

HARBIN CLINIC

EMPLOYEE HANDBOOK

March 2021

The following information is to be used by employees of the Harbin Clinic as a guide for their employment. If you have questions regarding any of the information outlined in this handbook, please contact the Human Resources Department at (762) 235-1050

I. EMPLOYMENT AT HARBIN CLINIC

INTRODUCTION

This Employee Handbook is intended to provide employees with a general outline of Harbin Clinic's personnel policies, practices, and procedures. This Handbook should not be read as setting forth the fine details of each policy or as constituting a guarantee that the policies it discusses will be applied in all cases. The Handbook cannot anticipate every situation or answer every question about employment. The Harbin Clinic must administer the policies and procedures contained in this handbook with flexibility when it deems such action to be necessary. The Harbin Clinic's interpretations of these policies and procedures are final and binding.

The personnel policies in this Handbook supersede and replace all prior published or unpublished policies. The Harbin Clinic may add to the policies in the handbook or revoke or modify them from time to time at its sole discretion. The Harbin Clinic will try to keep the Handbook current, but there may be times when policies will change before this Handbook can be revised.

NEITHER THIS HANDBOOK NOR ANY PROVISION IN THIS HANDBOOK CONSTITUTES A CONTRACT OF EMPLOYMENT OR ANY OTHER TYPE OF CONTRACT. THIS HANDBOOK IS PROVIDED FOR YOUR INFORMATION ONLY. IT SHOULD NOT BE CONSIDERED IN ANY WAY AS CREATING ANY RIGHTS, CONTRACT OR GUARANTEE OF EMPLOYMENT, BENEFITS, OR WORKING CONDITIONS BETWEEN ANY EMPLOYEE AND THE HARBIN CLINIC.

All employees who do not have a separate written employment agreement with the Harbin Clinic are employed for no specific length of time and are therefore employees-at-will. Employment may be terminated by the employee or by the Harbin Clinic at any time, for any reason not prohibited by law. This status cannot be altered by any oral or written representations other than a written employment contract signed by the employee and the Executive Director of the Harbin Clinic.

Thank you for taking the time to read and understand the Employee Handbook. You will be required to execute the Acknowledgment Form found at the end of this Handbook indicating that you have received and read this Employee Handbook.

EMPLOYMENT AT WILL

Employment at Harbin Clinic exists on an "at-will" basis, with no employment contract either expressed or implied. Since employment at Harbin Clinic is based upon mutual consent, either the employee or the employer may terminate the relationship at any time and at their discretion, with or without notice, for any reason or for no reason.

EQUAL EMPLOYMENT OPPORTUNITY

The Harbin Clinic will make all employment decisions (including decisions about hiring, promotion, transfer, demotion, evaluation, compensation, and termination) without regard to race, color, national origin, citizenship, sex, pregnancy, religion, age (age 40 and over), disability, genetic information, armed forces status, or any other classification protected by federal, state or local law.

DIVERSITY AND INCLUSION

Harbin Clinic is committed to fostering, cultivating and preserving a culture of diversity and inclusion.

The collective sum of the individual differences, life experiences, knowledge, innovation, unique capabilities and talent that our employees invest in their work represents a significant part of not only our culture, but our reputation and company's achievement as well.

We embrace and encourage our employees' differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make our employees unique.

All employees of Harbin Clinic have a responsibility to treat others with dignity and respect at all times. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other company-sponsored events.

Any employee found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action.

Employees who believe they have been subjected to any kind of discrimination that conflicts with the company's diversity policy and initiatives should seek assistance from their manager or the Director of Human Resources.

POLICY AGAINST HARASSMENT

It is the policy of the Harbin Clinic that all personnel will work in an environment free from harassment and intimidation of any kind, including harassment based on race, color, religion, gender, sex, national origin, age, veteran status, disability, genetic information or any other basis prohibited by applicable law. The Harbin Clinic will take whatever steps are necessary to achieve this type of environment for its personnel.

Prohibited harassment can take the form of words, actions, or both. Examples of harassment include (1) epithets, slurs, negative stereotyping, and threatening,

intimidating, or hostile acts; (2) written or graphic material (for example, pictures or cartoons) possessed, posted or circulated in the workplace; and/or (3) unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual or other improper nature. No one should imply or threaten that an employee or applicant's "cooperation" with unwelcome harassment (or refusal thereof) will have any effect on an individual's employment, assignment, compensation, advancement, or any condition or term of employment.

All such conduct or statements, whether sexual in nature, based on race, color, religion, national origin, age, disability, genetic information, or other prohibited basis, and whether committed by management or non-management personnel, is strictly prohibited.

Harbin Clinic personnel who violate this policy will be subject to disciplinary action, up to and including termination of employment. No one has the authority to engage in this kind of unacceptable behavior, and we will not tolerate it. This policy applies to all Harbin Clinic personnel, as well as to vendors and patients who deal with the Harbin Clinic's personnel.

If you believe that you are being subjected to harassment based on race, color, religion, gender, sex, national origin, age, veteran status, or disability, genetic information, or if you believe that someone else is, you should, without fear of reprisal, promptly report it to any of the following: your immediate supervisor, the Human Resources Director, Compliance Coordinator, or the Chief Executive Officer.

The Harbin Clinic encourages you to report harassment or other improper conduct directed towards you or that you observe being directed towards others. The Harbin Clinic will not retaliate against or penalize any person for making a good faith claim or report of harassment or for in good faith providing information regarding harassment or any claim of harassment. Any employee who believes retaliation has resulted from either the reporting of a complaint of harassment or from participation in an investigation of harassment should immediately report this to his/her immediate supervisor, the Human Resources Director, Compliance Coordinator or the Chief Executive Officer.

The Harbin Clinic will carefully investigate each complaint of harassment. The person accused of wrongdoing will not conduct the investigation. The investigation will normally include interviewing the complaining party, interviewing the accused, interviewing known witnesses, and otherwise gathering the facts. The Harbin Clinic will take corrective action when appropriate. This may include discharge or other discipline or punitive action, depending on the circumstances. All complaints will be treated in the strictest confidence possible.

We strongly encourage your use of this procedure. However, you should understand that your filing a complaint or report with the Harbin Clinic does not toll or affect legal deadlines.

II. HIRING AND EVALUATION

STANDARDS FOR EMPLOYMENT

Prospective employees must be qualified to satisfactorily perform the duties as stated in the job description of the position for which they are applying with or without reasonable accommodation. Where a position requires proof of licensure or registration, candidates will be asked to present evidence of that licensure or registration prior to employment. Employees will be required to keep licensure current, when it is required by the position.

PRE-EMPLOYMENT HEALTH ASSESSMENT

For employee and patient protection, employees may be required to meet certain health standards for employment. A post-offer, pre-employment physical assessment, which may include a drug test, will be scheduled for each post-offer candidate by the Human Resources Department. Any offer of employment is contingent upon the candidate satisfactorily passing the pre-employment physical as it relates to their ability to perform the duties of the position for which they have been hired, as well as any governmental health requirements for Harbin Clinic employees.

The information obtained from these medical examinations is collected and maintained separately from the employee's personnel file. This information is kept confidential within the Harbin Clinic except as to managers who need to know about necessary restrictions on the work or duties of the employee and/or necessary accommodations. The results of the medical examinations are used only in accordance with the Americans with Disabilities Act, and are not used in any way to discriminate against qualified individuals with disabilities.

INTRODUCTORY PERIOD

The introductory work period for new employees is six months from the date of hire. During this time the new employee has their first opportunity to evaluate Harbin Clinic as a place to work, and management has the opportunity to evaluate the new employee.

EMPLOYMENT OF RELATIVES

The Harbin Clinic will not hire a relative of a current employee if the relative would directly or indirectly supervise or be supervised by the employee. For purposes of this policy, a relative is defined as a spouse, parent, in-law, child, grandchild, grandparent, brother, sister, aunt, uncle, niece, or nephew. This policy applies to both blood relatives and relatives by marriage or adoption.

In the event that two employees marry (or otherwise become related while they are employed), they may continue working with the Harbin Clinic as long as one employee does not supervise the other, either directly or indirectly.

RE-EMPLOYMENT OF FORMER EMPLOYEES

Former employees who resign in good standing may be considered for re-employment. Former employees who leave without a proper notice, or who were discharged, may not be considered for re-employment.

PROMOTION AND TRANSFER POLICY

As the Harbin Clinic continues to expand and grow, job opportunities may become available. Employees will be considered for job openings on the basis of job-related considerations, including the employee's qualifications, work performance, ability, and length of service.

An employee who is interested in being considered for another job within the Harbin Clinic should complete a Transfer Request form and submit it to the Human Resources Department. In most situations, requests for transfers or promotions will only be considered if the employee has been in their present position for at least six (6) months and if there is an opening for that position. Employees are only allowed to transfer once in a 12-month period. Employees who are on disciplinary probation are not eligible to request a transfer. The Harbin Clinic may approve an employee's request for a transfer or promotion if the Harbin Clinic determines *in its sole discretion* that the employee has the qualifications for the job, the employee is the best qualified person for the job, and it is in the best interest of the Harbin Clinic *and the employee*.

PERFORMANCE EVALUATION

It is the Harbin Clinic's policy to evaluate every employee's performance on a continuing basis as well as through formal performance evaluations.

Formal performance evaluations will typically be conducted on an annual basis. Performance evaluations are intended to allow managers and employees to discuss an employee's strengths and weaknesses, past job performance, job requirements, areas for improvement, future goals and (where appropriate) corrective action or potential for advancement. An employee's salary and other terms and conditions of their employment may be affected by these performance evaluations.

PROBLEM SOLVING

It is the Harbin Clinic's desire to foster sound employee/supervisor relations through communication and ultimate reconciliation of work-related problems. Any employee who feels they has been treated unfairly will be given the opportunity to discuss the problem by following the procedure outlined below:

- Step One: Discuss the problem with the immediate supervisor.
- Step Two: If the matter, which is human resources in nature, is not resolved within a reasonable time, the problem should be presented, in writing, to the Director of Human Resources and the Chief Compliance Officer. If the matter appears to continue, the Compliance Line at (866) 787-7887 is an available option. If the matter is in the legal/regulatory/reimbursement arena, the problem should be presented to the Chief Compliance Officer or reported through the Compliance Line toll free service at (866) 787-7887.
- Step Three: If the matter is not resolved within a reasonable time, the problem should be submitted **in writing** to the Chief Executive Officer of The Harbin Clinic. The Chief Executive Officer will take appropriate action and this decision is final and binding.

Generally, all responses should occur within 5 - 10 working days of receiving the complaint. However, each individual situation may differ, which may affect response time.

TERMINATION

Because employment with the Harbin Clinic is based on mutual consent, either the Harbin Clinic or the employee may terminate the employment relationship at any time. It is important that employees follow the proper channels of terminating employment to maintain a good employment record. There are several types of termination procedures:

- 1) **Resignation** – Hourly employees who decide to resign from the Harbin Clinic should give at least two (2) work weeks written notice to their department manager. Salaried employees and employees in a supervisory role are required to give at least 30 days or 4 work weeks written notice. Personal time and scheduled sick time cannot be included during the required notice period. Employees who resign with proper notice are eligible for payment of accrued but unused personal time benefits provided they have been employed for at least 90 days. Additionally, such employees may be considered for re-employment at a later date.
- 3) **Discharge** - An employee who is terminated for poor work performance, violating Clinic policies or for gross misconduct is considered to be discharged and is not eligible for payment of accrued but unused personal time benefits.

- 4) **Other Termination** - On occasion, termination of employees for nondisciplinary reasons may become necessary. In such instances, affected employees will be paid accrued but unused personal time benefits and may be considered for re-employment at a later date.

EXIT INTERVIEWS

Prior to leaving, each employee will be offered an exit interview with a member of the Human Resources Department. During the exit interview the employee should turn in all Clinic property and supply any forwarding or address change.

III. EMPLOYEE PERFORMANCE AND CONDUCT

DISCIPLINE

Groups of people who are working together for any purpose require guidelines which pertain to conduct and relationships. Accordingly, it is important that employees be aware of their responsibilities to the Harbin Clinic and to co-workers. The Harbin Clinic's rules and regulations have been established for the good of our patients as well as our employees. Each supervisor or department head has been given the responsibility to see that Clinic policies are carried out.

Harbin Clinic takes a constructive approach to disciplinary matters to insure that actions which would interfere with operations or an employee's job do not occur and are not continued.

Violations of Clinic policies or sub-standard performance may result in one of the following forms of disciplinary action: verbal warning (written note of warning placed in employee file), written warning, suspension and/or termination/discharge,(not necessarily in this or any order). In arriving at a decision for proper action, the following will be considered:

The seriousness of the infraction or performance deficiency
The past record of the employee
Circumstances surrounding the matter

Termination may be immediate and without warning.

It is not possible to list each action which may result in disciplinary action up to and including termination/discharge. The list below gives some examples of those behaviors that typically may result in disciplinary action, including immediate termination/discharge.

- Excessive absenteeism/tardiness
- Non-performance of duties according to standards, or failure to correct conduct, or failure to improve unsatisfactory performance which has been the subject of a previous warning
- Disregard of established policies, procedures and/or standards
- Insubordination to supervisors or other members of management, including disrespectful behavior or the refusal or failure to perform assigned work or to follow the instruction of management personnel
- Divulging or misusing confidential information regarding a patient or employee of the Harbin Clinic
- Falsifying information concerning the employment application, time records, employee benefits, medical records, or any other record
- Seeking or disseminating confidential salary or other payroll information.

- Intoxication while on the job or bringing intoxicating beverages on the premises.
- Possessing, using, selling, distributing or being under the influence of illegal drugs, to include prescription drugs or controlled substances obtained without prescription or physician's directive
- Fighting or attempting to injure others
- Soliciting tips
- Disorderly behavior
- Theft of Clinic property or money
- Abusing, threatening, or intimidating other employees, managers, clients, or others doing business with the Harbin Clinic
- Use of obscene, disruptive, hostile or abusive language on Clinic property
- Unauthorized use or possession of weapons, firearms, or explosives on Clinic property
- Harassment based on race, color, religion, gender, sex, national origin, age, veteran status, genetic information or other basis prohibited by law towards other employees, managers, patients or others doing business with the Harbin Clinic
- Engaging in non-compliant or unethical behavior that may include filing false claims, improper documentation, offering or receiving compensation in exchange for referrals, those topics covered in the Clinic's Code of Ethical Conduct, etc.
- Conduct or behavior that negatively reflects on the Harbin Clinic

Violation of these standards of conduct -- or any form of disruptive or inappropriate behavior -- may result in appropriate disciplinary action. The nature and severity of the discipline will be determined by the Clinic in its sole discretion, and will reflect the severity of the violation, the employee's past record, and other individual circumstances. While the Clinic usually provides corrective counseling, immediate dismissal may result in situations where corrective counseling is not deemed by the Clinic to be appropriate to the situation.

ABSENTEEISM/TARDINESS

The efficient operation of the Harbin Clinic depends upon the regular attendance and punctuality of employees. While the Harbin Clinic recognizes that circumstances beyond an employee's control may sometimes cause the employee to be absent from work, excessive, unscheduled absenteeism may result in disciplinary action up to and including termination.

Employees using excessive amounts of unscheduled time-off, may be subject to disciplinary action up to and including termination. Unscheduled absences are defined as absences in which an employee fails to give their supervisor at least 48 hours of advance notice.

Employees are expected to be at their work stations at the time they are scheduled to begin work and at the prescribed time after lunch or other breaks. An employee who will be absent from work or delayed in reporting for work is required to call and speak directly with their immediate supervisor promptly (no less than thirty minutes before the employee was to report to work) to explain the reason for the absence or delay and the expected duration of the absence or delay. Leaving a phone message or speaking with a coworker is not acceptable. Similarly, employees who need to leave the office early for any reason

must first obtain the permission of their immediate supervisor. Failure to notify their supervisor of any anticipated absence or delay in reporting for work may be grounds for disciplinary action up to and including termination.

Any employee who is absent from work without giving the Harbin Clinic proper notice will be considered to have resigned from their employment with the Harbin Clinic.

DRUG AND ALCOHOL - FREE WORKPLACE

The Harbin Clinic maintains a drug-free workplace policy that is distributed to all employees. Drug testing is required on all new employees prior to their first day of employment. Drug testing may also be performed during employment for various reasons outlined in the policy. Violation of any provision of the drug and alcohol-free workplace policy by an employee will result in disciplinary action up to and including termination.

DRESS CODE/UNIFORMS

Employees' personal appearances create an impression on patients and the public. It is important that the impression employees create be totally professional. Clothes and shoes should be neat, clean and of a conservative style. Uniforms should also be neat and clean at all times. All other attire must be appropriate and in good taste. Excessive jewelry, makeup, extreme hair styles, and faddish clothing are to be avoided. A copy of the Harbin Clinic's dress code is distributed to all employees at time of hire and maintained on the intranet.

Should an employee's attire be deemed inappropriate by Clinic management, they may be required to leave work and return when they are suitably dressed for work. Any time missed for this reason will be at no pay. Employees having any questions regarding appropriate apparel for their work area should consult their supervisor or the Human Resources Department.

PATIENT RELATIONS/CONDUCT

The primary responsibility of all Harbin Clinic employees is to provide service to our patients. As employees of Harbin Clinic we have an obligation to be considerate, compassionate, skilled and quiet in the performance of work and attentive to the needs of others. Patients' favorable impressions of the Harbin Clinic are extremely important as the primary step in building trust and confidence in our organization.

An employee's ability to work cooperatively to bring quality care to our patients is a part of the job expectation and will be one of the criteria used in performance evaluations.

TELEPHONES

Telephone courtesy is essential. An employee answering the phone should:

- use a pleasant voice,

- identify himself/herself by department and name,
- give the caller a choice of holding, calling back, or leaving a message if the caller cannot be connected to their party,
- inform caller when transferring them to another department.

Telephones placed at the work station are an important means of communication and employees should always have a courteous, well-mannered attitude toward those calling the Harbin Clinic.

Personal Telephone Calls

Clinic telephones are to be used for the purpose of serving the interest of patients and for conducting the business of normal Clinic operations. Personal calls should be limited to emergencies.

Cell Phones

- While at work, employees are expected to exercise the same discretion in using personal cell phones as they use with company phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees should restrict personal calls during work time and should use personal cell phones only during scheduled breaks or lunch periods in non-working areas.
- At no time should an employee use their cell phone (talking, texting and/or on any internet site) in the presence of a patient or visitor.
- The decision whether to allow employees to have their cell phones at their work station is at the discretion of the department manager/supervisor.
- If cell phones are allowed at the work station, the phones should remain on vibrate or silent mode at all times.

SOCIAL MEDIA

Harbin Clinic respects the rights of employees to use personal social networking sites (e.g., Facebook and Twitter) during their personal time, away from the work place. The following standards of conduct should be followed when using social networking sites regardless of whether you are on-duty:

- Employees who choose to identify him or herself as a Harbin Clinic employee on a website, should include their name and when relevant, their role at Harbin Clinic.
- Employees are personally responsible for the content they publish on blogs, and social networking sites. Be mindful that what you publish will be public indefinitely.
- Employees are not to disclose any personal health information or any other information that is confidential or proprietary to Harbin Clinic or to any third party that has disclosed such information to the company.

- Employees are expected to uphold Harbin Clinic's value of respect for the individual and avoid making any defamatory, negative, disrespectful or harassing statements about Harbin Clinic services, other employees, physicians, patients, Harbin Clinic and affiliates of Harbin Clinic.
- Employees should be respectful and not use ethnic slurs, personal insults, threats, obscenity or engage in any conduct online that would not be acceptable in the Harbin Clinic workplace per Harbin Clinic policies.

Violations of these standards of conduct may result in appropriate disciplinary action including immediate termination. Nothing in this Social Media policy is intended to prevent any employee from engaging in activities protected by Section 7 of the National Labor Relations Act, including discussions regarding the terms and conditions of employment.

TOBACCO USE

The Harbin Clinic maintains a tobacco-free campus at all locations. Violation of the tobacco-free policy may result in disciplinary action up to and including termination.

INJURY ON THE JOB

If an employee has an accident at work or if they witness a patient or another employee having an accident of any sort on Clinic property, her/she should immediately notify his/her supervisor who will complete the Incident Report Forms required by the Risk Management Office, and/or the worker's compensation laws.

SOLICITATIONS AND DISTRIBUTIONS

In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or printed material of any kind, sell merchandise, solicit financial contributions or solicit for any other cause during working time. Employees who are not on working time may not solicit employees who are on working time for any cause or distribute literature of any kind to them. Furthermore, employees may not distribute literature or printed material of any kind in working areas at any time.

Solicitation and distribution activities by persons who are not employed by the Harbin Clinic are not permitted on company property at any time.

CONSENTING ROMANTIC/SEXUAL RELATIONSHIPS

Consenting "romantic" or sexual relationships between employees may at some point lead to unhappy complications and significant difficulties for all concerned, the employee, the supervisor/manager and the Clinic. Any such relationship may, therefore, be contrary to the best interests of the Clinic. **Accordingly, the Clinic strongly discourages such relationships.** If a romantic or sexual relationship develops between employees, the employees have an obligation to disclose the relationship immediately to the employees manager or Human Resources.

IT RESOURCES AND COMMUNICATION SYSTEMS

The Clinic's computers, networks, communications systems and other IT resources are intended for business purposes only (except for limited personal use as described below) during working time and at all other times. To protect the Clinic and its employees, it is the Clinic's policy to restrict the use of all IT resources and communications systems as described below. Each user is responsible for using these resources and systems in a productive, ethical and lawful manner.

The Clinic's policies prohibiting harassment apply to the use of the Clinic's IT resources and communications systems. No one may use any communications or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs, genetic information, or other basis prohibited by law.

The use of the Clinic's IT resources and communications systems by an employee shall signify their understanding of and agreement to the terms and conditions of this policy, as a condition of employment.

Administration of This Policy. No employee shall share user names, pass codes or passwords with any other person. An employee shall immediately inform the IT Department if he knows or suspects that any user name, pass code or password has been improperly shared or used, or that IT security has been violated in any way.

Resources and Systems Covered By This Policy. This policy governs all IT resources and communications systems owned by or available at the Clinic, including all use of such resources and systems when accessed using an employee's own resources, including but not limited to:

- E-mail systems and accounts.
- Internet and intranet access.
- Telephones and voicemail systems, including wired and mobile phones, smartphones and pagers.
- Printers, photocopiers and scanners.
- Fax machines, e-fax systems and modems.
- All other associated computer, network and communications systems, hardware, peripherals and software, including network key fobs and other devices.
- Closed-circuit television (CCTV) and all other physical security systems and devices, including access key cards and fobs.

No Expectation of Privacy. All contents of the Clinic's IT resources and communications systems are the property of the Clinic. Therefore, employees should have no expectation of privacy whatsoever in any message, files, data, document, facsimile, telephone conversation, social media post, conversation or message, or any other kind or form of information or communication transmitted to, received or printed

from, or stored or recorded on the Clinic's electronic information and communications systems.

You are expressly advised that in order to prevent against misuse, the Clinic reserves the right to monitor, intercept and review, without further notice, every employee's activities using the Clinic's IT resources and communications systems, including but not limited to e-mail (both outgoing and incoming), telephone conversations and voice mail recordings, instant messages and internet and social media postings and activities, and you consent to such monitoring by your acknowledgement of this policy and your use of such resources and systems.

Do not use the Clinic's IT resources and communications systems for any matter that you desire to be kept private or confidential from the Clinic.

This policy also prohibits use of the Clinic's IT resources and communications systems in any manner that would infringe or violate the proprietary rights of third parties. Electronic communications systems provide easy access to vast amounts of information, including material that is protected by copyright, trademark, patent and/or trade secret law. You should not knowingly use or distribute any such material downloaded from the internet or received by e-mail without the prior written permission of the Clinic Legal Department.

Inappropriate Use of Clinic IT Resources and Communications Systems

You are never permitted to use the Clinic's IT resources and communications systems, including e-mail, text messaging, internet access, social media, telephones and voicemail, for any inappropriate or unlawful purpose. This includes but is not limited to:

- Misrepresenting yourself as another individual or company.
- Sending, posting, recording or encouraging receipt of messages or information that may be offensive because of their sexual, racist, or religious content.
- Revealing proprietary or confidential information, including official Clinic information, patient information, employee information or intellectual property without authorization.
- Conducting or soliciting illegal activities.
- Representing your personal opinion as that of the Clinic.
- Interfering with the performance of your job or the jobs of other Clinic employees.
- For any other purpose that violates the Clinic's policies or practices.

Discipline Employees who violate any provision of this policy are subject to discipline, up to and including termination of employment.

Conduct Not Prohibited by This Policy. This policy is not intended to preclude or dissuade employees from engaging in legally protected activities/activities protected by state or federal law, including the National Labor Relations Act.

IV. COMPENSATION AND HOURS

JOB CLASSIFICATIONS

Regular Full-time

Employees hired for a continuous and indefinite period of time who are normally scheduled to work a minimum of 40 hours per week. These employees are eligible for full benefits.

Regular Part-time

Employees hired for a continuous and indefinite period of time who are scheduled to work 30 to 39 hours per week. These employees are eligible for full benefits with the exception of personal and sick time, which is pro-rated based on the number of hours worked, and holiday pay, which is only paid if the employee is normally scheduled to work on the holiday and only for their regularly scheduled number of hours for that day.

Part-time

Employees hired for a continuous and indefinite period of time who are scheduled to work between 20 - 29 hours per week. These employees receive personal and sick benefits at half the full-time rate. Part-time employees shall receive holiday pay only for holidays on which they would normally be scheduled to work and only for their regularly scheduled number of hours for that day.

Temporary and On-call

Employees hired to perform a specific job task and/or for a specific, limited period of time, who function as additional interim support personnel. These employees are not eligible to receive benefits.

Position Classifications

All positions in the Harbin Clinic are classified as either exempt or non-exempt in accordance with the Fair Labor Standards Act (FLSA). Exempt positions are those which meet the specific FLSA test for exemption from overtime pay requirements. Non-exempt positions are those which do not meet the FLSA exemption tests and are paid time and one-half their regular rate of pay for hours worked over 40 in a Clinic work week.

PAY PROCEDURES

Paydays

The normal pay period runs 14 days from 12:00 a.m. Sunday through 11:59 p.m. Saturday of the next week. Employees will receive paychecks on a biweekly (every two weeks) basis, on Friday, following the close of the pay period.

Compensation and Salary Increases

It is the Harbin Clinic's policy to pay its employees fairly and in proportion to their performance and responsibility. While it is the Harbin Clinic's goal to provide employees with appropriate salary increases based on performance, such salary increases are within the sole discretion of the Harbin Clinic.

Payroll Deductions Policy

Each pay period, the Harbin Clinic will deduct from an employee's earnings certain deductions required by law, including federal, state, and local income taxes, Medicare and Social Security payments, and garnishments (if applicable). The only other payroll deductions which the Harbin Clinic will make are those authorized by the employee, such as 401K plan contributions and insurance premiums.

OVERTIME POLICY

On occasion, the Harbin Clinic will need employees to work overtime hours. Employees are expected to work overtime as needed. Repeated refusals to work overtime when requested and/or refusal to work overtime without a valid excuse may be grounds for discipline, up to and including termination.

Non-exempt employees who are covered by the provisions of the federal Fair Labor Standards Act will be compensated at the overtime rate of one and a half times their regular rate of pay for any hours they work over forty in a given workweek. Overtime pay begins only after the employee has worked forty hours in a workweek. Personal time, sick time, leave time, or other excused absences do not count towards the forty hours. Scheduled Clinic holidays are considered time worked and are added to the weekly number of hours worked for computing overtime. Every non-exempt employee must receive advance authorization from their supervisor or from their department manager prior to working overtime. Non-exempt employees may not start work early, work through lunch or breaks, work late, take work home, or work overtime without the prior approval of their supervisor or department manager.

Exempt employees are compensated at a fixed salary and they are not covered under the overtime provisions of the federal Fair Labor Standards Act. Consequently, if exempt employees work more than forty hours per week, they will not receive any additional compensation or overtime pay.

V. YOUR BENEFITS

EMPLOYEE BENEFITS

Harbin Clinic provides employee benefits which are rewarding and competitive within the healthcare industry. The Harbin Clinic reserves the right to modify, change or delete employee benefits as is deemed necessary by Clinic management. The Harbin Clinic's health and welfare plans and retirement are described in the plan booklets which employees receive after enrollment. Please refer to these booklets or to the Human Resources Department if you have any questions regarding employee benefits.

PERSONAL TIME

It is the Harbin Clinic's policy to grant personal time with pay to provide eligible employees with a period for rest and recreation in recognition of services performed. All requests for personal time must be approved in advance by the employee's supervisor. Personal time will not be granted under any circumstances unless the employee has sufficient hours accrued to cover the duration of their request (no unpaid days off). No advances or negative balances will be permitted.

Personal time is accrued based on the following schedule:

<u>YEARS OF SERVICE</u>	<u>ACCRUAL RATE</u>
0 thru 4 years	3.08 hrs/pp (10 days/year)
5 thru 9 years	3.85 hrs/pp (12.5 days/year)
10+ years	4.62 hrs/pp (15 days/year)

Regular part-time employees receive personal time benefits on a prorated basis. Other part-time employees (scheduled to work 20-29 hours per pay week) are eligible for personal hours at $\frac{1}{2}$ the regular full-time rate. Personal time may be taken after 90 days of employment. A maximum of eighty (80) hours of personal time may be carried over into the next year.

Employees who leave the Harbin Clinic after completing at least 90 days of continuous service and who leave in good standing with at least two weeks advance written notice (30 days/4 work weeks for salaried and supervisory personnel) will be paid for accrued and unused personal time upon termination of employment. Involuntary termination due to theft, gross misconduct, insubordination, unacceptable work performance, willful neglect of duty and/or violation of Clinic policy will prohibit an employee from receiving pay for accrued personal time.

SICK TIME

Sick leave is leave with pay granted to employees who are suffering occasional minor illnesses that prevent them from performing their usual duties and responsibilities, or for doctor's or dentist's appointments. The Harbin Clinic reserves the right to request medical certification on any sick time used.

Regular full-time employees will accrue sick hours at a rate of 3.08 hours per pay period (total of 10 days per year). Regular part-time employees are eligible for sick time on a prorated basis. Other part-time employees (scheduled to work 20–29 hours per week) are eligible for sick time at ½ the regular full-time rate. Employees classified as “temporary” or “on-call” are not eligible for paid sick leave.

Sick time may be taken after 90 days of continuous employment. Accrued sick time not used by December 31st may be carried forward into the next year. The maximum sick time accrual is 480 hours.

Sick time may be used for the personal illness or for doctor's/dentist's appointments of an employee, spouse, employee's child (18 years or younger) or employee's parents. Employees are not paid for “unused” sick time at termination.

Up to 40 hours of sick time may be used in a calendar year to care for a grandchild, grandparent, child (18+ years of age) or any dependents as shown on the employee's most recent tax return.

LEAVE TIME

Funeral/Bereavement Leave

An employee may take up to three (3) days of paid leave if there is a death in the employee's immediate family. The immediate family is defined as the employee's parents or legal guardian, step-parents, spouse, children, step-children, brother, sister, grandparents, grandchildren, current parents-in-law, current son or daughter-in-law and current brother and sister-in-laws.

Jury Duty

If an employee is called upon to serve on jury duty or testify in a court case, they should notify their supervisor at once (and provide a copy of the notice for jury duty or subpoena) so adequate coverage can be arranged. Employees should call their supervisor on a daily basis to notify the supervisor if they will be required to serve that day. Employees who are released from jury duty are expected to report to work for the remainder of the workday. Employees should submit a copy of the check received for serving on jury duty to the Payroll Department. The Harbin Clinic will compensate the employee for the difference in their normal pay and jury pay. Hours paid for jury duty will not be considered hours worked in calculating overtime.

Voting Leave

Employees may be granted up to two hours time off to vote, without pay, unless polls are open two hours before or after regular working shift. All requests for voting leave must be made at least one day in advance to their direct supervisor.

LEAVES OF ABSENCE

Military Leave

The Harbin Clinic will grant a military leave of absence to employees who leave work for active military duty or for Reserve or National Guard training. The military leave of absence will be granted in accordance with applicable federal and state laws. Employees who enter military duty or training must submit their military orders to their supervisor as soon as possible after receiving them (unless advance notice of military service is not possible or reasonable because of military necessity or other legitimate reasons). Employees who have completed their military duty or training generally are entitled to reinstatement, provided they seek reinstatement in a timely fashion as established by applicable federal and state law, their separation from military service was under honorable conditions, their total length of military absences did not exceed five years (certain categories of military service are exempt from the five-year limitation), and all other requirements for reinstatement under applicable federal and state laws are satisfied. Reinstatement ordinarily is to the position the employee would have held if they had remained actively employed by the Harbin Clinic, provided the employee is qualified for that position or could become qualified after reasonable efforts by the Harbin Clinic to qualify the employee. However, the particular position to which an employee returning from military leave is entitled may depend on a number of factors, as provided by applicable federal and state law.

Military leave of absence generally is without pay. However, for employees who leave work for annual two-week military Reserve or National Guard training, the Harbin Clinic will compensate for any difference in pay between the employee's regular non-overtime wages and the military pay if the military pay is less than that earned at the Harbin Clinic. To receive this compensation, employees going on the annual two-week military training should provide their supervisor with a copy of their military orders showing the active duty rate of pay.

Employees going on a military leave of absence should consult the Human Resources Department for information about benefits during the military leave and about other information concerning their rights and obligations relating to the military leave.

Family and Medical Leave

It is the policy of the Harbin Clinic to provide family and medical leave in accordance with the federal Family and Medical Leave Act (FMLA) and state law. When an employee's absence qualifies under both state and federal laws, the employee will use his or her

entitlement under each law at the same time, to the extent permitted by law. When one law's provisions provide a greater benefit, the employee will receive the greater benefit.

If an employee is not eligible for FMLA leave, uses up his or her FMLA leave, or wishes to take leave for a purpose that does not qualify for FMLA, the employee should consult the company's other policies to determine if other leave or accommodations might be available.

The company uses a 12-month period measured forward from the first day of FMLA leave to determine the 12-month period during which the FMLA leave is available for reasons that qualify for up to 12 workweeks of leave.

Eligibility

To be eligible for FMLA leave, an employee must have (1) worked at least 12 months for the company, (2) been employed for at least 1,250 hours during the 12 months preceding the commencement of leave, and (3) work at a location where 50 or more employees work at that location or within 75 miles of it.

Types of absences covered

Under the FMLA, eligible employees may take up to 12 weeks of unpaid leave in the designated 12-month period for any of the following:

- For incapacity due to pregnancy, prenatal medical care, or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition;
- For a serious health condition that makes the employee unable to perform his or her job; or

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition.

- For a qualifying exigency, as described below.

Qualifying exigency leave

Eligible employees with a spouse, son, daughter, or parent on covered active duty (or who has been notified of an impending call or order to active duty) in the Armed Forces may use their 12-week leave entitlement to address certain qualifying exigencies.

Covered active duty includes deployment to a foreign country. Qualifying exigencies may include attending certain military events, addressing childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, addressing parental care, and attending post-deployment reintegration briefings.

Military caregiver leave

An eligible employee may take up to 26 weeks of unpaid leave during any single 12-month period (a separate and distinct leave year from the period designated above) to care for the employee's spouse, son, daughter, parent, or next of kin who is a covered military servicemember and incurred a serious injury or illness in the line of military duty, or who experienced the aggravation of an existing or pre-existing condition in the line of active duty. The 12-month period is measured forward from the date leave begins. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves. A serious injury or illness is one that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

A serious injury or illness for a covered veteran is one that was incurred in the line of duty or existed before active duty and was aggravated, and manifested itself before or after becoming a veteran and is:

- A continuation of such an injury or illness, or a condition for which the veteran received a U.S. Department of Veterans Affairs Service-Related Disability Rating of 50 percent or greater based on the condition requiring leave,
- A condition that substantially impairs the veteran's ability to keep or obtain gainful employment, or
- An injury on the basis of which the veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

For military caregiver leave for veterans, the veteran must have been discharged or released under conditions other than dishonorable during the five-year period before the first date an employee takes FMLA leave.

Duration of leave

An employee does not need to use his or her leave entitlement in one block. Leave may be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. For example, recurring doctor's appointments should be scheduled outside an employee's normal working hours when feasible.

Benefits and protections

During FMLA leave, the employer must maintain the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. An employee on unpaid FMLA leave must make arrangements with Human Resources to

pay the normal employee portion of the insurance premiums in order to maintain insurance coverage. Upon return from FMLA leave, employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Procedures

Employees will be informed whether they are eligible under FMLA. If they are, the employer will specify any information required and explain the employees' rights and responsibilities. If they are not eligible, the employer will provide a reason for the ineligibility.

Employees will be informed if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the leave is not FMLA-protected, the employee will be notified of that fact.

When to request leave

Where leave is foreseeable, the employee should make a request for leave at least 30 days in advance or otherwise as soon as the need for leave is known. Foreseeable leave should be scheduled so that it does not unduly disrupt the employer's operations. Failure to timely notify the employer of leave may result in the delay or denial of leave approval.

Where 30 days advance notice of the need for leave is not possible, the employee must provide notice as soon as practicable and must comply with normal call-in procedures absent unusual circumstances, such as physical incapacity prohibiting compliance.

If the circumstances change such that the amount of leave needed changes, the employee should provide notice of the change within two business days.

Notifications and certifications

When requesting leave, employees must provide sufficient information to permit a determination of whether the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Employees also must indicate if the requested leave is for a reason for which FMLA leave was previously taken or certified.

An employee who requests leave will be given a "Notice of Eligibility" and a "Rights and Responsibilities" notice within five business days after indicating the need for leave. These notices explain his or her eligibility and expectations. Any required certification form may be provided with this notice.

The employee must return the requested certification within 15 calendar days. Human Resources will review the certification and determine whether sufficient information has been provided, or if deficiencies need to be corrected. The employee must be given seven calendar days to correct any deficiencies.

When a complete and sufficient certification has been returned (or when the employee has otherwise provided sufficient information to designate the absence as FMLA) the employer will provide the employee with a "Designation Notice" within five business days

of determining whether the leave qualifies for FMLA. If so, the notice will describe the conditions of the leave and the requirements for returning to work.

The company reserves the right to require a second or even third medical opinion, at the company's expense. Employees also may be required to provide periodic recertification supporting the need for leave as allowed by law, and may be required to report periodically on their status and intent to return to work. The company may waive the certification requirement at its discretion.

Pay during leave

Family and medical leave consists of appropriate accrued paid leave and unpaid leave. The employee must first use all accrued sick and personal time as part of the 12 weeks of family or medical leave. After this paid sick and personal time has been exhausted, the employee will be granted unpaid leave for the remainder of the 12 weeks of family or medical leave. If an employee is on short-term disability or workers' compensation for a condition that is also a serious health condition under the FMLA, the employee's short-term disability absence and/or workers' compensation absence will run concurrently with the employees' family and medical leave entitlement.

Returning to work

An employee will be reinstated to the same job or an equivalent position upon completion of FMLA leave, except where denial of restoration is permitted by the FMLA. If the employee has exhausted all available leave and is still unable to return to work, the employee no longer has any job restoration rights under FMLA. Each situation will be reviewed on a case-by-case basis to determine whether the employee may be eligible for rights and protections under other laws or company policies.

Fitness for duty

When leave is for the employee's own serious health condition, the employee is expected to return to work when released by a health care provider. The employee will need to provide a Fitness for Duty certification before returning to work if this requirement was indicated in the Designation Notice. The Fitness for Duty certification must be signed by a health care provider.

If an employee is released for light duty work and is offered a light duty job but refuses, any short-term disability benefits the employee may be receiving may cease, depending on the terms of the plan. However, the employee is still permitted to use his or her FMLA entitlement.

Additional Information

Termination of employment may occur if an employee fails to return from leave at the time agreed upon (barring circumstances which required an extension of available leave), if an employee is found to have taken leave on a fraudulent basis or if the employee would then be terminated had the employee not taken FMLA leave.

Employees will not continue accruing personal and sick hours during FMLA leave.

Personal Leave of Absence

Regular full-time and part-time employees who have been employed for one year are eligible to request an unpaid personal leave of absence. The request must be in writing and include the following:

- Start date of leave
- Return date (estimated if not known)
- Reasons for requesting leave
- Employee's signature

Personal leaves are granted at the sole discretion of Harbin Clinic, and may be approved for up to six months. Written request for an extension will be considered on a case by case basis. There is no guarantee of job reinstatement following a personal leave of absence.

Employees on a personal leave of absence will be placed on a terminated status and therefore will be eligible for COBRA benefits.

LACTATION ACCOMMODATION

The Clinic supports breastfeeding mothers by accommodating their desire or need to express milk during the workday. The Clinic will provide reasonable break periods for lactating employees to express breastmilk. These breaks should be taken during normally scheduled break times. The employee and her supervisor must agree on the times and durations of the breaks, within the requirements of this policy and the law. An office will be made available for private use.

WORKER'S COMPENSATION INSURANCE

Worker's Compensation Insurance is an employer-paid insurance program and is administered through our compensation carrier. The Worker's Compensation Act applies only to employees and only to illness or injuries sustained by employees while they are acting in the course of their employment, without regard to who is at fault.

Employees of Harbin Clinic are covered immediately upon employment for the following workers compensation benefits:

- Medical benefits
- Disability benefits
- Occupational disease benefits
- Death benefits

Benefits that accrue according to length of service (such as paid sick and personal time) do not accrue during periods of leave under worker's compensation.

Filing A Claim Under Worker's Compensation:

It is required that any occupational injury or illness be reported to the employee's supervisor and the Human Resources Department immediately, enabling the Harbin Clinic to notify the appropriate state agencies within the time limit specified by law.

PARKING

Our patients at the Harbin Clinic have first priority regarding parking. Parking is free and available to employees in the designated employee parking lots. Employees parking in patient parking areas will be subject to disciplinary action.

IV. ADMINISTRATIVE AND PERSONNEL POLICIES

CONFIDENTIAL INFORMATION

Access to Personnel Files and Medical Files

Important events in each employee's history with the Harbin Clinic will be recorded and kept in the employee's personnel file. Employment application, performance reviews, change of status records, recommendations, disciplinary warnings and educational attainment records are examples of records maintained. Employee medical records will be maintained separately from personnel files. Employee personnel files and employee medical records are held in strictest confidence, and only those persons with a bona fide reason will be given information from or access to such files.

Employees who wish to review their personnel files may do so by arranging an appointment with the Human Resources Department. Personnel files are the property of the Harbin Clinic. In order to maintain strictest confidentiality, employees are not permitted to remove, copy or distribute any portion of the information contained in their personnel files.

Professional Ethics and Confidential Information

Patients and fellow employees have a right to expect all personal information about themselves, their illness, their family and financial circumstances to be kept confidential. Every employee has an obligation to protect this confidence. Privileged information should never be discussed with others, either inside or outside the Harbin Clinic.

Information in the medical record is confidential and can be released only after receiving written authorization from the patient or as required by law. If a request for release of information is from an attorney, a subpoena, or concerns a questionable situation the medical record should be forwarded to the Health Information Management Department for disposition.

Any employee who views and/or discloses information from the medical records without a business reason could render the Harbin Clinic liable for damages on grounds of breach of confidentiality. Any employee who violates the confidentiality of medical information is subject to serious disciplinary action up to and including termination of employment.

ACKNOWLEDGMENT FORM

By signing this Acknowledgment Form, I hereby acknowledge that I have received the Employee Handbook and I have read it and I am familiar with its terms.

I understand that the purpose of this Handbook is to provide employees of the Harbin Clinic with general information regarding the policies and procedures the Harbin Clinic attempts to follow in most cases, but I also understand that NEITHER THIS HANDBOOK NOR ANY PROVISION OF THIS HANDBOOK CONSTITUTES AN EMPLOYMENT CONTRACT OR ANY OTHER TYPE OF CONTRACT. I also understand that because of the nature of the Harbin Clinic's operations and the variations inherent in individual situations, the policies and procedures set out in the handbook may not apply to every employee or to me. I understand that under no circumstances are the policies and procedures contained in this Handbook to be considered promises by the Harbin Clinic that my employment with the Harbin Clinic will always be governed by them.

I understand that this Handbook supersedes any other handbooks, manuals, memoranda, statements or pronouncements that I may have received or heard of in the past. I further understand and acknowledge that the Harbin Clinic may, in its sole discretion, interpret, modify, revise, delete, or add to any of the policies or procedures contained in this Handbook. I understand that the Harbin Clinic may do this at any time, with or without notice and that the Harbin Clinic's decisions in this regard will be final.

I understand and agree that my employment is for an indefinite term and is terminable at any time at the will of either myself or the Harbin Clinic for any reason. I understand that severance of this employment relationship at any time, by either party, for any reason not prohibited by law will not constitute a violation of any express or implied covenant. I also understand that this status can only be altered by a written contract of employment which is specific as to all material terms and is signed by myself and the Executive Director of the Harbin Clinic.

I HAVE READ THE ABOVE STATEMENTS AND I HAVE READ AND UNDERSTAND THE EMPLOYEE HANDBOOK.

Date

Employee's Printed Name

Employee's Signature

