



Friends Research Institute, Inc.

EMPLOYEE HANDBOOK

Maryland

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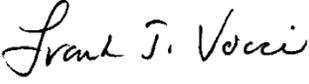
Note: *The Employee Handbook Acknowledgment must be signed and returned to the Human Resources Department.*

WELCOME

Welcome to Friends Research Institute, Inc. (hereinafter referred to as “FRI” or the “Institute” and inclusive of all divisions of FRI). We are pleased that you have joined FRI and hope that our relationship will be professionally rewarding.

FRI has been in the business of research and treatment since 1955, serving communities throughout the United States and internationally. The Board of Directors recognizes that employee security and fulfillment are the backbone of a productive organization. Increasing employee satisfaction has always been a high priority of FRI. In light of that purpose, FRI provides employee benefits, including health, dental, vision, retirement, and disability insurance, to name a few.

If you have any questions as to the interpretation or application of a specific section of this Handbook, or any matter not covered by this Handbook, please consult with the Human Resources Department. In addition, if you have any suggestions regarding ways in which FRI can improve upon the policies contained in this Handbook, please feel free to forward your ideas to the Human Resources Department. We welcome your input. Please note that the contact person for any reference to the Human Resources Department within this Employee Handbook is specifically Michele Hipsley.



Frank J. Vocci, Ph.D.
President

ABOUT FRIENDS RESEARCH INSTITUTE, INC.

Friends Research Institute is a 501(c)(3), private, non-profit organization. It is governed by a Board of Directors that meets a minimum of four times a year. Members of the Board of Directors do not receive any payments or gratuities while serving in office. The Executive Committee (Chairman, Vice-Chairman, Treasurer, and Secretary) of the Board of Directors and the President routinely meet to set policy, goals, and review the objectives of the institution.

A financial audit is conducted yearly using an independent contractor.

The President of FRI is a full-time paid employee who is responsible for directing the daily operations of FRI as set forth in the overall policy determined by the Board of Directors.

For grant and contract applications and awards, FRI uses an external Institutional Review Board (IRB) to ensure the protection of all human subjects.

EMPLOYEE HANDBOOK STATEMENT OF PURPOSE

The contents of this Employee Handbook summarize current policies and programs of FRI. This Handbook replaces all prior handbooks, benefit information, and practices of the Institute. This Handbook is applicable to all FRI employees.

This Handbook neither implies nor establishes a contract between the Institute and any employee. FRI retains the right to change, modify, suspend, interpret, or cancel in whole or in part any of the published or unpublished personnel policies of the Institute, with or without advance notice, at its sole discretion, without providing cause or justification to any employee. Recognition of these rights and prerogatives is a term and condition of employment and continued employment.

Nothing contained in this Handbook should be construed as a guarantee of continued employment, since employment with FRI is on an at-will basis. This means that the employment relationship may be terminated by either you or the Institute at any time, for any reason. Any written or oral statement to the contrary by a supervisor, officer, or other agent of FRI is invalid and should not be relied upon by any prospective or current employee. No one has the authority to modify this at-will relationship or enter any employment contract except the Institute's President, and then only by a written agreement signed by the President. Information contained in this Handbook may be updated as policies change.

In addition, FRI reserves the right to interpret, alter and/or amend, at any time, the policies in this Handbook in accordance with its sole business judgment, with or without prior notice.

1.0 GETTING STARTED AT FRI

1.1 EMPLOYMENT APPLICATIONS

All potential new hire applicants must complete applications, and, upon receipt of a conditional offer of employment, submit to criminal background checks, debarment checks, and security background checks. All potential new hires will receive all necessary forms and instructions as part of the hiring process.

FRI relies upon the accuracy of information presented by job applicants during the hiring process, including such materials as the applicant's resume, writing samples, verbal and e-mail conveyance of information during the interviewing process, etc. as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the applicant's exclusion from further consideration for employment or, if the applicant has already been hired, disciplinary action up to and including termination of employment.

FRI has a strong commitment to equal pay and, in accordance with that commitment, will not inquire about any applicant's wage history. If an applicant voluntarily provides their wage history, FRI will not take that information into account when making hiring and/or wage determinations, unless the applicant has been given a conditional job offer and the applicant's wage history is used to increase the wage offer.

Applicants will not be subject to the use of facial recognition software during the applicant's interview without the applicant's written consent.

1.2 EMPLOYMENT BACKGROUND CHECKS

An applicant is not considered a new hire until a conditional offer of employment has been extended and all background checks have been completed and verified. If a person is unable to provide valid identification, or successfully complete any government required background check, they will not be eligible for employment at FRI.

Each new hire authorizes FRI to conduct any background check allowed by law. The Institute may, at its discretion, request work records from previous employers and other resources as a part of the application and/or employment process. To the extent that the Institute engages an outside credit reporting agency to gather such information, it will at all times comply with the Fair Credit Reporting Act and any and all other federal, state, and local laws pertaining to background checks. FRI will pay for or reimburse the employee (if appropriate) for any required background checks.

Many of FRI's research and treatment protocols deal with vulnerable populations, such as children, the elderly, prisoners, and the decisionally-impaired. Accordingly, FRI conducts a post-offer background check that includes a criminal investigation on all applicants who are offered and accept an offer of employment. Employment with FRI may be conditioned upon the Institute's review of the information in the background check. FRI's review of the information will be on an individual basis and will consider: 1)

the nature and gravity of the offense and conduct; 2) the time that has passed since any offense or conduct; and 3) the nature of the position held or sought.

FRI reserves the right to conduct this background check at any time after an employee has been employed. Furthermore, employees have certain legal rights to request and to dispute or explain any information prepared by the background checking company. In addition, the applicant may be required to undergo fingerprinting based on the position for which they are applying.

FRI complies with all laws and regulations pertaining to background checks. Employees with questions related to this policy should consult with the Human Resources Department, specifically Michele Hipsley.

1.3 INITIAL PAPERWORK

Upon commencing employment, the employee must complete various forms, including, but not limited to, tax withholding forms, and, where appropriate, insurance and benefit application forms. Newly hired employees are expected to cooperate fully in the timely completion of all paperwork presented to them by the Institute during this and any subsequent periods.

1.4 EMPLOYEE INFORMATION

It is the responsibility of the employee to promptly notify FRI in writing of any changes in personnel data, personal mailing addresses, telephone numbers and other contact information, marital status, beneficiary assignments or benefit changes, individuals to be contacted in the event of emergency, educational accomplishments, and other such changes in status. All such information should be accurate and current at all times. If any personnel data has changed, the employee should provide written notice of such change(s) to the Payroll Department as soon as possible.

1.5 PERSONNEL RECORDS

FRI maintains a personnel file for each employee. The personnel file includes such information as an employee's resume, records of training, documentation of performance, documentation of compensation, and other employment records. Access to these records is restricted and is limited to the Institute's Human Resources personnel and various officers and leaders of FRI. Violation of this personnel records policy is considered to be a serious offense and will lead to disciplinary action up to and including termination of employment.

1.6 EMPLOYMENT ELIGIBILITY VERIFICATION (I-9) FORM

Federal law requires that FRI has properly completed I-9 forms on file for every employee hired after November 6, 1986. Federal law also requires that FRI re-verify the continued work eligibility of employees who have only a time-limited work authorization on or before the date their employment eligibility expires. The same documentation rules apply to re-verification efforts as to original I-9 compliance.

1.7 JOB DESCRIPTIONS

Written job descriptions are provided for all employees to ensure that employees understand their primary responsibilities and duties. This document outlines the job title, immediate supervisor title, overall responsibilities, physical requirements (if any), specific job duties and may include acceptable standards of job performance. All newly hired employees are expected to familiarize themselves with their job descriptions.

It is important to remember that FRI employees perform a wide variety of tasks and functions. As a result, it is impossible to list, in a job description, each and every requirement of an employee's job. Moreover, as an at-will employee, employee responsibilities are subject to change at any time.

Job descriptions are not contracts. They do not create any contractual rights, obligations or liabilities, nor contract of employment for any definite period. Regardless of what the job description says, it is the basic right of management to control and direct what an employee does on the job. Therefore, regardless of any written job description, from time to time, employees may be asked to do tasks not specifically listed therein or may be instructed not to do something that is listed. Failure to abide by a supervisor's instruction is a form of insubordination and may result in disciplinary action up to and including termination of employment.

2.0 FUNDAMENTAL POLICIES

2.1 EMPLOYMENT AT-WILL

It is the policy of FRI that all employees are employed at the will of the Institute. Accordingly, either the Institute or the employee can terminate this relationship at any time, for any reason or for no reason, with or without cause, and with or without advance notice.

Managers should be prepared to provide advance notice of intent to terminate employment due to the nature of their duties. Please see [Termination of Employment](#) in Section 10.1 for further information on these employees.

Nothing contained in this Handbook, employment applications, FRI memoranda, or any other materials provided to employees concerning their employment shall restrict FRI's right to terminate an employee at any time for any reason. Any statements of specific grounds for termination set forth in this Handbook or elsewhere are not all-inclusive and are not intended to restrict the Institute's right to terminate at-will.

No Institute representative is authorized to modify this policy for any employee or to make any representations to employees or applicants concerning the terms or conditions of employment with the Institute that are not consistent with FRI's at-will policy except the President, and then by written agreement only.

2.2 EQUAL EMPLOYMENT OPPORTUNITY

FRI is an equal opportunity employer and is committed to full compliance with every applicable federal, state, and local anti-discrimination law that governs our workplace. This commitment extends to all employees and to all aspects of the employment relationship. Any employee or supervisor who violates this policy will be subject to disciplinary action up to and including termination of employment.

The Institute's commitment to equal employment opportunities means that FRI will recruit, hire, train, and promote individuals, as well as administer any and all personnel actions, compensation and benefits, without regard to the following traits or characteristics: race (including, but not limited to, hair texture and protective hairstyles, which include, but are not limited to, such hairstyles as braids, locks, and twists), color, ancestry, national origin (including language use and possession of a driver's license issued to persons unable to prove their presence in the United States as authorized under federal law); age (40 and above); sex/gender (including pregnancy, childbirth, breastfeeding and/or related medical conditions); gender identity, gender expression; sexual orientation; marital status; disability (physical, mental, HIV and AIDS); genetic information; religion (including religious dress and grooming practices); military or veteran status; political status or affiliation; status as a victim of domestic violence, assault or stalking; or any other category protected by applicable law. This list of protected characteristics will be referred to throughout this Handbook as "EEO Protected Classifications," meaning "Equal Employment Opportunity Protected Classifications."

Nothing in FRI's employee policies is intended to limit or prohibit an employee in their use of any non-English language in the workplace unless there is a business necessity for such a limitation and/or restriction.

2.3 WORKPLACE ACCOMMODATION POLICY

The Institute complies with all laws pertaining to reasonable accommodations in the workplace.

2.3.1 Accommodations for Disabilities. FRI complies with the Americans with Disabilities Act (ADA) (as amended) and all applicable state and local laws prohibiting discrimination in employment against qualified individuals with disabilities.

A "disability" under the ADA refers to a physical or mental impairment that substantially limits one or more of an individual's major life activities. A disabled individual is an individual who has such impairment, has a record of such impairment, or is regarded as having such impairment. A qualified person with a disability is an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the position that the individual holds or for which they have applied.

It is the Institute's policy to:

- Ensure that qualified individuals with disabilities are treated in a nondiscriminatory manner in the pre-employment process and that employees with disabilities are treated in a nondiscriminatory manner in all terms, conditions, and privileges of employment.
- Keep all medical-related information confidential in accordance with the requirements of the ADA and retain such information in a secured manner.
- Provide qualified applicants and employees with disabilities with reasonable accommodation, except where such accommodations would create an undue hardship for the Institute, and provided the individual is capable of performing the job.
- Notify individuals with disabilities that we provide reasonable accommodation to qualified individuals with disabilities, by including this policy in our Employee Handbook and by posting the Equal Employment Opportunity Commission's poster on discrimination throughout our facilities.
- Engage in a good faith interactive process with employees seeking an accommodation for physical or mental disabilities.

2.3.2 Accommodations for Pregnancy. Any employee with a disability that is caused by or contributed to by pregnancy or childbirth has the right to request a reasonable accommodation. If an employee requests a reasonable accommodation, FRI will explore with the employee all possible means of providing the reasonable accommodation, including the possibility of: 1) changing the employee's job duties or work hours or relocating the employee's work area; 2) providing mechanical or electrical aids; 3) transferring the employee to a less strenuous or less hazardous position; or 4) providing leave.

Employment policies and practices involving matters such as the commencement and duration of leave, the availability of extensions of leave, the accrual of seniority and other benefits and privileges, reinstatement, and payment under any health or temporary disability insurance or sick leave plan, formal or informal, will be applied to a disability due to pregnancy or childbirth on the same terms and conditions as they are applied to other temporary disabilities.

2.3.3 Accommodations for Religious Practices. FRI recognizes and respects each employee's religious pursuits. To that end, the Institute seeks to provide reasonable accommodations for an employee's religious practices, including, by way of example, adjustments to an employee's work schedule for observances to attend religious services or activities at their local place of worship.

2.3.4 Interactive Dialogue. Employees requesting accommodations under this policy will be invited to participate in a good faith interactive dialogue with the Human Resources Department, specifically Michele Hipsley, to determine the feasibility of the requested accommodation. In certain circumstances, an accommodation may not be possible if it would result in an undue hardship to FRI, pose a direct threat to the employee or others, etc.

2.3.5 How to Request a Reasonable Accommodation. Employees seeking a workplace accommodation should contact the Human Resources Department, specifically Michele Hipsley.

2.3.6 No Retaliation. The Institute will never retaliate against an employee for requesting an accommodation under this policy and/or seeking to exercise any right protected under applicable law. Individuals who believe that they have been wrongfully denied an accommodation and/or subjected to retaliation or unlawful discrimination should follow the [Discrimination and Harassment Reporting Procedures](#) outlined in Section 2.6. Any employee who is found to have engaged in a discriminatory act that violates any part of this policy will be subject to disciplinary action up to and including termination of employment.

2.4 HARASSMENT PREVENTION POLICY

FRI has a strong commitment to provide a welcoming environment for all its employees, free from discrimination, harassment, sexual harassment, retaliation, and violence and will act proactively to maintain such an environment. FRI prohibits the unlawful harassment of coworkers, supervisors, managers, and third parties with whom an employee may come into contact as a result of his or her work. This policy applies to all employee actions and relationships within the workplace and all employment-related actions and relationships outside of the workplace (e.g., business trips, meetings, parties, internet and/or electronic communications, etc.). When the Institute receives allegations of conduct that violates this policy, it will conduct a fair, timely, and thorough investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected.

FRI strictly prohibits harassment on the basis of an employee's status as a member of one or more EEO Protected Classifications. Employees unlawfully harassing others will

be dealt with swiftly and vigorously. Any employee who violates this policy will be subject to disciplinary action up to and including termination of employment.

Verbal or physical conduct constitutes unlawful harassment when such behavior is related in any way to an employee's status as a member of one or more EEO Protected Classifications and that has the purpose or effect of interfering with an individual's performance on the job or creating an intimidating, hostile, or offensive working environment. The above-described conduct will be considered in violation of the Institute's policy even if the conduct was not intended to harass an individual.

The Institute unequivocally forbids unlawful harassment. In the event any such prohibited conduct should occur an employee should follow the [Discrimination and Harassment Reporting Procedures](#) outlined in Section 2.6.

2.5 SEXUAL HARASSMENT PREVENTION POLICY

All employees, as well as applicants, unpaid interns, volunteers, and independent contractors, are entitled to work in an atmosphere free of sexual harassment. Sexual harassment is **illegal** and is a form of discrimination based on sex/gender (including pregnancy, childbirth, or related medical conditions), gender identity, gender expression, or sexual orientation. Individuals of any gender can be the target of sexual harassment. Unlawful sexual harassment does not have to be motivated by sexual desire and may involve harassment of a person of the same gender as the harasser, regardless of either person's sexual orientation or gender identity.

As stated above in its policy pertaining to other forms of unlawful harassment, FRI forbids and will not condone or tolerate sexual harassment of any type by any employee, nor will it allow employees to be harassed unlawfully by coworkers, supervisors, customers, vendors, visitors, or any other third parties. This policy applies to all employee actions and relationships within the workplace and all employment-related actions and relationships outside the workplace (e.g., business trips, meetings, parties, internet and/or electronic communications, etc.), regardless of position or gender. The Institute will promptly and thoroughly investigate any complaint of sexual harassment and will take any and all appropriate corrective action necessary to ensure that FRI is harassment-free.

There are two types of sexual harassment:

1. *Quid pro quo* (Latin for "this for that") sexual harassment occurs when someone conditions (either directly or indirectly) a job, promotion, or other work benefit on an individual's submission to sexual advances or other conduct based on sex.
2. *Hostile work environment* sexual harassment occurs when unwelcome comments or conduct based on sex unreasonably interfere with an individual's work performance or creates an intimidating, hostile, or offensive work environment. An individual may experience sexual harassment even if the offensive conduct was not aimed directly at them.

Behaviors that may be sexual harassment.

1. Unwanted sexual advances.
2. Offering employment benefits in exchange for sexual favors.
3. Leering, gestures, or displaying sexually suggestive objects, pictures, cartoons, or posters.
4. Derogatory comments, epithets, slurs, or jokes.
5. Graphic comments, sexually degrading words, or suggestive or obscene messages or invitations.
6. Physical touching or assault, as well as impeding or blocking movements.

The above-described conduct will be considered in violation of the Institute's policy even if the conduct was not intended to sexually harass an individual.

In addition, employees are expected to act in a professional manner and to contribute to a productive work environment that is free from harassing or disruptive activity. Prohibited activities include, but are not limited to:

- Sexual flirtations, touching, advances, or propositions;
- Verbal abuse of a sexual nature;
- Graphic or suggestive comments about dress or body;
- Sexually degrading words; or
- The display in the workplace of sexually suggestive or offensive objects or pictures.

The Institute unequivocally forbids unlawful harassment. In the event any such prohibited conduct should occur an employee should follow the [Discrimination and Harassment Reporting Procedures](#) outlined in Section 2.6. Persons unlawfully harassing others will be dealt with swiftly and vigorously. Any employee who violates this policy will be subject to disciplinary action up to and including termination of employment.

2.6 DISCRIMINATION AND HARASSMENT REPORTING PROCEDURES

As explained above, FRI is an equal employment opportunity employer. The Institute forbids unlawful discrimination and forbids unlawful harassment, sexual or otherwise. Because of the strength of the Institute's commitment to these vital principles, any employee and/or supervisor who has experienced or is aware of a situation that is believed to be discriminatory and/or harassing has a responsibility to immediately report the situation to the Human Resources Department, specifically Michele Hipsley. Employees should not wait until performance reviews or training programs to report discrimination and/or harassment, although they are certainly encouraged to discuss any

such concerns at any time. Upon receipt of an allegation of discrimination and/or harassment, the Institute will conduct an immediate investigation into the allegation to determine whether discrimination and/or harassment or other inappropriate conduct occurred.

All complaints of discrimination and/or harassment will be investigated promptly, impartially, and thoroughly by qualified personnel. In addition, the Institute's investigation will be conducted as discreetly as possible and will be designated as confidential to the fullest extent possible; however, the Institute cannot guarantee complete confidentiality. The Institute will provide a timely response to any complaints of discrimination and/or harassment, and all investigations will be documented and monitored for reasonable progress. The Institute will strive to timely close all investigations of misconduct. The Institute's general policies regarding discrimination and/or harassment investigations are as follows:

1. Employees are required to cooperate in any investigation;
2. The Institute will investigate any allegations of discrimination and/or harassment or other inappropriate conduct, even when the complaining employee later decides not to pursue the matter; and
3. **Retaliation against any employee for filing a legitimate complaint or participating in an investigation is strictly prohibited. Anyone who violates this policy will be subject to disciplinary action up to and including termination of employment.**

In all cases where discrimination and/or harassment or other inappropriate conduct is determined to have occurred, the offender will face appropriate remedial action, including immediate and appropriate disciplinary action up to and including termination of employment. An employee determined to be discriminating and/or harassing another person may be held personally liable for their actions.

Employees not satisfied with the outcome of the investigation should bring the matter to the attention of the President for resolution.

2.7 EMPLOYEE RELATIONSHIP POLICY

FRI has a strong commitment to a workplace free from inappropriate and illegal harassment and/or inappropriate employee relationships. To ensure that this policy is carried out, FRI has adopted a policy with respect to employee relationships in the workplace. Specifically, there are some circumstances where romantic and/or intimate relationships may not be appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities. Supported by various professional Codes of Ethics, it is FRI's policy that a manager/supervisor should not engage in a romantic relationship with a subordinate. Employee relationships, of an intimate or sexual nature, may be disruptive to the workplace environment and constitute inappropriate professional conduct. If such a relationship takes place, the employees engaged in the relationship must disclose the relationship to the Human Resources Department, specifically Michele Hipsley.

2.8 STANDARDS OF BUSINESS CONDUCT & ETHICAL PRACTICE

Ethical behavior is the guiding force behind FRI's operation. The Institute's success will be based upon mutual trust among administrators and employees. Such mutual trust can only be established when FRI, as an employer, and its employees, behave with unquestionable integrity.

Some of the standards of business conduct that FRI expects from employees include, but are not limited to, the following:

2.8.1 Produce Quality Work. FRI prides itself on being a leader in its field. One principle is enforced without exception: top-quality performance. This commitment has motivated the continued growth and success of the Institute. An employee's continued employment is dependent upon living up to this high standard in their job.

2.8.2 Respect Trade Secrets. As defined by the U.S. Patent and Trademark office, a trade secret is (1) information that has either actual or potential independent economic value by virtue of not being generally known, (2) has value to others who cannot legitimately obtain the information, and (3) is subject to reasonable efforts to maintain its secrecy. All three elements are required; if any element ceases to exist, then the trade secret will also cease to exist. Otherwise, there is no limit on the amount of time a trade secret is protected. Protecting the Institute's Trade Secrets is the responsibility of every employee, and all employees share a common interest in making sure that such Trade Secrets are not improperly or accidentally disclosed. Do not discuss the Institute's Trade Secrets with anyone who does not work for FRI. In addition, do not discuss Trade Secrets with other employees, unless the other employee has a "need to know." This prohibition applies to both active employees and former employees. Pursuant to the Defend Trade Secrets Act of 2016, individuals, including employees, may not be held criminally or civilly liable under any federal or state trade secret law for the disclosure of a trade secret that: a) is made (i) in confidence to a federal, state, or local government official, either directly or indirectly, or to an attorney; and (ii) solely for the purpose of reporting or investigating a suspected violation of law; or b) is made in a complaint or other document that is filed under seal in a lawsuit or other proceeding. Further, an individual who files a lawsuit for retaliation by an Institute for reporting a suspected violation of law may disclose the Institute's trade secrets to the attorney and use the trade secret information in the court proceeding if the individual: a) files any document containing the trade secret under seal; and b) does not disclose the trade secret, except pursuant to court order.

2.8.3 Office Supplies. FRI maintains a stock of basic office supplies such as pens, paper clips, staples, note pads, etc. used on a day-to-day basis by employees. All office supplies are located in the office or given by a supervisor. If an employee needs additional items not regularly stocked, they should request the item from their supervisor, who will determine if the item is needed. **Office supplies are for business use only and should not be removed from the office for non-business use.** Violations of this policy may result in disciplinary action up to and including termination of employment.

2.8.4 Follow Common Sense Standards of Conduct. FRI is founded upon principles of integrity and expects all of its employees to carry out their work responsibilities in a manner consistent with the Institute's high ideals. Employees should be aware that there

are certain major offenses which may result in an immediate termination of employment, without any prior counseling. In other words, if an employee commits a major offense, all or any part of FRI's progressive [Disciplinary Policy](#) may be omitted, in FRI's sole discretion. In order to avoid such severe consequences, follow simple common-sense standards of conduct and avoid major offenses such as, but not limited to, the following:

1. Failure or refusal to carry out orders or instructions.
2. Unsatisfactory work performance, including, but not limited to, carelessness and/or negligence in the performance of job duties and violations of the policies set forth in this Handbook.
3. Violation of a safety, fire prevention, health, or security rule, policy, or practice.
4. False, fraudulent and/or misleading statements, actions, or omissions involving coworkers, research/service participants, and/or FRI.
5. False, fraudulent, misleading statements, actions or omissions related to an employment application or any other information provided to or requested by FRI, whether oral or written.
6. Misrepresentation or falsification of forms, records, or attendance reports.
7. Unauthorized use of, removal of, theft of, or damage to the property of FRI, an employee, an independent contractor, or a research/service participant.
8. The use of profane or abusive language towards coworkers, associates, and/or research/service participants.
9. Threatened or actual physical violence.
10. Carrying any weapon while on FRI business, jobsite, premises, or property.
11. Misappropriation of funds.
12. Immoral or indecent conduct.
13. Sleeping on the job.
14. Violation of any of the provisions of FRI's [Substance Abuse Policy](#).
15. Violation of FRI's [Equal Employment Opportunity](#), [Harassment Prevention](#), and/or [Sexual Harassment Prevention](#) Policies.
16. Organized gambling and/or other disorderly conduct while on FRI premises, jobsite, or business.

17. Conducting or attempting to conduct any outside business while on the Institute's premises or business and/or using FRI contacts and resources to foster personal business opportunities.
18. Chronic, habitual, or excessive lateness or absenteeism of any unauthorized type, early departure from work, and/or other violation of FRI's [Attendance, Punctuality, and Dependability Policy](#).
19. Engaging in acts of (a) unlawful discrimination based on an individual's status as a member of one or more EEO Protected Classifications and/or (b) unlawful harassment, sexual or otherwise.
20. Release or dissemination of confidential Institute information, including project-related information that may not be pertinent to research/service participants.
21. Violation of professional codes of ethics, government law, or statute that may govern an employee's profession.
22. Inappropriate personal relationships with research/service participants.
23. Fabrication, falsification, plagiarism, or other practices that deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research.
24. Subject to applicable law, an arrest and/or criminal complaint, summons to answer a criminal charge; statement of charges, indictment, criminal information, or any other criminal charge that occurs during the course of employment with FRI; and/or conviction of an employee, depending on the particular circumstances and the offense charged (and subject to applicable law), including but not limited to the Institute's judgment as to the potential risk to safety or health of employees, the security of FRI's premises and property, and/or FRI's reputation.
25. Any other conduct detrimental to coworkers, research/service participants, and/or the lawful operation of the Institute.

2.9 DISCIPLINARY POLICY

The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future. The approach taken in discipline may vary depending, at FRI's discretion, on, among other things, the gravity of the offense, the circumstances under which it occurred, an employee's duties, an employee's length of service with the employer, and an employee's overall work record, including any prior misconduct. In order of severity, discipline can take one of the following forms:

1. Verbal reprimand;
2. Written reprimand;

3. Second written reprimand;
4. Termination of employment.

Progressive discipline means that, with respect to many disciplinary problems, these steps will normally be followed. For example, a first offense may call for a verbal reprimand; a second offense may be followed by a written reprimand; a third offense may be followed by a second written reprimand; and a fourth offense may then lead to termination of employment. However, keep in mind that any or all of these steps can be omitted as FRI deems appropriate, in its sole discretion. In addition, during an employee's introductory period, the disciplinary policy is accelerated meaning that 2 reprimands within the introductory period may result in termination of employment. It is also important to note that an unsatisfactory evaluation at any time during an employee's employment will be considered a written reprimand for purposes of this disciplinary policy.

Moreover, by establishing this disciplinary policy, the employer is not relinquishing or limiting its managerial right to terminate any employee for any or no reason at all, at any time, with or without cause or advance notice. As mentioned throughout this Handbook, employment at the Institute is at-will, and either the employee or the employer can terminate the employment relationship at any time, with or without cause, and with or without advance notice.

2.10 CONFLICT OF INTEREST POLICY

FRI's Conflict of Interest (COI) Policy is to protect FRI, its employees, and its research/service participants from potential or actual risks related to any conflicts of interest. A COI exists when the interests of an FRI Associate (employee, Board member, researcher, consultant, intern) or their relative, significant other, or business affiliate/relationship appear to compete, or do compete, with the interests of FRI. There are a variety of situations that raise COI concerns, including, but not limited to, financial, use of FRI services, property or facilities, proprietary or confidential information, etc.

An FRI Associate is under a continuing obligation to disclose any actual or potential COI, or the appearance of a conflict, as soon as it is known, or reasonably should have been known. An FRI Associate shall complete the COI Disclosure Form to fully disclose any actual or potential COI, or the appearance of a COI. The disclosure statement shall be completed upon first association with FRI, and shall be completed annually, thereafter. An additional disclosure statement shall be filed, using the Disclosure Form, when any new, potential, or actual conflict or appearance of a conflict arises.

Where the appearance of a COI or an actual or potential COI involves an FRI Associate, the Conflict of Interest Officer shall review the matter and notify the President, who will take appropriate action to protect the interests of FRI, its employees, and its research/service participants.

A complete copy of FRI's Conflict of Interest Policy is distributed to all new employees and available through the Human Resources Department.

2.11 FINANCIAL CONFLICT OF INTEREST POLICY

FRI's Financial Conflict of Interest (FCOI) Policy is designed to comply with Federal regulation 42 CFR Part 50 Subpart F and to protect FRI, its employees, and its research/service participants from potential or actual risks associated with any financial conflicts of interest related to US Public Health Service (PHS)-funded research studies conducted by Investigators. The purpose of this regulation is to promote objectivity in research by establishing standards to ensure there is no reasonable expectation that the design, conduct, or reporting of research funded under PHS grants and cooperative agreements will be biased by any conflicting financial interest of an Investigator.

This policy applies to all Investigators (including subrecipient investigators) and applicable research staff who are planning to participate in or are participating in PHS-funded research. Compliance with this policy is a condition of employment and/or relationship with FRI. All staff working on research projects are required to complete FCOI training prior to engaging in research related to any PHS-funded grant. The FCOI training is required at least every 4 years.

An FCOI exists when FRI, through its FCOI Officer, reasonably determines that an Investigator or research staff member (including their spouse and dependent children) has a Significant Financial Interest (SFI) related to a PHS-funded research project that could directly and significantly affect the design, conduct, or reporting of PHS-funded research. Investigators and research staff are required to disclose to FRI a listing of Significant Financial Interests (SFIs) (and those of their spouse and dependent children) that: 1) would reasonably appear to be affected by the research for which funding is sought, and 2) includes those entities whose financial interests would reasonably appear to be affected by the research.

An Investigator is under a continuing obligation to disclose any SFI (and those of their spouse and dependent children), or the appearance of a financial conflict, as soon as it is known, or reasonably should have been known. When there is reason to believe that an actual or potential FCOI exists, or the appearance of an FCOI exists, between the interests of FRI and that of an Investigator or research staff member, the President shall ultimately be responsible for determining the appropriate response.

Where the appearance of an SFI or an actual or potential SFI involves an Investigator or research staff member, the FCOI Officer shall review the matter and determine whether an Investigator's SFI is related to PHS-funded research and if so related, whether the SFI is an FCOI. The FCOI Officer will notify the President, who will take appropriate action to protect the interests of FRI, its employees, and its research/service participants.

A complete copy of FRI's Financial Conflict of Interest Policy is distributed to all new employees who will work on research studies and available through the Human Resources Department.

3.0 BUSINESS HOURS, WORK SCHEDULES, AND ATTENDANCE

3.1 WORKWEEK

FRI's typical workweek is 40 hours, from Monday through Friday; however, based on the project to which the employee is assigned, an employee's workweek may differ. FRI's typical workday is 8 hours, including a 30-minute paid meal break. There may be occasions, of course, where employees may be called upon to perform services outside of the typical workweek and/or workday.

FRI is amenable to alternate work arrangements that are subject to approval from the supervisors at various FRI worksites.

3.2 ATTENDANCE, PUNCTUALITY, AND DEPENDABILITY

Because FRI depends heavily upon its employees, it is important that employees attend work as scheduled. Dependability, attendance, punctuality, and a commitment to the job are essential at all times. As such, employees are expected at work during all scheduled work hours, unless the employee's supervisor has approved other arrangements in advance. In order to minimize disruption to FRI's operations and as a courtesy to coworkers, if an employee must be absent, the immediate supervisor must be notified as soon as possible before the start of the workday (except in the case of Sick and Safe Leave, where notice must be provided as soon as practicable). Absences must be reported daily unless other arrangements have been specifically made with an employee's immediate supervisor and/or otherwise not required under this Handbook. An employee who repeatedly fails to report to work and to contact their immediate supervisor may be subject to disciplinary action up to and including termination of employment. In addition, 3 consecutive days of unexcused absence may be considered by the Institute to be a voluntary termination of employment.

A record of absenteeism and lateness becomes part of the personnel record. Except where otherwise protected by applicable law, frequent absenteeism and lateness lessen an employee's chances for advancement and may result in disciplinary action up to and including termination of employment.

4.0 EMPLOYMENT AND WORK PRACTICES

4.1 INSPECTION OF PERSONNEL AND PAYROLL RECORDS POLICY

With limited exceptions as outlined by law, FRI will allow an employee to review and obtain a copy of their personnel records related to the employee's performance or to any grievance concerning the employee. The right of inspection is extended to former employees and employee representatives who have been designated in writing by the employee. Requests by former employees are limited to one per year. FRI reserves the right to charge for the actual cost of any copies.

Current and former employees may also inspect or copy their wage earnings and deductions statements, in accordance with the law. FRI reserves the right to charge the actual cost of any copies.

4.2 DRESS CODE POLICY

FRI recognizes that staff, working in many of its programs, operate in a variety of settings that differ in their degree of contact with the public. Accordingly, standards of dress must reflect the circumstances under which employees work. Those employees who work directly with the public (e.g., meeting with participants in a research study, community clinics, jails/prisons, etc.) should dress in a manner suited to these responsibilities. Those employees who have little contact with the public (e.g., laboratory technicians and staff involved in laboratory experiments) may dress more casually but are still expected to be neat in appearance.

It is difficult to specify standards of dress for employees at all worksites within the FRI organization. Therefore, the supervisor at each project site may use their discretion in implementing the dress code. However, the following clothing is NOT ACCEPTABLE, regardless of project site, including, but not limited to: 1) bare feet; 2) stocking feet; 3) excessive or extreme piercings and/or tattoos; 4) spandex; 5) shorts; 6) hoodies; 7) sweatshirts/sweatpants; 8) graphic t-shirts; 9) athletic wear; 10) clothing revealing the midriff; 11) sexually provocative clothing; 12) clothing with profanity, drug or alcohol depictions, nude or semi-nude pictures; and/or sexually suggestive slogans, cartoons, or drawings; 13) hats/caps; 14) flip flops (including any rubber-soled flip flops); and 15) the observable lack of undergarments and exposed undergarments.

In addition to wearing proper clothing, employees should also be aware of wearing excessive fragrance (i.e., perfume, cologne, lotion, etc.) in the workplace. FRI asks all employees to be aware of, and respect, their colleagues' sensitivities to particular scents. Employees wishing to discuss a colleague's excessive use of perfume, cologne, lotion, or other fragrance should speak with their immediate supervisor.

4.3 TRAVEL POLICY

Travel amounts and policies may vary at different divisions/worksites depending on the parameters of the funding source. All travel expenditures must be approved by an employee's immediate supervisor.

AIRFARE: Employees traveling are required to make every effort to obtain the lowest possible domestic coach airfare available. Travel plans should be made no later than 14 days in advance to take advantage of better rates.

HOTELS: Employees traveling are required to make every effort to obtain the lowest possible hotel rate available.

CAR RENTAL: Employees traveling are required to make every effort to obtain the lowest possible car rental rate available, not to exceed \$65 per day. Anything in excess of \$65 must be approved by a supervisor.

RIDE SHARE: Employees may be reimbursed for using ride share services/taxi for FRI business trips. However, employees will not be reimbursed for using ride share services/taxi in lieu of a personal vehicle to conduct normal everyday FRI business.

MEALS: FRI pays per diem rates per individual city. When completing a travel request, please refer to gsa.gov/portal/content/104877 to determine the appropriate per diem rate. At the aforementioned website, enter the city and state or zip code the employee will be traveling to in order to determine the per diem rate. The per diem rate includes meals plus incidentals. In order to receive per diem, a Travel Request Form must be completed. This form is available from the Human Resources Department and the FRI website.

MILEAGE: FRI uses the IRS determined standard mileage reimbursement rate to reimburse employees when using a personal vehicle for FRI business excluding an employee's regular commute to and from work. Employees will receive mileage reimbursement if their first stop to work is a location other than their usual work site(s) but will only be reimbursed for the difference in mileage in excess of their normal commute to work. This same rule also applies to employees if they make a stop for work on their way home but, again, will only be reimbursed for the difference in mileage in excess of their normal commute home. Employees do not receive mileage reimbursement when traveling to a social event for work.

Because the IRS rate changes from time to time, the current mileage reimbursement rate will be listed on the Mileage Reimbursement Form on FRI's website. An employee can also contact the Human Resources Department to obtain the current mileage reimbursement rate as well as the Mileage Reimbursement Form. If the IRS mileage reimbursement rate changes at any time, FRI will inform employees and follow the new IRS rate per FRI's effective date. Employees should obtain approval from their immediate supervisor before applying for reimbursement.

Please note that funding sources of some FRI programs do not follow the IRS determined standard mileage reimbursement rate and will only allow a certain rate to be reimbursed. Therefore, particular FRI worksites may have to utilize a lower mileage reimbursement rate due to funding restrictions.

CONSOLIDATION OF BUSINESS: Whenever possible, business meetings should be consolidated to a single destination to enable an FRI employee to accomplish the maximum business in one trip.

RECEIPTS: In order for an employee to be reimbursed for business expenses, a receipt is required for expenses outside of per diem allowances.

4.4 SENSITIVE INFORMATION

Occasionally, employees of FRI may, as part of their job duties, have access to research/service participant information of a highly sensitive nature, including, but not limited to, sexual matters, as well as information regarding substance abuse and other confidential information. Employees must, as a condition of employment, treat such information with the highest possible degree of confidentiality and discretion. Information regarding research/service participants must never be discussed outside of the workplace, or with other FRI employees who do not have a “need to know.” Moreover, employees who, as part of their job duties, access materials that are of a sexual nature must take steps to minimize the distribution or display of such materials to coworkers who do not have a need to access such information. Employees must also comply with applicable federal and state laws relating to the protection of research/service participant information including HIPAA.

4.5 CONFIDENTIAL AND PROPRIETARY INFORMATION

Due to the nature of an employee's association with FRI, an employee may have access to and have acquired confidential and proprietary information relating to the business and operations of the Institute, including information with respect to the Institute's strategic plans, operations, employees, and past, present, and prospective clients, customers, accounts, files, sales, software, marketing methods, business relationships, and business opportunities. Accordingly, employees may not disclose any of the above-referenced information, which might be reasonably construed to be contrary to the best interest of FRI or its research/service participants, to any person or firm outside of the Institute. Violation of this policy may result in disciplinary action up to and including termination of employment, and, further, may result in legal action against the offending employee.

4.6 RIGHTS TO INVENTIONS

FRI's Rights to Inventions policy is largely governed by regulations issued by the various granting agencies involved. When not so regulated, FRI retains all rights, title, and interest to all inventions, software, and other intellectual property that result from, or are suggested by, work performed by employees for FRI or the use of FRI resources. This provision does not apply to an invention, software, or intellectual property that the employee developed entirely on their own time without use of the employer's equipment, supplies, facilities, or trade secret information.

4.7 PUBLIC RELATIONS POLICY

Only the President of FRI and the Chairman of the Board of Directors of FRI are authorized to address any public-related inquiries on behalf of the organization, unless they direct and approve otherwise.

If an FRI employee is contacted by either public officials and/or representatives of the media, the employee should obtain the name of the public official/agency and the name

of the media outlet represented and inform the representative that they need to obtain approval from the President before providing them with any information. If necessary, designated staff at the Corporate Office will vet the public agency and/or media outlet before the President determines if such approval will be given. Once the employee has obtained approval from the President, the employee may respond to the specific inquiry.

If an FRI employee is speaking to a public figure, organization, media outlet, advisory board/committee, etc., they will state that they are voicing their own opinion and that their opinion does not necessarily reflect the official position of FRI. In addition, before any employee speaks to an aforementioned outlet, they should contact the Human Resources Department, specifically Michele Hipsley, and must sign FRI's Public Relations Policy Statement.

Furthermore, any inquiries regarding FRI-related media issues should be directed to the President.

4.8 WHISTLEBLOWER POLICY AND PROCEDURES

4.8.1 Purpose. To outline the guidelines and procedures for alerting the management or Board of Directors of FRI to a possible serious violation of internal policies, procedures, or external laws or regulations. FRI welcomes such information and considers it essential to preserving its reputation and long-term viability. FRI is committed to compliance with all applicable laws, regulations, and policies. Our compliance will only be possible if all employees, interns, volunteers, and Board of Director Members (FRI Associates) follow all applicable laws and regulations and all internal policies. When in doubt on the appropriate course of action, individuals should seek guidance from the Human Resources Department, a member of the Executive Management Committee (EMC), the President of FRI, the Chairman of the Board of Directors, or they may choose to provide information anonymously by contacting the President of FRI or the Chairman of the Board of Directors through the process described herein.

4.8.2 Scope. This policy applies to all employees and FRI Associates. Compliance with this policy is a condition of employment or office.

4.8.3 Alerting Management. Employees and FRI Associates should inform their supervisor, the Human Resources Department, a member of the EMC, the President of FRI, or the Chairman of the Board of Directors through the process described herein if they have information which, in their best judgment, demonstrates the involvement of the organization, or one of its employees, supervisors, EMC members, or Board Members in any of the following:

- A violation of one of the company's policies;
- A violation of any external law, rule, or regulation;
- Unethical work practices;
- An unsafe work environment, or situation or circumstance, which poses a threat to the health or safety of employees or the general public;
- Purposeful and deceitful efforts to devalue or discredit FRI to its primary stakeholders;
- Corruption, fraud, or mismanagement of company resources and/or finances; and
- Questionable auditing or accounting practices.

Employees and FRI Associates who believe they have such information should inform such individuals as soon as possible in order for the organization to take action to quickly remedy the situation. Employees and FRI Associates should focus on providing facts in their disclosure, not simply speculation, and provide as much detail as possible to support a thorough investigation.

4.8.4 Protection of Informants. Employees or FRI Associates who inform their supervisor, the Human Resources Department, a member of the EMC, the President of FRI, or the Chairman of the Board of Directors of what they believe is a genuine serious violation of internal policies, external laws or regulations will not suffer any negative repercussions for bringing the matter forward. Attempts to intimidate or threaten such individuals to prevent disclosure under this policy, or any retaliation or harassment following a disclosure made under this policy, are strictly prohibited and will be subject to disciplinary action up to and including termination of employment. Furthermore, employees are strictly prohibited from discriminating against any employee who is a family member of a person who engaged in protected conduct under this policy.

Additionally, disclosures under this policy that are made in bad faith, or with the sole intent to be malicious, vindictive or merely disruptive, will not be tolerated and will be subject to disciplinary action up to and including termination of employment.

4.8.5 Investigative Process. All information received under this policy will be thoroughly and promptly investigated. Normally, this investigation will be conducted by the FRI Human Resources Advisory Committee, though outside resources may also be used where appropriate and expedient. The investigation will be completed as soon as possible after the receipt of the information so that the matter can be dealt with as quickly as possible. A report will then be made to the EMC (which includes the President of FRI), the Chairman of the Board of Directors, and the Board of Directors of the investigation's findings. During the investigation process, the identity of the employee disclosing the information will be kept confidential to the greatest extent possible and will only be revealed on a need-to-know basis or as required by law or court order.

4.8.6 Response to Information Received. If the investigation confirms the allegations made in the disclosure under this policy, immediate steps will be taken to bring the Institute into compliance with the applicable law, regulation, or policy. Unsafe working conditions will be promptly remedied, and no work will be performed until it is safe to do so. Where appropriate, the Institute may also report any violations to external regulators or authorities.

4.8.7 Disciplinary Action. Employees or FRI Associates who violate external laws, regulations, or internal policies, or who knowingly fail to report such a violation, may be subject to disciplinary action up to and including termination of employment. The extent of the discipline will be based on a number of factors, including but not limited to, the nature and extent of the violation, the intent of those involved, whether the violation was an honest mistake, whether reasonable efforts were made to avoid the violation or seek appropriate guidance before the violation occurred, and whether those involved reported the violation themselves. Employees or FRI Associates who report their own violations will have that fact noted when disciplinary action, if any, is determined.

4.8.8 Policy Interpretation. FRI reserves the right to interpret, alter, and/or amend at any time this policy in accordance with its sole business judgment, with or without prior notice.

4.9 CONFLICT RESOLUTION POLICY

An employee having a problem, complaint, or dispute is to make every effort to resolve the matter through informal discussion with the parties involved.* If a resolution is not forthcoming the employee may approach their immediate supervisor, preferably in writing. The supervisor will take the matter under consideration and, if needed, with the help of other staff, including the Human Resources Department, attempt to resolve it or provide a satisfactory explanation.

If the matter is not resolved through this process, the employee may send a written explanation of the matter to the Human Resources Department who will present it to the FRI Human Resources Advisory Committee. The Committee will take the matter under consideration, including any necessary investigation or evaluation of the facts related to the situation, and render a written decision, response, or explanation to the employee as expeditiously as possible.

If the employee's matter is still unresolved, or not resolved to their satisfaction through these procedures, the aggrieved employee may choose to forward the matter to the President. The President will issue a written decision or response, which will be final and conclusive.

Throughout the process, appropriate levels of confidentiality will be observed; however, complete confidentiality cannot be assured.

***An employee who believes that they are the victim of discrimination and/or unlawful harassment (including, but not limited to, sexual harassment) should follow the [Discrimination and Harassment Reporting Procedures](#) outlined in Section 2.6.**

4.10 NO SOLICITATION POLICY

Solicitation of any kind in work areas during work time is prohibited unless authorized in advance, in writing, by the President. Distribution of any non-FRI related literature during work time or in work areas is strictly prohibited. In addition, solicitation or distribution of literature by any person who is not employed by FRI is strictly prohibited. If an employee observes unauthorized solicitation, it should be immediately reported to the Human Resources Department.

4.11 SICK BANK POLICY

FRI's Sick Bank is supported by employees donating their vacation leave to be used by other employees as sick leave, when they do not have any leave (sick, vacation, and personal) available.

Employees who would like to request leave donations from the Sick Bank must have exhausted all sick, vacation, and personal leave. In addition, use of the Sick Bank is limited to a “medical emergency,” which is defined as:

- A major illness or medical condition of the employee that requires a prolonged absence;
- Incapacity due to pregnancy, prenatal medical care, or childbirth;
- To care for the employee’s child after birth, or placement for adoption or foster care; or
- A major illness or medical condition of an employee’s family member that requires a prolonged absence.

The employee requesting leave under this policy must contact the Human Resources Department. Direct solicitation of coworkers by an employee requesting leave is prohibited and automatically disqualifies the employee from eligibility under this policy. If the request meets the definition of a medical emergency as outlined above, an email will be sent to all FRI employees explaining that an employee is requesting donated vacation leave. Only the name of the employee will be given. Circumstances of the condition will not be disclosed, unless the employee requesting the leave authorizes disclosure. Donations can only be made to a named employee.

Donated time may not be converted to cash, as it results in “constructive receipt,” which has a taxable impact. The donor may not claim an expense, charitable contribution, or loss deduction for any leave donated.

Employees who wish to donate vacation leave must complete the Sick Bank Donation Form and submit it to the Human Resources Department. Human Resources will then submit the form to the Payroll Department, where adjustments will be made to the donating employee’s vacation balance.

4.12 EMPLOYEE LAYOFFS

Employee layoffs may become necessary primarily due to a lapse in federal, state, local, or private funding for any project that FRI administers due to the contractual nature of government and private funding sources. Whenever possible, FRI will attempt to provide each employee to be laid off at least 2 weeks’ notice of such layoff. Please be reminded that nothing in this paragraph is intended to alter in any way the at-will nature of employment with FRI. The Institute is free to hire new employees and terminate current employees in accordance with its sole business judgment.

5.0 COMPENSATION AND PERFORMANCE POLICIES

5.1 PAY PERIODS AND PAYDAYS

FRI pays its employees on the Monday of every other week. Should a regular payday fall on an FRI holiday, employees will be paid the day after the scheduled holiday. In order to allow a sufficient amount of time for physical payroll checks to run through the postal system, replacement payroll checks will not be issued until 72 hours after the pay date.

FRI is required by law to make certain deductions from an employee's paycheck, such as federal and state withholding taxes, social security and Medicare taxes (FICA), and court-ordered garnishments. An employee may voluntarily authorize in writing additional deductions from their paycheck for contribution to FRI's benefit plans and other items permitted by the Institute. It is the employee's responsibility to contact the Payroll and/or Human Resources Department for any changes concerning deductions.

5.2 COMMITMENT TO THE FAIR LABOR STANDARDS ACT (FLSA)

As explained in the [Overtime Policy](#) in Section 5.6, FRI pays overtime to eligible employees. However, based on their job duties and rate of pay, some employees are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and/or applicable State law.

FRI is committed to compensating and classifying employees in strict accordance with the minimum wage and overtime provisions of the FLSA. As a general policy, FRI prohibits improper deductions from exempt employees' salaries, and it prohibits the failure to compensate non-exempt employees for overtime pay in accordance with the terms of FRI's Overtime Policy.

Any employee who has a question regarding their classification under the FLSA, or any other question pertaining to the payment of overtime or the provisions of the FLSA in general, should contact the Human Resources Department. FRI welcomes such inquiries from its employees. All complaints shall be investigated immediately, thoroughly, and impartially. If FRI determines that an improper deduction has occurred, the employee shall be promptly reimbursed for any improper deduction by FRI.

FRI prohibits retaliation of any kind against employees who make inquiries about, or otherwise assert their rights under the FLSA.

5.3 CLASSIFICATION OF EMPLOYEES

Exempt and Non-Exempt Employees: All FRI employees are classified into "exempt" and "non-exempt" categories for purposes of establishing eligibility for overtime pay under the Federal Fair Labor Standards Act ("FLSA") and applicable state law. Employees should speak to the Human Resources Department to determine whether they are classified as exempt or non-exempt.

Exempt Employees: “Exempt” employees are those executive (i.e., managerial), administrative, and professional employees who meet the applicable “duties” and “salary basis” tests under the FLSA and who are both paid a salary and not entitled to overtime pay. Generally speaking, notions of "coming early," "working late," or overtime do not apply to exempt positions. Neither extra compensation nor compensatory time off will, under any circumstances, be owed or payable to an exempt employee upon separation from the Institute's employment for any reason.

Non-Exempt Employees: Hourly employees are classified as "non-exempt" and are eligible for overtime pay. If an employee is not an hourly paid employee, they will most likely be classified as "exempt."

Full-Time/Part-Time Employees: FRI considers a full-time employee as one who works 40 hours per week. An individual working less than 40 hours per week is considered part-time.

5.4 INTRODUCTORY EMPLOYMENT PERIOD

All new employees will serve an introductory period of employment of 6 months. Supervisors may choose to extend the introductory period beyond 6 months depending on the learning curve for the particular job, questionable job performance, or other extenuating circumstances. During this period, employees will be evaluated on their performance, attitude, attendance, conduct, and their relationship with supervisors and coworkers to determine their suitability for continued employment with FRI. During the introductory period, the [Disciplinary Policy](#) is accelerated meaning that 2 reprimands within the introductory period may result in termination of employment. It is also important to note that an unsatisfactory evaluation at any time during an employee’s employment will be considered a written reprimand for purposes of the Disciplinary Policy. This introductory employment period does not constitute an employment contract for a period of time, either expressed or implied. Employment with FRI continues to be on an at-will basis both during and after the introductory period, and either the employee or the Institute may terminate the employment relationship at any time, for any reason.

The Institute reserves the right to either shorten or extend the introductory employment period at its sole discretion.

5.5 PERFORMANCE REVIEWS

FRI evaluates employees at the conclusion of their introductory employment period and on an annual basis. However, special performance reviews may be conducted at any time at the Institute's sole discretion. As part of an employee’s evaluation, the immediate supervisor will meet with the employee to discuss the strengths and weaknesses of job performance and to help set goals to facilitate improvements and professional development. It is important to note that an unsatisfactory evaluation at any time during an employee’s employment will be considered a written reprimand for purposes of the [Disciplinary Policy](#). Performance reviews become a permanent part of an employee’s personnel record and may be considered in reviewing transfers, demotions, promotions, terminations, and pay increases.

5.6 OVERTIME POLICY

From time to time, FRI employees may be asked to work overtime. A non-exempt employee must obtain prior approval from their immediate supervisor before working overtime hours. A non-exempt employee who performs overtime work will be compensated as follows:

1. All hours actually worked in excess of 40 hours per week will be paid at the rate of one and one-half times the regular hourly rate.
2. For purposes of determining overtime pay, the workweek is considered Wednesday through Tuesday, which coincides with FRI's pay period schedule.
3. Overtime only applies to hours actually worked. Personal leave, sick leave, holidays, vacation, court leave, bereavement leave, and unpaid time off are not counted as hours worked with respect to overtime pay.

5.7 REST BREAK

Non-exempt employees are permitted to take a 10-minute rest break per workday in addition to their 30-minute paid lunch. However, this break is not allowed to be taken to extend the 30-minute lunch break, cannot be used to arrive 10 minutes late to work or to leave work 10 minutes early, and cannot be accumulated if not taken daily. In addition, the rest break is not mandatory, and an employee can choose to take the break or not. The purpose of the rest break is to allow the employee to have a few moments away from their work. The rest break is compensable time and non-exempt employees will be paid during their rest break.

5.8 LACTATION BREAKS/LACTATION ACCOMMODATION POLICY

Employees have a legal right to request a lactation accommodation, and FRI encourages employees to do so. Retaliation against an employee for exercising rights related to lactation breaks and accommodation is prohibited by law. To that end, FRI complies fully with all laws and regulations pertaining to lactation breaks and will provide a reasonable amount of break time to accommodate an employee's need to express breast milk for the employee's infant child.

Lactation breaks should, if possible, be taken concurrently with other break periods already provided. Non-exempt employees will not be paid in accordance with state law for any lactation breaks taken that do not run concurrently with normally scheduled rest periods; however, a non-exempt employee may use their vacation leave or personal leave to be paid for these breaks. (Employees on lactation breaks are completely relieved from duty during their breaks and should not perform Institute-related work during that time.)

FRI will also make a reasonable effort to provide the employee with the use of a room or other location in close proximity to the employee's work area, for the employee to express milk in private. Employees will not be required to use a bathroom for purposes of a lactation break.

Employees should notify the Human Resources Department, specifically Michele Hipsley, to request in writing time to express breast milk under this policy. FRI will respond to any such request within 5 business days and will engage in an interactive dialogue with the employee to determine lactation break periods and a lactation location appropriate for the employee. While FRI will always provide lactation breaks and a fully compliant lactation location, if at any time it did not do so, FRI would be required to describe, in a written response to the request, the specific bases for failing to do so.

No provision of this policy applies or is enforced, if it conflicts with or is superseded by any requirement or prohibition contained in a federal, state, or local law or regulation. Any employee aggrieved by a violation of the Baltimore City lactation ordinance may file a complaint with the Baltimore Community Relations Commission.

5.9 TIMECARDS

All employees are responsible for recording their hours worked. An employee must record hours of actual work on their timecard, and, if an employee is a non-exempt employee, wages will be based on those hours. All employees must complete and approve a timecard in FRI's Time and Attendance system to document hours worked and leave taken for every biweekly pay period. Non-Exempt employees are required to clock in at the beginning of each work shift and clock out at the end of each work shift. If an employee works solely from an FRI office and does not work in the field, they are required to clock in and out on their work computer and not the ADP mobile app. Employees can view their leave balances on their electronic pay statements at workforcenow.adp.com. **An employee's timecard must be completed, approved by the employee, and approved by a supervisor in order for a paycheck to be issued.**

5.10 ADVANCES ON PAY

An advance on pay may be authorized only if an employee has been employed with FRI for at least 6 months and has a financial hardship. The employee must contact the Human Resources Department, specifically Michele Hipsley, to explain the situation. The Human Resources Department will determine if it qualifies as a financial hardship and if the request will be approved or denied. Advances on pay requests will be granted no more than 2 times per year.

6.0 LEAVE FROM WORK POLICIES

FRI employees located in federal/state facilities may need to follow federal/state leave guidelines in lieu of and/or in addition to FRI leave policies.

6.1 PAID HOLIDAYS

All full-time FRI employees are entitled to the following paid holidays: New Year's Eve, New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Eve, and Christmas Day. When a holiday falls on a Saturday, the Friday before will be considered the holiday. When a holiday falls on a Sunday, the Monday following is observed as the holiday. If a holiday falls on a full-time employee's scheduled "off day," the employee is entitled to 8 hours of paid holiday time, which must be taken within 30 days of the scheduled holiday. If an employee works on a paid holiday, they are entitled to take time off for the number of hours worked on that paid holiday at a later date. The hours must be taken within 30 days of the scheduled holiday. The employee will receive regular pay (not holiday pay) for working on a holiday.

An employee working less than 40 hours per week is entitled to a paid holiday if the holiday falls on the employee's regular scheduled workday.

6.2 SICK AND SAFE LEAVE

Pursuant to the Maryland Healthy Working Families Act, employees will accrue paid sick and safe leave (SSL) from their date of hire at the rate of at least 1 hour for every 30 hours worked. Full-time employees (i.e., employees regularly scheduled to work 40 hours or more per week) accrue paid SSL at a rate of 3.08 hours per 2-week pay period, up to a maximum of 80 hours per employee anniversary year. Part-time employees who work more than 20, but fewer than 40, hours per week accrue a lesser amount of paid SSL, calculated in proportionate to the rate of full-time employees. An employee regularly scheduled to work fewer than 20 hours per week and/or temporary employees will accrue paid SSL at the rate of 1 hour for every 30 hours worked. Employees will be allowed to use accrued SSL from their date of hire.

Sick and safe leave may be used under the following conditions:

1. To care for or treat the employee's mental or physical illness, injury, or condition;
2. To obtain preventative medical care for the employee or the employee's family member;
3. To care for a family member with a mental or physical illness, injury, or condition;
4. For maternity or paternity leave; or

5. The absence from work is necessary due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the leave is being used: (a) to obtain medical or mental health attention; (b) to obtain services from a victim services organization; (c) for legal services or proceedings; or (d) because the employee has temporarily relocated as a result of the domestic violence, sexual assault, or stalking.

For purposes of this policy, "family member" means any relationship identified in §3-1301(G) of the Labor and Employment Article of the Maryland Annotated Code, including, but not necessarily limited to, spouse; domestic partner; child (including biological, foster, adopted, step, as well as one who the employee has a legal or physical custody/guardianship over); parent (biological, foster, adopted, legal ward, or stepparent for the employee or the employee's spouse, or one who was the legal guardian of, or stood in loco parentis to, the employee or employee's spouse); grandparent (biological, foster, adopted, or stepgrandparent of the employee); grandchild (biological, foster, adopted, or stepgrandchild of the employee); sibling (biological, foster, adopted, or stepsibling of the employee); or any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship,.

Although FLSA "exempt" employees will typically only use SSL in full-day increments, FRI reserves the right, to the fullest extent allowed by law, to charge SSL in hourly increments in the event that FRI determines in its sole business discretion that an FLSA "exempt" employee is missing excessive time from work.

Full-time employees working 40 hours per week may accumulate up to a total of 520 hours or 13 weeks of SSL. Part-time employees (employees working 20-39 hours per week) may accumulate up to their prorated amount based on 520 hours. Employees working less than 20 hours per week and/or temporary employees may accrue up to 48 hours or 6 days per year, but, except where otherwise required by law, are limited to using 24 hours or 3 days per year. Under no circumstances will employees be compensated for accrued, unused SSL, including, but not limited to, at the termination of their employment with FRI.

If an employee permanently reduces their work schedule and the number of hours worked per week and has accumulated hours over the accrual cap based on their new reduced schedule, the hours over the new cap will not be lost; however, an employee will not accrue additional SSL until such time as their SSL balance falls below their respective cap for the new work schedule.

If the need for SSL is foreseeable, employees must notify their supervisors at the earliest possible time of an employee's intended absence and before the employee's scheduled start time. If the need for SSL is unforeseeable, an oral or written notification must be provided to the employee's supervisor as soon as practicable. Where allowed by applicable law, FRI may require a statement from an attending physician when an employee is absent from work for more than 3 consecutive days (i.e., the fourth day) due to illness or to care for a family member (as defined above). Payment of SSL benefits will not be approved unless this procedure is followed. If an employee is absent from work due to sickness for more than 5 consecutive days, they must contact the Human

Resources Department, specifically Michele Hipsley, to be placed on FRI-FMLA if applicable.

Employees can view their leave balances on their electronic pay statements at workforcenow.adp.com. **Advances on sick and safe leave are not allowed.**

Employees rehired within one year from their date of separation will be entitled to all previously accrued and unused SSL and will be permitted to use such leave immediately upon their return.

FRI prohibits its employees from taking any adverse action or discriminating against an employee because the employee requests and/or uses SSL under the terms of this policy and/or for reporting a possible deviation from this policy. Any alleged violations of an employee's right to earn and/or use SSL pursuant to the Maryland Healthy Working Families Act may be reported to the Commissioner of Labor and Industry at ssl.assistance@maryland.gov.

6.3 VACATION LEAVE

FRI employees begin accumulating vacation leave from their initial date of employment, otherwise known as their anniversary date. Employees may begin to use their accumulated vacation leave after completion of 90 days of employment. If possible, requests for vacation leave should be submitted in writing and approved by the employee's immediate supervisor at least 2 weeks prior to the requested time off. FRI has the right to deny vacation requests if the request is detrimental to FRI's operations. In general, requests for vacation leave over 2 weeks are not granted due to presenting hardships to FRI. In the event that a request for vacation leave over 2 weeks is requested, the request must be presented to the employee's immediate supervisor and the Human Resources Department.

FRI calculates vacation leave based on the employee's anniversary date. An employee working 20 hours or more per week accumulates a certain number of hours of vacation per pay period in accordance with the chart shown below, up to a maximum cap based on the number of hours worked per week. An employee regularly scheduled to work less than 20 hours per week does not accrue vacation leave. The cap for accrual is 5 times the number of hours worked per week (e.g., a 40 hour per week employee caps at 200 hours, a 30 hour per week employee caps at 150 hours, a 20 hour per week employee caps at 100 hours). An employee will stop accruing vacation leave any time the accrued and unused vacation hours total their respective cap, and such an employee will not begin to accrue any additional vacation leave until such time as their accrued vacation hours total less than their respective cap.

If an employee permanently reduces their work schedule and the number of hours worked per week and has accumulated hours over the accrual cap based on their new reduced schedule, the hours over the new cap will not be lost; however, an employee will not accrue additional vacation leave until such time as their vacation leave falls below their respective cap for the new work schedule.

YEARS OF SERVICE	PERCENTAGE OF TIME WORKED	HOURS ACCRUED PER PAY PERIOD
1-5 years (2 weeks/year)	100%	3.08
	75%	2.31
	50%	1.54
6-10 years (3 weeks/year)	100%	4.62
	75%	3.47
	50%	2.31
11-20 years (4 weeks/year)	100%	6.15
	75%	4.61
	50%	3.08
21-30 years (5 weeks/year)	100%	7.69
	75%	5.77
	50%	3.85
31+ years (6 weeks/year)	100%	9.23
	75%	6.92
	50%	4.62

Employees who work a different percentage of time than those listed above or those employees who work varying hours per pay period should calculate their accrual leave by the hour according to the chart below. For example, if an employee has been with FRI for 4 years and works 64 hours per pay period, the vacation leave accrued for that pay period would be 64 hours x .038500, which equals 2.46 hours. If an employee needs assistance in calculating what they accrue per pay period, they should contact the Payroll Department.

Years of Service	<u>Time Accrued per Hour</u>
1-5 years	.038500
6-10 years	.057750
11-20 years	.076875
21-30 years	.096125
31+ years	.115375

Although FLSA “exempt” employees will typically only use vacation leave in full-day increments, FRI reserves the right, to the fullest extent allowed by law, to charge vacation leave in hourly increments in the event that FRI determines in its sole business discretion that an FLSA “exempt” employee is missing excessive time from work.

Upon termination of employment, an employee will be paid for any accrued, unused vacation leave.

Employees can view their leave balances on their electronic pay statements at workforcenow.adp.com. **Advances on vacation leave are not allowed.**

6.4 PERSONAL LEAVE

Full-time employees (i.e., employees regularly scheduled to work 40 hours or more per week) accrue personal leave at a rate of 1.54 hours per 2-week pay period, up to the maximum of 40 hours per employee anniversary year. Part-time employees who work more than 20 but fewer than 40 hours per week earn a lesser amount of personal leave, calculated in proportionate to the rate of full-time employees. An employee regularly scheduled to work less than 20 hours per week does not accrue personal leave. Employees may begin to use their accumulated personal leave after completion of 90 days of employment.

An employee will stop accruing personal leave any time the accrued, unused personal hours total the maximum limit of 40 hours based on a 40-hour workweek. The maximum limit of personal leave hours for employees working between 20 and 39 hours will be based on the percentage of time worked. For example, an employee who regularly works 30 hours per week would have a maximum limit of 30 hours. Additional personal leave will not be accrued until unused personal leave totals less than the maximum number of hours allowed.

If an employee permanently reduces their work schedule and the number of hours worked per week and has accumulated hours over the accrual cap based on their new reduced schedule, the hours over the new cap will not be lost; however, an employee will not accrue additional personal leave until such time as their personal leave falls below their respective cap for the new work schedule.

If possible, requests for scheduled personal leave should be submitted in writing and approved by the employee's immediate supervisor at least 2 weeks prior to the requested time off. FRI has the right to deny scheduled personal leave requests if the request is detrimental to FRI's operations. However, requests may not be denied if personal leave is requested for observance of a religious holiday.

Although FLSA "exempt" employees will typically only use personal leave in full-day increments, FRI reserves the right, to the fullest extent allowed by law, to charge personal leave in hourly increments in the event that FRI determines in its sole business discretion that an FLSA "exempt" employee is missing excessive time from work.

Upon termination of employment, an employee will be paid for any accrued, unused personal leave.

Employees can view their leave balances on their electronic pay statements at workforcenow.adp.com. **Advances on personal leave are not allowed.**

6.5 FRI'S FAMILY AND MEDICAL LEAVE ACT (FRI-FMLA) POLICY

FRI is committed to full compliance with the federal Family and Medical Leave Act of 1993, as amended (FMLA). FMLA leave is unpaid leave, although certain paid leaves may be available to provide pay to an employee on FMLA leave. Subject to applicable law and regulations, the Institute reserves the right to interpret this Family and Medical Leave Policy in accordance with its sole business judgment.

6.5.1 Eligibility. To qualify to take family or medical leave under this Policy, the employee must meet all of the following conditions:

1. The employee must have worked for the Institute for at least 12 months or 52 weeks on the date of the commencement of the leave. The 12 months or 52 weeks need not have been consecutive. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
2. The employee must have worked at least 1,250 hours for the Institute during the twelve-month period immediately before the date when the leave is requested to commence. (The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.)
3. The employee must work in an office or worksite where 50 or more employees are employed by the Institute within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route. Both FRI's Maryland and California offices have less than 50 employees in a 75-mile radius. Nevertheless, FRI will extend to these employees benefits that are otherwise consistent with those offered under FMLA, provided that the employee seeking leave satisfies the qualifications set forth in the preceding two paragraphs.
4. Although FRI is a covered employer under FMLA (because it has more than 50 employees total), since November 2019, the Institute has not had any employees who are eligible for FMLA leave (because they do not meet the eligibility requirement of having 49 other employees within 75 miles of that employee's office or worksite.) Although FRI is not in a position to offer statutory FMLA leave to its employees, it nevertheless intends to offer family and medical leave to its employees as set forth in this Section 6.5. (Family and medical leave offered by FRI to its employees shall be referred to in this Policy as FRI-FMLA. It is the intent of FRI to comply fully with all applicable law in its implementation of its FRI-FMLA policy. In the event that an employee should ever become eligible for statutory FMLA leave, then FRI-FMLA and FMLA will run concurrently.)

6.5.2 Type of Leave Covered. To qualify as FRI-FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

1. For incapacity due to pregnancy, prenatal medical care, or childbirth;
2. To care for the employee's child after birth, or placement for adoption or foster care;
3. To care for the employee's spouse, son, daughter, or parent, who has a Serious Health Condition;
4. Because of the employee's own Serious Health Condition that renders the employee unable to perform the functions of their position;
5. Because of any Qualifying Exigency arising out of the fact that the employee's spouse, son, daughter, or parent (the military member) is on Covered Active Duty or call to covered active duty status (or has been notified of an impending call or order to Covered Active Duty); or
6. To care for a Covered Servicemember with a Serious Injury or Illness if the employee is the spouse, son, daughter, parent, or next of kin of the Covered Servicemember.

6.5.3 Definitions.

1. Serious Health Condition: An illness, injury, impairment, or physical or mental condition that makes the employee unable to perform the functions of the employee's position and involves Inpatient Care (i.e., an overnight stay) at a hospital, hospice, or residential medical care facility or Continuing Treatment by a Health Care Provider.
2. Inpatient Care: An overnight stay in a hospital, hospice, or residential medical care facility, including any Period of Incapacity (defined as an inability to work, attend school, or perform other regular daily activities) or any subsequent treatment in connection with such Inpatient Care.
3. Continuing Treatment: A Serious Health Condition involving continuing treatment by a Health Care Provider includes any Period of Incapacity of more than three (3) consecutive calendar days, and any subsequent treatment or Period of Incapacity relating to the same condition that also involves:
 - a. Incapacity and Treatment: Treatment two (2) or more times within 30 days of the first day of incapacity, unless extenuating circumstances exist, by a Health Care Provider; or treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider, or
 - b. Pregnancy: Any period of incapacity due to pregnancy; or

- c. Chronic Conditions: Continuing treatment by a health care provider of a chronic serious health condition which require periodic visits (at least twice per year) for treatment by a health care provider; continues over an extended period of time; and may cause episodic rather than continuing Period of Incapacity; or
 - d. Permanent or Long-Term Conditions: A Period of Incapacity which is permanent or long-term due to a condition for which treatment may not be effective; or
 - e. Condition Requiring Multiple Treatments: Any period of absence to receive multiple treatments by a health care provider, including any period of recovery therefrom.
4. Health Care Provider: A medical doctor or osteopathic physician who is authorized to practice medicine or surgery by the State in which the doctor practices; or any other person determined by the Secretary of Labor to be capable of providing health care services.
5. Serious Health Condition of Eligible Dependent: An injury, illness, impairment, or physical condition that involves inpatient care in a hospital, hospice, residential medical care facility, or controlled treatment by a healthcare provider.
6. Qualifying Exigency: Qualifying exigencies for which an employee may take leave include:
- a. short-notice deployment;
 - b. military events and related activities;
 - c. childcare and school activities;
 - d. financial and legal arrangements;
 - e. counseling;
 - f. rest and recuperation;
 - g. post-deployment activities;
 - h. parental care leave for a parent who is incapable of self-care; and
 - i. additional activities as defined by the regulations.
7. Covered Active Duty: Means –
- a. in the case of a member of the Regular Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
 - b. in the case of a member of a Reserve components of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of an applicable contingency operation.

8. Covered Servicemember: Means –
 - a. a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in Outpatient Status, or is otherwise on the temporary disability retired list, for a Serious Injury or Illness; or
 - b. a veteran who is undergoing medical treatment, recuperation, or therapy, for a Serious Injury or Illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.
9. Son or Daughter: A biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability at the time that FRI-FMLA leave is to commence.
10. Son or Daughter of Covered Servicemember: A Covered Servicemember's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.
11. Parent of Covered Servicemember: A covered servicemember's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents "in law."
12. Next of Kin of Covered Servicemember: The nearest blood relative other than the covered servicemember's spouse, parent, son, or daughter.
13. Outpatient Status: Status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient, or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.
14. Serious Illness or Injury of Covered Servicemember: Means –
 - a. In the case of a current member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and

- b. In the case of a covered veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period described in Paragraph 8(b), *above*, means a qualifying injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran, and is:
 - (i) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
 - (ii) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
 - (iii) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
 - (iv) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive assistance for Family Caregivers.

- 15. Equivalent Job: A position with the same salary, benefits, shift, etc.
- 16. Eligible Dependent: Spouse, child, or parent with a serious health condition.
- 17. Twelve (12) Month Period: A rolling twelve (12) month period beginning with the first day of the leave and looking back twelve (12) months.

6.5.4 Serious Health Conditions.

- 1. Employees with questions about what illnesses are covered under this FRI-FMLA policy or under the Institute's sick leave policy are encouraged to consult with the Human Resources Department.
- 2. The Institute will require an employee to provide a doctor's certification of the Serious Health Condition. See "Certification" section below for additional information regarding the Institute's FRI-FMLA certification process.
- 3. If an employee takes paid sick leave for a condition that progresses into a Serious Health Condition and the employee requests unpaid leave as provided under this policy, the Institute may designate all or some portion

of related leave taken as FRI-FMLA under this policy, to the extent that the earlier leave meets the necessary qualifications under this Policy.

6.5.5 Servicemember and Qualifying Exigency Leave.

1. Covered Servicemembers: Eligible employees may take up to 26 weeks of FRI-FMLA leave to care for a Covered Servicemember. This leave is available only during a single 12-month period and is combined with all other FRI-FMLA leaves in that period, resulting in a maximum total leave entitlement of 26 weeks. As with all FRI-FMLA leaves, the time off is unpaid. However, as with all FRI-FMLA leaves, employees will be required to use all accrued paid time off during this leave.
2. Eligible employees may take up to 12 weeks of FRI-FMLA leave in a 12-month period to deal with any Qualifying Exigency that arises from a spouse's, son or daughter's, or parent's Covered Active Duty in the Armed Forces, including an order or call to duty. This leave is not confined to a single 12-month period. The 12 weeks is reduced by leave for any other qualifying FRI-FMLA event during the 12-month period.

6.5.6 Leave Duration.

1. FRI-FMLA leave for all covered FRI-FMLA events other than Covered Servicemember Leave is limited to 12 work weeks in any Twelve (12) Month Period. Any FRI-FMLA leave taken will count against the employee's FRI-FMLA leave entitlement.
2. Covered Servicemember Leave: Employees may take leave for up to 26 workweeks during a single 12-month period where the employee is caring for a Covered Servicemember, if the employee is the spouse, son, daughter, parent, or next of kin of the Covered Servicemember.
3. Concurrent Leave: FRI-FMLA leave for Covered Servicemembers runs concurrently with other FRI-FMLA-related events.
4. If married employees both work for the Institute, and each wish to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a Serious Health Condition, the married spouses may only take a combined total of 12 weeks of leave for such leave.
5. If married employees both work for the Institute, and each wish to take Covered Servicemember leave, the married spouses may only take a combined total of 26 weeks of leave during the single 12-month period in which they are caring for a Covered Servicemember with a serious health condition.

6.5.7 Intermittent Leave and Reduced Schedule Leave.

1. Leave due to a Serious Health Condition (if medically necessary) or a Qualifying Exigency (under limited circumstances) may be taken intermittently (in separate blocks of time due to a single health condition)

or on a reduced leave schedule (reducing the usual number of hours the employee works per workweek or workday) and may not exceed a total of twelve (12) weeks over a Twelve (12) Month Period.

2. Leave due to a Serious Health Condition of a Covered Servicemember may be taken intermittently or on a reduced schedule leave and may not exceed a total of 26 weeks over a 12-month period that begins on the first day the eligible employee takes FRI-FMLA leave to care for a Covered Servicemember and ends 12 months after that date.
3. Intermittent leave and/or reduced schedule leave is not guaranteed for the birth of a child and or the placement of a child for adoption and/or foster care. Requests for such leave will be considered by the Institute on a "case-by-case" basis.
4. Employees seeking intermittent leave or leave on a reduced schedule must attempt to schedule their leave so as not to disrupt the Institute's operations. The Institute has the right to assign the Employee seeking intermittent leave or leave on a reduced leave schedule (based on planned medical treatment that is foreseeable) to an alternative equivalent pay/benefits position that better accommodates the employee's requested leave schedule or transfer the employee to a part-time job with the same rate of pay and proportionately reduced benefits.
5. When taking leave on an intermittent or reduced leave schedule basis, the Institute accounts for the leave using an increment no greater than the shortest period of time that the Institute uses to account for use of other forms of leave. Employees will not be required to take more leave than is necessary to address the circumstances that precipitated the need for the leave. However, where it is physically impossible for an employee to start or end work mid-way through a shift, the entire period the employee is forced to be absent is counted against the employee's FRI-FMLA leave entitlement.

6.5.8 Certification. The Institute will ask for certification of an employee's request for a leave of absence for a Serious Health Condition, Qualifying Exigency leave, or Military Caregiver leave. Completion of this certification will be required before the leave can be approved officially.

The employee should try to complete applicable certification forms within 15 days of the Institute's request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Certification should be provided by the employee using the certification form(s) provided by the Institute in response to the employee's request for leave under this policy.

If the employee plans to take intermittent leave or work a reduced schedule, the certification must also include dates and the duration of treatment as well as a statement of necessity for taking intermittent leave or working a reduced schedule.

Where allowed by applicable statute and/or regulation, the Institute reserves the right to have an employee or covered family member examined by a health care provider of its choice for a second opinion at any time at its discretion. Any such second opinion examination shall be paid for by the Institute. In the event a conflict exists between the medical opinion of the employee's or covered family member's health care provider and that of the Institute in the second opinion examination, a third examination will be required to be performed by a health care provider mutually agreed upon by the employee and the Institute and paid for by the Institute. In such instances, the opinion of the third health care provider shall be final and binding on the Institute and the employee.

6.5.9 Employee Status and Benefits During FRI-FMLA Leave. An FRI employee receiving FRI-provided health care benefits will continue to receive such benefits while on FRI-FMLA leave, provided that they continue to meet the eligibility requirements of the Institute's health care plan and continue to pay their share of the cost of coverage in accordance with procedures established by FRI. In the event that such an employee on FRI-FMLA leave ceases to be eligible to participate in the Institute's health care plan (e.g., because that employee is no longer working the requisite number of hours to remain on FRI's health care plan), then FRI will advise the employee in writing of any rights they may have to continue to participate in the Institute's health care plan under COBRA. Although employees normally are required to personally cover the cost of COBRA continuation coverage, for employees on FRI-FMLA leave, the Institute will continue to contribute towards the cost of the employee's health insurance premium at the same level as the contributions that would be made by FRI if the employee was working the hours necessary to remain covered by the Institute's health care plan. In order for an employee to be eligible for COBRA continuation coverage benefits, they must timely complete and return the COBRA paperwork that will be provided by the Institute, and any other insurance participation documents submitted by FRI.

If the employee chooses not to return to work for reasons other than a continued Serious Health Condition of the employee or the employee's family member or a circumstance beyond the employee's control, the Institute will require the employee to reimburse the Institute the amount it paid for the employee's health insurance premium during the FRI-FMLA leave period.

Under current Institute policy, employees may pay a portion of the health care premium based on their employment status and level of health care coverage. While on paid leave, the Institute will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail.

Benefits that operate on an accrual basis (e.g., vacation, personal, and sick leave) will not accrue during any period of unpaid leave under this policy, nor will an employee accrue seniority or service time during any period of unpaid leave in connection with the employee's eligibility for a performance review, salary review, and/or adjustment or bonus.

An employee's eligibility for qualified benefits (e.g., 401(k)) will be governed according to the terms of each respective benefit plan. For retirement plan purposes, any period of unpaid FRI-FMLA leave shall not be treated as, or counted toward, a break in service for

purposes of vesting and eligibility to participate. In addition, if the plan requires an employee to be employed on a specific date in order to be credited with a year of service for vesting, contributions or participation purposes, an employee on unpaid FRI-FMLA leave on that date shall be deemed to have been employed on that date. However, unpaid FRI-FMLA leave periods need not be treated as credited service for purposes of benefit accrual, vesting and eligibility to participate.

If the employee contributes to a life insurance or disability plan, the Institute will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits, and pay their portion of the premiums; or the Institute may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the Institute may discontinue coverage during the leave. If the Institute maintains coverage, the Institute may recover the costs incurred for paying the employee's share of any premiums whether or not the employee returns to work.

6.5.10 Use of Paid and Unpaid Leave. If the employee has accrued or earned paid leave available at any time during FRI-FMLA leave, the employee must use paid leave first and take the remainder of the FRI-FMLA leave as unpaid leave. The Institute will notify the employee within two business days in writing or orally (to be confirmed in writing by no later than the employee's next regular payday) whether or not the leave will be designated as FRI-FMLA leave.

An employee who is taking leave because of the employee's own Serious Health Condition or the Serious Health Condition of a family member must use all paid vacation or, where applicable, sick, and personal leave, prior to being eligible for unpaid leave. (Sick leave may be substituted for unpaid FRI-FMLA leave if the reason for the FRI-FMLA leave is covered by the established sick leave policy.)

Disability leave for the birth of the child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FRI-FMLA leave and will run concurrently with FRI-FMLA leave. For example, if the Institute provides 6 weeks of pregnancy disability leave, the 6 weeks will be designated as FRI-FMLA leave and counted toward the employee's 12-week entitlement. The employee will then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the 12-week entitlement.

An employee who is taking leave for the adoption or foster care of a child must use all paid leave prior to being eligible for unpaid leave.

6.5.11 Reinstatement After Leave.

1. Eligible employees taking leave under this policy, who return to work with the Institute immediately after the end of a FRI-FMLA leave generally, will be reinstated to their former position or to an equivalent position with equivalent benefits and other terms and conditions of employment. However, no employee is entitled under this policy to any right, benefit, or position other than that to which the employee would have been entitled had they not taken leave. Thus, for example, if a layoff or some other

extenuating circumstance or business condition arises that affects the employee's position, reinstatement may not be possible.

2. The Institute also reserves the right to deny reinstatement to certain "key employees," where such denial is necessary to prevent substantial and grievous economic injury to the Institute's operations.
3. Key employees will be notified of the Institute's intention in this regard as soon as a determination is made that such condition would occur.
4. In the event such notice is given to a key employee already on leave, the employee will be offered the opportunity to terminate their leave and immediately return to work.
5. Key employees notified while on leave who decide not to return to work will remain on leave for the balance of the leave period and then be terminated.
6. Key employees are defined as the highest paid 10 percent of the employees employed by the Institute within 75 miles of the facility at which the employee is employed.

6.5.12 Procedure for Requesting Leave. All employees requesting leave under this policy must provide verbal notice with an explanation of the reason(s) for the needed leave to their immediate supervisor and the Human Resources Department. If the leave is foreseeable, the immediate supervisor may require the employee to provide a written request for leave and reason(s) with a copy to the Human Resources Department. Failure of the employee to provide a written request for leave cannot be grounds to deny or delay the taking of FRI-FMLA leave.

The Institute will provide individual notice of rights and obligations to each employee requesting leave within five (5) business days or as soon as practicable. For employees on intermittent or recurring leave for the same incident this notice will be provided every six months.

When an employee plans to take leave under this policy, the employee must give the Institute 30 days' notice. If it is not possible to give 30 days' notice, the employee must give as much notice as is practicable. An employee who is to undergo planned medical treatment is required to make a reasonable effort to schedule the treatment in order to minimize disruptions to the Institute's operations.

If an employee fails to provide 30 days' notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least 30 days from the date the Institute receives notice. While on leave, employees are requested to report periodically to the Institute regarding the status of the medical condition and their intent to return to work.

6.5.13 Return to Work Examinations. Before being permitted to return to work from a leave for the employee's own Serious Health Condition, the employee will be required to

provide certification from their Health Care Provider that they are able to return to work and perform all essential functions of the job, with or without reasonable accommodation.

6.5.14 Periodic Notification During Leave. Employees will be required at least every 30 days while on leave to contact their supervisor to report on their status and intentions with respect to returning to work at the end of their leave period.

6.5.15 Outside Employment. While on FRI-FMLA leave, employees are not permitted to engage in outside or supplemental employment within or outside the Institute during hours they would normally work for the Institute. Doing so will result in the loss of both FRI-FMLA's job restoration and maintenance of insurance benefit provisions.

6.5.16 Enforcement. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FRI-FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

6.5.17 Maryland Parental Leave Act. FRI complies fully with the Maryland Parental Leave Act ("MPLA") and does so by way of its FRI-FMLA policy, which exceeds the requirements of the MPLA.

6.5.18 Americans with Disabilities Act. The Institute complies fully with the Americans with Disabilities Act ("ADA") and the ADA Amendments Act ("ADAAA") and will provide reasonable accommodations to qualified individuals with a disability in accordance with the terms and conditions of the ADA and ADAAA.

6.6 COURT AND VICTIM LEAVE

FRI abides by all applicable laws governing leaves of absence associated with court-related leave.

6.6.1 Crime Victim & Court Witness Leave. Employees may take unpaid leave to appear as witnesses in court proceedings or to obtain injunctions or other processes to ensure their safety or the safety of their family members. Employees who are victims of violent or serious felonies (including felony theft and embezzlement) are entitled to take leave to attend judicial proceedings related to the crime or that concern a right of the victim. They can also take leave to attend proceedings involving an immediate family member (including a spouse, child, stepchild, sibling, stepsibling, parent, or stepparent), a registered domestic partner, or a child of a registered domestic partner who is the victim of a felony. If possible, employees must provide reasonable notice that they are required to appear in court or to use crime victim leave. Employees who have to make emergency or unscheduled court appearances must provide evidence of their attendance in court or other evidence of their need for crime victim leave upon their return to work (for example, a police report, protective order, or documentation from a medical professional or domestic violence counselor). Employees may substitute any available vacation or personal leave for unpaid court attendance or witness duty leave.

6.6.2 Victims of Domestic Violence and Other Violence. Employees who are victims of domestic violence, sexual assault or stalking, or any other crime causing injury can

take leave to obtain any relief, including a temporary restraining order or an injunction, to help ensure their own or their children's health, safety, or welfare.

Employees may take unpaid leave for the purpose of: 1) seeking medical attention for physical or mental injuries caused by domestic violence, sexual assault, stalking, crime, or abuse, and/or the threat of domestic violence, sexual assault, stalking, crime, or abuse; 2) obtaining services from a domestic violence shelter or program, a rape crisis center as a result of domestic violence or sexual assault, or victim services organization or agency; 3) obtaining psychological counseling or mental health services related to an employee's experience of domestic violence, sexual assault, stalking, crime, or abuse; 4) participating in safety planning or otherwise taking actions to increase safety from future domestic violence, sexual assault, stalking, incidents of crime, or abuse.

To the greatest extent possible, employees must provide reasonable advance notice of the need to take leave. An employee who takes emergency domestic violence leave must provide their supervisor with evidence of their attendance in court or other evidence of their need for domestic violence leave upon return to work. It is FRI's policy to reasonably accommodate victims of domestic violence should an accommodation be necessary to ensure workplace safety. Please contact the Human Resources Department to request such an accommodation. Employees may substitute any available vacation or personal leave for unpaid victims of domestic violence leave.

6.6.3 Witness, Plaintiff, & Defendant. Employees will be paid their regular earnings when an employee is subpoenaed as a witness in a case in which the employee has no personal or financial interest, or in a matter in which the employee was a victim of a crime. Paid leave is not granted for an employee's appearance in court as a plaintiff or defendant. In such cases, an employee may use their accrued, unused vacation or personal leave.

6.6.4 Jury Duty. Employees called to jury duty will be paid regular earnings for the time they serve for a period of up to 10 business days. Should leave under this Jury Duty policy extend beyond the 10 days' leave that is paid by FRI, employees are permitted to substitute their accrued, unused vacation or personal leave for unpaid jury duty leave.

Employees summoned to jury duty should present a validated jury summons document to their supervisor who will forward a copy to the Payroll Department. If an employee is excused from jury duty early in the day, they must notify their supervisor and may be required to complete their regular work schedule upon request.

6.7 LEAVE WITHOUT PAY

Unless otherwise specifically required by federal, state, or local law or otherwise allowed by a specific FRI policy, FRI does not provide its employees leave without pay. Accordingly, all employee absences must comply with the applicable guidelines and limitations set forth by FRI with respect to paid leave. Violation of this policy may result in disciplinary action up to and including termination of employment.

The following exceptions to this policy will be made: 1) when an employee returns from FRI-FMLA leave, having exhausted all of their leave, but needs to take time off for their

own illness, they will be allowed up to 3 days of leave without pay during the 4 weeks following the employee's return from FRI-FMLA leave; 2) during an employee's first 90 days of employment where they have exhausted all of their sick leave but need to take time off for illness, they will be allowed up to 3 days of leave without pay; or 3) when an employee has exhausted all leave but must request time off to observe a religious holiday. In scenarios 1 and 2 above a doctor's note may be requested, where allowable by applicable law. An employee exceeding 3 days off without pay, specific to these scenarios, may result in disciplinary action up to and including termination of employment.

6.8 MILITARY LEAVE

FRI complies fully with all federal and state laws governing military leave. In the event that an employee is called to active military duty, they should contact the Human Resources Department for an explanation of their rights under the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA) and any other applicable Federal or Maryland state laws.

6.9 ORGAN AND BONE MARROW DONATION LEAVE

FRI will provide eligible employees with up to 60 business days of job-protected unpaid leave in any 12-month period to serve as an organ donor, and up to 30 business days of job-protected unpaid leave in any 12-month period to serve as a bone marrow donor. To be eligible for this leave, an employee must have worked for FRI for at least 12 months and at least 1,250 hours in the last 12 months. To receive leave under this policy, the employee must provide written physician verification stating that (a) they are an organ donor or a bone marrow donor, and (b) there is a medical necessity for the donation of the organ or bone marrow.

FRI will not consider any time during which the employee takes leave under this policy as a break in the employee's continuous service for purposes of the employee's rights to salary adjustment, sick leave, vacation leave, personal leave, or seniority.

To the fullest extent required by law, FRI will maintain the employee's group health insurance coverage during the time the employee is on leave for organ and/or bone marrow donation.

Upon the employee's return from organ and bone marrow donation leave, FRI will restore the employee to the position the employee held when the organ or bone marrow donation leave began. Alternatively, the employee may be returned to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

6.10 DOMESTIC LEAVE POLICY

FRI recognizes that some of its employees may be in long-term, committed relationships with domestic partners to whom they are not lawfully wedded. FRI respects these relationships, and, accordingly, wishes to grant its FRI-FMLA eligible employees the right to tend to the needs of a domestic partner that are comparable to the rights extended to FRI-FMLA eligible employees to tend to the needs of a spouse. To that end, and to the fullest extent practicable and allowed by law, FRI will grant the same leave of absence

opportunities and reinstatement rights to FRI-FMLA eligible employees arising out of domestic partner-related leave as it extends to FRI-FMLA eligible employees with respect to spouse-related leave under FRI-FMLA.

FRI's [FRI-FMLA Policy](#) provides certain leave of absence rights to eligible employees, including, but not limited to, the right to take a leave of absence under the following circumstances:

1. To care for an employee's spouse who has a Serious Health Condition;
2. Because of any Qualifying Exigency arising out of the fact that the employee's spouse is on Covered Active Duty or call to covered active duty status (or has been notified of an impending call or order to Covered Active Duty); and/or
3. To care for a Covered Servicemember with a Serious Injury or Illness if the employee is the spouse, son, daughter, parent, or next of kin of the Covered Servicemember.

For purposes of this policy, a "domestic partner" relationship is established when the employee and their partner files a Declaration of Domestic Partnership. Domestic partners are two adults who have chosen to share one another's lives in an intimate and committed relationship of mutual caring, and, at the time of filing, all of the following requirements are met: (1) Neither person is married to someone else or is a member of another domestic partnership with someone else that has not been terminated, dissolved, or adjudged a nullity; (2) The two persons are not related by blood in a way that would prevent them from being married to each other in this state; (3) Both persons are at least 18 years of age; and (4) Both persons are capable of consenting to the domestic partnership. Employees who wish to take leave to care for the Serious Health Condition of a domestic partner should contact the Human Resources Department for further information about their rights under this domestic leave policy. FRI reserves the right to interpret and administer this policy in accordance with its sole business discretion.

6.11 ALCOHOL AND DRUG REHABILITATION LEAVE

Upon request, FRI will provide a reasonable accommodation for an employee who voluntarily enters and participates in an alcohol or drug rehabilitation program, unless the accommodation would impose an undue hardship on FRI's operations. An employee who is entering an alcohol and/or a drug rehabilitation program may use any accrued, unused sick, vacation, or personal leave for that purpose. Notwithstanding the foregoing, FRI reserves the right to discharge any employee who, because of their current use of alcohol or drugs, is unable to perform their job duties without endangering their own or others' safety.

6.12 EMERGENCY RESPONSE LEAVE

FRI will provide employees who are volunteer firefighters, reserve peace officers, or emergency rescue personnel with reasonable, unpaid leave to perform emergency duties, and up to 14 days per calendar year for training for such emergency responder duties.

For the purposes of this provision, “emergency rescue personnel” is defined as any person who is an officer, employee, or member of a fire department or fire protection or firefighting agency of the Federal government, the state or its political subdivisions, or of a sheriff’s department, police department, or a private fire department, whether that person is a volunteer or partly paid or fully paid, while they are actually engaged in providing emergency services.

6.13 BEREAVEMENT LEAVE

In the unfortunate event of a death in an employee’s immediate family (spouse, domestic partner, child, stepchild, parent, parent-in-law, parent of domestic partner, sibling, grandparent, grandchild, niece, nephew), the employee will be granted up to 3 days bereavement leave with pay. Bereavement leave may be arranged with the employee’s immediate supervisor for deaths involving someone other than an immediate family member. In this latter instance, leave may be charged against an employee’s vacation leave or personal leave or may be treated as leave without pay.

6.14 VOTING LEAVE

Employees whose work schedules do not allow sufficient time to vote in a statewide election may take up to two hours of paid working time at the beginning or end of their regular shift to vote. If an employee knows that time off from work will be required in order to have sufficient time to vote, the employee must notify their supervisor at least 2 working days in advance of election day regarding their intent to take leave to vote.

6.15 MARYLAND FLEXIBLE LEAVE ACT POLICY (MD FLA)

The Maryland Flexible Leave Act (MD FLA) allows employees that are eligible for and have earned “leave with pay,” as defined by the Act, to utilize leave with pay for the care of an immediate family member, which includes a child, spouse, or parent.

As an employer that provides “leave with pay” to its employees, FRI abides by the requirements of the MD FLA. As per the Act, FRI allows employees to use accrued “leave with pay” for the care of an immediate family member (child, spouse, domestic partner, parent) with an illness subject to the conditions of the Act.

According to the Act, “leave with pay” is defined as time away from work for which an employee receives compensation. “Leave with pay” includes sick leave, vacation leave, and personal leave, subject to the conditions of the employment policies of FRI. The employee may only use “leave with pay” that has been accrued. The employee may elect the type and amount of “leave with pay” to be used under the Act if the employee earns more than one type of “leave with pay.” If the employee fails to elect leave type for a MD FLA-covered event, then FRI will automatically apply any available unused leave with pay for this paid leave. The MD FLA does not add or detract from an employee’s eligibility for FRI-FMLA leave (although it is possible to have overlapping MD FLA and FRI-FMLA leave).

6.16 INCLEMENT WEATHER POLICY

If employees are not informed of a closing due to inclement weather, employees must assume that the FRI site where they are assigned to work is open for business. A decision of whether to close or open late/close early or for employees to telework will be determined by the Corporate Office. In the instance that the office is open, for those employees who may face substantial difficulty in getting to work because of severe inclement weather, or with family situations related to the inclement weather that prohibit leaving home at their regular time, time off will be charged to accrued vacation leave or accrued personal leave. If an employee does not have any accrued vacation or personal leave remaining, the employee's paycheck will be adjusted accordingly. This same policy exists for any type of natural disaster (earthquake, fire, flood, mudslide, snowstorm, etc.).

7.0 COMMUNICATIONS POLICY

7.1 INTERNET, EMAIL, AND COMPUTER USAGE POLICY

7.1.1 Multi-Factor Authentication (MFA) & Password Security. To maintain the security of FRI's email and network, employees must use a multi-factor authentication (MFA) when logging into FRI's email via the internet and FRI's network. Employees have the option of using a token, work cell phone, if applicable, or a personal cell phone for MFA purposes. If an employee voluntarily chooses to use their personal cell phone for MFA purposes, the employee understands that they are doing so voluntarily, of their own choosing, and not based on an FRI requirement. FRI will not pay for any costs, which may be incurred, related to the receipt of the passcode on an employee's personal cell phone for MFA purposes.

Access to FRI's network and FRI's email via the internet will require employees to enter a password of specific criteria that will be shared with the employee upon hire.

7.1.2 Internet & Email Usage. FRI provides its employees with access to the internet and/or email. FRI-provided internet service is a business tool provided to employees at a significant cost. That means that **FRI expects its employees to use their internet and email access for business-related purposes only** (i.e., to communicate with collaborators, customers, research/service participants, to research relevant topics, and to obtain useful business-related information). With respect to Electronic Health Records, communication pertaining to specific client information is only permitted through the protected internet site established for that purpose.

Employees are prohibited from forwarding their FRI email account to any other personal or business email account.

In addition to the proper use of email services, employees should also be aware of the dangers of opening email attachments from parties not known or trusted. The launching of these attachments that include jokes, pictures, animations, sounds, and other audio or multimedia can cause unnecessary processing power of the computer, open the computer to the risk of virus infection, and create a means for ill-behaved applications to be automatically installed on computers designed solely for non-business or entertainment purposes. All attachments should be processed by anti-virus measures installed on the employees' computers. If an employee is not familiar with these measures, they should contact their supervisor for further instruction.

Phishing is the most common type of cyberattack that affects organizations like FRI. Phishing attacks can take many forms, but they all share a common goal – getting an employee to share sensitive information such as login credentials, credit card information, or bank account details. In this type of attack, hackers impersonate a real company or a real employee at an executive or managerial level within the company to obtain an employee's login credentials. An employee may receive an e-mail asking them to verify their account details with a link that takes the employee to a fake login screen that delivers an employee's information directly to the attackers.

Although FRI maintains internal controls to help protect its networks and computers from cyber threats, FRI relies on its employees to be the first line of defense.

To avoid phishing attacks, please observe the following email best practices:

- Do not click on links or attachments from senders that an employee does not recognize. Be especially wary of .zip or other compressed or executable file types.
- Do not provide sensitive personal information (like usernames and passwords) over email.
- Watch for email senders that use suspicious or misleading domain names.
- Watch for unusual requests from email senders that appear to be fellow employees, for example unusual requests for purchases, etc.
- Inspect URLs carefully to make sure they are legitimate and not imposter sites.
- Do not try to open any shared document that an employee is not expecting to receive.
- If an employee cannot tell if an email is legitimate or not, please forward the email to the Human Resources Department.
- Be especially cautious when opening attachments or clicking links if an employee receives an email containing a warning banner indicating that it originated from an external source.

FRI requires its employees to conduct themselves honestly and appropriately on the internet and respect the copyrights, software licensing rules, property rights, privacy, and prerogatives of others, just as they would do in any other business dealings. To be absolutely clear on this point, FRI policies related to property protection, privacy, misuse of Institute resources, equal employment opportunity, discriminatory harassment, sexual harassment, information and data security, and confidentiality apply to all employee conduct on the internet.

Unnecessary or unauthorized internet usage causes network and server congestion. It slows other users, takes away from work time, consumes supplies, and ties up printers and other shared resources. Therefore, employees are not permitted to access the FRI network/internet with personal devices including laptops, smartphones, tablets, etc. unless it is for work-related purposes, and only then, when it is approved by the employee's supervisor. Remotely logging into FRI's network from a personal computer at home to perform work is permitted. Unlawful internet usage may also garner negative publicity for the Institute and expose FRI to significant legal liabilities.

While FRI's direct connection to the internet offers many potential benefits, it can also open the door to some significant risks to FRI's data and systems if employees do not follow appropriate security discipline. Security is to be every employee's first concern. An employee will be held accountable for any breaches of security or confidentiality. FRI reserves the right to inspect any and all files stored in all areas of FRI's network as well as hard drives of individual work computers in order to assure compliance with this policy.

No employee may use FRI's internet service to knowingly propagate any virus, worm, Trojan horse, malware, or trap-door program. No employee may use FRI's internet service knowingly to disable or overload any computer system or network or to circumvent any system to protect the privacy or security of another user.

Employees are prohibited from accessing social network sites (i.e., Facebook, Twitter, Instagram, Snapchat, TikTok, etc.) during work hours and on Institute computers unless this type of interaction is necessary for the project the employee is working on and only, then, when approved by a supervisor. Employees accessing the internet or email on the Institute's premises or during working hours are prohibited from using it for the receipt or transmission of sexually explicit or other inappropriate material, unless this type of interaction is necessary for the project the employee is working on and only, then, when approved by a supervisor. This ban includes, but is not limited to:

- Downloading, displaying, accessing, or transmitting sexually explicit images, messages, cartoons, etc.;
- Downloading, displaying, accessing, or transmitting communications that contain ethnic slurs, racial epithets, or anything that may be construed as unlawful harassment of others based on any EEO Protected Classifications;
- Downloading and/or duplicating copyrighted documents without written permission from the publisher (may be subject to severe legal consequences); or
- Using FRI's internet services and computing resources to knowingly violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, city, province, or other local jurisdiction is strictly prohibited. Use of any FRI resources for illegal activity is grounds for immediate termination of employment, and FRI will cooperate with any legitimate law enforcement activity.

Non-project related interaction with research/service participants on social networking sites is not permitted at any time. Interacting would include initiating or accepting friend requests, messaging, etc.

All contacts with the internet contain FRI's electronic address and are traceable. **Accordingly, this means that an employee should have no expectation of privacy with respect to their internet or email usage while on FRI's property or accessed through FRI's internet accounts or network.** FRI reserves the right to review an employee's internet and/or email usage and computer files at any time to ensure that the system is being used properly and legally. Violation of this policy may result in disciplinary action up to and including termination of employment.

7.1.3 Computer Usage. Applications either downloaded or derived from another source must not be used for the purposes of entertainment or personal information purposes. Music streaming services, chat software, etc. fall into this category. The installation of any application, downloaded or not supplied by the employer, must first be approved by a supervisor. Software designed for non-business purposes shall not be installed on office machines for any reason. These applications may include print programs, screen savers, and programs designed for media viewing or listening.

Any documents, images, software or files downloaded via the internet or produced on an FRI computer or network become the property of FRI. Any such files or software may be used only in ways that are consistent with their licenses or copyrights.

With the costs associated with computer consulting and support, it has been recommended that office computers follow a standardized protocol. Although the Windows operating system offers many opportunities to modify the appearance and experience of the user interface, these practices must be limited to prevent unnecessary service calls and repair. Impermissible modifications to the Windows operating system and installed applications include, but are not limited to, sounds associated with tasks, Microsoft Plus-type “themes,” Explorer applets, and plug-ins outside of the software that is provided by FRI.

7.2 PORTABLE DATA DEVICE SECURITY POLICY

All FRI employees who utilize laptop computers, smartphones, tablets, USB drives, or other similar devices, known collectively as “Portable Data Devices” (PDDs), are responsible for the security of FRI data received, stored, processed and/or transmitted via that device. **This pertains to both business and personal devices.**

Every FRI employee who is a user of a laptop computer, smartphone, tablet, USB drive, or other PDD must use reasonable care to protect confidential data through a combination of technical protections and physical security (e.g., password protection). Prior to the use of confidential information, FRI employees are required to contact their supervisor to obtain appropriate protections or to verify that such protections are already in place. The use of unprotected equipment or devices to access, store, or transmit FRI confidential data is prohibited, regardless of whether the equipment is owned or controlled by FRI.

For those employees that send and receive email and/or text messages via portable data devices pertaining to FRI business, the preview feature for both email and text messages must be disabled for confidentiality purposes.

To obtain a complete copy of the Portable Data Device Security Policy, please contact the Human Resources Department.

7.3 SOCIAL MEDIA POLICY

FRI understands that social media can be a fun and rewarding way to share an employee’s life and opinions with family, friends, and coworkers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist an employee in making responsible decisions about their use of social media, FRI has established these guidelines for appropriate use of social media. This policy applies to all employees who work for FRI. Managers and supervisors should consult with the Human Resources Department for additional guidance in administering the policy.

7.3.1 Guidelines. In the rapidly expanding world of electronic communication, *social media* can mean many things. *Social media* includes all means of communicating or posting information or content of any sort on the internet, including to an employee’s own

or someone else's weblog or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with FRI, as well as any other form of electronic communication.

The same principles and guidelines found in FRI policies apply to an employee's activities online. Ultimately, an employee is solely responsible for what they post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of an employee's conduct that adversely affects their job performance, the performance of fellow employees or otherwise adversely affects members, customers, suppliers, people who work on behalf of FRI and/or FRI's legitimate business interests may result in disciplinary action up to and including termination of employment.

7.3.2 Know and Follow the Rules. Carefully read the following guidelines and ensure that postings are consistent with these policies as well: FRI's [Standards of Business Conduct & Ethical Practice](#), FRI's [Equal Employment Opportunity](#), FRI's [Harassment Prevention Policy](#), and FRI's [Sexual Harassment Prevention Policy](#). Inappropriate postings that may include content and/or discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject an employee to disciplinary action up to and including termination of employment.

7.3.3 Be Respectful. Always be fair and courteous to fellow employees, research/service participants, members, vendors, or people who work on behalf of FRI. Also, keep in mind that an employee is more likely to resolve work-related complaints by speaking directly with their coworkers or supervisor rather than by posting complaints to a social media outlet. Nevertheless, if an employee decides to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, employees, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment of one or more EEO Protected Classifications.

7.3.4 Be Honest and Accurate. An employee should make sure they are always honest and accurate when posting information or news, and if they make a mistake, correct it quickly. An employee should be open about any previous posts they have altered. Remember that the internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that an employee knows to be false about FRI, fellow employees, customers, suppliers, people working on behalf of FRI, or competitors.

7.3.5 Post Only Appropriate Content.

- Maintain the confidentiality of FRI trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, pricing, know-how, and technology. Do not post internal reports, policies, procedures, customers' financial information, or other internal business-related confidential communications.
- An employee should not create a link from their blog, website, or other social networking site to an FRI website.

- An employee should express only their personal opinions and never represent themselves as a spokesperson for FRI. If FRI is a subject of the content an employee is creating, be clear and open about the fact that the employee is an employee and make it clear that views expressed do not represent those of FRI, fellow employees, members, customers, suppliers and/or people working on behalf of FRI. If an employee publishes a blog or post online related to the work they do or subjects associated with FRI, the employee should make it clear that they are not speaking on behalf of FRI. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of FRI.”

7.3.6 Using Social Media at Work. Refrain from using social media while on work time or on equipment FRI provides unless it is work-related as authorized by an employee’s supervisor. Do not use FRI email addresses to register on social networks, blogs, and/or other online tools utilized for personal use.

7.3.7 Retaliation is Prohibited. FRI prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action up to and including termination of employment.

7.4 RECORDING CONVERSATIONS POLICY

It is unlawful in the states of Maryland and California to intercept or eavesdrop upon any confidential communication, including a telephone call or wire communication, without the consent of all parties involved in that conversation. Accordingly, FRI prohibits its employees from using a tape recorder or other recording device (including a cell phone or any electronic device) to record conversations in the workplace and/or workplace-related conversations, including meetings/interactions that take place via videoconference, **unless** all individuals participating in that conversation consent to the recording of the conversation. Not only does this policy ensure that FRI’s employees are in compliance with the law, but it also promotes spontaneous and honest dialogues in the workplace, especially when sensitive or confidential matters are being discussed. Employees who violate this policy will be subject to disciplinary action up to and including termination of employment.

7.5 TELEPHONE POLICY

In business, telephone etiquette is extremely important. Accordingly, telephone calls must be answered promptly and in a professional manner.

Employee personal calls, both incoming and outgoing, must be kept to a minimum and, when they are necessary, must be short in duration. An employee may not make personal long distance calls, without the permission of their supervisor, except in absolute emergencies. Work cell phones are intended for business use only. Employees will be required to reimburse FRI for additional telephone charges incurred due to personal calls. Any excessive personal use of a cell phone during work hours including, but not limited to, texting, emailing, internet usage, app usage, and personal calls is considered

inappropriate. Violation of this policy may result in disciplinary action up to and including termination of employment.

8.0 WORKPLACE SAFETY AND SECURITY

8.1 SAFETY AND HEALTH POLICY

FRI expects employees to help make the workplace safe and secure. Accordingly, employees must observe all safety rules and regulations. Any accident, no matter how slight, is to be reported immediately to the employee's supervisor and the Human Resources Department.

Any employee is authorized to call for emergency help when an emergency situation exists.

8.2 DISASTER AND SAFETY POLICY

It is the policy of FRI to protect its employees, research/service participants, visitors, and property in the event of an emergency or disaster through an active and organized system of practicing and analyzing the organization's safety drills and procedures. The safety drills and procedures outline specific guidelines for addressing emergency situations that may affect the health and safety of employees, research/service participants, and visitors. Emergency drills for evacuation and shelter in place will be conducted on an annual basis at all FRI worksites.

All employees are responsible for maintaining a working knowledge of emergency procedures through simulated emergency drills. All employees will review the full Disaster and Safety Policy and evacuation procedures within the first week of employment. A complete copy of FRI's Disaster & Safety Policy and Procedures is distributed to all new employees and is available through the Human Resources Department.

8.3 WORKPLACE VIOLENCE POLICY

FRI is committed to preventing workplace violence and to maintaining a safe work environment. The Institute has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited on the premises of FRI.

Any conduct that threatens, intimidates, or coerces another employee, a customer, a vendor, or a member of the public at any time, including off-duty periods, will not be tolerated. All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to the Human Resources Department and followed up with a critical incident report to the Human Resources Department. This includes threats by employees, as well as threats by research/service participants, vendors, solicitors, or other members of the public.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Employees should not place themselves in peril. If employees see or hear a commotion or disturbance near their workstation that they believe poses a danger to themselves or others, they should immediately contact 911 and request assistance.

FRI will promptly and thoroughly investigate all reports of threats of (or actual) violence and suspicious individuals or activities. Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines may be subject to disciplinary action up to and including termination of employment.

8.4 SMOKING POLICY

The Institute prohibits employees from smoking, including, but not limited to, electronic cigarettes, indoors at FRI project sites. Outdoor smoking is limited to designated smoking areas, if applicable.

8.5 DRUG-FREE WORKPLACE POLICY

FRI has always been committed to a work environment free from the problems of substance abuse and dependency.

FRI is covered by the Federal Drug-Free Workplace Act and, as such, its Drug-Free Workplace Policy prohibits illegal use, manufacture, possession, or distribution of controlled substances by Institute employees in the workplace. This Drug-Free Workplace Policy applies to all premises of, and functions sponsored by, FRI.

8.5.1 Assistance. FRI will assist and support employees voluntarily seeking help for drug or alcohol addiction. Employees seeking such help will not be subject to disciplinary action or termination of employment under this policy. Employees are permitted to use any paid time off, leave of absence, or other accommodation required by law. Employees may be required to provide documentation that they are successfully following prescribed treatment, and they may be required to take drug tests if they have safety-sensitive duties, or if they have violated this policy previously. Once a drug test has been initiated under this policy, unless otherwise required by the *California Family Rights Act* (“CFRA”), the Family and Medical Leave Act (“FMLA”), the Americans with Disabilities Act (“ADA”) and/or any other applicable law, the employee will have forfeited the opportunity to be granted a leave of absence for treatment and will face possible disciplinary action up to and including termination of employment.

8.5.2 Rules. Employees must report to work free of any adverse effects of illegal drug or alcohol use. Further, employees are prohibited from using, possessing, buying, selling, manufacturing, or dispensing any illegal drug or alcohol while working or on FRI premises. This policy does not prohibit employees from lawfully using prescribed medications. However, employees are prohibited from performing any duties while taking prescribed medications that adversely impact their ability to perform their duties in a safe manner. In addition, off-the-job illegal drug use will not be tolerated.

8.5.3 Testing. Applicants at Friends Community Center (“FCC”) will be required to pass a drug test prior to working for FRI. In addition, all employees of FRI will be subject to

drug testing based on observations of workplace drug use, possession of drugs, or impairment. When testing is warranted, employees will be provided with notice of the drug test and the related procedures. Refusal to take a required drug test will result in termination of employment. Employees who test positive for drug use will be subject to disciplinary action up to and including termination of employment.

All testing will be conducted in accordance with all applicable laws and according to Substance Abuse and Mental Health Service Administration guidelines. This includes a drug test conducted by a State-certified testing facility and, where necessary, a confirmation test. Employees subject to drug testing will be provided the name and address of the State-certified lab that will conduct the test. If an employee's test is positive, the employee will be provided with a copy of the lab test and results, a copy of the drug-testing policy, written notice of any disciplinary action FRI intends to take, and a copy of the employee's rights to request independent testing, at the employee's cost, of the same sample for verification purposes.

8.5.4 Inspections. Entering FRI's property constitutes consent to searches and inspection. An employee may be required to submit to a search or inspection at any time, including, but not limited to, a search of pockets and clothing, backpacks, wallets, purses, briefcases, lunchboxes, desks, workstations, vehicles, and equipment.

8.5.5 Reporting. Employees who are convicted of a criminal drug violation in the workplace must notify the Human Resources Department, specifically Michele Hipsley, within 5 calendar days of the conviction. Failure to notify FRI of a conviction will result in disciplinary action up to and including termination of employment. Within 10 calendar days, FRI must report to the contracting agency that an employee has been convicted of a criminal drug violation in the workplace.

8.5.6 Confidentiality. Records related to drug testing, drug and alcohol dependencies, and medical information will be kept confidential to the extent required by law and maintained in a secure location separate from personnel files. Information will be disclosed only on a need-to-know basis.

8.5.7 Discipline. The main goal of this policy is to encourage employees to voluntarily seek help with alcohol and/or drug issues. If, however, this policy is violated, FRI reserves the right to take any disciplinary action it deems necessary, up to and including termination of employment.

8.5.8 Helpful Resources – California. The California Substance Use Disorder ("SUD") Services maintains a comprehensive collection of alcohol, tobacco, and other drug prevention and treatment information. This information is provided to all California residents at no cost through a Clearinghouse, Lending Services, internet communication links, and a telephone information and referral system. These services can be accessed by letter, fax, internet, email, telephone, or in person during the business hours of 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding state holidays.

SUD provides non-emergency information only and does not operate a crisis line. The Department of Alcohol and Drug Programs (ADP) and SUD maintain two toll-free statewide telephone numbers for California residents needing alcohol, tobacco, and other

drug prevention and treatment information, publications, or lending services.

Location:	California Department of Alcohol and Drug Programs 1700 K Street, 1st Floor Sacramento, CA 95811-4037
Website:	ca2c.org/california-department-of-alcohol-and-drug-programs/
1-800-879-2772	Statewide toll-free - Available 24 hours a day. Answered by ADP staff - 8:00 a.m. to 4:30 p.m. and answered by voice mail after hours.
916-327-3728	Available outside of California - Available 24 hours a day. Answered by ADP staff - 8:00 a.m. to 4:30 p.m. and answered by voice mail after hours.
1-800-662-4357	Nationwide toll-free - Available 24 hours a day. Substance Abuse and Mental Health Services Administration (SAMHSA) Available 24 hours a day.

8.5.9 Helpful Resources – Maryland. In addition to the Nationwide SAMHSA toll-free number listed above, Maryland employees can access the Maryland Certified Treatment Directory at:

[Maryland Certified Treatment Locator complete listing.pdf](#)

8.6 MEDICAL MARIJUANA POLICY

FRI will not discriminate against any employee on the basis of their status as a registered marijuana patient. However, employees are strictly prohibited from working while under the influence of marijuana, and FRI otherwise reserves the right to enforce its policies regarding drug testing and drug-free workplaces.

8.7 TUBERCULOSIS (TB) TESTING POLICY

At time of hire, after the position has been offered and accepted, and on an annual basis thereafter, all FRI employees who perform work at a medical facility, correctional institution, homeless shelter, drug treatment facility, or have direct client contact with an at-risk population, as determined by a contract or grant, will be required to undergo a TB skin test. The cost of the testing will be paid for or reimbursed by FRI.

8.8 EMPLOYEE ASSISTANCE PROGRAM

FRI has contracted with an Employee Assistance Program (EAP) through Mutual of Omaha, which offers counseling, referrals, and interventions for a variety of personal and work-related problems that impact the lives of employees. All contacts with the EAP are strictly confidential and are available to employees and their eligible dependents. Employees can talk to a professional by phone or obtain a referral. The Mutual of Omaha EAP can be reached at 1-800-316-2796. Information may also be obtained through the website: mutualofomaha.com/eap. Initial contact and initial services are paid for by FRI.

8.9 PRIVACY POLICY

Employees are advised that management or their designee have the right to inspect all FRI areas for work-related materials or property, and, as a result, the privacy of an employee's personal belongings cannot be guaranteed. FRI premises are provided and maintained for FRI business and not for personal matters. FRI management will presume that mail sent to an employee at work as well as papers kept in an employee's office, desk, file cabinets, etc., relate to FRI business.

If an employee has private, personal, or confidential material that they do not want seen by other employees who may need to look in an employee's office, desk files, computer memory, etc., for legitimate FRI business, the material should be left at home. While unwarranted snooping is not condoned, there is business to be conducted on all FRI premises and the privacy or security of personal belongings or papers is not ensured.

9.0 ADDITIONAL EMPLOYEE BENEFITS

In addition to the regular paycheck employees receive for working at FRI, the Institute provides additional benefits to its eligible employees. Employees are notified of their eligibility for these benefits during orientation; however, if an employee ever has any questions concerning employee benefits, they should contact the Human Resources Department.

To the fullest extent allowed by law, FRI reserves the right to change or eliminate, at any time, any and all employee benefit plans and/or programs, in accordance with FRI's exclusive business judgment. Moreover, the policies contained in this Handbook may be changed or eliminated at FRI's sole discretion, at any time, for any reason, with or without prior notice. The interpretation of all policies remains at all times with FRI.

10.0 TERMINATION OF EMPLOYMENT

10.1 TERMINATION OF EMPLOYMENT

FRI employees are employed on an at-will basis. Accordingly, FRI employees are free to terminate their employment with the Institute at any time and for any reason, and the Institute retains the similar right to discharge employees at any time for any reason. However, in order to resign in good standing, an employee must resign in writing and provide at least 2 weeks' notice to their immediate supervisor. Failure to provide such notice will most likely result in the offending employee being ineligible for rehire.

FRI employees who work as managers should be prepared to provide at least 30 days' notice to their immediate supervisor. Failure to provide such notice will most likely result in the offending employee being ineligible for rehire.

Upon an employee's resignation or termination of employment, it will be the employee's responsibility to return all property belonging to FRI including, but not limited to, keys, cell phones, laptops, files, etc. FRI does not provide severance pay to its employees who for any reason end their employment relationship with FRI.

10.2 EMPLOYMENT REFERENCES

It is the policy of FRI to provide only neutral employment references. Inquiries from outside interests (e.g., credit checks, verification of employment, etc.) shall be answered by the Payroll Department who shall confirm only position and dates of employment. Salary confirmation may be obtained by written request only. Should an employee wish FRI to provide additional information, the employee may sign a Release of Information Form obtainable from the Human Resources Department and the FRI website.

11.0 MANAGERIAL RIGHTS

Notwithstanding any other provision of this Handbook, all managerial and administrative functions and prerogatives entrusted to and conferred upon employers inherently, expressly, and by law, are retained and vested exclusively with FRI, including but not limited to the right to exercise its judgment and discretion to take whatever action is necessary to operate the Institute's business, protect its health, property, security, and general welfare; to reduce, contract out, sell, close down, or relocate FRI's operations or any part thereof; to hire, layoff, direct, discipline, discharge, or increase the efficiency of the workforce in the manner and to the degree FRI deems appropriate; to set the standards of productivity, maintenance, services, security, research and development; and, in general, to take whatever other actions necessary in the Institute's judgment and discretion to administer FRI's operations and direct its workforce. The failure of the Institute to exercise any prerogative or function in a particular way shall not be considered a waiver of FRI's right to exercise such prerogative or function or preclude it from exercising that prerogative or function in some other way.