



Employee Handbook

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8/1/2019	Revision	5.2	Holidays
8/1/2019	Revision	3.1	The Company
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01/01/2021	Revision	5.2	Updated Holiday Calendar
08/02/2021	Revision	5	Employee Massage
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09/15/2023	Addition	6.6	Social Media
10/16/2024	Addition	2.1	False Claims, Fraud, Waste and Abuse



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1.0 DISCLAIMER

1.1 EMPLOYMENT AT WILL

Your employment with VitalCare is at-will. Employment at-will means that VitalCare may alter the terms of your employment, and either you or VitalCare may terminate your employment at any time and for any reason or for no reason, with or without notice. No officer or other employee has authority to alter the employment-at-will relationship, orally or in writing. This guide does not create an employment contract, establish rights, privileges or benefits of employment or establish any job guarantee.

- All employees are hired on an at-will basis.
- Each person's employment is for no specific term.
- The employer reserves the right to terminate the relationship at any time.
- Nothing in the employee handbook should be construed as a contract or a guarantee of continued employment.



2.0 FEDERAL, STATE, AND LOCAL LAW COMPLIANCE

It is the policy of VitalCare to comply with all federal and state laws concerning the employment of persons with disabilities and act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our company policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

VitalCare will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to VitalCare. Contact the Administrator with any questions or requests for accommodation.

2.1 False Claims, Fraud, Waste and Abuse

Principle:

VitalCare Corporation (VitalCare) is committed to complying with all applicable federal and state laws and regulations. To ensure compliance with federal and state false claims laws, VitalCare has policies, procedures, and plans in place to detect and prevent fraud, waste and abuse, and also supports the efforts of federal and state authorities in identifying incidents of fraud and abuse.

VitalCare provides information to all employees, affiliates, vendors, consultants and agents about the Federal and Colorado false claims laws in place and the obligation to prevent and detect fraud, waste and abuse in federal health care programs and other federal programs under which claims are made for payment for goods and/or services in compliance with Section 6032 of the Deficit Reduction Act of 2005 ("DRA").

The DRA requires that entities that receive or make annual payments of at least five million dollars under the state Medicaid plan, as a condition of receiving such payments, establish written policies for all employees and certain contractors that provide detailed information about:



- The federal False Claims Act;
- Federal administrative remedies for false claims and statements;
- Any state laws pertaining to civil or criminal penalties for false claims and statements;
- Whistleblower protections under such laws; and
- Hospital policies and procedures for preventing and detecting fraud, waste and abuse.

Practice:

Responsibilities

1. Employees, Affiliates, Vendors, Consultants and Agents
 - a. Be aware of the serious penalties for False Claims Violations and Fraud and Abuse.
 - b. Feel free to ask questions and be sure to report any good faith concerns to the individuals outlined in the "Reporting Concerns" section below or by completing a report using "Complaint or Concern" web form on VitalCare's website.
 - c. <https://vitalcare.us/file-a-complaint-or-compliment>
2. Supervisors and Managers
 - a. Educate employees about the application of this principle and practice to the activities in your department.
 - b. Encourage good faith reporting so that VitalCare can identify any potential violations and remediate them if indicated.
 - c. Advise of any reports received and assist with any investigation if requested to do so.
 - d. Assist with developing a Corrective Action Plan if requested to do so.
3. COO & Compliance Services
 - a. Review reports received and investigate if indicated.
 - b. Assure development, implementation and completion of any indicated Corrective Action Plan(s) by the involved department(s).

Legal Requirements To Be Aware Of

1. Federal False Claims Act. The False Claims Act (FCA) is a federal statute that prohibits fraud involving any federally funded program, including the Medicare and Medicaid programs.
 - a. Claims: The FCA imposes liability on any person or entity who:
 - i. Knowingly submits or causes to be submitted a false or fraudulent claim for payment to Medicare, Medicaid or other federally funded health care program;
 - ii. Makes a false record or statement in order to secure payment for such a claim; or



- iii. Conspires to get such a claim allowed or paid.

Under the FCA, the term "knowingly" means that a person:

- iv. Has actual knowledge that the information on the claim is false;
- v. Acts in deliberate ignorance of whether the claim is true or false; or
- vi. Acts in reckless disregard of whether the claim is true or false.

The FCA does not require proof of a specific intent to defraud for there to be a violation of the law. Examples of the types of activities prohibited by the FCA including billing for services that were not actually rendered, double billing for items or services, up-coding (the practice of billing for a more highly reimbursed item or service than the one provided) or unbundling (the practice of billing services separately to secure a higher reimbursement).

- b. Liability: A person or entity that violates the FCA can be subject to civil money penalties of between \$10,781 and \$21,563 for each false claim submitted. In addition to this civil penalty, health care providers can be required to pay three times the amount of the damages sustained by the federal government. If a provider is found liable under the FCA, the Office of Inspector General (OIG) may seek to exclude the provider from participation in federal health care programs such as Medicare and Medicaid.
- c. Qui Tam Provisions: The FCA provides for actions by private persons (qui tam lawsuit) to encourage individuals to come forward and report misconduct involving false claims. A qui tam action allows any person with actual knowledge of allegedly false claims to file a lawsuit on behalf of the U.S. government. Such persons are referred to as "relators" or "whistleblowers".

A qui tam lawsuit is initiated by filing a complaint in a federal district court. The complaint is filed "under seal" which means that the lawsuit is kept confidential while the government reviews and investigates the allegations contained in the complaint and decides how to proceed. After the review and investigation period, the government may elect to pursue the case in its own name or decide not to pursue the case. If the government decides not to pursue the case, the whistleblower can continue with the lawsuit on his or her own.



If the lawsuit is successful, and provided certain legal requirements are met, the whistleblower may receive between 15% to 30% of any recovery. The whistleblower may also be entitled to reasonable expenses including attorney's fees and costs for bringing the lawsuit.

2. Federal Program Fraud Civil Remedies Act of 1986. The Program Fraud Civil Remedies Act of 1986 ("Administrative Remedies for False Claims and Statements") is a statute that establishes an administrative remedy against any person who presents or causes to be presented a claim or written statement that the person knows or has reason to know is false, fictitious, or fraudulent due to an assertion or omission to certain federal agencies (including the Department of Health and Human Services).

The term "knows or has reason to know" is defined in the Act as a person who has actual knowledge of the information, acts in deliberate ignorance of whether the information is true or false, or acts in reckless disregard of whether the information is true or false. No proof of specific intent to defraud is required.

The term "claim" includes any request or demand for property or money, e.g. grants, loans, insurance or benefits, when the federal government provides or will reimburse any portion of the money.

The federal government may investigate and with the Attorney General's approval commence proceedings if the claim is less than one hundred fifty thousand dollars (\$150,000). A hearing must begin within six years from the submission of the claim. The Act allows for civil monetary sanctions to be imposed in administrative hearings, including penalties of five thousand five hundred dollars (\$5,500) per claim and an assessment, in lieu of damages, of not more than twice the amount of the original claim.

3. State False Claims Laws:
 - a. False Medicaid Claims , Colorado Revised Statute 25.5-4-304 through 25.5-4-306. The Colorado False Medicaid Claims statute makes it unlawful for any person or entity to:
 - Intentionally or with reckless disregard make or cause to be made any false presentation of a material fact in connection



- with a claim;
 - Intentionally or with reckless disregard present or cause to be presented to the state department a false claim for payment or approval;
 - Intentionally or with reckless disregard present or cause to be presented any cost document required by the medical assistance program that the person knows contains a false material statement;
 - As to services for which a license is required, intentionally or with reckless disregard make or cause to be made a claim with knowledge that the individual who furnished the services was not licensed to provide such services.
 - Civil penalties extend to False Claims Violations made under the Colorado Medical Assistance Act.
 - Fines in the amount of 3 times the damages that the state sustains;
 - Additional penalties between \$5,000 and \$11,000 per false claim filed (these penalties automatically increase to match those under the Federal False Claims Act).
 - Offering a False Instrument for Recording, Colorado Revised Statute 18- 5-114. The Colorado statute on offering a false instrument for recording provides criminal penalties for:
 - Presenting or offering a written instrument that contains a material false statement or material false information to a public office or a public employee with the knowledge or belief that it will be registered, filed or recorded or become a part of the records of that public office or public employee.
 - A person who violates this statute knowingly and with intent to defraud commits offering a false instrument for record in the first degree and is guilty of a felony. The penalty is imprisonment from 1 to 3 years, a fine between \$1,000 and \$100,000, or both.
 - A person who violates this statute knowingly commits offering a false instrument for record in the second degree and is guilty of a misdemeanor. The penalty is imprisonment for up to 1 year, a fine of up to \$1,000, or both.
4. Anti-Retaliation/Whistleblower Protection: The state and federal FCA laws also includes anti- retaliation protections for employees who make good faith reports of waste, fraud and abuse. The FCA laws prohibits retaliation against a whistleblower for filing an action under the FCA or committing other lawful acts, such as investigating a false claim or



providing testimony for, or assistance in, a FCA action. An employee who is discharged, demoted, suspended, threatened, harassed or discriminated against in the terms and conditions of employment because of lawful actions taken in furtherance of the FCA laws may bring an action in federal district court or appropriate state court to recover damages. An employee may seek reinstatement, two times the amount of back pay plus interest and other costs, damages and fees.

VitalCare Policies and Procedures for Detecting and Preventing Fraud

VitalCare has policies and procedures intended to detect and prevent fraud, waste and abuse in state and federal health care programs by being certain that claims filed for payment are:

- Backed up by accurate documentation,
 - Appropriate to the level of services(s) provided or applicable contractual requirements, and
 - Correctly aligned with the coding methodologies or other regulatory requirements of the applicable payer.
1. The **Code of Conduct** is available in Employee Handbook and addresses the clinical and administrative responsibilities for ensuring the accuracy of claims for reimbursement. The Code of Conduct "Accuracy in Documentation, Coding and Billing" and section describes the ethical responsibilities and roles in billing for admissions personnel, and other providers, billers and coders, and management to ensure accurate and legal patient bills. Management is responsible for conducting internal and external reviews and audits of the billing process. Pursuant to the Code of Conduct, each employee has an obligation and responsibility to report any activity that appears to violate applicable laws, rules, regulations, or the Code of Conduct.
 2. VitalCare's **Quality Management Plan (QMP)** is available upon request and outlines the structure of the Agencies Compliance Program. The Plan has several key components to reducing risk:
 - Oversight and Support
 - Code of Conduct and Supporting Policies
 - Mechanisms to Communicate Concerns
 - Auditing and Monitoring
 - Education and Training
 - Responding to Reported Concerns
 - Corrective Action
 3. Reporting Required
- The **Code of Conduct** and the **QMP** provide all employees with a procedure for reporting integrity concerns regarding a violation of any law, regulation, and/or VitalCare policy and procedure or Code of Conduct standards,



including fraud, waste and abuse. Employees have several different reporting options. Employees are encouraged to report concerns regarding unethical or illegal behavior by any of the following reporting alternatives that best fit the circumstance:

- To the employee's supervisor;
- To any member of VitalCare leadership team;
- Use the "Reporting Concerns" section below or by completing a report using "Complaint or Concern" web form on VitalCare's website.
 - a. <https://vitalcare.us/file-a-complaint-or-compliment>

4. Good Faith Reporting Protected

Any employee who, in good faith, becomes concerned that incorrect information or some other flaw in a particular instance or due an ongoing practice or system may result in a bill or other request for payment being wrong is:

- Required to report this information, and
- Protected from retaliation for having done so.

References

- The Federal False Claims Act, 31 USC § 3729 et seq.
- The Program Fraud Civil Remedies Act, 31 USC § 3801, 3802 Federal Civil Monetary Penalties, 42 USC § 1320a-7a
- Federal Criminal penalties for acts involving Federal health care programs, 42 USC §1320a-7b Federal Anti-Kickback Statute, 42 USC § 1320a-7b
- The Deficit Reduction Act of 2005, Social Security Act § 1902(a)(68)
- Colorado Medicaid False Claims Statute, CRS §§ 25.5-4-304 through 25.5-4-306
- Offering a False Instrument for Recording, CRS § 18-5-114



3.0 OUR COMPANY, MISSION AND COMMITMENT

3.1 THE COMPANY

VitalCare is a licensed non-medical home care agency serving clients all across the Front Range. We provide services to Adult and Pediatric clients in their homes and at our office in Westminster. We serve clients with a wide variety of needs including;

Personal Care
Counseling
Music Therapy
Massage Therapy
Respite
Housekeeping

We accept a variety of payment methods including Private Pay, Medicaid, Private Insurance, Colorado Respite Coalition Vouchers, and grant funding.

We are a Medicaid approved service provider for the following waivers and programs;

EBD – Elderly, Blind and Disabled
SLS – Supported Living Services
IHSS – In Home Support Services
CES – Children’s Extensive Support
CLLI – Children with Life Limiting Illness
PPCB – Pediatric Personal Care Benefit

3.2 THE MISSION

Tag line:

Trustworthy and compassionate care.

Vision:

VitalCare embodies the ideals of equity, diversity, and inclusion, recognizing that mutual respect is critical to successfully providing trustworthy and compassionate care.



Mission:

VitalCare maintains, and demonstrates equity, diversity, and inclusion are essential values and proactively implements policies that foster these values and reflects the communities we serve, which translates to a more positive employee and customer experience.

4.0 POLICIES

4.1 PERSONNEL POLICY

- VitalCare strives to employ the best-qualified person to perform employment duties as specified by the company.
- VitalCare strives to respect the individual rights of each employee and to treat all employees with courtesy, dignity, and consideration.
- VitalCare strives to assure each employee has the right to discuss freely with an officer of the Company any matter concerning either his/her, a consumer, or the company's welfare.
- VitalCare strives to develop competent employees who are committed to the company and understand their specific job functions.



4.2 HIRING PROCEDURES

4.2.1 EQUAL EMPLOYMENT OPPORTUNITY

It is VitalCare policy to provide equal employment opportunity without regard to race, color, religion, creed, national origin, ancestry, sex, pregnancy, age, sexual orientation (incl. transgender status), physical or mental disability, marriage to a co-worker and retaliation for engaging in protected activity (opposing a discriminatory practice or participating in an employment discrimination proceeding). It is VitalCare practice to further the principle of equal employment opportunity.

All recruiting, hiring, and employment decisions shall be made on the basis of individual merit and objective job qualifications. Job training determined by the management to be necessary shall be provided on a non-discriminatory basis.

4.2.2 EMPLOYMENT COMPLIANCE POLICY

- a. Application for employment: prior to making an offer of employment, VitalCare requires all candidates to provide to the company the following current information (some of this information will be provided to VitalCare after a conditional offer of employment has been made):
 - Copy of resume;
 - Completed application for employment;
 - W-4 & I-9 forms;
 - TB Screening and Influenza Vaccination;
 - Copy of all state nursing licenses and/or certifications;
 - Completed Competency Assessment;
 - Completed reference requests;
 - Criminal background check;
 - Drug test
- b. Personal Interview: Every qualified applicant for employment will receive a personal interview by a member of the company's professional recruitment team.
- c. Qualifying Offer of Employment: At this point of the interview process, if the company's recruiter reasonably believes that the applicant for registered employment could be good, VitalCare a conditional offer of employment may be extended to the applicant.
- d. Review of Completion of Employment File: The Company checks



three (3) references and two (2) mandatory reporting sites; licensure verification(s) through Colorado Department of Regulator Agencies (DORA) and The Office of Inspector General (OIG) exclusion database.

- DORA: <https://apps.colorado.gov/dora/licensing/Lookup/LicenseLookup.aspx>
 - OIG: <https://exclusions.oig.hhs.gov/>
- e. Background Checks: Agency requires background screening to be completed on all final candidates for employment. Unwillingness to consent to the background study will result in withdrawal of the offer of employment. Results of the background studies are confidential and are retained in confidential employee files. Employees will not be able to start working with clients until the background check clearance has been received by the agency.
- f. Drug Testing: The Company will ask all candidates for employment to submit to a drug screening test after the offer of employment and prior to orientation. The employee will be provided a letter of explanation and an opportunity to divulge all prescription and over the counter medications the candidate is currently taking. The urine testing will either be completed at a testing center contracted by the Company or at the Companies office. Any positive results for federally illegal drugs will result in the candidate forfeiting his/her employment. Any other positive results will require the candidate to present the same day, at the testing center contracted with by the Company, for blood testing for qualitative drug screening and Medical review. The results of the blood testing will be provided to the Administrator who has the final decision in the continued employment of the candidate.
- g. Employee Information: After an applicant has been conditionally hired for employment, he/she must provide necessary information required for personnel and official uses. This information will be part of the employee's personnel file and will be regarded and kept confidential.
- h. Offer of Assignment(s): Once all hiring condition precedents have been met, the employee MAY BE offered assignments to serve VitalCare in consumer residences. The company retains complete discretion over all assignment decisions. If an assignment is accepted, the employee is obligated to arrive on time and fully complete their assigned shift. VitalCare expects all assignments to be professionally completed.



- i. Employment Records: VitalCare strives to meet and/or exceed the same compliance standards required by CDPHE and HCPF. Therefore, the company has incorporated quality assurance policies and procedures that conform with or exceed those standards. These policies require all employees to provide any and all information to VitalCare management that the company may deem necessary to enforce this policy.



4.3 ORIENTATION

Orientation: Every employee receives a full orientation to VitalCare. Orientation shall include a discussion of this orientation guide and any questions that the employee may desire to ask. VitalCare works with consumers to have its staff properly prepared to deliver services in accordance with its consumers' preferences and expectations. This may be accomplished in a number of ways:

- VitalCare maintains the agency's policies and procedures that are read by all employees prior to commencing an assignment;
- Any staff assigned to a consumer's home for the first time may be accompanied by the administrator or previous provider to be oriented to the consumer's needs and preferences;



4.4 DRUG-FREE WORKPLACE POLICY

VitalCare intends to help provide a safe and drug-free work environment for our clients and our employees.

The Company explicitly prohibits:

- The use, possession, solicitation for, or sale of narcotics or other illegal drugs, alcohol, or prescription medication, without a prescription, on Company or client premises or while performing an assignment, including travel to or from any assigned work location. Possession or sale of legal or illegal drugs or alcohol is reason for discipline up to and including termination from employment.
- Being impaired or under the influence of legal or illegal drugs or alcohol on Company or client premises, including travel to or from any assigned work location, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the Company's reputation. Working impaired or under the influence of legal or illegal drugs or alcohol is reason for discipline up to and including termination from employment.
- Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from Company or client premises, including travel to or from any assigned work location, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the Company's reputation.
- The presence of any detectable amount of prohibited substances in the employee's system while at work, while on the premises of the Company or its customers, including travel to or from any assigned work location, or while on Company business. "Prohibited substances" include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to the employee.

The Company will conduct drug testing during the pre-employment process. A negative drug screen is a requirement of employment:

- **PRE-EMPLOYMENT TESTING:** The Company will ask all candidates for employment to submit to a drug screening test after the offer of employment and prior to orientation. The employee will be provided a letter of explanation and an opportunity to divulge all prescription and over the counter medications the candidate is currently taking. The urine testing will either be completed at a testing center contracted by the Company or at the Company



office. Any positive results for federally illegal drugs will result in the candidate forfeiting his/her employment. Any other positive results will require the candidate to present the same day, at the testing center contracted with by the Company, for blood testing for qualitative drug screening and Medical review. The results of the blood testing will be provided to the Administrator who has the final decision in the continued employment of the candidate.

The Company may conduct drug and/or alcohol testing under any of the following circumstances:

- **FOR-CAUSE TESTING:** The Company may ask an employee to submit to a drug and/or alcohol test at any time it feels that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity, unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol, negative performance patterns, or excessive and unexplained absenteeism or tardiness.
- **POST-ACCIDENT TESTING:** Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only the one who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way.

If an employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of this policy, or if an employee refuses a request to submit to testing under this policy, the employee may be subject to appropriate disciplinary action, up to and possibly including discharge from employment. In such a case, the employee will be given an opportunity to provide proof of physician orders for any substance found during testing prior to any final employment action becoming effective.

Employees must notify the Company immediately, and in no event more than five days, after their conviction or plea of guilty or no contest on a charge under any criminal statute involving the manufacture, distribution, dispensation, use, or possession of any controlled substance.



4.5 FIREARMS AND WEAPONS FREE WORKPLACE

To ensure a safe environment for employees and customers, VitalCare prohibits the wearing, transporting, storage, or presence of firearms or other dangerous weapons on our property (leased and/or owned) including anywhere that company business is conducted, such as client's homes, public locations, trade shows, restaurants, company events, and so forth.

Any employee in possession of a firearm or other weapon while on our property or while otherwise fulfilling job responsibilities may face disciplinary action up to and including termination.

A client or visitor who violates this policy on Company property will be asked to leave the property and reported to the local police department.

A client, in their own home has the right to own and possess weapons and is not subject to this policy. If weapons are visible in the space used during the visit, the PCW can ask the client to secure the weapon(s) in a safe place. If the PCW is uncomfortable in the home for any reason, including the presence of weapons, the PCW should notify their supervisor immediately and request to be reassigned.

If the client handles the weapon in a threatening manner, the PCW should exit the residence immediately and call your supervisor and the police.

Possession of a valid concealed weapons permit authorized by the of Colorado is not an exemption under this policy.

Definition

Firearms or other dangerous weapons mean:

- Any firearms, including handguns
- any simulated firearm operated by gas or compressed air
- Hunting knife, or any knife with a blade greater than 3 inches
- any instrument that can be used as a weapon and poses a reasonable risk of injury

Exemptions

This policy does not apply to:



- any client in their own home
- any law enforcement personnel engaged in official duties
- any person engaged in military activities sponsored by the federal or state government, while engaged in official duties to

4.6 CODE OF CONDUCT

- *4.6.1 GENERAL POLICY*

VitalCare is committed to achieving high standards of business and personnel ethics for the company, employees and consumers. Through performance in accordance with these standards, the company and all its employees will merit and enjoy the respect of its consumers, the public, the business community, and regulatory authorities.

It is the personal responsibility of all employees to acquaint themselves with the legal and policy standards and restrictions applicable to their assigned duties and responsibilities, and to conduct themselves accordingly. Over and above the strictly legal aspects involved, all personnel are expected to observe high standards of business and personal ethics in the discharge of their assigned responsibilities. All home care professionals working for VitalCare are expected to adhere to the Code of Conduct.

- *4.6.2 EMPLOYEE AND STAFF CONDUCT*

Each employee and staff member must avoid any action, relationship or situation, which could jeopardize or impair the confidence or respect in which VitalCare is held by its consumers and the public.

Employees shall comply fully with all applicable statutes and regulations. Willful and knowing disregard of the law may result in severe penalties. In its many business activities, VitalCare engages in vigorous, fair and ethical competition. Discussions and agreements with competitors concerning pricing or other competitive policies and practices are strictly prohibited.

- *4.6.3 CONFLICT OF INTEREST*

In order to perform their duties with honesty and fairness and in the best interest of the agency, employees must avoid conflicts of interest in their employment. Conflicts of interest may arise from having a position or interest in or furnishing managerial or consultative services to any concern or business from which the agency obtains goods or services or with which it competes or does business, from soliciting or accepting gifts, excessive entertainment or gratuities from any person or entity that does or is seeking to do business with the agency and from using agency property for personal or private purposes. Conflicts also may arise in other



ways. If an employee has any doubt or any question about any of his or her proposed activities, complete the Conflict of Interest Statement below.

- *4.6.4 CONFIDENTIAL INFORMATION*

Employees frequently have access to confidential information concerning VitalCare and other employees and consumers. Safeguarding confidential information is essential to the conduct of our business. Caution and discretion must be exercised in the use of such information, which should be shared only with those who have a clear and legitimate need and right to know.

No employee shall disclose confidential information of any type to anyone except persons who need to know in the performance of their job as is required by a government agency or third party. Information regarding a member of VitalCare staff may not be released to third parties, government, or other organizations, without the consent of the person involved.

- *4.6.5 SERVICE AND PATIENT CONCERNS*

The mission of VitalCare is to provide high quality services to all our existing and prospective consumers. We strive to change the culture of home care through intentional relationships with staff and consumers. Equally important, we seek to continuously improve policies, procedures, services and products that contribute to consumer satisfaction.

VitalCare is committed to promoting consideration of all values and preferences and protecting the rights of all.

- *4.6.6 INTEGRITY OF RECORDS AND COMPLIANCE WITH ACCOUNTING PROCEDURES*

Accuracy and reliability in the preparation of all records is mandated by law. It is of critical importance to the corporate decision-making process and to the proper discharge of VitalCare's financial, legal and reporting obligations. All bills rendered must accurately reflect the services provided, and shall properly and accurately record those services. All business records, expense accounts, vouchers, payroll and service records and other reports are to be prepared with care and honesty. False or misleading entries are not permitted. All corporate funds or assets are to be recorded in accordance with applicable corporate procedures. Compliance with accounting procedures and internal control procedures is required at all times. It is the responsibility of all employees to ensure that both the letter and spirit of corporate accounting and internal control procedures are strictly adhered to at all times.

- *4.6.7 ADMINISTRATION OF THE CODE OF CONDUCT*

The statements set forth in this Code of Conduct are intended as guidelines for the employees. Employees are encouraged to seek guidance regarding the application or interpretation of this Code of Conduct and are expected to cooperate fully in any



investigation of a potential violation. Routine questions of interpretation regarding the Code shall be directed to the Administrator. If any employee believes the Code, or particularly the Compliance Plan may have been violated, the employee promptly shall report the potential violation to the Administrator. Violation of the Code of Conduct and the Compliance Plan may be disciplined by VitalCare up to and including dismissal. However, the Code of Conduct and the Compliance Plan do not set forth all the reasons or situations in which employees may be disciplined.

- *4.6.8 REPORTING MECHANISMS*

One of the key ingredients of an effective compliance program is the development of a system, which employees can use to report questionable behavior without fear of retaliation. Some examples of behavior that should be reported include the following:

- A serious breach of employee confidentiality by a co-worker. Accepting bribes or kickback from another agency.
- Unethical or illegal activities by any co-worker.

Employees are expected to bring these types of issues or concerns to their immediate Supervisor. If an employee feels that their concerns are not properly resolved or if the problem involves their supervisor, employees must contact the Administrator immediately. VitalCare's Administrator is Matthew Dolph, and he can be reach at matt@VitalCare.us or 720-273-7331.



4.7 VACCINATIONS

Vaccine programs are an essential part of infection prevention and control. In accordance with State and Local laws, all healthcare workers are required to receive annual influenza vaccination and COVID-19 vaccination, unless the individual has a valid exemption. (Note: Refer to Colorado Department of Public Health and Environment regulations (6 C.C.R. 1011-1, Ch.02, Part 10 (the “Rules”)).

- All employees must receive the season influenza vaccine or submit proof of an approved exemption by December 31 of each year.
- All employees must receive the COVID-19 vaccine or submit proof of an approved exemption by October 31, 2021, and/or on-hire.
- VITALCARE will offer annual influenza vaccination clinic(s) at no cost to employees.
- All employees must submit written proof of vaccination including the name of the person receiving the vaccine, the date it was received, and the name of the provider where the vaccine was administered. All proof should be submitted to VitalCare’s administrative team.
- Employees whose date of hire is during influenza season will be required to present proof of immunization if the hire date is between October 1 (or earlier if influenza season begins earlier as determined by CDPHE) and March 31.
- By December 31 of each year, for any healthcare worker who has not received the influenza vaccine and does not have an approved exemption, one of the following will occur, as appropriate.
 - The healthcare worker who is an employee of the Agency will be subject to disciplinary action, up to and including termination.
 - The employee will be suspended without pay, until they have met the requirement.
- Submitting an Exemption Form does not equal approval. VitalCare’s management team will review each request and will notify an employee in writing if their Exemption request was approved or denied.
- Employees granted a medical or religious exemption to either the influenza or COVID-19 vaccination requirement must wear a mask at all times, when working with a client, or in VitalCare’s office and must practice social distancing when practical. Failure to wear mask at all times when working with clients or in VitalCare’s office will result in disciplinary action up to and including termination.
- Employees granted a medical or religious exemption to the COVID-19 vaccination requirement agree to follow the State or Local testing requirement to remain eligible to work. Failure to test and submit written proof of the test results will make an employee ineligible to work and may result in disciplinary action up to and including termination. VitalCare accepts viral tests, which include nucleic



acid amplification tests (NAATs, including polymerase chain reaction [PCR]) and antigen tests, for screening.

- Employees granted an exemption will follow the testing frequency based on the level of community transmission in Adams County:
 - If the community transmission rate in Adams County is HIGH, the employee granted an exemption will test twice a week.
 - If the community transmission rate in Adams County is MEDIUM, the employee granted an exemption will test once a week.
 - If the community transmission rate in Adams County is LOW, the employee granted an exemption will not be required to test.

4.7.1 MEDICAL EXEMPTION

A medical exemption is allowed if the influenza and/or COVID-19 vaccination is medically contraindicated for the Employee.

The Employee must complete a medical exemption form, see Section 10.0 for more information. The medical exemption must be signed by a physician, physician assistant, advanced practice nurse, or certified nurse midwife licensed in the State of Colorado and must certify that the vaccine is medically contraindicated for the Employee as described in the product labeling approved by the United States Food and Drug Administration.

The Employee must submit the Medical Exemption Form along with all required Physician statements to VitalCare's administrative team prior to starting employment and/or before December 31 each year an exemption is requested.

4.7.2 RELIGIOUS EXEMPTION

A religious exemption is allowed if the influenza and/or COVID-19 vaccination is against a sincerely held religious belief, for which there is documented evidence of opposition to vaccinations.

The Employee must complete a religious exemption Form, see Section 10.1 for more information.

The Employee must submit the Form requesting a religious exemption to VitalCare's administrative team prior to starting employment and/or before December 31 each year an exemption is requested.

4.7.3 WORK FROM HOME EXEMPTION

A WORK FROM HOME Exemption is available to a limited number of employees who meet specific criteria. The employee must work 100% from home and have no contact with clients, employees, vendors, and/or other industries staff including PASA and CCB's. The



individual must also have the written approval of their direct supervisor.

Eligible Work from Home Positions:

- Counseling
- IT/COO

The Employee must complete a Work from Home Exemption Form, see Section 10.2 for more information.

The Employee must submit the Work from Home Exemption Form to VitalCare's administrative team prior to starting employment and/or before December 31 each year an exemption is requested.



5.0 BENEFITS

5.1 WORKERS COMPENSATION & PROFESSIONAL LIABILITY INSURANCE

Each and every VitalCare employee is automatically and immediately covered by the agency's corporate insurance policies.

5.2 MEDICAL, DENTAL, VISION, & LIFE INSURANCE

Employees who work at least 30 hours per week will be eligible to enroll in VitalCare's benefit package. Our Benefit package includes Medical, Dental, Vision and Life Insurance.

New Employees: After the initial 30-day orientation period, and the 60-day probation period, employees who have worked and average of 30 hours or more per week in the previous 60 days, will be eligible to enroll in benefits, effective the 91st day of employment.

Existing Employees: The first day of each month VitalCare will perform a 60 look back to capture newly eligible employees. If you need additional hours to become eligible for benefits, please contact your supervisor and request additional hours.

Benefit Termination: Should an employee's hours drop below the 30 hours per week requirement for 2 consecutive months, their benefits will be terminated.

If you have any questions, please feel free to email info@vitalcare.us and a supervisor.

5.3 PERSONAL TIME OFF

5.3.1 Personal Time Off (PTO) effective January 1st, 2025

Personal time is offered to eligible employees based on their Job Classification. It is the intent of VitalCare to clarify the Personal Time Off policy so that employees understand their eligibility, accrual process, and how it is separate from Colorado Paid Sick and Safe Leave, which is mandated by law.

Eligibility

- Full-time Exempt: *Eligible to accrue Personal Time Off*
- Guaranteed Hours (Tier1, 2 and 3): *Eligible to accrue Personal Time Off*
- PRN: *Not eligible to accrue Personal Time Off*



Accrual

- Personal Time Off accrues at a rate of .039 per hour worked, with a maximum accrual of two weeks of regularly scheduled hours.
- Personal Time Off (PTO) does not accrue while an employee is using PTO, Sick Leave, FMLI or Holiday Pay.

Carryover

- Unused Personal Time Off will roll over on January 1st with a maximum accrual of two weeks of regularly scheduled hours.

Usage

- Personal Time Off requests should be submitted to your direct supervisor 30 days in advance.
- PTO requests are not guaranteed until approved by your direct supervisor.

Balance Request

- Employees can request their total accrued hours of Personal Time Off (PTO) at any time by emailing timecard@vitalcare.us.

Termination of Employment

- Unused Personal Time Off is paid out upon termination.

5.3.2 Paid Holidays

VitalCare provides paid holidays to eligible employees based on their employment classification. This policy is intended to clarify holiday pay eligibility for full-time, part-time, and PRN employees. Paid holidays are separate from other benefits such as Personal Time Off and Colorado Paid Sick and Safe Leave. Employees will be informed of their eligibility for paid holidays at the time of hire or if their employment status changes.

- Full-time: *Eligible for Paid Holidays*
- Guaranteed Hours (Tier 2 and 3): *Eligible for Paid Holidays*
- PRN and Guaranteed Hours (Tier 1): *Not eligible for Paid Holidays*

Holiday	2025	2026	2027
New Year's Day	1/1/2025	1/1/2026	1/1/2027
Martin Luther King JR	1/20/2025	1/19/2026	1/18/2027
Presidents Day	2/17/2025	2/16/2026	2/15/2027
Memorial Day	5/26/2025	5/25/2026	5/31/2027
Juneteenth	6/19/2025	6/19/2026	6/18/2027
Independence Day	7/4/2025	7/3/2026	7/5/2027
Labor Day	9/1/2025	9/7/2026	9/6/2027



Thanksgiving	11/27 & 28/2025	11/26 & 27/2026	11/25 & 26/2027
Christmas	12/24 & 12/25/2025	12/24 & 12/25/2026	12/23 & 12/24/2027

5.3.3 VitalCare Bereavement Time Off

VitalCare provides bereavement leave to eligible employees to support them in handling matters related to death and grieving. This policy clarifies bereavement leave eligibility for full-time, part-time, and PRN employees. Bereavement leave is a separate benefit from other leave policies, such as Personal Time Off and Colorado Paid Sick and Safe Leave. Employees will be informed of their eligibility for bereavement leave at the time of hire or if their employment status changes. This policy is separate from VitaCare's Colorado Paid Sick and Safe Leave policy and does not impact or reduce the time available under that policy. VitalCare recognizes the importance of supporting employees during times of loss and encourages open communication with supervisors to address any needs related to bereavement leave.

Eligibility:

- Exempt Employees: Eligible for up to 3 days of paid bereavement leave in the event of the death of an immediate family member.
- Guaranteed Hours (Tier 2 and 3): Eligible for up to 3 days of paid bereavement leave in the event of the death of an immediate family member.
- PRN and Guaranteed Hours (Tier 1): Not eligible for bereavement leave.

For the purposes of bereavement leave, "immediate family" includes Spouse or domestic partner, Parents (including stepparents, foster parents, parents-in-law, and domestic partner's parents), Grandparents, Siblings, Children, including stepchildren, adopted children, children of a domestic partner, children for whom the employee has parenting responsibilities, a relative or friend residing with the employee.

Usage:

- This policy is intended to be used before utilizing Colorado Paid Sick and Safe Leave for bereavement-related needs.
- Employees must submit all bereavement leave requests to their supervisor for approval.
- Requests should be made as soon as possible after the death of an immediate family member.
- Bereavement leave does not accrue or carry over from year to year. It is provided as needed and may be used for each qualifying event throughout the year.

Termination of Employment

- Unused VitalCare Bereavement Time is NOT paid out upon termination.

5.3.4 Sick Time Off

See Sick Leave Policy



5.3.5 Employee Infections

If an employee contracts an infectious disease considered to be serious in nature and/or is transmittable to others, they will be re-assigned from direct customer contact and staff contact for as long as they remain infectious or instructed to stay to home.

5.3.6 Eligibility Reference Table:

Employment Classification	Job Classification	Hours worked	Overtime Eligibility	Paid Sick Leave	Personal Time Off (PTO)	Paid Holiday	VitalCare Bereavement Time	Health Benefits Eligibility
Exempt	Full-time	40 hours	no	yes	yes	yes	yes	yes
Non-Exempt	Full-time	>30 hours	yes	yes	yes	yes	yes	yes
	Part-time	< 30 hours	yes	yes	yes	yes	yes	no
	GH Tier 3	40 hours	yes	yes	yes	yes	yes	yes
	GH Tier 2	30 hours	yes	yes	yes	yes	yes	yes
	GH Tier 1	20 hours	yes	yes	yes	no	no	no
	PRN 1	>30	yes	yes	no	no	no	yes
		<30	yes	yes	no	no	no	no
	Termination Payout			no	yes	no	no	
	Rate of Accrual			.033/hr*	.038/hr*	n/a	n/a	
	Accrual Cap			48 hours	Two weeks of regularly scheduled hours.			

**Personal Time Off (PTO) does not accrue while an employee is using PTO, Sick Leave, FMLI or Holiday Pay.*

5.4 FAMILY MEDICAL LEAVE ACT (FMLA)

The Federal Family and Medical Leave Act entitles eligible employees who work for covered employers to take unpaid, job-protected leave in a defined 12-month period for



specified family and medical reasons. The State of Colorado's policy on FMLA leave grants employees 13 weeks (520 hours) of leave.

Family/Medical Leave (FML) is unpaid leave used to provide a guaranteed amount of time, job protection, and continued benefits to eligible employees for reasons defined by the FMLA, and include:

- Addition of a child, including placement of a foster child and placement for adoption.
- Serious health condition of a parent, child, spouse, or self. Child for health-related FMLA is defined the same as under sick leave (under 18 or over 18 if incapable of self-care due to a physical or mental disability at the time leave is to commence).
- Active duty (military) family leave for a member of the Armed Forces (including the National Guard or Reserves) deployed to a foreign country.
- Military caregiver leave for a member of the Armed Forces (including the National Guard or Reserves). In this case, next of kin is also eligible. Next of kin means nearest blood relative other than the covered service member's spouse, parent, or child in the following priority order: relatives granted legal ward or custody through court order, siblings, grandparents, aunts and uncles, and first cousins. If the service member has declared a next of kin, only that individual is considered next of kin. If the service member has not declared a next of kin, all those in a category mentioned above are considered next of kin and eligible for the leave, e.g., all siblings, all grandparents if no siblings, and so on. Departments may ask for supporting documentation of the relationship (e.g., the declaration of next of kin).
- Military caregiver leave also covers employees whose parent, child, spouse, or next of kin is a veteran undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including the National Guard or Reserves) at any time during the 5-year period preceding the date on which the veteran underwent service-related medical treatment, recuperation, or therapy.
- FCA entitles the employee to leave to care for the serious health condition, as defined by the FMLA, of their partner in a civil union or registered domestic partnership.

5.5 AMERICANS WITH DISABILITIES ACT

Title I of the Americans with Disabilities Act of 1990 prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The ADA covers employers with 15 or more employees,



including state and local governments. It also applies to employment agencies and to labor organizations. The ADA's nondiscrimination standards also apply to federal sector employees under section 501 of the Rehabilitation Act, as amended, and its implementing rules.

An individual with a disability is a person who:

- Has a physical or mental impairment that substantially limits one or more major life activities;
- Has a record of such an impairment; or
- Is regarded as having such an impairment.

A qualified employee or applicant with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question. Reasonable accommodation may include, but is not limited to:

- Making existing facilities used by employees readily accessible to and usable by persons with disabilities.
- Job restructuring, modifying work schedules, reassignment to a vacant position;
- Acquiring or modifying equipment or devices, adjusting or modifying examinations, training materials, or policies, and providing qualified readers or interpreters.

An employer is required to make a reasonable accommodation to the known disability of a qualified applicant or employee if it would not impose an "undue hardship" on the operation of the employer's business. Undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as an employer's size, financial resources, and the nature and structure of its operation.

An employer is not required to lower quality or production standards to make an accommodation; nor is an employer obligated to provide personal use items such as glasses or hearing aids.

Medical Examinations and Inquiries

Employers may not ask job applicants about the existence, nature, or severity of a disability. Applicants may be asked about their ability to perform specific job functions. A job offer may be conditioned on the results of a medical examination, but only if the examination is required for all entering employees in similar jobs. Medical examinations of employees must be job related and consistent with the employer's business needs.

Drug and Alcohol Abuse

Employees and applicants currently engaging in the illegal use of drugs are not covered by the ADA when an employer acts on the basis of such use. Tests for illegal drugs are not subject to the ADA's restrictions on medical examinations. Employers may hold illegal drug users and alcoholics to the same performance standards as other employees.



It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on disability or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under the ADA.

The ADA Amendments Act (ADAAA) of 2008

The following information is from the US Access Board web site: Amendments to the Americans with Disabilities Act (ADA) signed into law on September 25, 2008, clarify and reiterate who is covered by the law's civil rights protections. The "ADA Amendments Act of 2008" revises the definition of "disability" to more broadly encompass impairments that substantially limit a major life activity. The amended language also states that mitigating measures, including assistive devices, auxiliary aids, accommodations, medical therapies and supplies (other than eyeglasses and contact lenses) have no bearing in determining whether a disability qualifies under the law. Changes also clarify coverage of impairments that are episodic or in remission that substantially limit a major life activity when active, such as epilepsy or post-traumatic stress disorder. The amendments took effect January 1, 2009.

For more information, please visit: <http://www.access-board.gov/about/laws/ada-amendments.htm>

For additional information, please contact your local Division of Vocational Rehabilitation office.

5.6 FAMILY AND MEDICAL LEAVE INSURANCE

Colorado voters approved the paid Family and Medical Leave Insurance (FAMLI) program in 2020. FAMLI ensures VitalCare Employees have access to paid leave to take care of themselves or their family during life circumstances that pull them away from their jobs, so workers don't have to choose between earning a paycheck and taking care of their families. When life happens, FAMLI has you covered.

FAMLI benefits officially became available on January 1, 2024. Covered Colorado workers may receive up to twelve weeks of leave per year to:

- Bond with a new child, including adopted and fostered children.
- Care for themselves, if they have a serious health condition.
- Care for a family member's serious health condition.
- Make arrangements for a family member's military deployment.
- Address the immediate safety needs and impact of domestic violence and/or sexual assault.

Those who experience pregnancy or childbirth complications may receive an additional four weeks for a total of 16 weeks per year.

How to Apply:

Eligible employees can apply directly through the FAMLI Division at famli.colorado.gov. You'll



need to submit documentation to verify your eligibility and the reason for your leave.

Questions or Support:

If you have questions or need help with the application process, reach out to Heidi at heidi@vitalcare.us.

For detailed information, visit the official FAMI website at famli.colorado.gov.

5.7 COLORADO SECURE SAVINGS

The Colorado SecureSavings Program is a simple, secure way to start saving for your retirement through automatic payroll deductions into your own Roth Individual Retirement Account (IRA). It's designed to make saving easy and accessible for Colorado workers, helping build a more financially stable future.

Key Features:

- **Eligibility:** Open to employees who have been employed for at least 180 days (about six months) and are enrolled by their employer. Participation is voluntary, and you can opt in or out at any time.
- **Contributions:** Automatically deducted from your paycheck at a default rate of 5%, with an annual 1% increase up to 8% unless you customize or opt out.
- **Control:** You decide how much to contribute, choose your investments, and keep the account even if you change jobs.
- **Growth Potential:** Small contributions now can lead to significant savings by retirement.

How to Get Started:

1. Your employer will register for the program.
2. You'll receive a notification to customize your account, opt out, or use the default savings option.
3. Automatic payroll deductions will begin after a 30-day enrollment period.

Questions or Support:

For assistance or additional information about Colorado Secure Savings, visit ColoradoSecureSavings.com or contact Heidi at heidi@vitalcare.us.

This is a great opportunity to take an easy step toward a more secure financial future!

5.8 EMPLOYEE MASSAGE

VitalCare recognizes the benefit of massage, and desires to make this therapy available to employees at a discounted rate. Employees can schedule a 60-minute massage at the rate of \$60 or a 90-minute massage at the rate of \$90 by contacting their assigned office coordinator. Employees must schedule this therapy during their personal time and will not be allowed to be "on the clock" for this service. This discounted rate is available to



the employee in an unlimited quantity.

VitalCare is committed to providing a workplace free of discrimination and harassment. Please see VitalCare's Grievance Procedure in section 6.12 for more information on reporting concerns.

5.9 EMPLOYEE ASSISTANCE PROGRAM

An Employee Assistance Program (EAP) is a voluntary, work-based program that offers free and confidential assessments, short-term counseling, referrals, and follow-up services to employees who have personal and/or work-related problems.

VitalCare's EAP is provided at no cost to the employee. Up to three sessions are offered through VitalCare's Counseling Department. Therapy may be delivered in person, by phone, or virtually through a secure Teletherapy platform.

Employees may request a referral to VitalCare's EAP program from their supervisor. In some cases, a supervisor may approach an employee to suggest consideration for an EAP referral. Please note that while therapy sessions are confidential, VitalCare administration and supervisors will know that an employee is accessing/has accessed EAP.

Once VitalCare Counseling receives an EAP referral, they will contact the employee via email or phone within 3 business days to schedule the initial session.



6.0 EMPLOYEE INFORMATION

6.1 DEFINITION OF EMPLOYMENT STATUS:

Nature of Employment: All employment with VitalCare is at will. Employment with VitalCare is voluntary entered into, and the employee is free to terminate the employment relationship (resign) at will at any time, with or without cause. Similarly, VitalCare is free to terminate the employment relationship at will at any time, with or without cause.

6.2 HOURS OF WORK

Work Week: All employees are paid every other Friday. Hourly employees pay periods are one week in the rear. All paychecks are Direct deposited to employee's bank accounts. If an employee requires a physical Check, an exception can be made but physical checks on a regular basis are not supported. The workweek begins on Sunday and ends on Saturday. Some consumers may operate under a different workweek schedule. Your supervisor will advise you when such an exception exists.

Work Day: Hours are determined by the consumer to whom the employee is assigned in consideration with the preferences of VitalCare employees. Each employee is paid only for the hours that the employee works.

Some consumers may also have additional scheduling variations. These variations are often requested for specialty areas of care.

Note: VitalCare gives a 10-minute paid break for every consecutive 4-hour shift. If a 5-hour consecutive shift is worked then the employee is permitted a 30-minute unpaid break. Please do keep VitalCare apprised of any scheduling requests by the consumer.

Overtime: Employees who work over forty (40) hours per week, or twelve (12) hours in a day will be paid at time and a half their normal rate.

Timesheets and How to Get Paid: VitalCare utilizes the employee timesheets within AxisCare. AxisCare is the mechanism used by the Company to determine the pay that an employee will receive. Employees are scheduled to be paid bi-weekly, one week in the rear. Employees will complete their timesheet within TSheets daily.



6.3 ATTENDANCE

Punctual and regular attendance is an essential responsibility of each employee at VitalCare. Employees are expected to report to work as scheduled, on time and prepared to start working. Employees also are expected to remain at work for their entire work schedule. Late arrival, early departure or other absences from scheduled hours are disruptive and must be avoided.

This policy does not apply to absences covered by the Family and Medical Leave Act (FMLA) or leave provided as a reasonable accommodation under the Americans with Disabilities Act (ADA). These exceptions are described in separate policies.

Absence

"Absence" is defined as the failure of an employee to report for work when he or she is scheduled to work. The two types of absences are defined below:

- Excused absence occurs when all the following conditions are met:
 - The employee provides to his or her supervisor sufficient notice at least 48 hours in advance of the absence.
 - The absence request is approved in advance by the employee's supervisor.
 - The employee has sufficient accrued paid vacation time to cover the absence. (For full-time employees who accrue paid vacation time)
- Unexcused absence occurs when any of the above conditions are not met. If it is necessary for an employee to be absent or late for work because of an illness or an emergency, the employee must notify his or her supervisor no later than the employee's scheduled starting time on that same day. If the employee is unable to call, he or she must have someone make the call.

An unexcused absence counts as one occurrence for the purposes of discipline under this policy.

Employees with three or more consecutive days of excused absences because of illness or injury must give VitalCare proof of physician's care and a fitness for duty release prior to returning to work.

Employees must take earned PTO for every absence unless otherwise allowed by company policy (e.g., leave of absence, bereavement, jury duty).

Tardiness and Early Departures

Employees are expected to report to work and return from scheduled breaks on time. If employees cannot report to work as scheduled, they must notify their supervisor no later than three hours prior to their regular starting time. This notification does not excuse the tardiness but simply notifies the supervisor that a schedule change may be necessary.



Employees who must leave work before the end of their scheduled shift must notify a supervisor immediately.

Tardiness and early departures are each one-half an occurrence for the purpose of discipline under this policy.

Disciplinary Action

Excessive absenteeism is defined as two or more occurrences of unexcused absence in a 30-day period and will result in disciplinary action. Eight occurrences of unexcused absence in a rolling 12-month period are considered grounds for termination.

Job Abandonment

Any employee who fails to report to work for a scheduled visit without notifying his or her supervisor, aka “No Call No Show” will be considered to have abandoned the job and voluntarily terminated the employment relationship. If appropriate, VitalCare will contact necessary state authorities to report the neglect.

6.4 DRESS CODE

All employees are expected to present themselves as home care professionals. Employees will maintain standards of personal appearance that presents a professional appearance to our visitors, co-workers and others who may enter the agency.

- All field staff will wear appropriate street clothing and/or scrubs, with functional, closed toe shoes. Clothing will be clean and neat.
- Fingernails will be clean and kept short. Artificial nails are not to be worn and nail polish must not be chipped or cracked.
- Hair will be neatly trimmed or styled so as not to interfere with job performance or safety.
- All field staff will wear an identification badge that is clearly visible. The agency will provide a name tag for each staff member upon employment. When received, the name tag is considered a part of the uniform and is to be worn at all times by the staff member when on duty. The name tag is to be worn on the outside of the clothing and in plain and obvious view.
- Office staff/other personnel will wear clothing appropriate to a business setting. Employees are expected to maintain a clean and neat appearance with regard to clothing, shoes, hair and nails.
- Due to the agency's contact with consumers and the public, it is imperative that the work attire of all staff be appropriate and identify them as agency staff. Staff may be sent home by their supervisor for reporting to duty in a substandard uniform, or otherwise subject to disciplinary action.



6.6 PROFESSIONAL BEHAVIOR

In addition to the Statutory Rules and Regulations, Practices Acts and various Best Practices for those in-home care, there are defined standards of Profession, which must be followed as a VitalCare employee:

- VitalCare employees must treat people with compassion and kindness.
- VitalCare employees must treat people courteously and respectfully.
- VitalCare must never use foul language, raise their voices in anger or exhibit aggressive behavior toward others.
- VitalCare employees must respect the beliefs and opinions of others.
- VitalCare employees must keep appropriate boundaries with consumers.
- VitalCare employees will not post pictures of clients on social media.
- VitalCare employees must report all concerns to the supervisor or administrator.
- VitalCare employees must strive to be non-judgmental of others.

6.7 WORKERS' COMPENSATION

The procedure of a work-related injury is as follows:

- The employee shall seek immediate medical attention;
- The employee shall report the incident to VitalCare administrator within 24 hours of seeking medical attention;
- The employee shall be required to complete an incident report;
- All bills for medical care must be sent to VitalCare when received by the employee;
- The employee should not pay the physician directly.

6.8 WAGES AND SALARY

It is the company's policy to pay the wages that are highly competitive. VitalCare and the employee will keep all salary and performance evaluation information strictly confidential.

6.9 TRAVEL TIME AND MILEAGE

6.9.1 TRAVEL TO AND FROM HOME

As a general rule, commuting from home to your place of work (first visit) and commuting home after work (last visit) is not considered for reimbursement or deduction by the IRS, and not eligible for mileage or time by VitalCare. There are, however, exceptions please speak with your supervisor or Administrator for approval on client by client basis due to excessive travel.



6.9.2 TRAVEL WITHIN YOUR WORKDAY

Travel within your workday is part of your day's work and you will be paid your normal hourly rate plus mileage reimbursement. If the gap between visits is greater than two hours, you will not be paid your normal hourly rate, but you will be eligible for mileage. VitalCare views a gap greater than two hours to be personal time for the employee.

EXAMPLES

Employee: John			Employee: Jane		
Visit A	8:00AM	Noon	Visit C	10:00AM	Noon
Visit B	3:00PM	5:00PM	Visit D	2:00PM	5:00PM
Mileage	12 Miles between A & B		Mileage	10 Miles between A & B	

Employee John would not be eligible for his time between visits because the gap between the visits is greater than 2 hours. John would be eligible for reimbursement for 12 miles, and the actual hours worked of 6.

Employee Jane would be eligible for time between the visits because the gap is two hours or less. Jane would also be eligible for reimbursement of 10 miles. Ashley total hours for the day would be 7 hours.

If you are driving as part of your clients care plan you will be eligible for mileage reimbursement as well as your normal hourly rate.

For example, if you drive your client to a doctor's appointment during your work hours, this is considered part of your duties and you will be paid for your time in the car plus mileage reimbursement.

6.9.3 MILEAGE

Complete tracking of mileage in TSheets. Mileage reimbursement will be paid through the normal payroll cycle. VitalCare follows the IRS mileage reimbursement rate. The current rate information may be viewed at the IRS site;

<https://www.irs.gov/tax-professionals/standard-mileage-rates>

Please note, this feature is not currently available in the TSheets app and requires users access the TSheets website to add mileage.

Falsifying the mileage will be considered "Theft or Dishonesty" and is may result in termination of employment at the sole discretion of VitalCare.



6.10 NON-DISCLOSURE OF INFORMATION

The protection of confidential business information, trade secrets and patient information is vital to the interests and success of VitalCare such confidential information includes but is not limited to the following examples.

- Compensation/ salary information
- Consumer lists
- Performance appraisal information:
- Consumer Information
- Forms
- Policies and procedures

6.11 DISCIPLINE, COMPANY RULES AND TERMINATION

Consistent with the Standards of Conduct that each employee agrees, in writing to observe. Below is a list of rules that should help to guide your conduct. Violation of the following rules may result in termination of employment at the sole discretion of VitalCare.

- Unacceptable job performance, which may be identified through Q&A reporting.
- Insubordination; or immoral conduct of any kind.
- Theft or dishonesty.
- Bringing your child(ren) to a consumers' residence;
- Asking consumers for money or items;
- Completing anything that is considered skilled care;
- Falsifying application for employment; or falsifying time records.
- Behavior inconsistent with company policy;
- Intimidation or coercion of the other employees.
- Revealing or discussing confidential information with non-employees.
- Revealing or discussing confidential consumer information of any kind unless required by law.
- Illegal possession of controlled substances.
- Using company time for personal use.

Reminder: VitalCare has the right to discipline or terminate an employee at-will, with or without cause. This list is not all encompassing, not all inclusive and other behaviors or actions may result in company action.



6.12 GENERAL INFORMATION

- **Office Hours:** VitalCare offices are open Monday through Friday from 9:00am to 5:00pm.
- **On-Call Service:** VitalCare has a phone-service available to receive calls twenty –four (24) hours per day. After regular business hours, you can leave a message for the on-call supervisor by calling the office number and following the telephone prompts. 720-458-0642.
- **Telephone Usage:** Consumers telephone lines are not for personal except for urgent and important reasons. Your family and friends can call VitalCare at any time, and VitalCare will get a message to you.
- **Solicitation:** There will be no solicitation of consumers tolerated.
- **Grievance Procedure:** Any employee who feels that he/she has been the victim of discrimination because of race, color, religion, national origin, sex, age, handicap, or a victim of sexual harassment by office staff or in the consumers' home should contact one of VitalCare's Counselors or Matthew Dolph, Administrator @ 720-273-7331.
- **Revisions:** This Employee Orientation Guide may be revised from time to time as VitalCare deems necessary and appropriate. Any revised editions of this Orientation Guide will be delivered to all employees.
- **Termination:** If you as an employee wishes to terminate your employment with VitalCare then please submit it in writing. It is preferred that a 2-week notice is given. VitalCare cannot issue a final pay check if timesheets are not turned in, completed or signed by the consumer or employee.



7.0 CONFLICT OF INTEREST STATEMENT

Employee
Name _____ Date _____

Check reason that applies: ☐ Initial COI Statement ☐ Change of COI Statement

Complete the following:

A) Other employment:

Company 1: _____ effective date _____

Position _____ Hours worked _____ per _____

If yes,
explain: _____

Company 2: _____ effective date _____

Position _____ Hours worked _____ per _____

If yes,
explain: _____

B) Other:

Explain: _____

Statements represent a full disclosure of my employment/professional activities

Employee or Board Member Signature _____ Date _____

For Office Use

Determination of any potential or real conflict: Yes NO

If yes, explain: _____

Recommendation of any further
action: _____

Signature of President/CEO _____ Date _____



8.0 ACKNOWLEDGE OF RECEIPT AND REVIEW OF EMPLOYEE MANUAL

I acknowledge that I have received access to the Employee Handbook, provided via the designated internal website. I understand that this document offers an overview of VitalCare's human resources policies and guidelines but may not encompass all procedures and policies currently in effect. I agree to review and comply with the Employee Handbook and understand that my employment at VitalCare is at-will. This means that VitalCare may terminate my employment at any time, for any or no reason, with or without notice. Similarly, as an at-will employee, I have the right to end my employment at any time, for any or no reason, with or without notice (although a 2-week notice is preferred). I understand that the Employee Handbook is an informational resource and does not constitute an employment contract. I further acknowledge that no one at VitalCare has made any promises or assurances regarding my employment, and I have not relied on any oral or written statements outside of this document when I accepted employment with VitalCare. I understand that it is my responsibility to stay informed of updates or changes to these policies as they are made available.

Print name: _____

Signature

Date



9.0 ACKNOWLEDGE REVIEW OF POLICIES AND PROCEDURES (LICENSURE & HCBS)

I acknowledge that I have access to VitalCare's Policies and Procedures (Licensure & HCBS) via the designated internal website, which hosts the most up-to-date version of these documents. I understand that these policies provide an overview of VitalCare practices and guidelines and may not encompass all procedures and policies currently in effect. I agree to review and adhere to the Policies and Procedures as outlined by VitalCare. I understand that it is my responsibility to stay informed of updates or changes to these policies as they are made available.

Print name: _____

Signature

Date



10.0 ERISA CONSENT FORM FOR ELECTRONIC DISTRIBUTION OF MATERIALS

Under the Employee Retirement Income Security Act of 1974 (ERISA) and related regulations, employee consent must be given to receive electronic copies of employee benefits materials in certain situations.

The purpose of this notice is to inform you that VitalCare is offering you the opportunity to receive electronically all notices about your employee benefits. Such notices will include (but not be limited to) newsletters, enrollment announcements, Summary Plan Descriptions (SPDs), Summaries of Material Modifications (SMMs), Summary Annual Reports (SARs), COBRA notices, Summaries of Benefits and Coverage, Health Insurance Marketplace Notices and HIPAA certificates of creditable coverage.

All notices are accessible at **Employee Navigator** and via email post open enrollment.

Each benefit plan in which you enroll has a Summary Plan Description (SPD) that describes the key provisions of the plan. Plan amendments describe any material changes made to the benefit plan since its SPD was originally drafted. A plan's SPD and plan amendments are very important documents.

In order for us to provide you with this opportunity, you must consent to receive all Employee Benefit notices electronically by signing the form below. Prior to consenting, you should understand that:

- When a new benefit notice, announcement, newsletter, SPD or other document is posted to the Employee Navigator or emailed, you will receive a notification at the email address you provide to inform you of the availability of the document.
- You have the right to withdraw your consent to electronic distribution at any time at no charge to you. To withdraw consent, you must notify **the Director of Operations** in writing or by email.
- If you consent to electronic distribution, you may still request a paper version of any document free of charge.
- All benefit notices, including SPDs and plan amendments, will be available on the Internet as a viewable PDF document. If you do not have access to the Internet, or if you do not have the programs necessary to view this type of file, you should not consent.
- To withdraw your consent or update your email address, please contact Heidi Lacey, heidi@vitalcare.us or call (720) 458-0642.

I consent to the electronic disclosure of all Employee Benefit notices, including Summary Plan Descriptions and plan amendments.



I acknowledge that I have read the contents of this notice and understand that I am entitled to withdraw my consent at any time at no cost to myself. I understand that I have the right to receive paper copies of all Employee Benefit notices, including Summary Plan Descriptions and plan amendments, upon request at no additional charge. I also confirm that I have the ability and the necessary equipment and software to access the Employee Benefits websites, view the documents and print copies.

Print name: _____

Signature

Date



11.0 ACKNOWLEDGE REVIEW OF HEALTH PLAN COMPLIANCE NOTICES

I acknowledge that I have access to the Health Plan Compliance Notices. I understand that this document provides an overview of VitalCare's health plan policies, procedures, and compliance requirements, including but not limited to notices required under HIPAA, COBRA, and other applicable laws. I agree to review and comply with the provisions outlined in the Health Plan Compliance Notices, recognizing that they serve as a resource for understanding my rights and responsibilities under VitalCare's health benefits program. I understand that these notices are informational and do not constitute a contract or guarantee of benefits. I further acknowledge that no one at VitalCare has made any promises or representations to me regarding health benefits beyond what is included in the Health Plan Compliance Notices and the applicable plan documents. I have not relied on any oral or written statements by anyone at the company in connection with the information contained in these notices. I understand that it is my responsibility to stay informed of updates or changes to these policies as they are made available.

Print name: _____

Signature

Date

