which no single staff member can be identified as the person responsible making the error.

How is a location placed under Code Red status?

In the event that multiple unidentified med errors occur within a single location (residential home, PA site, or day service program) within a calendar month, that location may be immediately placed on Code Red status. In the event that numerous identified med errors or blatantly negligent handling of medication administration occurs within a location, that location can be recommended to be placed on Code Red status by any of the management personnel (Team Leaders, County Managers, CEO or VP of Compliance, VP of Operations, RN, etc.)

All recommendations for Code Red placement will be reviewed by the agency leadership within 2-3 business days from the time of the request. If approved, that location will be placed in the Code Red status immediately.

How will Code Red status be communicated to the team and agency management?

Whenever a location is placed on Code Red status, the Director of that team will issue a copy of the Code Red Notification memo that is used throughout the agency to the identified location. This memo will be copied to the leadership members so that on-call personnel and the agency RN will be notified.

When a location is placed under Code Red status, what is required?

Code Red status requires that the following occur:

1. All medications in this location must be counted during all shift changes. (example: 1 shift will count medication before they leave, the incoming 2nd shift staff must verify that this count is correct when they arrive to work with the outgoing staff present.) Audit sheets for med counts must include the initials of both the incoming and outgoing staff of each count. This means that if a med count is incorrect, the staff person who administered medication on the outgoing shift would be the responsible person for the med error. Med errors will be reported by standard practice and policy.
2. Unannounced supervisory visits by the County Manager or designee will increase in this location. Visits will include oversight of medication administration by staff and random med counts will be conducted by management during visits.

How is a location removed from Code Red status?

Each location placed under Code Red status must complete a consecutive 30-day period without any medication errors whatsoever (this includes non-signature errors). Once a location has successfully completed this they will resume their routine med audit schedule and increased supervisory visits will cease.

8-33. Final Words

This handbook is intended to give employees a broad summary of things they should know about BRS, Inc. The information in this handbook is general in nature and, should questions arise, any member of management should be consulted for complete details. While we intend to continue the policies, rules and benefits described in this handbook, BRS, Inc., in its sole discretion, may always amend, add to, delete from or modify the provisions of this handbook and/or change its interpretation of any provision set forth in this handbook. Employees should not hesitate to speak to management if they have any questions about the Agency or its personnel policies and practices.

8-34. Employees 12 Hour Notice Procedures

We are all required to give 12 hours notice prior to being off work. It is expected to give as much notice as possible and even more than 12 hours when possible. The expected procedure is to call the offices during business hours and to speak to the manager in charge of your schedule. During non-business hours you are to call the on-call manager and report to that person. The answering service records the time of the incoming call and that is the time we use for your call time. You should state to the on-call person the reason for your absence. Even if you have coverage for your absence, you must still call the on-call number and report that you are out and who is covering for you.

In the event that you are not able to give a 12 hour notice that circumstance will be documented for tracking. But, with that documentation there will be disciplinary action if this becomes problematic and happens again. With 5 or more unexcused absence in a 12 month period termination is a possibility. We understand that there are rare occasions that you will not be able to give a 12 hours notice and that is why we have allowed so many unexcused absences before termination.

In the event that you or a member of your immediate family (those living in the house with you) has a serious emergency, this might be exceptional and not held against an employee. If you are required to be at the Emergency Room, in order to request an exception, we will require evidence of the visit, doctors statement, a copy of the ER bill that will show who received services and the date they were received or other proof. We understand that you may not be able to get that for several weeks and at that time the log or documentation will be removed from your file. This bill copy should be brought to your manager. The Chief Executive Officer or his designee will consider exception requests on a case-by-case basis.

Also as a reminder, the agency manager directly over you and your Team Leader or designee has the authority over your planned absence. The reason for this is they are the ultimate one responsible to find coverage in your absence, if the Team Leader is not able to.

*Also, a reminder to on-call staff. The reason for the absence should be written on the notes from on-call. If they did not give a reason, then you should call them back and speak with them.

GENERAL HANDBOOK ACKNOWLEDGMENT

This Employee Handbook is an important document intended to help employees become acquainted with BRS, Inc. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because the Agency's operations may change, the contents of this Handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Handbook.

I have received and read a copy of BRS, Inc.'s Employees Handbook. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of the Agency at any time.

I further understand that my employment is terminable at will, either by myself or the Agency, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.

I understand that no representative of BRS, Inc. other than the Executive Director may alter "at will" status and any such modification must be in a signed writing.

I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of the Agency's Employee Handbook.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this acknowledgment should be given to management - it will be filed in your personnel file.

RECEIPT OF NON-HARASSMENT POLICY

It is BRS, Inc.'s policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information or any other characteristic protected by applicable federal, state or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by BRS, Inc.

The purpose of this policy is not to regulate our employees' personal morality, but to ensure that no one harasses another individual in the workplace, including while on Agency premises, while on Agency business (whether or not on Agency premises) or while representing the Agency. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

A. Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

B. Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual or physical conduct of a sexual nature when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

1. unwelcome flirtations, leering, whistling, touching, pinching, assault, blocking normal movement;
2. requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. obscene or vulgar gestures, posters or comments;
4. sexual jokes or comments about a person's body, sexual prowess or sexual deficiencies;
5. propositions or suggestive or insulting comments of a sexual nature;
6. derogatory cartoons, posters and drawings;
7. sexually-explicit e-mails, text messages or voicemails;
8. uninvited touching of a sexual nature;
9. unwelcome sexually-related comments;
10. conversation about one's own or someone else's sex life;
11. conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
12. teasing or other conduct directed toward a person because of the person's gender.

C. Reporting Procedures

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to the Employee's Supervisor. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the Chief of Compliance. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

D. Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

E. Retaliation Prohibited

In addition, the Agency will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

1. Each employee has a responsibility to maintain the workplace free of any form of harassment.
2. Any employee who believes that the actions or words of a fellow employee constitute harassment has a responsibility to report or complain as soon as possible to the appropriate Supervisor or Program Director or the Executive Director or his designee.

3. With respect to sexual harassment, the Agency prohibits offensive comments, jokes, innuendoes, suggestive comments about an individual's dress or body, other sexually-oriented statements, unwelcome sexual advances, flirtations, touching, requests for sexual favors, the display of sexually suggestive objects or pictures and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where:
 - Submission to such conduct is made either explicitly or implicitly a term or condition of employment.
 - Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment, evaluation, wages, advancement, assigned duties, career development.
 - Such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment.
4. The Agency also expressly prohibits any form of employee harassment based on race, color, religion, sex, national origin, age, disability or status in any group protected by state or local law.
5. The Agency prohibits retaliation against anyone for having raised a complaint in good faith or cooperating with an investigation of a complaint.
6. All complaints of any type of harassment will be investigated promptly in as impartial and confidential manner as possible. If an employee is not satisfied with the handling of a complaint or the action taken by the appropriate Supervisor or Program Director, the employee should bring the complaint to the attention of the Chief Executive Officer. In all cases, the employee making a complaint is to be informed about the findings and conclusions reached regarding the complaint.
7. Any employee who is found, after appropriate investigation, to have engaged in harassment of another employee will be subject to appropriate disciplinary action up to and including termination.
8. These apply to relationships between employee and persons served also.

Buffalo River Services does not permit or condone sexual harassment of any Employee, by any Employee, or by any third party interacting with Buffalo River Service Employees.

It is BRS, Inc.'s policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information or any other characteristic protected by applicable federal, state or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by BRS, Inc.

The purpose of this policy is not to regulate our employees' personal morality, but to ensure that no one harasses another individual in the workplace, including while on Agency premises, while on Agency business (whether or not on Agency premises) or while representing the Agency. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment

and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

A. Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

B. Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual or physical conduct of a sexual nature when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violates this policy include:

1. unwelcome flirtations, leering, whistling, touching, pinching, assault, blocking normal movement;
2. requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. obscene or vulgar gestures, posters or comments;
4. sexual jokes or comments about a person's body, sexual prowess or sexual deficiencies;
5. propositions or suggestive or insulting comments of a sexual nature;
6. derogatory cartoons, posters and drawings;
7. sexually-explicit e-mails, text messages or voicemails;
8. uninvited touching of a sexual nature;
9. unwelcome sexually-related comments;
10. conversation about one's own or someone else's sex life;
11. conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
12. teasing or other conduct directed toward a person because of the person's gender.

C. Reporting Procedures

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to the Employee's Supervisor. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the Chief of Compliance. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

D. Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

E. Retaliation Prohibited

In addition, the Agency will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

I have read and I understand BRS, Inc.'s Non-Harassment Policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

RECEIPT OF USE OF ENABLING TECHNOLOGY POLICY

In any location where Enabling Technology is used, BRS, Inc. will assure the following:

1. Access to a High-Speed Internet connection with enough bandwidth to support recommended enabling technology devices.
2. A central networking system using wired-connection, WI-FI gateway, Infrared, Blue Tooth, or cloud connectivity. BRS, Inc. management will work with the ET vendor and IT decisions to determine and acquire the most functional method possible.
3. Agency staff assigned to remote support of an individual will be provided with agency-owned internet-capable devices including computers, smartphones, or mobile tablets for the receipt and transfer of remote support data. Personally owned devices will be prohibited in the transfer and/or receipt of remote support data and other company business data.
4. All agency-owned internet-capable devices will be managed through secured web-based and/or mobile interface that meets the information technology requirements explained in this policy.
5. All agency-owned internet-capable devices will have the ability to send and receive daily communication, notifications, and alerts through emails, texts, and/or video and phone conferencing.
6. Such devices and associated data collected will comply with all Information Technology policies and procedures previously listed in this policy.

I have read and understand BRS, Inc.'s Use of Enabling Technology policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

RECEIPT OF ELECTRONIC SIGNATURE POLICY

BRS, Inc. defines an electronic signature as a digitized identifier intended by the person using it to have the same force and effect as the use of a manual signature by employing a private identification password as the method of attaching the digitized identifier.

As documents are verified by the composer, a digital signature is attached to each document to authenticate the entry. Every digital signature is unique to the signer because every staff member is required to complete a password code each time a signature is required. The password code is known only by the staff member. Staff members are not allowed to divulge their password code to any person. Once the password code is submitted, the staff member's name (as used in a signature) will appear in the signature line. Once signed, the system will not allow any modification to the original note without another signature. If the staff member recognizes an error or realizes that additions or modifications to the note are necessary, the staff member must log an addendum to the note and sign it separately. Given the fact that a signature private identification password is initially assigned by the computer from a random set of symbols and that no other person can have the staff member's private identification password, staff members will not be allowed to deny the willful and intentional signing of a document.

Procedure:

1. Sharing of passwords is prohibited.
2. Electronic signature identifies staff person and title.
3. Staff will sign Statement of Assurance - Computer Password Integrity.

I have read and understand the Electronic Signature policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

RECEIPT OF BRS, INC. PHYSICAL REQUIREMENTS

<u>Activities</u>	<u>Demands</u>
Sitting	Minimal. This would only be required when the person conducting this position is doing paper work.
Standing Constantly/ Walking	The surfaces may vary from carpeted to concrete. Surfaces outdoors would include various surfaces. As far as transporting persons with disabilities, the driveway as well as the parking lot of the facility is gravel. Surfaces are described as basically uneven.
Lifting/Carrying	This is described as medium to heavy, depending upon the particular task and it could vary from day to day. The person filling this job position is encouraged to seek help when trying to transfer a person with a disability. The same is true for the transfer of equipment into vans and for loading and unloading. The person is trained in proper lifting techniques and when to seek assistance.
Pushing/Pulling	This is described as a variety of levels and continuous throughout the day. It may vary from day to day in terms of how frequently persons with disabilities are loaded and unloaded onto the van and transported. This would involve opening and closing doors, retrieving items to set up a job task situation, moving chairs, setting up furniture. Again, this varies from day to day, with the particular schedule for that day, and whether the actual tasks that day are on-site or off-site. These also involve pulling and pushing a lawn mower and the pulling required to start the lawn mower.
Climbing	Whether the amount of climbing is minimal, frequent or constant would again vary with particular job tasks. However, on an average day, this is described as minimal.
Bending	This is continuous and constant throughout the day.
Twisting	There seems to be no predominance as to whether this would be at the knees or the waist and again described with the variety of tasks through the day, but there is quite a bit of bending and twisting, both at the knees and the waist.
Crawling	This is described as minimal. This would again be specified by a particular job task, but not an actual detail that would be involved in the job description.
Reaching	This could be described as continuous throughout the day, depending on the particular job tasks assigned, but the person conducting this position would be involved in the set-up for each job tasks preparation and then storage of the materials after the completion of the tasks.
Reaching overhead	This would vary again with tasks, but could be described as the potential to be continuous throughout the day on any given workday.
Fingering/Motor Skills	Constant throughout the day. Employer Fine describes this again as required in demonstrations for persons with disabilities as to how to complete the tasks. Because of the level of some of these people, this may have to be repeated several times during one demonstration.
Hearing/Talking/ Seeing	Constantly required. This position requires that a person provide both verbal and written instructions to those persons with disabilities that are able to follow the written instructions. For the most part, people at this facility rely very heavily on visual and auditory feedback. They require intense one-on-one demonstrations, even after a demonstration for the entire group.

I have read and understand BRS, Inc.'s Physical Demands Requirements.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

ACKNOWLEDGEMENT OF EQUIPMENT USE AND RETURN POLICY

Equipment

Employees agree to use electronic equipment that has been encrypted and meets all of the Agency's security requirements. If the Agency provides equipment for home use, employees agree to provide a secure location for Agency-owned equipment and will not use, or allow others to use, such equipment for purposes other than Agency business. Employees have no expectation of ownership in such equipment, linkages, property, or other items installed or provided by the Agency. The Agency will bear the expense of removal of any such equipment, linkages, and installations provided by the Agency upon the termination of the remote work/telecommuting arrangement but not modification of or repairs to the work location. Employees hereby release the Agency from any damage or liability incurred in the installing or removal of the equipment provided by the Agency.

Return of Agency Property

All equipment, records, and materials provided by the Agency will remain Agency property. Employees agree to return Agency equipment, records, and materials upon request. All Agency equipment will be returned by employees for inspection, repair, or replacement as needed or requested or immediately upon termination of the remote work/telecommuting arrangement. All equipment must be returned within five (5) business days of written notice to the employees.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

ACKNOWLEDGEMENT OF CONFIDENTIALITY AGREEMENT

During the course of work, employees may become aware of confidential information about BRS, Inc.'s business, including but not limited to information regarding Agency finances, pricing, products and new product development, software and computer programs, marketing strategies, suppliers and customers and potential customers. Employees also may become aware of similar confidential information belonging to the Agency's clients. It is extremely important that all such information remains confidential, and particularly not be disclosed to BRS, Inc.'s competitors. Any employee who improperly copies, removes (whether physically or electronically), uses or discloses confidential information to anyone outside of the Agency may be subject to disciplinary action up to and including termination. Employees may be required to sign an agreement reiterating these obligations.

BRS, Inc. follows HIPPA guidelines regarding confidentiality.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.