

Evergreen Retirement Community, Inc.

EMPLOYEE HANDBOOK

SPIRITUALITY

WELLNESS

COMPASSION

STEWARDSHIP



INTEGRITY

TEAMWORK

INNOVATION

QUALITY

Guided by Christian ideals, we strive to provide exceptional living environments, services and experiences for people 55 and older.

This handbook supersedes all previously written handbook editions.

Evergreen Retirement Community, Inc.

Employee Handbook

May 2021

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WELCOME TO EVERGREEN RETIREMENT COMMUNITY

It is my privilege to join the board of Directors, residents and staff of Evergreen in welcoming you to the team. Evergreen was founded in 1967 and has a long history of being a leader in providing care, services and programs to older adults in the greater Oshkosh Community.

At Evergreen we value each individual and the contributions they make to the team. Regardless of your responsibilities, the interactions you have with residents, families, guests and each other make a difference.

Employees are expected to familiarize themselves with the contents of this document as soon as possible as it will answer many questions about their employment. If they need more information, they should see their manager or Human Resources.

We strive to provide an environment where you can grow both personally and professionally. Whether it is through your daily work, involvement on teams or participating in wellness opportunities, we hope your experience will be a positive one.

A handwritten signature in cursive script that reads "Ken Arneson".

Ken Arneson
President & CEO

HISTORY OF EVERGREEN

Evergreen was founded in 1965 by Howard and Ruth Rowland as a health and welfare ministry of the Wisconsin Conference of the United Methodist Church. Open to people of any faith, Evergreen Manor was dedicated in November 1967.

It has a continuum of living options and has grown from apartments plus nursing home accommodations to independent and assisted living accommodations, a group home for those with Alzheimer's or other dementia, skilled nursing care, short-term post-surgical and rehabilitation skilled nursing, and in-home services.

Throughout our history, Evergreen has been committed to meeting the individual needs of each resident and helping each one to reach their highest wellness potential. Over the years our life enrichment opportunities have expanded greatly in order to promote wellness in all areas including physical, social, intellectual, emotional, vocational, environmental and spiritual. We believe that wellness is a lifelong, active process and we encourage individuals to choose a positive lifestyle that balances the health and well-being of mind, body and spirit.

MISSION, VISION AND VALUES

Evergreen's Mission

Guided by Christian values, we strive to provide exceptional living environments, services and experiences for people 55 and older.

Evergreen's Vision

A vibrant community that offers rich life experiences and choices in programs, services and environments for those we serve.

Evergreen's Values

"I" Statements:

- ❖ Spirituality – I am respectful of others beliefs.
- ❖ Integrity – I correct my mistakes and follow through on what I say I'll do.
- ❖ Wellness – I contribute to an environment that is safe and filled with possibilities.
- ❖ Innovation – I look for and am open to better ways of doing things.
- ❖ Compassion – I am caring, understanding and respectful.
- ❖ Quality – I strive for excellence by giving attention to the details.
- ❖ Stewardship – I use time and resources wisely.
- ❖ Teamwork – I work with others to get the work done.

IMPORTANT INFORMATION ABOUT THIS HANDBOOK

This handbook has been prepared by Evergreen Retirement Community, Inc. (Evergreen or the organization) to provide employees with general information about some of the policies and programs that affect their employment. It is not intended to be a legal statement of benefits, nor a comprehensive explanation of our personnel policies and practices. Its sole function is to give employees a general understanding of how the organization views the employment relationship and approaches personnel issues.

The policies and programs outlined in this handbook are those presently in effect. It is likely that the policies and the employment-related benefits and programs of Evergreen will change from time to time. Although we will periodically update this handbook to keep employees informed of changes, we may implement changes immediately, without advance notice. The management team is authorized to revise, delete or otherwise change policies, and to make the final determination in interpreting or applying policies.

It is not possible to anticipate every question that might arise in the course of employment. While this handbook provides information about topics most often of interest to employees, they may, on occasion, have a question or concern that is not addressed in the handbook. If that occurs, they should direct their questions to Human Resources or their manager.

Nothing in this handbook, nor any other written or verbal communication, should be construed as creating a contract for employment or a warranty of benefits for any particular period of time, nor does this handbook change the "at will" employment relationship between Evergreen Retirement Community and any of its employees. Employees have the right to terminate the employment relationship with Evergreen at any time, with or without notice, for any reason. The organization has the same right to terminate the employment relationship at any time, with or without notice, for any reason not prohibited by law. The organization retains sole discretion to add, delete, or change anything contained in this handbook, except employment-at-will.

This Employee Handbook supersedes and replaces any and all policies and related materials made available to the employees of Evergreen.

EQUAL EMPLOYMENT OPPORTUNITY

Evergreen is an equal opportunity employer and believes in equal opportunity for all employees and applicants. Accordingly, all employment decisions are based on the principles of equal opportunity. These decisions include recruitment, selection, promotion, transfer, discipline, compensation, benefits, training and other personnel actions involving persons in all job titles and shall occur without regard to race, creed, color, religion, sex, age, ancestry, national origin, disability, genetic information, military service, sexual orientation, marital status, arrest and conviction records, the use or nonuse of lawful products off the employers' premises during non-work hours, declining to attend meetings or participate in communications about religious or political matters or any other characteristic protected by law.

No individual will be denied nor receive special employment opportunities based on membership status in any protected category. Every employee of Evergreen is expected to support this equal opportunity and non-discrimination commitment by conducting him/herself in a manner that is consistent with the intent and spirit of this policy.

Any individual who believes he or she has experienced or observed behavior contrary to this policy is expected to report that information to their manager, Human Resources or by calling the Compliance Hotline (1-866-317-4347). All such reports of action contrary to this policy will be taken seriously and investigated promptly. Individuals found to have violated Evergreen's Equal Employment Opportunity Policy will be subject to corrective action, up to and including termination of employment. No individual shall be retaliated against for making a good faith report of behavior contrary to this policy.

COMPENSATION

EMPLOYMENT CLASSIFICATIONS

The following employment classifications have been established for overtime and benefit purposes:

Full-time: An employee who is regularly scheduled to work 37.5 or more hours per week on a regular and consistent basis, without any defined termination date. Full-time employees are eligible for benefits, provided they meet the requirements of the benefit plans.

Half-time : An employee who is regularly scheduled to work more than 19.375 hours and less than 37.5 hours per week on a regular and consistent basis, without any defined termination date. Half-time employees may be eligible for certain benefits, provided they meet the requirements of the benefit plans.

Part-time: An employee who is regularly scheduled up to 19.375 hours per week on a regular basis, without any defined termination date. Part-time employees are not eligible for benefits.

Limited Term: An employee who holds a position, either part-time or full-time, for a limited time only such as seasonal employees. Limited term employees are not eligible for benefits.

Casual Call: An employee who does not have any scheduled hours, works this program with different hours and requirements for weekends and holidays.

Nonexempt: Employees in any of the above classifications who are paid on an hourly basis and are not exempt from minimum wage, overtime and timekeeping provisions of the Fair Labor Standards Act, as amended, and applicable state law. Nonexempt employees are eligible to receive overtime pay. (Also referred to as overtime eligible)

Exempt: Full-time or part-time employees who are paid on a salaried basis and are exempt from the minimum wage, overtime and certain timekeeping provisions of the Fair Labor Standards Act, as amended, and applicable state law. Exempt employees are paid a pre-determined amount of pay regardless of the number of hours they work each week. Exempt employees are not eligible to receive overtime pay. (Also referred to as overtime ineligible)

If you are unsure of your employment classification, please see Human Resources.

LUNCH & BREAK PERIODS

If you are scheduled to work six (6) or more hours in a shift, you may receive an unpaid lunch period of 30 minutes during your shift. This will be scheduled by the staff member in charge or your manager. You should not perform any work-related duties during your lunch period. Nonexempt employees must record their time in and out at the beginning and end of the lunch period.

If you work continuously for four (4) or more hours, you may take one paid 15 minute break per day. Breaks are only to be taken when they do not interfere with care and service and when other employees are available to carry on essential functions. Breaks are not guaranteed and may need to be postponed or skipped. Employees must remain on the Evergreen premises during paid 15-minute breaks. Since this time is paid as time worked, you should not extend the allotted time away from your work area.

You are expected to be at your work area, ready to work, at the end of your lunch and break periods.

Lunch/Break periods cannot be carried over to another shift or used to extend the lunch period/arrive late or leave early and cannot be combined.

Evergreen will provide reasonable unpaid break time each day to employees who need to express breast milk for their infant child. This break time must, if possible, run concurrently with any break time already provided to the employee. Any other time needed for this purpose will be without pay. Employees who are nursing mothers should see their manager or Human Resources for a private location for this purpose.

OVERTIME

Business demands may sometimes require you to work extra hours, beyond those for which you are usually scheduled. Whenever possible, the organization will notify you in advance if overtime will be necessary. However, you are expected to be available, and to work the extra time when needed, regardless of what notice has been given. Absences or tardiness for scheduled overtime will count as any other day of the week toward your total attendance record.

Federal and state laws determine employee eligibility for overtime pay. If you are nonexempt and anticipate a need to work extra hours, you must receive your manager's approval in advance. Overtime is paid at a rate of time and one-half the normal base pay. Nonexempt employees should see Human Resources for details regarding which overtime rule applies to their position.

The workweek begins at on Monday (12:01 a.m.) and ends on Sunday at midnight (12:00 a.m.). Holidays, sick, vacation (non-productive hours) hours do not count as hours worked for overtime purposes. Exempt employees are not eligible for overtime pay.

PAYDAYS

You will be issued a bi-weekly paycheck via direct deposit every other Friday. Your check summary report will give you a complete record of your earnings and deductions. Direct deposit forms and questions regarding paychecks should be directed to payroll.

Only deductions required by law and those you have authorized in writing will be deducted from your pay. All deductions are listed on your summary report which is available online every other Friday.

PAY PROGRAM

Evergreen makes every effort to review employee wages on a regular basis to determine they are comparable with other jobs in the community requiring similar skills and abilities.

SHIFT PREMIUM

Employees who work second or third shift may be paid a shift premium for each hour worked in addition to their regular hourly rate. If employees are assigned to regularly work on first shift and work on the second or third shift, they may also receive the applicable shift premium for all hours worked on second or third shift. Overtime calculations will include the employee's shift premium.

TIME REPORTING

State and federal laws require the organization to keep accurate records of time worked by all nonexempt employees. Our time-keeping system works not only to assure we comply with the law, but also to assure that employees are paid in full for all the time they have actually worked. The approved time record is used to compute earnings on the basis of hours worked.

All nonexempt employees are required to maintain a time record using the timekeeping system provided for that purpose. Your pay and deductions for federal and state withholding taxes and social security taxes are determined from these figures.

Altering, falsifying, tampering with time records, or recording time on another employee's behalf may result in corrective action.

BENEFITS

BENEFITS INFORMATION

Working for Evergreen enables you to participate in a variety of benefits in addition to your base compensation. You are offered a wide range of benefit programs designed to provide protection and support. Eligibility for some or all of the benefits will depend on the specific requirements of each plan.

This section of the handbook is an outline of the benefits available to you – the specific plan provisions, including eligibility requirements, are contained in the plan documents. Any conflict between statements made in the Employee Handbook and the plan documents will be governed by the formal plan documents. Evergreen reserves the right to add, modify or terminate any or all benefits and premium contributions without notice.

We understand that medical information about employees and their health is personal. We follow all federal (HIPAA) and state laws regarding privacy of the medical information generated by our insurance plans. Other medical information maintained by the Company that is not generated by one of our insurance plans may be considered an employment record. We are committed to protecting this medical information as well and keeping it separate from normal employment records.

CARE TO SHARE PROGRAM

Evergreen will provide you the option to support your fellow employees by donating available vacation hours to the Care to Share Program. When an employee has exhausted all of their paid benefits and is unable to work due to personal/family misfortune, they may apply to receive a donation from the Care to Share Program. Please see Human Resources for specific program guidelines and requirements, to donate available vacation hours and/or to apply to receive a donation from this program.

CONTINUATION OF MEDICAL COVERAGE (COBRA)

In the event of a death, termination of employment (including retirement), certain reductions of hours or entitlement to Medicare benefits, you and your eligible dependents may be eligible to continue medical coverage through Evergreen at your own expense. The term medical coverage may include health insurance, dental insurance, vision insurance, and a flexible spending account.

This benefit is provided in accordance with the requirements of the federal law on continuation of health insurance (commonly known as COBRA). Employees who are eligible for insurance continuation will be provided specific information about availability and cost and should see Human Resources for more information.

This benefit is subject to change as necessary to comply with the federal or state law. Failure to make timely payment of your premiums will result in the forfeiture of continuation benefits.

EMPLOYEE ASSISTANCE PLAN (SUPPORTIVE WELLNESS SERVICES)

Evergreen offers a Supportive Wellness Service to you and your immediate family to assist you in dealing with issues such as death, divorce, drug and alcohol abuse, aging parents, stress, financial difficulties, marital conflicts, adolescence, and other personal situations. In addressing such issues, you may find it difficult to identify the cause of the specific problem and may not know where to turn to get help. Getting help early can prevent a problem from becoming overwhelming and disrupting your life and those around you.

Evergreen has contracted with a provider which will provide a professional assessment to identify the problem and determine a course of action. Employees should see Human Resources or refer to the Employee Resource section of the company webpage for more information.

FLEXIBLE SPENDING PLAN

Through the Flexible Spending Plan, authorized under Section 125 of the IRS Code, you may elect to deduct specific amounts from your paychecks on a pre-tax basis for specific non-reimbursed medical expenses and dependent care.

You may enroll in this plan on the date you become eligible for our group health insurance plan. You must use this money during the current plan year or you will lose it. Annual re-enrollment is required in order to continue participation each year.

INSURANCE PLANS

We believe that the benefit package offered at Evergreen provides comprehensive insurance coverage to you and your family members.

If a plan that requires an employee contribution toward the cost of the premium is chosen, this amount will be deducted from your paycheck and is subject to change as we incur changes in the premium rates. Insurance premium deductions may be made on a pre-tax basis. See Human Resources for information.

You will be given plan materials describing the insurance plans and periodic updates to the plans. It is your responsibility to read them. If there is any conflict between this handbook and the Plan, the Plan shall control. Evergreen reserves the right to add, amend or change any and all benefits, premium amounts and employee contribution amounts at any time. Please see Human Resources with any questions.

Group health, dental, vision, and life insurance are offered to benefit eligible employees by Evergreen. Detailed information can be found in the plan materials, which are provided to eligible employees upon hire. The cost of the premium is shared by both the organization and the employee.

HEALTH SAVINGS ACCOUNT PLAN (HSA PLAN)

Our Health Savings Account plan (HSA Plan) allows employees to pay their health care expenses directly from a prefunded spending account. To be eligible to participate in our HSA Plan, employees must:

- Be enrolled in our High Deductible Health Plan (HDHP),
- Not be covered by any other health plan that is not an HDHP,
- Not be claimed as a dependent on another person's tax return.

Generally, an employee's ability to contribute to an HSA after age 65 is not permitted if they have disqualifying coverage, begin to collect Social Security benefits and/or are enrolled in Medicare. If these circumstances do not apply, an employee may be eligible to contribute up to the maximum allowable HSA contribution plus the annual catch-up.

Employees establish an HSA account and can make pretax contributions each pay period, up to the annual maximum which is set by the IRS. The organization may also contribute in a given year to employees participating in the HSA. This contribution is not taxable to the employee. Employees may keep any unused balance or roll it over at the end of the year to increase future balances or to invest for future expenses. Evergreen reserves the right to modify or terminate this plan within the limitations of the IRS regulations.

Employees may also visit www.irs.gov for additional information on managing their HSA. Questions may be directed to Human Resources.

LONG-TERM DISABILITY

All full-time and half-time employees are eligible for income protection under the Long-Term Disability (LTD) income insurance plan in the event employees are unable to work for an extended period of time due to personal injury or illness. This plan does not apply to work-related injuries or illnesses.

The LTD plan pays a pre-determined monthly amount when employees are disabled due to a nonwork-related illness or accident. Benefit payments will also be coordinated with Social Security disability benefits. This benefit may run concurrent with family and medical leaves, where applicable, and consistent with current state/federal law. See Human Resources for details.

RETIREMENT PLAN

All employees are eligible to participate in Evergreen's 403(b) retirement plan immediately upon hire and can elect to defer a portion of their pay into the retirement plan. You may enroll in the plan at any time during the year and start deferring on the next payroll date.

A Summary Plan Description will be provided to each participant. This booklet will outline specific benefits, investment options, illustrations of savings benefits and withdrawal options. You are encouraged to read this booklet. Please contact Human Resources for more information.

SOCIAL SECURITY

Social Security is a federally sponsored program that pays benefits to employees who have made regular contributions to the program during their working years. In addition to the amount you contribute to Social Security automatically through your paycheck, Evergreen contributes an equal amount each pay period.

Questions about the Social Security tax deducted from your payroll check should be directed to Payroll. A full description of Social Security benefits is available through the Social Security Administration.

TUITION ASSISTANCE

At Evergreen, we are interested in your personal and professional development. If the organization requires you to attend a seminar or training session, you will be paid for such hours at your regular rate of pay. The cost of the seminar and reasonable related expenses will also be paid by Evergreen.

The organization may also provide assistance to employees who take outside courses leading toward a specific diploma, associate, bachelors, or master's degree needed at Evergreen. It does not include seminars, workshops and special training.

Classes leading to certifications are excluded except for programs directly related to health care that are approved by human resources (i.e. Certified Nursing Assistant). To qualify, you must have 6 months or more of continuous employment and your job performance must be in good standing. You must remain employed and benefit eligible with Evergreen for the duration of the course.

Authorization for reimbursement must be obtained in advance from Human Resources and your manager. Tuition Assistance Request forms are available from the Human Resources office.

Evergreen has established both calendar year maximums and lifetime maximum amounts based on available funds for eligible employees.

Evergreen will provide tuition assistance if the degree or course is in an area recognized by management to be related to your current job or another job that may be reasonably attainable within the organization. Reimbursement will not be made for late fees, student activity fees, books, transportation to and from classes, parking or other non-tuition expenses.

To receive reimbursement, you must satisfactorily complete the coursework with a grade of "B" or better for undergraduate and a grade of "A" or better for graduate coursework. Completion of the course must be verified with proof of payment and a copy of the grade transcripts. Reimbursement amounts will be based on your employment status at the time the reimbursement is requested.

UNEMPLOYMENT INSURANCE

The purpose of unemployment insurance is to replace part of your income in certain circumstances if you are laid off or terminated. Evergreen pays the full cost of unemployment insurance, but it does not decide who is eligible for benefit payments or the amount of the payments. This eligibility and payment amount is decided by state law.

WORKER'S COMPENSATION

Worker's compensation insurance is provided by Evergreen if an employee becomes injured or ill due to work-related causes. This insurance is paid for by the organization. If you are unable to work for these reasons, you may be covered. It is extremely important for you to immediately report any injury or illness that may be work-related. Failure to do so may result in loss of coverage.

ATTENDANCE & TIME AWAY FROM WORK

ATTENDANCE

The success and efficient operation of our organization depends, to a large extent, on every employee being at work and contributing each day. Evergreen expects you to come to work and do your best during your scheduled work hours every day. While there may be legitimate reasons for being absent or tardy, unnecessary and unplanned absences should be minimal and not disrupt Evergreen's operations. You are expected to be at your workstation and ready to work at the scheduled starting time.

You are required to call in and report absences or tardiness to the Campus Charge Nurse (or his/her designee) at least 2 hours before the start of your shift and provide the reason for your absence and indication of the timing for your return. This information may assist in determining whether you should apply for a leave of absence. If an emergency situation exists, notify your manager as soon as possible. If you fail to notify Evergreen at least 2 hours before the start of your shift, the absence will be considered a no call/no show.

You are encouraged to find your own replacement(s) for a shift(s) you will be absent. If you will be absent and find a replacement, the shift will not be considered an occurrence. Information about employees available for on-call can be obtained through your manager.

If it is necessary for you to leave work early, notification and approval must first be obtained from your manager or staff member in charge with as much advance notice as possible.

When you return to work after an absence of three consecutive workdays or more, you may need a doctor's statement indicating that you may return to work and any potential physical limitations. The organization also reserves the right to request a doctor's statement or other verification document at any time, at its discretion.

If you believe your absence may be covered under the Family and Medical Leave Act (FMLA), it is your responsibility to notify your manager and/or Human Resources prior to returning to work of your intent to take FMLA Leave.

Definitions

Absence – An absence is any scheduled work period or series of consecutive work periods you do not work, whether due to arriving late or leaving early and whether or not you provide notification or present a medical excuse. However, if proper approval is obtained, vacation, holidays, approved leaves of absence and absences granted due to a disability under federal or state laws will not be considered an absence for the purposes of this policy.

Tardiness – Tardiness is defined by your failure to be at your assigned work area ready to work at the start of the shift or following a break or lunch period.

No Call/No Show – A no call/no show is the failure to provide notification of an absence to Evergreen. This also includes failure to report an absence at least two (2) hours before the start of your shift. In the event of two (2) consecutive or non-consecutive work periods of no call/no show, you will be considered to have abandoned your job and voluntarily resigned your employment.

Job Abandonment - Unreported absences indicate a lack of respect for your job and the organization. If you are absent for two (2) consecutive days or non-consecutive work periods without notifying the organization, we will consider you as having abandoned your job and voluntarily resigned from Evergreen. (See No Call/No Show)

Occurrence – An occurrence is defined as an absence of one (1) scheduled shift or more than one (1) consecutive scheduled shift for the same reason. An absence of consecutive scheduled shifts will be treated as one (1) occurrence. Occurrences are tracked on an ongoing basis.

CONTAGIOUS DISEASES, EPIDEMICS AND PANDEMICS

Evergreen's top priority is focused on the health and safety of our employees. Evergreen is committed to protecting the workplace in the event of an infectious disease outbreak. Evergreen recognizes that global or local health concerns affecting the general population may impact employees' ability to work around others, either at our offices, off site meetings/conferences, and at client locations. During any period of illness or symptoms, employees should always take precautions and consult their medical provider if symptoms exist or persist and stay home from work until released by their medical provider. Employees should also contact Employee Health to ensure they are following recommended return-to-work guidance by local and federal health departments.

Evergreen expects employees to use good judgement when making plans for personal travel. If an employee participates in personal travel during a public health crisis, they may be required to report their trip to Employee Health and stay home for an appropriate period of time per local and federal health department guidelines. During this time, employees may be allowed or required to work remotely. If an employee is unable to work remotely, the time will be unpaid unless an employee chooses to use available paid time off.

As in the case of a contagious illness of epidemic or pandemic proportions, federal, state or local guidelines will prevail, and employees will follow those standards. Please contact Human Resources or Employee Health with additional questions.

HOLIDAYS

Evergreen provides benefit eligible employees who have completed 3 months of service with paid time off for the following holidays:

- New Year's Day
- Memorial Day
- Independence Day

- Labor Day
- Thanksgiving
- Christmas Day

Full-time employees are paid at their regular rate of pay times their regularly scheduled hours for these holidays and half-time employees are eligible for prorated holiday pay based on the average of the last 12 weeks they worked. If an employee's average hours paid in the last 12 weeks equals less than 3.75 hours, the employee will not be paid out holiday pay. Part-time, limited term and casual call employees are not eligible for holiday pay.

You must work your scheduled shift before and your scheduled shift after the holiday to be paid holiday pay. If a scheduled paid holiday occurs during your vacation or a paid leave of absence, you will receive pay for the holiday in lieu of being charged for a vacation day or paid leave. If a holiday occurs while you are on an unpaid leave of absence, you will not be paid for the holiday.

For those employees whose work schedule is Monday through Friday, when any holiday falls on a Saturday or Sunday, the holiday will generally be observed on the preceding Friday or on the following Monday. Holidays will be identified on work schedules or by your manager.

If you are nonexempt and required to work on a holiday, you will be paid your regular hourly rate for all hours worked on the holiday, plus your holiday pay as described above.

Even if it is your normal scheduled weekend off but the scheduled holiday falls on that weekend, you must work that weekend day.

INCLEMENT WEATHER

Evergreen must remain open 24 hours a day, 365 days per year. You are expected to report for work in inclement weather if it is possible to do so safely. When an hourly or non-exempt employee does not report to work due to weather conditions, they will not be paid for the day. However, you may request to use your available vacation hours for that time.

Under less severe conditions, you may be given the option to stay or leave with the approval of a manager or staff member in charge. Those who leave work will be paid for the time actually worked.

LEAVES OF ABSENCE

General Information: Evergreen realizes that, at times, you may need time away from work for personal or medical reasons. All requests should be made in writing and whenever possible, at least 30 days prior to the leave. This will allow the organization the necessary time to approve and find someone to perform the work during your absence. (See each specific leave policy for time permitted.) Evergreen may also require substantiation for the leave to verify the nature and length of each leave request.

You must contact Human Resources prior to the end of your leave to confirm your return to work date. A fitness for duty report from your physician is required for medical leaves. Absent extenuating circumstances, failure to return to work on the day after the expiration of leave may be considered a voluntary resignation. A request for an extension of a leave of absence must be submitted to the organization in writing prior to the expiration of the original leave of absence; however, extensions cannot be guaranteed.

You are generally not authorized to maintain outside employment while on a leave of absence from the organization. Any exceptions must be discussed with Human Resources. Likewise, Employees on a leave of absence are not to be on any Evergreen premises except to attend employee activities for which they were previously enrolled in/approved to attend or to handle employee business through Human Resources.

Continuation of insurance benefits may be available through COBRA or applicable state laws. See Human Resources for more information.

Every effort will be made to re-employ you in your former position upon your return from an authorized leave; however, except where mandated by law, such placements cannot be guaranteed.

- ***Bereavement Leave:*** Full-time and half-time employees are eligible for time off for the death and/or funeral of a member of their family as follows.
 - Up to a maximum of 3 consecutive work days of paid bereavement for your legal spouse, domestic partner, children, step-children, brother, sister, step-brother/sister, parent or guardian, step-parent and mother or father-in-law;
 - Up to a maximum of 2 consecutive work days of paid bereavement leave for your grandparent, grandparent-in-law, step-grandparent, grandchildren, brother or sister-in-law and son or daughter-in-law
 - Up to one work day of paid bereavement leave for your aunt, uncle, niece and nephew.

Full-time and half-time employees are paid at their regular rate of pay times their regularly scheduled hours for bereavement leave and part-time, limited term and casual call employees are not eligible for bereavement pay but may request unpaid time off for this leave through their manager or Human Resources.

Requests for bereavement leave require the completion of the *Bereavement Leave Request Form*. Bereavement leave is available up to and including the day of the funeral. Evergreen recognizes that special circumstances related to a death or funeral may require additional time off, therefore requests for additional time off will be considered.

- ***Bone Marrow and Organ Donor Leave:*** If you have been employed at Evergreen for more than 52 consecutive weeks and worked at least 1,000 hours during this period, you may take up to six (6) weeks of unpaid time off in a 12-month period to donate bone marrow and organs (e.g., kidneys, partial livers, partials lungs, partial pancreas, partial intestine). This leave may only be taken, however, for the period necessary for you to undergo the donation procedure and to recover from that procedure. Eligible

employees may substitute other types of available paid or unpaid leave if they choose.

You must provide written notification in advance that indicates you will be serving as a bone marrow or organ donor. You must make a reasonable effort to schedule the procedure so that it does not unduly disrupt the employer's operations.

The Company may require medical certification issued by the health care provider of either the donee or the donor to verify that the bone marrow or organ recipient has a serious health condition that necessitates the transplant; that you are eligible for and agree to the donation and the amount of time expected to recover.

You will continue to receive group health insurance benefits during the leave if you had coverage under the plan immediately before the leave.

During the period of recovery, the Company reserves the right to allow you to work in an alternative employment position that meets your qualifications. Any period of time during this alternative employment will not reduce the amount of leave you are eligible for.

You will be restored to the same or an equivalent position when you return to work at the end of your leave. See Human Resources with any questions regarding this leave.

- **Civil Air Patrol Leave:** An unpaid leave of absence will be granted to an employee who is a member of the Civil Air Patrol for purposes of participating in a Civil Air Patrol emergency service operation, so long as the leave of absence does not unduly disrupt the organization's operations. You may take up to five consecutive workdays of unpaid leave, or up to 15 days of leave in a calendar year, to participate in an emergency service operation. Your status with regard to benefits, pay and seniority is considered to be uninterrupted by the leave.

In advance of any emergency service operation, you must notify the organization in writing that you are a member of the Civil Air Patrol and, at the time of the operation, may be required to provide a written statement from your commander certifying your participation in an emergency service operation.

- **Family Medical Leave Act (FMLA):** Evergreen complies with all applicable provisions of state and/or federal laws on family and medical leave. The Appendix to this handbook outlines the policy, including the rights and obligations of employees, the notification requirements and Evergreen's obligations. All questions about our Family and Medical Leave policies should be directed to Human Resources.
- **Jury Leave and Court Appearances:** Evergreen encourages all employees to be civic-minded. If you serve on a jury or testify as a subpoenaed witness in a judicial proceeding, you will be granted a leave of absence.

Regular full-time, regular half-time and part-time employees will be paid the difference between their base wage and the amount received for jury duty or as a subpoenaed

witness for the first 10 working days during a calendar year. Other employees will receive appropriate unpaid time off.

It is required that you present authorized evidence of jury duty or court attendance to Human Resources and the amount paid. First shift employees must return to work on any workday when court duty dismisses prior to 12 noon. If you do not report to work when dismissed, you will not be paid for any time that is not authorized jury or court duty.

- **Medical Leave (non-FMLA):** An employee with a serious medical condition as defined under the FMLA, who is in his or her first year of employment or does not qualify for leave under FMLA, may request a leave of absence for a self-qualifying medical event. Employees may take leave for up to four (4) weeks for a self-qualifying medical event. A non-FMLA medical leave is unpaid unless you use your available sick and/or vacation time.

Any additional time off for the leave must be requested in writing and supported by written certification from the treating physician. This extension must also be approved by management; however, it cannot be guaranteed.

The employee is expected to provide at least 30 days' notice when requesting leave. When an employee becomes aware of a need for leave less than 30 days in advance, the employee must provide notice of the need for the leave as soon as reasonably practicable. The company will require certification from the treating physician for the need for leave within 15 calendar days of the request.

Subject to the terms, condition and limitations of the applicable plans, health insurance benefits will continue for medical leaves not exceeding 60 days. Should the leave need to extend beyond 60 days, you will be responsible for the full costs of these benefits through COBRA if you wish to continue them. When you return to work, benefits will again be provided by the Company according to the applicable plan(s).

When a medical leave ends, Evergreen will make every reasonable effort to return you to the same or a similar position for which you are qualified. However, such assignments cannot be guaranteed. If you fail to report to work promptly after the approved leave has expired, the Company will assume you have resigned effective the date the leave commenced.

Contact Human Resources for more details.

- **Military Leave for Duty or Training:** An unpaid military leave of absence will be granted if you enlist, are inducted or are recalled to active duty in the Armed Forces of the United States, for a period of up to five years. All rights and protections under this policy are also provided to those serving in State Defense and Public Health Emergency Services

If you perform in and return from military service in the Armed Forces, the Military

Reserves or the National Guard, you will retain your rights with respect to reinstatement and length of service, as required under the Uniformed Services Employment and Reemployment Rights Act (USERRA). You will also be eligible to continue health and dental benefits under certain conditions.

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

Contact Human Resources for further details.

- **Personal Leave:** Under certain circumstances, a leave may be granted for a personal reason. Personal leave may not be taken to work for another employer or for self-employment. This leave time will be considered on a case-by-case basis and must be approved by Human Resources and your manager. Employees must have at least 6 months of employment in order to request this leave and must complete an *Application for a Personal Leave of Absence* at least 3 full weeks in advance, if possible. A personal leave of absence is typically limited to 30 days.

All personal leaves will be unpaid unless available vacation payout is approved by Human Resources. All fringe benefits, including insurance, will be suspended during a personal leave. You may choose to continue medical insurance through COBRA. A personal leave will maintain your longevity based benefits such as vacation, but no longevity will accrue while on leave.

The organization cannot guarantee your job upon return from a personal leave; however, if your position must be filled during your leave, you will be considered for the next available openings you are qualified to perform, provided your prior work performance has been satisfactory.

- **Volunteer Emergency Responder Leave:** Employees who volunteer as a firefighter, emergency medical technician, first responder, or ambulance driver for a volunteer fire department or fire company, a public agency, or a non-profit corporation will be permitted to be late or absent from work if due to their response to an emergency, as long as they comply with their responsibilities, provided below. The time off work is not required to be paid although employees may choose to apply any available paid time off.

To be eligible for this leave, employees must comply with all of the following:

- (1) Notify the Company of their status within 30 days of becoming an emergency responder by written statement signed by the chief or manager;
- (2) When dispatched to an emergency, make every effort to notify their supervisor as soon as possible in advance unless extreme circumstances prevent them from doing so, substantiated by a written statement from the chief or manager explaining why prior notification could not be made;
- (3) Submit a written statement from the chief or manager verifying their participation in the emergency response, as well as the date and time of the

response.

If an employee's status as an emergency responder changes, they must notify their employer of that change.

- **Voting Time Leave:** Evergreen believes that each employee should have the opportunity to exercise his/her right to vote in a general election. Since the polls are open extended hours, in most instances, you may vote before or after work. However, if your work schedule does not provide you with time to vote during non-working hours, you will be granted reasonable time off to vote during work hours according to legal requirements and state law. The organization asks that you notify your manager prior to election day if you anticipate a need to take time off to vote. Evergreen may designate the hours of voting time leave.

SICK TIME

Paid sick time is available to full-time and half-time employees who are absent because of personal illness or injury, or the illness or injury of their child. Part-time, limited term and casual call employees are not eligible for sick time.

Sick days are for the express purpose of your illness or serious injury, or the illness or injury of your child, and are not to be used for personal days or as vacation days. Sick time may also be used for time off to attend medical appointments, such as doctor or dental appointments. It is not paid to employees who are covered by worker's compensation.

If you become ill on a scheduled holiday or during a scheduled vacation, you will be paid for the holiday or vacation under those policies, not for sick leave.

Available sick leave hours that are not used will accumulate and be carried over in most cases. Sick hours may not be transferred to vacation time in instances of separation of employment.

Employees who are absent for their own medical reasons or certain family members' serious health conditions may be eligible for leave under the Family and Medical Leave Act (FMLA). You may elect to substitute "non-productive" hours under this policy for unpaid time under the FMLA and in accordance with Evergreen's policies. However, this time will run concurrent with FMLA time. Employees who require more information may refer to the Family and Medical Leave policy information or contact Human Resources.

Available sick hours are forfeited and not payable if you change your benefit eligibility and voluntarily or involuntarily terminate employment.

VACATION

Our vacation policy is designed to reward you for your continued employment and is based on your length of service.

Eligibility

All full-time employees are eligible to earn paid vacation time based on the schedule below. Half-time employees receive prorated vacation pay based on the number of actual hours paid.

Your anniversary date of employment determines the number of vacation days that you may take and governs when the vacation is earned. When you are eligible for additional vacation, you may only take the additional time off after your anniversary date of employment. You may only receive the maximum amount of vacation available to you each year and cannot borrow from the next year. You are allowed to carry-over some vacation hours from year-to-year with restrictions. While there is no maximum accumulation of vacation hours in place, no more than 324 hours will be paid out at separation of employment.

You are eligible for paid vacation according to the following schedule:

Years of Continuous Employment	Days of Vacation
1 year	5 days
2 years	10 days
7 years	15 days
15 years	20 days
20 years	25 days

You will be paid at your regular rate of pay for each day of vacation used. Time away from work due to a work-related injury or illness and certain mandated leaves of absence will be counted as time worked when computing vacation eligibility. Vacation pay is paid on your regular paycheck.

Scheduling

Vacations should be requested as far in advance as possible with manager approval. Some positions are expected to submit requests for vacation at least 6 weeks in advance. Every effort will be made to accommodate your preference of vacation; however, work demands and business operations may affect the scheduling of vacations. Employees may take vacation in four (4) or eight (8) hour increments. Exceptions may be applied by management.

Termination

Executives, managers, coordinators, and specialists who give at least a thirty (30) day notice and all other employees who give at least a fourteen (14) day advance notice of termination and work all scheduled days/shifts prior to the last day of work will receive all available vacation. Employees who do not give proper notice as indicated above or leave due to job abandonment (i.e., no call/no show) will not receive payment of available vacation.

TIME AT WORK

BULLETIN BOARDS

Official bulletin boards are located in your work area and by staff mailboxes as means of communicating information you should know. It is the responsibility of each employee to regularly check the bulletin board for current information.

The bulletin boards are Evergreen property and all notices that are posted are official. Human Resources must review and approve all postings prior to their display on the bulletin board(s). Employees are not permitted to remove anything that is posted.

Check with your manager for the bulletin board location in your work area.

BUSINESS ETHICS

The successful business operation and reputation of Evergreen is built on the principles of fair dealings and ethical conduct of our employees. Our reputation for integrity and excellence requires all employees, directors, officers, managers to comply with all applicable laws and to conduct business with integrity, honesty and impartiality.

No Code of Conduct policy can cover all circumstances or anticipate every situation. The following should serve as a guide. Should a situation arise, you should apply the overall philosophy of the code and review the circumstances with your manager if there are questions. Evergreen reserves discretion in the interpretation, application and enforcement of this code.

The use of good judgment based on high ethical principles will guide you with respect to lines of acceptable conduct. Compliance in this area is the responsibility of every employee. You should discuss any situations that arise which do not meet this Code of Conduct with your manager or Human Resources. Failure to meet or comply with this Code of Conduct will lead to corrective action.

The following is a summary of various aspects of the organization's code. Refer to the complete Code of Conduct policy for more details.

- ***Gifts and Gratuities:*** During the course of your work, residents, families of residents, suppliers, vendors or other business associates may at times present you with gifts. These gifts may be a result from friendships that have developed and may seem perfectly proper.

Unfortunately, however, the business relationship cannot be separated from the personal relationship. Accordingly, the integrity of the recipient can always be questioned when a gift is received. Therefore, you may not accept any bequest, trust distribution, gratuity, favor or loan from anyone with whom you do business or any gift of more than nominal value from anyone with whom you do business.

Gratitude for employee efforts may be shown in other ways.

- Contributions may be made to the Employee Appreciation Fund administered by Residents Council.
- Thank you cards are provided in various locations around the campus for use by residents and families in recognizing an employee's extraordinary efforts.
- Gifts to the Evergreen Foundation, Inc. may be made in honor of an employee.

Anyone receiving a gift of more than nominal value is required to report it to his or her manager immediately. Violations of this policy may result in corrective action, up to and including termination of employment. Any questions regarding what is proper and acceptable should be immediately discussed with your manager or Human Resources.

- ***Conflicts of Interest:*** A conflict of interest exists if you achieve personal gain or incur an obligation to others at the expense of the organization. This personal gain may not always be direct and includes gain to family members or relatives.

Therefore, you must exercise discretion and avoid these actions:

- A personal benefit from any transaction;
- Receiving gifts, special payments or favors greater than nominal value from any providing goods or service to Evergreen; and/or
- Use of Evergreen personnel or time in a personal venture or in conjunction with any business outside of the organization.

Your manager will determine whether or not any specific transaction, relationship, or other situation creates a conflict of interest. See your manager if you are uncertain. Violations of this may result in appropriate corrective action.

Employees who report actual or suspected business ethics violations involving others will not be subjected to retaliation or reprisals as a result of their report.

COMMUNICATIONS SYSTEMS

Evergreen provides e-mail, computer, Internet, fax machines, telephone, voice mail systems, and may provide other new technologies in the future. These electronic systems are the property of Evergreen and are in place to enable employees to do their jobs efficiently and productively.

Although personal use of these systems is allowed, if this use becomes excessive, you will be subject to corrective action. Please note that computers may not be used for personal social networking purposes, such as blogging, Facebook, LinkedIn, instant messaging, etc., at any time. They may be used for business social networking purposes but must be approved by your manager.

These systems are not totally private and confidential. Even though many of them are password-protected, it is still possible for others to access the systems used. It is important to note that the organization reserves the right to intercept, monitor, copy, review, access and download any communications or files that are created or maintained on these systems for purposes of security, compliance with Evergreen policy and for any other business reason as provided by law. You should have no expectation of privacy when using any of these systems.

Evergreen also reserves the right to monitor, search, review and access any and all business-related communications through an employee's own technology devices, accounts and resources, or through a third-party service provider, as needed for compliance with policies.

Downloading or uploading information from the Internet (other than by authorized personnel for legitimate business reasons) is restricted. *Confidential information may not be downloaded* unless you have received explicit approval to do so by the IS Department with prior approval/review by the Security Officer. You must seek approval from your manager before downloading or uploading outside information to your computer. Downloading programs, software, graphics or pictures of any kind is prohibited as they may carry computer viruses or may violate the organization's license agreement.

You must not share your user name and/or password with any other employee or with non-employees at any time.

Evergreen's electronic communication systems must not be used to solicit others for non-business matters, including, but not limited to: commercial ventures, religious or political causes, or outside organizations.

In addition, these systems must not be used in ways that may be disruptive, offensive or harmful to others or in ways that conflict with any of Evergreen's policies, including Equal Employment, Harassment, Confidentiality and Security policies. Violation of these policies will lead to corrective action. E-mail is not to be used to send jokes, graphics, pictures or other comments that may be discriminatory, harassing or offensive to others, or to send material that defames an individual, organization, or business, etc.

Inappropriate use of any Evergreen communication system will be grounds for corrective action, up to and including termination of employment.

COMPLIANCE HOTLINE

All employees have the option to report suspected violations via the anonymous 24/7/365 confidential compliance hotline. This hotline service provides employees with a process to report potential harassing or discriminatory behavior, theft/fraud, misuse of organization assets, financial kickbacks, etc. to a professional that is not an employee of the organization. Employees are encouraged to call the hotline at **1-866-317-4347** with any suspected violations. Proof or evidence of a violation is not needed to make a report.

CONFIDENTIALITY

Confidentiality is important in the business relationships we all have with our employees, residents and business associates. Evergreen has a legal and ethical responsibility to safeguard and maintain the confidentiality, integrity, and availability of our resident, employee and organizational information. Unless your job responsibilities require it, you are not allowed to access your own record or your family's record in any way without prior authorization.

During the course of your job, you will be exposed to this confidential information, which includes any personal or health information relating to a resident or employee. All resident Protected Health Information (PHI-which includes resident medical, financial and family information), employee records, financial and operating data of the organization and any other information of a private or sensitive nature are considered confidential.

You are always expected to use good judgment to protect the interest of others. While employed, or thereafter, you may not divulge, copy, release, sell, loan, alter, discuss, distribute or destroy any confidential program, material, or other information which comes into your possession as a result of employment with Evergreen, other than for an authorized or approved use. Also, confidential business information shall not be disclosed via e-mail, the Internet or any social media, such as blogging, Facebook, instant messaging, etc.

Requests for confidential information from any internal or external source, or requests for media interviews, should be referred to your manager or other member of the executive team.

If in doubt as to whether any program, material or other information is confidential, you must ask your manager prior to such disclosure.

Upon termination of employment, you will be required to return all materials and information, and any copies of such materials, to your manager.

Unauthorized release or misuse of Evergreen information will be investigated thoroughly. Any employee found to have violated this policy will face corrective action.

CORRECTIVE ACTION

It is our hope that all employees will perform their jobs satisfactorily, and comply with Evergreen expectations. The management of Evergreen would like to work with employees in communicating and attempting to correct work-related problems. However, if you do not satisfactorily perform your job, or are found in violation of Evergreen guidelines, policies, or core values, the organization may implement corrective action.

Corrective action may take several forms, including, but not limited to, verbal warnings, written warnings, suspension, or termination. Evergreen reserves the right in its sole discretion to omit any or all of these steps, or add to or modify steps in any particular situation. Evergreen will take whatever corrective action it determines is appropriate in response to the circumstances of any given situation.

Nothing in this section or in Evergreen's disciplinary policies or practices changes an employee's right to terminate his/her employment with Evergreen at any time, with or without notice, for any or no reason, nor does it modify the organization's right to terminate any employee's employment at any time, with or without notice, for any reason not prohibited by law.

CUSTOMER RELATIONS

Evergreen's customers include residents/clients, family, workforce and community members, and prospects. We must always strive to provide the best services possible to all of them, including our internal customers – our coworkers. Our customers support this business and generate our wages.

You are expected to treat every customer with the utmost respect and courtesy. You should never argue or act in a disrespectful manner towards a customer. If you are having problems with a customer, please notify your manager or staff member in charge immediately. In addition, if a customer voices a complaint regarding our services, you are required to inform your manager or staff member in charge immediately. Lastly, please make every effort to be prompt in following up on customer requests or questions. Positive customer relations will go a long way to establishing our organization as a leader in our industry.

DISABILITY ACCOMMODATION

Our organization is committed to providing equal employment opportunities to all employees, including qualified individuals with disabilities. This may include providing reasonable accommodation, where appropriate. In general, it is your responsibility to notify Human Resources if you have a need for an accommodation. Upon doing so, they may ask you for your input, the type of accommodation you believe may be necessary, or the functional limitations caused by the disability. Also, when appropriate, the organization may need your written permission to obtain additional information from your physician or other medical or rehabilitation professional. Any information obtained is kept in a confidential employee file.

All requests for reasonable accommodations will be considered consistent with the business needs of Evergreen in accordance with state and federal law. All questions should be discussed with Human Resources.

Pregnancy Accommodation:

Evergreen will provide reasonable accommodations to employees for health conditions related to pregnancy or childbirth unless providing an accommodation would impose an undue hardship on the business. Reasonable accommodations may include more frequent restroom, food, or water breaks; seating consistent with the employee’s essential job duties; and lifting limits or aids.

Evergreen will engage in an interactive process with the employee in order to determine what accommodations may be reasonable and may request information from the employee’s healthcare provider for additional assistance. The employee’s manager and those identified as having a need to know may assist in determining the feasibility of the requested accommodation.

Employees requesting an accommodation related to pregnancy or childbirth should contact Human Resources.

Religious Accommodation:

Evergreen will reasonably accommodate the religious beliefs, observances, and practices of its employees which conflict with employment requirements. Employees must direct requests for reasonable accommodation to the human resources department. The Company will provide reasonable accommodation if it can do so without undue hardship on our operations.

DRUGS & ALCOHOL

It is Evergreen’s policy to maintain a workplace that is free from the health and safety-related consequences of drug and alcohol use and abuse. You are required to report to work in appropriate mental and physical condition to perform your job.

While on Evergreen’s premises and/or conducting business-related activities at any location, you may not use, possess, distribute, sell or be under the influence of alcohol or illegal drugs. In addition, Evergreen prohibits off-premises abuse of alcohol and controlled substances, as well as the possession, use, or sale of illegal drugs, when these adversely affect job performance, job safety or Evergreen’s reputation in the community. You may be subject to drug and alcohol testing according to the policy. See the full Drug and Alcohol Policy for details.

This policy is not intended to restrict the normal life activities of employees who by circumstances of position or job activity, may be called to work unexpectedly. You are encouraged to use good judgment about performing any work activities if you are called to work after consuming alcoholic beverages. In consideration of workplace safety, you may decline returning to work if you feel that you are in any way impaired.

Failure to comply with any part of the Drug and Alcohol Policy may result in corrective action up to and including termination.

EMPLOYEE APPEARANCE

All employees should be aware that they represent the Company to others. Their personal appearance and hygiene are important for promoting and influencing a positive Company image to everyone. A general rule to follow is to dress using good judgment.

Accessories such as jewelry, hairstyle, hair color and make-up should reflect good taste and present a professional appearance. Employee dress should be consistent with acceptable business decorum at all times.

Evergreen maintains a business casual dress code. Dockers-style or full-length dress pants, shirts with or without ties, casual shirts with collars (such as polo shirts), shorts (no shorter than 4 inches above the knee) and blouses or tops with or without jackets are examples of appropriate attire. At-home casual attire such as sweat suits, beachwear, flip flops, exercise or suggestive attire, is not acceptable at any time.

More professional attire may be required on business casual dress days based on special meetings or customer visits.

The Company's dress code strives to provide a work environment that is free of safety hazards, offensive implications, and harassment of any kind. It applies to all employees, regardless of position or gender.

This information is intended as a guideline for appropriate attire but is not a replacement for good judgment and taste. Management personnel have the authority and obligation to send employees home if their appearance is not acceptable. Anyone with questions regarding appropriate dress should contact his/her manager or Human Resources.

EMPLOYEE MAILBOXES

You are expected to check your employee mailbox at least once during each shift worked. You should only collect mail from your own mailbox unless your manager has approved otherwise. Only information Evergreen deems appropriate for the work environment should be distributed via employee mailboxes. You may not solicit other employees via these mailboxes.

EMPLOYEE RELATIONS

Evergreen is committed to providing a positive work environment and to communicate openly with employees – encouraging and expecting feedback from them about their job and the organization.

When you have questions or concerns regarding your job, performance, or other employment matters, you should bring them forward to your manager who will get the answers and respond directly to you. If you are not comfortable addressing the matter with your manager, you should contact Human Resources.

Generally, we encourage you to personally approach an individual you may be having a problem with and attempt to resolve the issue together. If that does not resolve the matter, you should go to your manager. In some cases, the issue may be referred to Human Resources or the next higher level of management in order to be resolved.

You may speak with any member of management with whom you feel comfortable if a problem arises where you believe normal channels cannot work.

EVERGREEN PROPERTY

Employees may be provided with various Evergreen property and/or equipment. This may include vehicles, computers, software, flash drives, cellular telephones, keys, credit cards, tools, equipment, etc. You are responsible for keeping the property in good working order and available for business use at all times. If any such property appears to be damaged, defective or in need of repair, you must promptly report this to your manager. Property lost or damaged by an employee must be replaced by that employee, while worn or defective property will be replaced by Evergreen.

All equipment and materials are to be used for organization business during scheduled work hours only and must not be removed from the premises without Evergreen approval.

Upon termination of employment, you will be required to account for and surrender all Evergreen property and equipment you have been provided. Failure to do so may result in the Evergreen taking legal action to obtain the return of its property.

EXPENSE & TRAVEL REIMBURSEMENT

If you incur costs as a result of conducting Evergreen business, you may seek reimbursement. Evergreen reimburses employees for reasonable expenses that were incurred while conducting business on behalf of the organization.

All business expenses and/or business travel must be pre-approved by your manager. Such expenses include transportation, meals and lodging. You must complete an expense report with the original receipts or other documentation attached in order to be reimbursed. These expense reports require the approval of your manager and must be forwarded to Business Resources for reimbursement.

Falsification of expense reports will be grounds for immediate corrective action, up to and including discharge.

HARASSMENT & RESPECTFUL CONDUCT

Evergreen is committed to providing a workplace that is free of discrimination, harassment, bullying and other offensive behaviors. All employees are expected to support this commitment by treating everyone they interact with through work, both internally and externally, in a way that is consistent with both the intent and spirit of this policy. Respectful behaviors include being courteous and considerate of others, working cooperatively and maintaining confidentiality.

In line with this commitment, Evergreen prohibits discrimination or harassment of its employees by another employee, manager/leader, or third party for any reason including, but not limited to a person's race, creed, color, religion, sex, age, ancestry, national origin, disability, genetic information, military service, sexual orientation, marital status, arrest and conviction records, the use or nonuse of lawful products off the employers' premises during non-work hours, declining to attend meetings or participate in communications about religious or political matters or any other characteristic protected by law.

This policy applies to applicants for employment, all employees including temporary workers or independent contractors, the Board of Directors, and any other person associated with Evergreen, including business partners, customers, and visitors. It applies not only to the workplace during normal business hours, but also to all work-related social functions, whether on or off Evergreen premises, and business-related travel.

This policy extends to all work-related interactions, whether in person, via telephone, in writing or through electronic communications such as e-mail, text messages, instant messages, blogs, electronic conferencing and social media postings regardless of whether they are made through a computer, cell phone, pager or other electronic device or medium.

Harassment includes any unwelcome behavior that is offensive, abusive, threatening, intimidating, humiliating or degrading to another individual. The behavior can be verbal, written, visual, or physical and can arise out of in-person or electronic communications. While harassment may be based on protected class status, other offensive behavior that impairs morale, and interferes with work effectiveness, including jokes and teasing, are also prohibited by this policy.

One type of harassment is sexual harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment.

Sexual harassment includes unwelcome sexual behavior by either men or women toward either men or women. It also includes sex-based harassment directed at someone because of their gender. Examples of sexual harassment or other harassing or offensive behaviors include, but are not limited to:

- sexual and other offensive jokes told in person or through any electronic device,
- sexual innuendo, language or images sent through texts, instant messages, e-mail or

- other electronic device (“sexting”),
- intimidation, sabotaging, physical assaults or threats,
- slurs, epithets or name calling,
- posting offensive messages on social media sites,
- unwelcome sexual flirtations, advances or propositions,
- ridicule, mockery, insults or put-downs told in person or through any electronic device
- physically displaying or sending discriminatory, sexually suggestive or other offensive objects or pictures, including photos, posters, calendars, graffiti, drawings and cartoons or language, including jokes, through any medium, including electronically, in person, interoffice mail, or any other manner,
- interference with work performance,
- leering, staring, unwelcome touching or physical closeness, and
- using Evergreen-provided electronic devices (including computers, pagers, and cell phones) to view, display or distribute pornography or other offensive content.

No one will be denied or given employment opportunities based on going along with or rejecting sexual advances or any other behavior prohibited by the policy.

Employees who report harassment or who assist in the investigation of a complaint of harassment will **not** be subject to retaliation, intimidation or reprisals of any kind. Any employee who engages in these behaviors against another employee because of a complaint under this policy will be subject to corrective action.

Any individual who has experienced or observed harassment or offensive behavior by anyone during the course of their employment, should feel free to ask the person to stop at once if they feel comfortable in doing so. All employees, however, must report the behavior to their manager, Human Resources or call the Compliance Hotline at 1-866-317-4347 even if they intend to respond to the person themselves.

Managers must promptly advise Human Resources of all harassment or offensive behavior either observed or brought to their attention by others.

Reports of offensive behavior and harassment will be promptly investigated in as discrete a manner as possible. Evergreen expects anyone who participates in an investigation under this or any other policy to keep information they provide or learn of during the investigation confidential. Anyone found to have violated this policy will be subject to corrective action, up to and including termination of employment.

All managers and staff members in charge are responsible for the implementation of this policy and for ensuring that employees know and understand this policy. All employees will be held responsible and accountable for eliminating prohibited conduct. Questions regarding this policy should be addressed directly to Human Resources who have overall responsibility for investigating and resolving harassment complaints at Evergreen.

Evergreen is committed to accomplishing the goals of this policy and expects all employees to do the same. By working together, Evergreen will be a positive, respectful and productive work environment for everyone.

HOUSEKEEPING

Neatness and good housekeeping are signs of efficiency and is essential to safety, and satisfactory working conditions. You are expected to keep your individual work area and other common employee areas clean. Lack of order and cleanliness on your part may lead to corrective action. Please also be mindful about noise levels, including cell phones, music, and conversations, that could be distracting to other coworkers.

INTERNAL JOB OPPORTUNITIES

Evergreen encourages you to seek new opportunities within the organization. From time to time new positions may open allowing you the opportunity to promote or expand your skills into new job assignments.

Job openings are posted on Evergreen's website. Employees who are interested in applying for a current job opening should contact Human Resources for an application.

When a job is posted, interested employees with six months or more of experience in their current position are welcome to apply for the open position. Both internal and external applicants may be considered for the job.

The organization has the discretion as to whether or not a position will be posted. Although the organization prefers to promote from within, Evergreen reserves the right to seek and hire outside applicants at any time.

If you are inactive because of illness, leave of absence, vacation or layoff, you are free to respond to a posting; however, Evergreen will not contact you to notify you of the posting.

OUTSIDE EMPLOYMENT

Any employment outside of Evergreen must not compromise Evergreen's interests or the confidentiality of information. (See also Conflict of Interest and Confidentiality topics.) You may not contract directly with Evergreen residents or clients to perform services/work. Use of equipment, tools or confidential business information of Evergreen in order to perform work for another organization or your own business is prohibited.

Evergreen will not accept outside employment as an excuse for poor job performance, absenteeism, tardiness, the inability to work required hours for their position at Evergreen, or any other failure to meet the performance expectations and legitimate business demands. If your work at Evergreen suffers, you will be subject to normal performance management procedures.

PARKING

Evergreen provides parking for employees during their scheduled work hours. Your manager or Human Resources can provide the necessary information.

You are expected to drive slowly and respect all other vehicles, drivers, passengers and pedestrians in the parking lots. You are also expected to drive carefully and safely in the parking areas.

You will be given a parking ID tag at the time you are hired to hang in a clearly visible location in your vehicle. This ID tag identifies your vehicle as one authorized to park in the designated lots.

Evergreen assumes no liability for theft of your property, any property lost or damaged or any personal injury incurred in the parking lots or private drives. However, any damage or injury that does occur in the lots should be promptly reported to the organization. It is advisable that you do not leave any valuables in your car at any time.

PERFORMANCE EVALUATIONS

It is Evergreen's philosophy that ongoing communication and constructive feedback are important parts of the employment relationship. Normally, employees will be evaluated after six months on the job and on an annual basis after that. Between scheduled appraisals, informal performance discussions may be held between you and your manager.

The performance evaluation will normally consider your experience and training, and job description and your performance based on previously set objectives and goals. Other factors that normally may be considered include, but are not limited to: quality of work, promptness in completing assignments, initiative, responsibility level, reliability, attendance and conduct.

Performance evaluations may be considered when making decisions concerning training needs, pay, promotion, transfer or continued employment. These evaluations do not guarantee a wage or salary increase.

PERSONNEL RECORDS

Evergreen maintains confidential employee personnel records. Personnel records are the property of Evergreen and access to the information they contain is restricted to those who need to now this information in order to perform their jobs.

In an effort to keep our records current and because certain changes could affect tax withholding, insurance coverage or work eligibility, employees are obligated to keep us informed in writing of any changes or status changes in:

- Name
- Address
- Telephone Number

- Marriage
- Dependents (including age when an adult)
- Divorce
- Separation
- Births
- Deaths
- Emergency Contact Information
- Immigration Status
- Address and telephone number of dependents and spouse or former spouse (for insurance purposes only)
- Beneficiary designations for any insurance plans, disability plans and retirement plans

Upon written request, the Company will permit an employee to inspect their personnel file and provide copies of any documents used to determine their qualifications for employment, promotion, transfer, additional compensation, termination or other disciplinary action, and medical records. The inspection will take place and copies provided within 7 workdays at the employee's work location during their normal work hours and authorized break periods, or during non-work hours if more convenient for the employee, as long as during the Company's normal business hours.

If the employee disagrees with any information contained in their file and removal or correction of that information cannot be mutually agreed upon, the employee will be allowed to submit a written statement explaining their position to be attached to the disputed portion of their file. Employees are allowed 2 inspections per calendar year. A reasonable copy fee may be charged not to exceed the actual cost.

PHONE USE

Employees should try to take care of personal business outside of work. However, we realize that there may be times when this is not possible. To minimize the disruption to the workday for you and your co-workers, you should practice discretion when making personal calls. These calls should be made during lunch or break periods whenever possible. In addition to restricting your own calling, you are asked to advise your family and friends not to call during working hours, unless the matter is an emergency.

Use of Evergreen telephones for personal long-distance calling is not permitted except in emergency situations and as authorized by your manager.

The use of personal cellular phones is allowed but must be kept to a minimum. Phone or text messages should be returned during break times and away from the work area.

Cell Phone Use While Driving: The safety and well-being of employees is of critical importance to the organization. Everyone has a responsibility to protect themselves and others when they are conducting business on the road. If you are required to drive on Evergreen business at any time (whether in an Evergreen-provided vehicle or personal vehicle) you are expected to adhere to all federal, state, or local rules and regulations and Evergreen's policy regarding the

use of electronic communication devices while driving. It is a violation of state law for drivers to compose or send electronic messages such as text or e-mail.

You should discuss the use of cell phones and other electronic communication devices with your manager prior to operating any vehicle on Evergreen business.

PHOTOS / VIDEO IMAGES

During working hours and at Evergreen-sponsored events, Evergreen may obtain photographed or videotaped images of employees and reserves the right to use the employee names and these images for Evergreen informational and/or promotional materials, on its website or in Evergreen press releases. Employee names, photographs, and videotaped images may be used during or subsequent to employment. If you wish to deny Evergreen permission to use your name, photograph, and videotaped image for publication in promotional materials, you must submit a written request to Human Resources.

When participating in Evergreen activities or using common areas, your image may be included in photographs and videotaped events that may be used for Evergreen video and/or slide presentations, pictorial displays, programming on EVT, and other in-house events. Evergreen may reproduce and distribute these photos upon request.

Evergreen cannot and does not assume control for the use of employee names, photographs, and videotaped images when secured by the media, outside organizations, and/or individuals on the Evergreen campus or at Evergreen events.

REFERENCES

All requests regarding references for any past or present employee must be directed to Human Resources. Only pertinent, factual information, such as dates of employment, job title, etc., will be released. Confidentiality of references will be strictly maintained.

SAFETY

All employees are expected to obey safety rules and exercise caution in all work activities. You must immediately report any unsafe condition to the appropriate manager. Employees who violate safety standards, cause hazardous or dangerous situations or fail to report or remedy such situations, will be subject to corrective action.

All accidents, no matter how minor, must be reported immediately to a manager or Human Resources. Lack of notification could affect your workers compensation benefits.

You are required to follow these general safety rules:

- Any illness or injury, no matter how slight, must be reported to your manager. You should never attempt to treat your own or another employee's injury unless you have

received formal first aid training.

- Any activity that may result in injuring an employee will not be tolerated.
- You are responsible for using the required personal protective equipment.
- You are responsible for using the ergonomic equipment provided by Evergreen.
- You should always lift objects using the proper lifting techniques.
- You should only use equipment and/or tools that are in good working order. Never use equipment and/or tools that are defective in any way.
- You should always know the location of fire exits and fire extinguishers in their work area.

Feel free to discuss any suggestions or comments regarding safety with your manager at any time.

SEARCHES

Evergreen may conduct searches when there is reason to suspect that illegal drugs, stolen property, weapons, alcohol, or other items may be present on Evergreen property. Searches may include, but are not limited to lockers, desks, cabinets, file drawers, computer files, vehicles, clothing, toolboxes, lunch boxes, briefcases, hand bags/purses, backpacks, bags, or other containers. Searches may be done at any time without notice. You may be present at the time the search is conducted.

Failure on the part of any employee to cooperate with a search or possession of prohibited articles on Evergreen property may be grounds for corrective action.

SECURITY

Every employee at Evergreen is responsible for helping to make this a secure work environment. When leaving work, you are required to lock all desks, lockers and doors protecting valuable or sensitive material in your work area. You are required to report any lost or stolen keys, badges, Evergreen-owned property or other similar devices to your manager immediately. You must never discuss specifics regarding organization security systems, alarms, user names or passwords, etc. with non-employees. (See Evergreen Property)

In order to provide a more secure work environment to you while providing a safe home for our residents, Evergreen has video monitoring equipment installed throughout the building and property. These videotapes are reviewed to ensure employee and resident safety and also compliance with Evergreen policies or to detect the unauthorized presence of any individual. You are advised to 1) bring only enough money to work for what you plan to spend during the day; 2) leave valuables at home; 3) utilize an employee locker with a lock to securely store belongings.

You must immediately report any suspicious employee / resident / or visitor conduct to your manager or staff in charge in addition to any known security risks such as broken locks, burnt out bulbs, persons loitering, or any potential security risks in the environment.

In addition, Evergreen will not tolerate theft or unauthorized possession of the property of other employees, the organization, residents, or visitors and therefore, may inspect persons entering and/or leaving the facility, packages or other belongings. This may include, but is not limited to lockers, desks, clothing, toolboxes, lunch boxes, briefcases, purses, or other containers. Employees who wish to avoid any such inspection should not bring such items onto Evergreen premises. Failure on the part of any employee to follow these security guidelines or to cooperate with a search on Evergreen property will be grounds for corrective action.

You may need keys or access cards to enter an Evergreen facility. It is extremely important that these be kept only in your possession – not anyone else’s.

If you work after hours, you should take any safety/security precautions available. See your manager for more information.

SELF-DISCLOSURE

All Evergreen employees must complete background information disclosures periodically after hire - depending on the regulations for the area in which you work. However, employees must disclose, in writing, any changes to this information in between background checks including:

- Convictions of any crime;
- Substantiated findings of abuse, neglect or misappropriation;
- Current investigations related to abuse, neglect or misappropriation;
- Professional credential restrictions, limitations, or revocations;
- Program licensure limitations, revocations or denials;
- Discharge from any branch of the US Armed Forces, including any reserve component;
- Residency outside the state of Wisconsin; and
- Rehabilitation Review requests.

Each disclosure will be reviewed on a case-by-case basis. The falsification of disclosures and/or withholding information will result in correction action.

SOLICITATION

You are encouraged to take an active part in civic affairs and worthy charitable activities. However, in order to prevent disruption of operations, interference with work and inconvenience to other employees, solicitation for any cause or distribution of literature of any kind during working hours is not permitted. Working time does not include time during lunch or breaks. Failure to do so could result in corrective action. Individuals who are not employed are not allowed to solicit on Evergreen property at any time.

TERMINATION & RESIGNATION

We hope you will find your employment with us to be both personally and professionally rewarding; however, we do recognize that the employment relationship may end at some point. As an at-will employer, we understand that either you or Evergreen may terminate the employment relationship at any time, for any reason. If you decide to leave, the organization, we would appreciate a 14-day advance written notice for most positions or a 30-day advance written notice for all Executives, Managers, Coordinators and Specialists so that we can begin the process to adequately fill the position.

Upon termination, all keys and other Evergreen property must be returned prior to or on your last day of employment. Under certain circumstances, you will be contacted and offered the opportunity to continue coverage through our group insurance plans at your own cost.

See the Vacation Policy for guidelines regarding vacation payout upon termination. Final paychecks will be distributed on the regularly designated payday.

TOBACCO USE

There is concern about the effect of tobacco use on employees' health as well as the effects of secondhand smoke on non-smokers. Tobacco use is defined as cigars, cigarettes, e-cigarettes, vaping, smokeless tobacco, and the like.

Tobacco use is not permitted 1) in any Evergreen building, 2) on Evergreen property, 3) the common areas in the villages and apartment accommodations, and 4) in organization-owned or leased vehicles. It is permitted, however, in personal vehicles on Evergreen property.

VEHICLES

Certain employees may be eligible to use an Evergreen-owned vehicle in the course of their work. Smoking is not allowed while in an Evergreen vehicle.

All Evergreen employees using organization vehicles are expected to use and maintain the vehicles in a conservative, non-wasteful manner and are expected to be kept clean and orderly.

Evergreen also expects every employee to follow the organization's policies and programs on safety. It is the responsibility of every employee who drives on Evergreen business to have a valid driver's license, applicable insurance coverage and observe all safety laws. The organization prohibits the use of cell phones while driving. In some cases, a hands-free device will be provided for employees driving frequently on Evergreen business.

When driving an Evergreen vehicle, you are expected to drive in a careful, courteous manner and must wear your seat belt and observe all safety laws. An acceptable driving record is expected and will be verified prior to receiving permission to drive an Evergreen vehicle and annually thereafter. Traffic violations must be reported immediately to your manager and are your personal responsibility. Should an accident occur, you must report it immediately

and should not make any statements until your manager or another member of management has been contacted. Under no circumstances are employees authorized, permitted, or allowed to operate a Company-owned vehicle or drive on Company business while under the influence of drugs or alcohol.

VISITORS

In an effort to provide safety and security for employees and Evergreen facilities, your visitors must be kept to a minimum. Due to the nature of the services provided at Evergreen, family and guest involvement of our residents is encouraged; however, an employee's family, guests or other visitors must not wander through the building while you are working. Your family members, guests or visitors should arrive during your break or before/after your shift. Employees may be subject to corrective action, up to and including termination of employment should their visitors' have inappropriate visits and/or actions.

WHISTLEBLOWER PROTECTION

Evergreen is committed to the health and safety of its residents, clients and employees. You are strongly encouraged to bring to Evergreen's attention any practices that may potentially violate the law or that may be harmful to residents and clients. If you have information concerning such a potential violation, immediately contact your manager, the Compliance Officer, a member of the Executive Team or the Compliance Hotline at **1-866-317-4347**. Evergreen will investigate any potential violations that are reported and take any necessary actions to correct violations that are found. The law also protects your right to report potential violations directly to an Evergreen official or any agency of the state. Evergreen will not retaliate against any employee who reports in good faith or participates in the investigation of any such potential violation.

WORKPLACE VIOLENCE

Evergreen is committed to maintaining a pleasant and safe work environment – free from all forms of violence. This includes verbal or physical threats, as well as other forms of intimidation, such as abuse or destruction of property, sexual harassment, bullying, abusive language or other hostile or inappropriate behavior that may cause others to feel unsafe, anxious or threatened in the workplace.

Evergreen will not tolerate any type of workplace violence by or against employees. This includes any actions that threaten employees, non-employees, customers, vendors or others in the workplace. Evergreen reserves the right to determine if particular actions are considered threatening, violent or intimidating behavior.

Employees are strictly prohibited from bringing any type of weapons to work or from possessing them in Evergreen or customer facilities. Evergreen reserves the right to inspect, with or without notice for any business reason, all persons' packages or other items that comes onto Evergreen premises to ensure compliance with policies. Anyone who sees a weapon, is aware of or observes a situation of potential or actual violence in an Evergreen facility is to

contact his/her manager, Human Resources or another member of management immediately. If you feel there is an immediate need to ensure someone's safety, including your own, you should contact law enforcement authorities directly.

Evergreen strictly prohibits weapons of any type at organization-owned or leased buildings, organization-owned or leased cars and at any organization-sponsored events. This includes visible or concealed weapons, even if licensed to carry the weapon. This policy applies to all Evergreen employees, visitors, customers and vendors.

Prohibited weapons include any form of weapon or explosive that is illegal under federal, state or local laws. This includes but is not limited to, all firearms, knives with blades over 4", explosive devices or any other weapons that could be used to threaten, harass, intimidate, injure or cause harm to another individual. Exceptions to this policy include police officers or security personnel who are authorized to carry weapons.

Evergreen will investigate any complaint of violence promptly and thoroughly. The investigation will be conducted confidentially to the extent possible in light of the circumstances involved.

Employees who violate this policy will be subject to corrective action, up to and including termination of employment.

EMPLOYEE ACKNOWLEDGEMENT

I hereby acknowledge that I have received a copy of Evergreen Retirement Community's Employee Handbook. I understand that the contents of this handbook are for general information and guidance and it does not constitute a contract. I understand that it replaces and supersedes any previous policies, manual or communications, whether written or oral. I further understand that all contents in this Employee Handbook are subject to change in accordance with applicable laws but employees will be advised of any changes.

I have entered into my employment relationship with Evergreen voluntarily and acknowledge that there is no specified length of employment. Employees have the right to terminate the employment relationship with Evergreen at any time, with or without notice, for any reason. Evergreen has the same right to terminate the employment relationship at any time, with or without notice, for any reason not prohibited by law. The organization retains sole discretion to add, delete, or change anything contained in this handbook except employment-at-will.

No employee or representative of Evergreen has the authority, at present or in the future, to promise any benefit or enter into an agreement for employment, oral or written, which in any way conflicts with this Employee Handbook or any of these statements, for any specified period of time and no person other than the management team has the authority to change any policy, benefit, rule or procedure as stated in this handbook.

I understand it is my responsibility to read and understand the contents of this Employee Handbook. If I do not understand any provision of the handbook, I shall contact my immediate manager or Human Resources for clarification.

Employee Signature _____

Print Name _____ Date _____

Note: All employees will be required to acknowledge receipt of the Employee Handbook by signing this acknowledgement.

This copy is to be removed and placed in the employee's personnel file.

APPENDICES

Family and Medical Leave – Wisconsin and Federal

Policy Statement

It is the policy of Evergreen Retirement Community, Inc. (Evergreen) to comply with the requirements of the Wisconsin and Federal Family and Medical Leave Acts (FMLA). Generally, an eligible employee will be granted up to 12 weeks of FMLA leave during a 12-month period on a calendar year basis. The leave may be paid, unpaid or a combination of both depending on the reason for the leave and the benefits to which the employee may be eligible. This policy will be administered in compliance with the National Defense Authorization Acts of 2008 and Fiscal Year 2010 as they amend the Family and Medical Leave Act of 1993, and the regulations implementing the Family and Medical Leave Act of 1993 effective March 8, 2013.

State and federal laws differ in a number of areas, and Evergreen will comply with both. When an absence qualifies as family leave under either state or federal law or both, the following rules apply:

- The employee is deemed to be exhausting his/her entitlement under both state and federal law concurrently; and
- The law most generous to the employee will apply.

The taking of leave under this policy will not be used against an employee in any employment decision, including the determination of promotions, discipline, compensation, etc.

Eligibility

To be eligible for leave under this policy, an employee must have been employed by the company for at least 12 months. In addition, in the 12 months immediately preceding the commencement of the leave, the employee must have worked at least:

- 1,000 hours to qualify under Wisconsin law; and
- 1,250 hours to qualify under federal law.

Amount of Leave Available

As stated above, an eligible employee is generally eligible for up to a total of 12 weeks of protected leave within a 12-month period on a calendar year basis for any combination of reasons. It is possible that an employee could qualify for leave only on the basis of hours worked under the Wisconsin law, which generally covers shorter periods of time than the 12 weeks provided by federal law. These situations will be discussed on a case-by-case basis with affected employees.

Types of Leave Covered

Birth or Placement for Adoption or Foster Care

Family leave will be available to eligible male and female employees for the birth of a child or for placement of a child with the employee for purposes of adoption or foster care. Such leave must generally be completed within 12 months of the birth or placement (16 weeks to commence leave taken only under Wisconsin law).

Serious Health Condition of Employee

An eligible employee who experiences a serious health condition as defined by the state and/or federal law may take medical leave under this policy. A serious health condition will generally occur when the employee:

- Receives inpatient care in a hospital, hospice or nursing home;
- Suffers a period of incapacity of more than three consecutive full calendar days accompanied by continuing outpatient treatment/care by a health-care provider;

- Is pregnant, including severe morning sickness;
- Has a history of a chronic condition which may cause episodes of incapacity; or
- Has a permanent or long-term condition which requires continuing treatment by a health care provider.

Medical leave may be taken all at once or, when medically necessary, in smaller increments. The need for leave must be documented by the employee's treating health-care provider through the medical certification process.

An employee may be paid for all or part of a medical leave to the extent s/he is eligible for benefits.

A return to work/fitness-for-duty statement will be required in order for an employee to return from a medical leave. Failure to provide the statement will result in a delay in the return to work.

Serious Health Condition of Immediate Family Member

An eligible employee may take family leave under this policy in order to care for a son, daughter, spouse, or parent with a serious health condition (see above section for general definition of serious health condition). The Wisconsin FMLA also covers the serious health condition of an employee's parent-in-law, domestic partner (registered or unregistered) and domestic partner's parent. This leave may be taken all at once or, when medically necessary, in smaller increments. It will be necessary for the family member's treating health-care provider to document the need for leave through the medical certification process. An employee may be required to provide certification of domestic partner relationship.

Qualifying Exigency for Military Family Leave

An eligible employee may take family leave under this policy while the employee's spouse, son, daughter, or parent (the "military member") is on a covered active duty or call to active duty status for any qualifying exigency under federal law. This leave may be taken all at once or, in smaller increments. It will be necessary to submit a complete and sufficient certification for FMLA leave due to a qualifying exigency. Qualifying exigency leave may be taken by family members of regular armed service members, as well as family members of Reserve and National Guard members, provided the service member is deployed to a foreign country.

Military Caregiver Leave

An eligible employee may take up to an additional 14 weeks (not to exceed 26 weeks total) of family leave in a single 12-month period under this policy to care for a current member of the Armed Forces, including a member of the National Guard or Reserves, or, the National Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty (or existed before the beginning of the member's active duty and was aggravated by active duty) for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. A covered servicemember may also be a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

This entitlement will be applied on a per-covered-servicemember, per-injury basis. The covered servicemember must be the eligible employee's spouse, son, daughter, or parent, or next of kin. It will be necessary for the covered servicemember's treating health-care provider, as defined by law, to document the need for leave through the medical certification process.

Notifying the Company of the Need for Family or Medical Leave

Generally, an application for leave must be completed for all leave taken under this policy. When the need for leave is foreseeable, the employee should provide notice at least 30 days in advance. When this is not possible, notice should be provided as soon as the employee learns of the need for leave. In cases of emergency, verbal notice should be given as soon as possible (by the employee's representative if the employee is incapacitated), and the application should be completed as soon as practicable. Failure to provide adequate notice may, in the case of foreseeable leave, result in a delay of the leave. Leave application can be completed by the employee online or via phone with the company's FMLA administrator or through human resources.

Calling in "sick" does not qualify as FMLA leave. An employee must provide sufficient information regarding the reason for absence for the company to know that protection may exist under this policy. Failure to provide this information as requested will result in the employee's forfeiting all rights under this policy. This means the absence may then be counted against the employee for purposes of discipline for attendance, etc.

Medical Certification of a Serious Health Condition

Generally, the company will require medical certification to verify that an employee or family member's illness meets the definition of serious health condition to determine the nature and duration of the leave. In the case of a family member's illness, the provider must also verify that the employee is needed to care for the family member.

Periodic recertification to verify that a condition is ongoing may be required as provided by the law.

The appropriate form should be obtained from the company's FMLA administrator or through human resources and should generally be returned within 15 days. Failure to provide this certification may result in delay or denial of the leave.

Additional Certifications

If the company has reason to question the validity of a medical certification, an employee may be required to provide a second certification from a health-care provider selected and paid for by the company. If the second option differs from the first, a third opinion may be required. The health-care provider for the third opinion must be mutually chosen by the employee and the company and paid by the company. The third opinion, by law, is binding on all parties.

Use of Paid and Unpaid Leave

Both state and federal FMLA mandates that an employer provide unpaid leave to eligible employees. However, an employee or employer may elect to substitute a paid benefit for which the employee is eligible in order for the employee to receive pay during the leave. In some cases the company may require that benefits, such as vacation, be used before the employee may take unpaid leave. When paid benefits are substituted for the otherwise unpaid time, the employee is using the benefits concurrently with FMLA leave, and those benefits will not be available to the employee later. When paid benefits are substituted, the employee may be required to satisfy any procedural requirements of the organization's paid leave policy (for example, advance notice to use paid leave, use of paid leave in established increments, etc.).

Intermittent or Reduced Schedule Leave

Intermittent and/or reduced schedule leave will be permitted when it is medically necessary and, in some cases, for birth or placement for adoption. In all cases, the total amount of leave taken in a calendar year should not exceed the 12 weeks defined earlier in this policy.

Intermittent and reduced schedule leave must be scheduled with minimal disruption to an employee's job. To the extent an employee has control, medical appointments and treatments related to a serious health condition should be scheduled outside of working hours or at such times that allow for a minimal amount of time away from work.

The company may, in some cases, transfer an employee to an alternative position, with equivalent pay and benefits, in order to better accommodate the need for intermittent or reduced schedule leave.

Benefit Continuation During Leave

Coverage under group health insurance will continue while on leave, but employees must continue to pay their portion of the premium. Other employment benefits, such as group life insurance, AD&D, etc., will also be continue during the leave, as long as the employee continues to pay any required contribution. Payment arrangements will be discussed with individuals upon their request for leave.

Rights Upon Return from Leave

An employee who takes leave under this policy will be reinstated to the same job or an equivalent position upon completion of the leave. If an individual has exhausted all leave under this policy and is still unable to return to work, the situation will be reviewed on a case-by-case basis to determine what rights and protections, if any, might exist under other company policies.

The law provides that an employee has no greater rights upon a return from leave than the individual would have had if s/he had continued to work. Therefore, an employee may be affected by a layoff or other job change if the action would have occurred had the employee remained actively at work. In such cases, the official date of the layoff will mean the end of FMLA leave of the employee. If he employee is recalled, if FMLA leave is still required, it may then continue.

Worker's Compensation Absences

When an employee is absent due to a work-related illness or injury which meets the definition of a serious health condition, the absence will be counted against the employee's allotment of FMLA leave under federal law. In other words, the employee is using Federal FMLA leave concurrently with the worker's compensation absence.

Early Return from Leave

An employee who wishes to return to work earlier than originally anticipated should provide at least two days' notice of such request. A return to work/fitness-for-duty certification will be required.

Please contact human resources with questions on Family and Medical Leave – Wisconsin and Federal.

Evergreen's Code of Conduct

Evergreen has established a Code of Conduct to highlight the principles which guide the activities of employees and service providers. It is the responsibility of all employees and service providers to adhere to this Code.

Behave ethically

Employees and service providers must adhere to high ethical standards whenever they represent Evergreen. Employees and service providers must respect resident/client rights, avoid using his or her position for personal gain and avoid conflicts of interest.

Obey the law

Employees and service providers must obey all laws and regulations that apply to his or her work as a condition of employment or service. Employees and service providers should be familiar with the basic legal requirements, policies, and procedures relevant to his or her duties. Employees should ask managers when they require assistance in understanding their obligations. Service providers should ask their company contact when they require assistance in understanding their obligations. Employees and service providers can learn about their legal obligations and job/service responsibilities through in-service training programs, by reviewing policies, or by asking questions of a member of the Corporate Compliance Committee.

Keep accurate records

Employees and service providers must prepare all records and reports accurately. Records and reports must be retained as required by law or policy.

Maintain confidentiality

Employees and service providers must maintain resident/client confidentiality. Employees and service providers must follow policies designed to protect confidentiality, privacy and security of resident/client healthcare information. Confidential information must be kept confidential unless the resident/client or legal representative has authorized release of the information in writing in accordance with state law.

Report information truthfully

Communications within Evergreen and to outside agencies must be truthful. Written authorization is required to release resident/client specific health care information.

Report possible violations

Employees and service providers must report any activity he or she reasonably believes is in violation of the law, ethical standards or Evergreen policies. Employees and service providers can report suspected violations without fear of retaliation. Employees and service providers should report suspected violations in good faith; but need not be certain that conduct violates the Code of Conduct in order to report it. Reporting enables investigation of potential problems quickly which leads to more prompt resolution.

Reports of possible violations can be reported anonymously and confidentially at any time (24 hours a day, 7 days a week, 365 days per year) by calling the Compliance Hotline at **1-866-317-4347**.

Reports of possible violations can also be made to Evergreen's Compliance Officer, VP Human Resources or to another member of Evergreen's Compliance Committee. This includes the President & CEO, VP Health and Support Services, VP Finance and Information Services, VP Foundation Advancement and the VP Marketing and Business Development.