



Foundation for Atlanta *Veterans* Education and Research

EMPLOYEE HANDBOOK

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Foundation for Atlanta Veterans Education and Research, Inc.
Formerly Known as Atlanta Research and Education Foundation, Inc. (AREF)
Human Resources
1670 Clairmont Road, 151F
Decatur, GA 30033
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This handbook is not a contract or guarantee of employment. The Foundation reserves the right to unilaterally modify, amend or terminate policies, procedures, and/or benefits described in this handbook at any time, or require and/or increase contributions towards these benefits at its discretion. This edition of the Employee Handbook supersedes any and all previous editions.

FAVER is an equal opportunity employer.



Welcome and Mission Statement

Welcome to the Foundation for Atlanta Veterans Education and Research, Inc., also known as FAVER. We are excited to have you as a part of our team!

The Foundation is a non-profit organization, incorporated in 1989 as a VA affiliate to advance the research and education activities of the Atlanta Veterans Affairs Health Care System (AVAHCS). In 1988, congressional legislation gave each VA Health Care System with research programs the option to establish an affiliated non-profit, to provide a flexible mechanism for the conduct of approved research at the medical centers. Congress expanded our role to include educational activities in 2000.

For more 30 years, we have partnered with the AVAHCS to develop a diverse research portfolio dedicated to investigating physical and psychological afflictions of the brave men and women who have served our country in the Armed Forces. Every day, our scientists are answering important questions about biological and disease mechanisms that will help people lead healthier lives!

As part of the Foundation's mission to serve veterans, you will find that we are financially supported by a variety of sources, such as government agencies (VA, NIH, DOD, CDC, State of Georgia), other nonprofits, voluntary agencies, private proprietary organizations (pharmaceutical, medical device, etc.), and donations.

We wish you personal and professional success with the Foundation and look forward to working with you as we continue to serve our mission with the AVAHCS!

*“Thank you for
all you do for
Veterans.”*





Introduction to the Handbook

There are several things that are important to keep in mind about this handbook. Notably, it will help you begin to understand our values and the way we make decisions as an organization. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. Please address specific questions to FAVER Human Resources for any questions concerning eligibility for your benefits or the applicability of a policy or practice to you.

Neither this handbook nor any other Foundation document confers any contractual right, expressed or implied, to remain in the Foundation's employ. Nor does it guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and may be terminated at-will, with or without cause and without prior notice by FAVER, or you may resign for any reason at any time.

Any salary figures provided to an employee in annual or monthly terms are stated for the sake of convenience or to facilitate comparisons and are not intended and do not create an employment contract for any specific period of time.

No supervisor or other representative of the Foundation (except the Executive Director, with concurrence from the Board, in writing) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.

The procedures, policies, practices, and benefits described here may be modified or discontinued from time to time. We will try to inform you of any changes as they occur.

Some of the subjects described here are covered in detail within official policy documents. Refer to those documents for specific information since this handbook only briefly summarizes those benefits. Please note that the terms of the written insurance policies are controlling.

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Employment Basics

➤ At-Will Employment

Employment with the Foundation is “at-will”. This means that both the Foundation and the employee have the right to terminate the employment relationship at any time, with or without cause or notice. Please understand that no individual other than the FAVER Executive Director has the authority to enter into any agreement with you for employment for any specified period of time or to make any promises or commitments contrary to the foregoing. Further, any employment agreement entered into by the Foundation will not be enforceable unless it is in writing.

➤ Without Compensation (WOC) Appointment

All FAVER employees must secure status as a Without Compensation (WOC) appointee with the Atlanta VA Health Care System (AVAHCS). WOC status awards the employees with some benefits and responsibilities of employment at the VA. Please contact FAVER Human Resources if there is a question as to the applicability of any requirement of policy at the AVAHCS that is not covered in this handbook.

As part of the WOC appointment, employees are subject to various requirements as set forth by the AVAHCS and/or the institution at which the employee works, such as adhering to the host institution’s training requirements and policies that relate to personal conduct, safety and the conduct of research activities.

As set forth in the VA WOC Appointee Intellectual Property Agreement signed by each employee upon hire or as required by the Foundation, FAVER employees are required to disclose any invention (to include improvement of an invention) or believed invention to the FAVER Executive Director in advance of taking any action on patent applications or trying to assert any ownership.

Employees must be approved for WOC status prior to performing any work on approved VA research projects or educational activities. Employees who will have patient and/or human subject contact must have their professional credentials validated by the VA Human Resources Department prior to any such contact.

➤ Employee Classifications

Full-Time Employee: 40 hours worked each week. The standard basic tour of duty is generally eight (8) hours a day, five days a week. Employees must notify their supervisor and the Foundation before any changes are implemented. The employee is eligible for all benefits offered by the Foundation.

Part-Time Employee: 20-39 hours worked each week. The standard tour of duty is determined by the direct supervisor and the employee and submitted to the Foundation’s Human Resources Director. The employee is eligible for all benefits offered by the Foundation. Premiums associated with elected benefits are pro-rated in accordance with the hours scheduled per week.

Intermittent Employee: 19 or fewer hours each week. An intermittent employee is one who is hired to work on an “as needed” basis with no set tour of duty. An intermittent employee is not eligible for any health or voluntary benefits that the Foundation offers.

Temporary Employee: A temporary employee may work full-time or part-time (as directed and approved by the supervisor and the Foundation); however, a temporary employee’s employment is intended not to be permanent and is intended to cease either as of a certain date or upon completion of a project, though the anticipated termination date may be changed. Temporary employees have no seniority over other regular or temporary employees.

➤ Change in Employment Status

If a change in employment status is proposed by either a supervisor or an employee through the supervisor, a formal request must be submitted to FAVER Human Resources for review. The request should include the employee’s name, the current schedule, the proposed schedule, reason, effective date and, if applicable, end date.

➤ Reinstatement

The purpose of this policy is to provide guidelines for reinstatement of employees who separate and subsequently return to the Foundation.

FAVER employees are eligible for reinstatement upon rehire under the following conditions:

- The employee was previously employed as Part-Time or Full-Time Employee; and,
- The employee terminated employment under favorable conditions, either voluntarily or involuntarily. The reason for separation and performance/ work history during previous employment will be considered carefully before any offer is extended.

Other circumstances may affect the Foundation's decision to reinstate benefits except for those governed by law. In effect, the Foundation is not required to owe any returning employee for previous time earned for annual leave or sick leave.

Employees who are rehired and meet the aforementioned conditions will qualify for reinstatement of:

- The previous tenure, for the purpose of determining seniority;
- The rate of annual leave accrual; and,
- The previous level of 403(b) employer matching contribution, if enrolled in the plan and eligible at the time of prior separation.

Sick Leave: Upon rehire, sick leave starts over at zero. Previous balances will not be restored.

➤ Internal Transfers

FAVER recognizes that motivation, productivity, and retention are largely dependent upon team members working in roles that are well-suited to their interests. Therefore, the Foundation encourages current employees to transfer into new opportunities when available and where there is a good fit. Managers should be supportive of employees who have the desire to enhance skills and/or develop new competencies in pursuit of professional and personal development.

The employee must be in "good standing" to be eligible for a transfer, which includes the following:

- Completed a minimum of six (6) months of successful employment in a position;
- Current performance meets job expectations;
- Meets all of the job qualifications for the position; and,
- Has not received a formal performance or conduct counseling with a Performance Improvement Plan within the last six (6) months of employment.
- *Exceptions:*
 - The current Principal Investigator supports the transfer and has reviewed performance-based concerns (quality of work, work output, and/or work behaviors resulting in performance issues) with the hiring manager, with concurrence from FAVER's Executive Director.
 - The six (6) months waiting period may be waived if the employee's current position is adversely affected due to reduction of workforce (job elimination) or if there is a significant change in the terms and conditions of employment, such as hours, salary, status, work schedule, etc.

The Foundation's Executive Director has the sole authority to waive the waiting period based on extenuating circumstances and may assign an employee to another team when deemed necessary on a case-by-case basis.

In all instances, the employee's work history, including, but not limited to, performance, conduct, attendance, and demonstrated effort to develop skills and attributes will be used as valid criteria in determining suitability for a new position within the organization. Written confirmation of an acceptable performance record from the employee's current manager or Principal Investigator must be provided to FAVER Human Resources. Deficiencies in required and preferred skills and/or job-related factors may eliminate an employee from consideration.

Exceptions are reviewed on an individual basis and must be approved by FAVER Human Resources and the Executive Director in advance of an internal transfer.

Generally, salary increases are not provided for lateral transfers. If the employee transfers to a new role with increased or decreased job responsibility, the Hiring Manager should consult with FAVER Human Resources for guidance.

Transfer Process

If the position is announced through FAVER's Career page, the FAVER employee must ensure that a profile with updated job history, skills and contact information is submitted to the job posting.

If the position is not announced through FAVER's Career page, contact FAVER Human Resources.

Continue to monitor job opportunities for suitable positions of interest on the FAVER Career page.

<http://www.faver.foundation/careers/job-announcements>

In general, Hiring Managers and employees may expect transfers to occur 2-4 weeks after notice is given to the current manager, dependent on the study program needs of the current team. Although limited, there may be instances in which the employee will transition over several weeks, gradually increasing effort with the new team over time, to avoid the risk of disrupting workflow with the current team.

Intra-departmental Transfer Process

The Principal Investigator (P.I.) and authorized team leadership have the ability to transfer employees to equivalent positions (e.g., Study Coordinator to Study Coordinator) within the department to maintain and ensure productivity, efficiency, and results. While it is strongly encouraged to submit an internal announcement with FAVER Human Resources, it is not required.

Inter-departmental Transfer Process

- **Employee Responsibilities:**
Before a transfer is initiated, the employee is responsible for advising her/his current manager and/or Principal Investigator of the interest in job opportunities outside of the team. The employee may be required to submit an application through the FAVER Career page. As well, the employee must submit a completed and signed Request for Internal Transfer Form to FAVER Human Resources prior to accepting a role with the new team. *Expressing an interest in a transfer will not adversely affect employment.*
- **Hiring Manager Responsibilities:**
If a P.I. and/or Manager becomes aware of an employee with expressed interest in a current or future job opening, s/he is expected to notify FAVER Human Resources to determine eligibility for transfer, review the transfer process, and discuss rate of pay. If the employee is eligible and selected for the role, the Principal Investigator must contact the employee's current P.I. to discuss a transfer date that is agreeable for the current team. As soon as the transfer date and/or timeline is agreed upon, the Hiring Manager must send an email to FAVER Human Resources, copying the current manager, with brief outline of the transition plan.
- **Current Manager Responsibilities:**
When the current P.I. and/or Manager is notified of an employee wishing to transfer to another team, s/he is expected to support the employee's desire to grow personally and professionally and forward a brief confirmation of acceptable performance to FAVER Human Resources. As well, it is reasonably expected that the current P.I. and/or Manager reply to the Hiring Manager in a timely manner to develop the transition plan.

➤ Performance Reviews

In an effort to maintain the highest standards for your employment, FAVER has instituted an annual performance review. The performance evaluation period is an opportunity to discuss and review the quality of your work and demonstrated job skills. It is a tool to identify areas of strength and potential areas for performance improvement.

It is expected that, provided you have been employed by the Foundation for 6 months by the end of the calendar year, you will receive a performance evaluation each year. Your supervisor will complete the evaluation, review it with you, and allow you the opportunity to comment. After the evaluation is completed, the supervisor will return it to FAVER Human Resources for final review and filing in your personnel record.

Performance reviews are designed to provide a basis for better understanding between you and the Foundation, with respect to your job performance, potential and development within the Foundation. Please understand, however, that a positive performance review does not guarantee an increase in compensation, a promotion, or continued employment since compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of the Foundation.

➤ **Parking**

Working at the Atlanta VA Health Care System (AVAHCS):

- Foundation employees do not pay for parking on-site and should obtain a parking sticker from the VA Police Office, if and when applicable, as mandated by the Atlanta VA Health Care System.
- Employees are required to park in designated employee parking areas. Violators of this rule could be issued a citation by the Atlanta VA Police in any amount per incident.

Working at Emory University or other off-site locations:

- Foundation employees assigned to work off-site will not incur a parking fee deduction.

The Foundation is not responsible for parking incidents and/or violations.

Employee Relations

➤ Respectful Workplace

Everyone is entitled to respectful treatment in the workplace. Respect means being treated and treating others honestly and professionally, while valuing each person's unique talents, background, and perspectives. A respectful workplace is free from unlawful discrimination and harassment, although it involves more than compliance with the law. It is a work environment that is free of inappropriate and unprofessional behavior, consistent with the Foundation's ethics and values.

FAVER's goal is to foster an environment that reflects and values the best in everyone. Any harassment, unprofessional or inappropriate behavior, even if not illegal, interfering with that goal will not be tolerated and is subject to disciplinary action, up to and including termination.

Examples of improper behavior in the workplaces includes, but are not limited to, the following:

- Willful and intentional threats, intimidation, harassment, humiliation, or coercion of employees, colleagues, business partners, patients, visitors;
- Profane and abusive language directed at employees, colleagues, business partners, patients, visitors;
- Behavior that is rude, condescending or otherwise socially unacceptable;
- Intentional misrepresentation of information; and/or,
- Behavior that is disruptive to a safe and professional environment.

➤ Equal Employment Opportunity Statement

The Foundation for Atlanta Veterans Education and Research, Inc. (FAVER) is an Equal Opportunity Employer. Our policy is to offer equal opportunity to all qualified employees and applicants for employment without regard to race, religion, color, sex, pregnancy, national origin, age, sexual orientation, gender identity, status as a parent, disability, genetic information, or veteran status. FAVÉR complies with applicable state and local laws governing non-discrimination in employment.

This policy of Equal Employment Opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination and all other terms and conditions of employment.

➤ Accommodations

Disabilities: It is our policy to provide equal employment opportunity to applicants and employees with covered disabilities under the Americans with Disabilities Act of 1990, as amended, ("ADA") or other applicable law. This Policy applies to all aspects of employment and application for employment. As required by the ADA or other applicable law, we will provide reasonable accommodations to qualified individuals with a disability in the workplace unless such accommodations present an undue hardship or if the individual is a direct threat to the health or safety of the individual or others.

An individual with a disability may request a reasonable accommodation at any time during the application process or during employment. Reasonable accommodations are changes made to the work environment or to the manner or circumstances in which the job customarily is performed that allow an individual with a disability to perform all essential job functions. We are not required, however, to provide an accommodation if doing so would cause an undue hardship to the Foundation or if the individual is a direct threat to the health or safety of the individual or others in the workplace.

All requests for accommodations will be addressed in connection with an interactive dialogue with the affected individual. The responsibility for seeking a reasonable accommodation begins with the employee or applicant. To request an accommodation, an individual should submit a written request to the FAVÉR Human Resources Director.

Upon receiving a request for accommodation, we will seek an interactive process with the individual to clarify his or her needs and identify the appropriate reasonable accommodation. During this process, we may request

reasonable documentation, including medical documentation, of the individual's disability and need for a reasonable accommodation. Failure to provide required medical information or to otherwise participate in a meaningful way in the interactive dialogue process regarding an accommodation request may result in denial of an accommodation. Because of the personal nature of some disability issues, we will take every reasonable effort to ensure confidentiality during the review process.

Individuals will be notified of our decision regarding their request for an accommodation. Any individual believing that a reasonable accommodation has not been provided or who otherwise feels he or she has been discriminated against on account of a disability must follow the Employee Complaint Procedure, which is contained in this Handbook.

Religious Accommodations: The Foundation respects the sincerely held religious beliefs and practices of all employees and will make, on request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the Foundation's business. An employee whose religious beliefs or practices conflicts with his or her job, work schedule, or with the Foundation's policy or practice on dress and appearance or with other aspects of employment and who seeks a religious accommodation must submit a written request for an accommodation to the FAVER Human Resources Director.

Upon receiving a request for accommodation, we will seek an interactive process with the individual to clarify his or her needs and identify the appropriate reasonable accommodation. Failure to provide required information or to otherwise participate in a meaningful way in the interactive dialogue process regarding an accommodation request may result in denial of an accommodation. Any individual believing that a reasonable accommodation has not been provided or who otherwise feels he or she has been discriminated against on account of a religious belief or practice must follow the Employee Complaint Procedure, which is contained in this Handbook.

➤ **Employee Complaint Procedure (*Including Complaints for Violation of Non-Discrimination & Anti-Harassment Policy*)**

All employees should help to assure that we avoid any form of unlawful or inappropriate conduct. If you feel that you have experienced or witnessed (1) harassment, (2) discrimination, (3) improper denial of a request for accommodation, (4) denial of requested leave under the FMLA, ADA, or otherwise, (5) retaliation, (6) violation of any policy of the Foundation or policy in this Handbook, (7) failure to pay overtime or other violation of the FLSA or wage payment laws, or (8) other unlawful or inappropriate conduct by anyone, including an employee, supervisor, manager, coworker, contractor, subcontractor, vendor, client, visitor, customer, agent, or other third party, you are to notify immediately (preferably in writing within 24 hours) the FAVER Human Resources Director, whose address is 1670 Clairmont Road, Room 5A117 (151F), Decatur, GA 30033. If you are not contacted promptly about your complaint or are not satisfied with the response, you are to re-file it with the Human Resources Director and also send notification of your complaint in writing by certified mail to our Executive Director, whose address is 1670 Clairmont Road, Room 5A104A (151F), Decatur, GA 30033. If you are not comfortable discussing the matter with the Human Resources Director, you are to file your complaint directly with the Executive Director. We prohibit unlawful retaliation against anyone who has made a complaint or provides information related to a complaint.

➤ **Non-Discrimination & Anti-Harassment**

This statement outlines our commitment to comply with the requirements and objectives set forth by Presidential Executive Orders 11246, 11478, 13087 and 13152, Title VII of the Civil Rights Act of 1964, the Civil Rights Act of 1991, the Age Discrimination in Employment Act of 1967, Age Discrimination Act of 1975, Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, the Uniformed Services Employment and Reemployment Rights Act, the Vietnam-Era Veterans Readjustment Assistance Act of 1974, and the Vocational Rehabilitation Act of 1973. We seek to obtain individuals qualified or trainable for a position by virtue of job-related education standards, training, experience, and personal qualifications.

The Foundation is committed to the mission that all employees should be able to enjoy and work in an environment free from discrimination. Discrimination of any person or group of persons on the basis of race, religion, color, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), status as a parent,

disability, genetic information and/or veteran status or any other characteristic protected by applicable federal, state, or local law is prohibited by the Foundation. Any employee who violates this policy will be subject to disciplinary action up to and including termination. It is illegal to discriminate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

Discriminatory harassment includes conduct (oral, written, graphic, or physical) directed against any person or group of persons because of race, religion, color, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), status as a parent, disability, genetic information and/or veteran status or any other characteristic protected by applicable federal, state or local law that has the purpose or reasonably foreseeable effect of creating an offensive, demeaning, intimidating, or hostile environment for that person or group of persons. Such conduct includes, but is not limited to, objectionable epithets, demeaning depictions or treatment, and threatened or actual abuse or harm.

Sexual harassment includes, but is not limited to, unwelcome verbal behavior such as comments, suggestions, jokes, or derogatory remarks based on sex, unsolicited physical behavior, visual harassment (such as posters and pictures in the work areas), and/or unwanted sexual advances. These acts will not be tolerated in our work environment.

The Foundation will strive to keep the matter confidential, although this cannot be guaranteed, and will seek to protect the employee from any retaliation. Any employee who feels that adverse action has been taken toward him or her due to a report of discrimination and/or harassment should report it as soon as possible following the Employee Complaint Procedure, which is contained in this Handbook.

➤ **Whistleblowers Policy & Guidelines for Reporting Improper Activity**

The Foundation supports the conscientious reporting of improper activity. FAVER does not condone any activity that is illegal or improper, whether by a Board Member, an Executive team member, a Principal Investigator, a supervisor, or employee. FAVER encourages its employees to report any suspected or actual illegal or improper activity.

Behavior that falls into the category of illegal or improper conduct includes, but is not limited to, fraud, theft, safety violations, improper use of authority, gross waste of funds, harassment, or retaliation. If an employee in good faith believes that an improper or illegal action or event has occurred, he or she should report the incident to FAVER Human Resources, FAVER Executive Director or the FAVER Board of Directors immediately. Complaints, reports or inquiries may be made on a confidential basis by contacting FAVER Human Resources. In doing so, employees should describe in detail the specific facts demonstrating the basis for the complaint, report or inquiries. FAVER will conduct a prompt, discreet, and objective review or investigation. Employees must recognize that FAVER may be unable to fully evaluate a vague or general complaint, report or inquiry that is made anonymously.

The Foundation will strive to keep a whistleblower's identity confidential, but this cannot be guaranteed. An employee may be called as a witness in any criminal investigation. FAVER will seek to protect the employee from any retaliation. Any employee who feels that adverse action has been taken toward him or her due to a report of improper activity should report it as soon as possible.

NOTE: Employee complaints regarding employee workplace conduct, such as harassment, discrimination, improper denial of a request for accommodation/requested leave under the FMLA, ADA or otherwise, wage and hour violations, and retaliation, *are not* to be reported using the steps identified in this policy and, instead, *must* be reported in accordance with the protocol identified in the Employee Complaint Procedure in this Employee Handbook.

➤ **Compliance with the Genetic Information Nondiscrimination Act (GINA)**

It is a violation of the Foundation's policy to discriminate, harass, or retaliate against an employee or an applicant on the basis of genetic information when it comes to any aspect of employment, including hiring, firing, pay, job

assignments, promotions, layoffs, training, fringe benefits, or any other term or condition of employment. The Foundation does not use genetic information to make employment decisions. It is a violation of this policy to ask for or obtain genetic information about an applicant or an employee, unless specifically authorized by law. In those circumstances where genetic information is maintained, it will be retained in a confidential manner and in a separate medical file so as to prevent unlawful disclosure.

➤ **Employee Privacy Policy**

It is the policy of the Foundation to keep all past and present employee information private from disclosure to third parties. There are certain business-related exceptions, and they are:

- Courts of law, as well as county, state or federal agencies;
- Inquiries from third parties with a signed authorization from the employee to release the information, except in situations where limited verbal verifications are acceptable (see *Confidentiality of Medical Information*); and/or,
- Third parties of which FAVER has contractual agreements to assist in administration of Foundation-sponsored benefits.

Verifications of Employment: Prospective employers, financial institutions, and residential property managers routinely contact FAVER requesting information on a former or current employee's work history and salary. All such requests of this type shall be referred to and completed on a confidential basis by FAVER Human Resources.

For written verification of employment requests, information will be provided on the form only when it is accompanied by an employee's signed authorization to release information. The form will be returned directly to the requesting party. Verbal verifications are not provided.

Confidentiality of Medical Information: The Foundation is compliant with Health Insurance Portability and Accountability Act of 1996 (HIPAA) and Genetic Information Nondiscrimination Act of 2008 (GINA) regulations, and only utilizes information related to the Foundation sponsored healthcare plans on a "need to know" basis for administration of the healthcare plans. FAVER will take reasonable precautions to protect such information from inappropriate disclosure and maintain the confidentiality of employee medical information. Anyone who inappropriately discloses such information will be subject to disciplinary action, up to and including termination of employment.

➤ **Nursing Mothers**

The Foundation complies with applicable provisions of the Patient Protection and Affordable Care Act. Consistent with this statute, the Foundation provides all nursing mothers who are non-exempt employees under the Fair Labor Standards Act with reasonable break time to express breast milk for the nursing of a child for one year following the birth of a child. In addition, the Foundation will provide a private place other than a bathroom where a non-exempt nursing mother may express breast milk. These breaks will be unpaid. Please direct all requests regarding this Policy to the FAVER Human Resources Director.

➤ **Immigration Law Compliance**

The Foundation employs only United States citizens and those non-U.S. citizens authorized to work in the United States in compliance with all applicable federal and state laws. Further, the Foundation utilizes E-Verify in order to certify the work eligibility of its employees. E-Verify is an Internet-based system operated by Department of Homeland Security (DHS) in partnership with Social Security Administration (SSA) that allows participating employers to electronically verify the employment eligibility of their newly hired employees. E-Verify works by electronically comparing the information on an employee's Form I-9 with SSA and DHS records to verify the identity and employment eligibility of each newly hired employee.

The E-Verify Notice is available at the end of this Handbook and also in the FAVER Human Resources Office.

Employee Responsibilities

➤ Rights & Responsibilities

The Standards of Ethical Conduct and Related Responsibilities of Employees, located in Title 38, Code of Federal Regulations, sections 0.735-10 to 0.735-23 provide in section 0.735-15 that "an employee shall not, except as specifically authorized, disclose any official information which represents a matter of confidence or trust or any other official information of such character that its disclosure or use would be contrary to the best interest of the Government, the Veterans Administration, or the veterans being served by the Veterans Administration".

As Foundation employees, it is our responsibility to protect the confidentiality of all patient information. This responsibility extends to all employees and not only to those who provide actual patient care or maintain medical records. Any patient information, whether overheard, noticed at a copy machine or desk, read during hand-carry, seen in correspondence, etc., must be kept confidential by all employees. Our patients have a legal right to privacy and we, as their caregivers, have a legal and moral responsibility to protect that right.

Patient information is not to be discussed with anyone when off-duty. When on-duty, employees are expected to refrain from discussing our patients with anyone, including other patients, visitors, and other employees who do not need to know the information to carry out their official duties. Increased diligence must be exercised in protecting patient information in cases where patients have sensitive medical conditions where the inappropriate disclosure of information could be medically, psychologically, socially or economically harmful. The Privacy Act and other federal statutes provide penalty and fine provisions for the knowing and willful misuse or disclosure of confidential information to any person or agency that is not entitled to receive it.

➤ Effort Certification

As a recipient of federal funds, the Foundation must comply with the Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (commonly called "Uniform Guidance"), which requires certification of effort to document salary expenses charged directly or indirectly against federally-sponsored projects. FAVER's effort reporting policies and procedures are intended to meet this requirement.

FAVER uses an "after-the-fact effort" reporting system. Each employee whose time is committed to a federally-sponsored project is expected to complete a time and effort report.

Time and effort reporting should reflect the percentage distribution of effort expended by FAVER employees involved in federally-sponsored projects. This report is required if any effort is paid by a federally-sponsored project. Time and effort reports must represent, in percentages totaling 100%, a breakdown by project of the employee's effort for the period being reported.

Effort: Effort is work or the proportion of time worked on any project and expressed as a percentage of total time. Total effort for an employee must equal 100%. The appointment serves as the basis for an individual's total effort. In other words, for a 50% appointment, 100% effort is the 50% appointment. Likewise, if an employee is employed for 10 hours, then the 10 hours represents 100% effort.

Certification: The assertion by an individual with suitable means of verification that the work was performed, stating that salaries and wages charged to sponsored agreements as direct charges are reasonable in relation to work performed over the certification period.

The federal government can impose severe penalties and funding disallowances as a result of missing, inaccurate, incomplete, or untimely effort reporting. FAVER expects that its employees will complete time and effort reports accurately and in a timely manner.

➤ Conflicts of Interest

This policy is designed to protect the interests of FAVER by providing guidance on participation in Foundation matters that might permit an officer, director, or employee to choose personal interests over the interests of FAVER or that might call into question the employee's independence, impartiality, or integrity of service to FAVER.

Pursuant to 38 U.S.C. § 7366(c), as amended by Public Law 111-163, §§ 801-806, all directors, officers, and employees of FAVER are subject to this conflict of interest policy. This policy is intended to supplement, but not replace, applicable federal and state laws and Department of Veterans Affairs (VA) regulations and policies governing conflicts of interest, including those VA policies pertaining to research conflicts of interest.

VA employees statutorily mandated to serve as FAVER Directors as part of official VA duty ("Statutory VA Directors") and FAVER employees who hold a VA Without Compensation (WOC) appointment, or who are detailed or assigned to VA under the Intergovernmental Personnel Act, are subject to the federal conflict of interest laws and regulations, which control if in conflict with this policy.

Unless authorized by the FAVER Board of Directors, a FAVER Director, officer, or employee is prohibited from participating as part of his or her FAVER duties in any matter in which s/he has a conflict of interest or the appearance of a conflict of interest. To participate in any matter means to engage in an aspect of the decision-making process through recommendation, approval, disapproval, investigation, advice-giving or the like, or through the active supervision of a subordinate who is so engaged.

The final determination of the existence of a conflict of interest or the appearance of a conflict of interest rests with the FAVER Board of Directors.

Each Director, officer or employee has an obligation to inform the Executive Director as soon as he believes that he has a real or potential Conflict of Interest or appearance of a Conflict of Interest that could affect his participation in a Foundation matter.

Definitions

Business Associate: A "Business Associate" is any person or entity other than FAVER, with whom a FAVER officer, director, or employee: 1) engages in the exchange of goods or services for remuneration (other than routine consumer transactions); 2) served within the past year as officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee; or 3) or any of their Relatives serves, seeks to serve, or has an arrangement to serve as officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee.

Close Relationship: A Director, officer, or employee of FAVER has a Close Relationship with Relatives, members of his household, and Business Associates such as general partners.

Conflict of Interest: A conflict of interest exists when the interests of a director, officer, or employee is or appears to be competing with the interests of FAVER. A director, officer, or employee may be considered to have a conflict of interest whenever he or someone with whom he has a Close Relationship has an existing financial or other material interest that affects or appears to affect the independence, objectivity, or integrity of the director, officer, or employee in the discharge of his FAVER responsibilities. Additionally, personal and business relationships may cause "dual loyalties" that are unrelated to personal financial gain, but nonetheless may raise conflict of interest concerns.

Financial or Other Material Interest: A FAVER director, officer, or employee has a "Financial Interest" if through business, investment, or Relatives he has an ownership or investment interest in, or a compensation arrangement with, any entity or individual with whom FAVER has or is contemplating a transaction or arrangement.

Key Employee: A FAVER employee with decision-making authority.

Relatives: For purposes of this policy, "Relatives" are the spouse, parent, child, and any other relative by blood or marriage with whom an FAVER officer, director, or employee has similarly close personal ties, as well as any other member of his household.

Duty to Disclose Potential Conflicts of Interest

All FAVER directors, officers and employees have a duty to disclose actual or potential Conflicts of Interest or appearance of a conflict of interest in accordance with this policy.

Disclosure Procedures

In addition to the ongoing duty to disclose potential conflicts:

- All FAVER directors, officers, and employees will complete a Disclosure Questionnaire and an Affirmation of Compliance upon initiating their association with FAVER. The completed documents are to be submitted to the FAVER Executive Director.
- All FAVER directors, officers, and Key Employees will submit to the Executive Director a new Disclosure Questionnaire and Affirmation of Compliance statement any time a change in circumstances may result in a potential conflict of interest, but at least annually.
- Employees other than Key Employees will submit to the Executive Director a new Disclosure Questionnaire and Affirmation of Compliance statement any time a change in circumstances may result in a potential conflict of interest.

Disclosure Review

The Executive Director shall conduct a preliminary review of all Disclosure Questionnaires and will provide to the Board of Directors any Disclosure Questionnaire of a director, officer or Key Employee that contains a disclosure (i.e. a “yes” response). The Board will determine whether a conflict exists and if so, how to manage the conflict, if possible. Disclosure Questionnaires containing no disclosures and the Affirmation of Compliance statements need not be submitted to the Board of Directors.

The Executive Director will provide to the President of the Board (or equivalent position) and the employee’s supervisor, the Disclosure Questionnaire of a non-Key Employee that contains a disclosure. The President, supervisor, and Executive Director will determine if the disclosure represents a real or potential conflict of interest that requires consideration by the Board.

- **Sanctions:** Failure to disclose as required by this policy may result in sanctions, up to and including dismissal from FAVER.
- **Tracking:** The Executive Director shall ensure that all FAVER personnel fulfill their disclosure requirements and shall ensure that written documentation showing fulfillment of such requirement is maintained for three years.
- **Confidentiality:** Disclosure Questionnaires may contain confidential information and will be treated as confidential documents.
- **Storage and Retention:** The Executive Director will maintain Disclosure Questionnaires and Affirmations of Compliance statements with the official records of FAVER in a secured container. The Disclosure Questionnaires and Affirmation of Compliance statements will be retained for at least three years with the most recent version of each retained until the end of the individual’s FAVER relationship.

Requirement for Board Review of Potential Conflicts

Whenever there is a reason to believe that a potential conflict exists between any interest of an FAVER board member, officer, or employee, and his/her duty to FAVER, the Board will promptly convene a meeting to determine whether a conflict of interest exists and the appropriate response.

Any response by the Board will include, but may not necessarily be limited to, invoking the procedures described below with respect to a specific proposed matter.

If there is reason to believe that a potential conflict affects VA interests, the Board will bring the potential conflict to the attention of the appropriate VA authorities which may include the facility Research Conflict of Interest Committee or a VA Office of General Counsel Deputy Ethics official.

Procedures for Addressing Conflicts of Interest

When a potential conflict exists between the interests of FAVER and a director, officer or employee, the Board will

consider the matter during a meeting of the Board. The affected individual shall recuse himself from participating in the potential conflict of interest and from the Board meeting at which the potential conflict of interest is considered. Until such time as the conflict of interest is resolved, the affected individual shall recuse himself from participating in the matter that invoked the potential conflict of interest concern. The following procedures will apply:

- **Board Review:** A director, officer or employee who has a potential conflict of interest with respect to a proposed FAVER decision, policy or transaction or arrangement (an “interested party”) will not participate in any way, or be present during, the deliberations and decision-making vote of FAVER with respect to such matter. However, that person will have an opportunity to provide factual information about the proposed conflict and/or matter that provoked the potential conflict. Also, the Board may request that an interested party be available to answer questions. Board options include, but are not limited to:
 - Allowing the proposed matter to go forward upon finding that it is in the best interests of FAVER;
 - Prohibiting the proposed matter from going forward if it is found to have been irreparably tainted by the conflict of interest;
 - Approving mitigating actions (including but not limited to recusal, limitation of duties, transfer or reassignment, additional supervisory review or other action considered appropriate by the Board); or,
 - Recommending an alternative arrangement.
- **Vote:** A decision by the disinterested members of the Board will be made by vote of a majority of members in attendance at a meeting at which a quorum is present. An interested director will not be counted for purposes of determining whether a quorum is present, or for purposes of determining what constitutes a majority vote of directors in attendance. Any person who is the subject of such vote shall not be present.
- **Minutes:** The minutes of the Board meeting will reflect that the conflict disclosure was made to the Board, the vote taken and, when applicable, the abstention from voting and participation by any interested party. Whenever possible, the minutes should frame the decision in such a way that it provides guidance for consideration of future conflict of interest situations.

Violations of the Policy

If a director, officer, employee, or the supervisor of an FAVER employee, has reason to believe that any other director, officer, or employee has failed to disclose an actual or potential conflict of interest, such person has a responsibility to inform the chair of the Board or the Executive Director of their belief and its basis. In such event or should the chair of the Board, Executive Director, or any member of the Board become aware of a possible violation of this policy, the chair of the Board, Executive Director, or other Director will refer the matter to the Board. The Board will inform the person of the allegation and will allow the person an opportunity to explain the alleged failure to disclose.

If after affording a FAVER director, officer or employee with a potential or actual conflict an opportunity to disclose all material facts, the Board decides that such an individual has in fact failed to disclose a possible conflict of interest, the Board will determine the corrective steps to be taken and/or disciplinary action.

Failure to comply with this policy, including failure to disclose any conflicts or to seek an exception, may result in discipline, up to and including termination of employment.

➤ Non-Fraternization

The Foundation prohibits dating or romantic relationships between a supervisor and a subordinate who reports either directly or indirectly to that supervisor. This prohibition applies to all employees regardless of their marital status.

In the event a supervisor and subordinate desire to date or enter into a romantic relationship, the supervisor should immediately notify the FAVER Human Resources Director so that the Foundation may take appropriate steps to avoid any adverse impact in the workplace. This may include the transfer, reassignment, or resignation of one (or both) of the employees involved. The Foundation may, at its discretion, also require any participants in a consensual romantic and/or sexual relationship to execute a Consensual Relationship Agreement. The Foundation will address these situations as confidentially and discreetly as possible. When a violation of this Policy is determined to have occurred, appropriate disciplinary action, up to and including discharge, will be taken.

➤ **Employment of Relatives**

A familial relationship among employees can create an actual or at least a potential conflict of interest in the employment setting. The Foundation will not hire or place a relative in a position where the potential for favoritism exists, specifically in a supervisory relationship. Under no circumstances may an individual supervise, evaluate the job performance, or approve compensation for any individual with whom she or he maintains a close relationship. In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment, at FAVER's discretion.

For the purposes of this policy, a relative may include any individual related by blood, marriage, or affinity whose close relationship with the employee is similar to that of a family relationship. A close relationship is generally interpreted as spouse, life partner, parents, children, siblings, grandparents, in-laws, relatives through marriage, or members of the same household. Employees in a supervisory relationship who become related while working at the Foundation must end the supervisory relationship. One of the employees must transfer to another open position within the Foundation, if such a position is available. If not, one of the two employees must resign employment with Foundation.

The Foundation will refer any issues that appear to have the potential for favoritism or conflict of interest in the employment of relatives to the VA Office of Regional Counsel for a legal opinion.

➤ **Solicitation & Distribution**

Employees may not engage in solicitation for any purpose during his/her work time, which includes the working time of the employee who seeks to solicit and the employee who is being solicited. Although solicitation is not encouraged, it is permitted as long as it is limited to the employee's break and lunch time and kept out of active working areas. Nothing in this policy is intended to restrict an employee's statutory rights, including discussing terms and conditions of employment.

Distribution by employees of any type (materials, goods, paper) is prohibited in work areas at any time, whether or not the employees are on working time. Electronic distribution is subject to the Foundation's Electronic Communications Policy and may not occur during the employee's working time. Non-employees are prohibited from distributing materials to employees on Foundation premises at any time. Literature that violates the Foundation's EEO and No Harassment policies, includes threats of violence, or is knowingly and recklessly false is never permitted. Nothing in this policy is intended to restrict an employee's statutory rights, including discussing terms and conditions of employment.

➤ **Electronic Communications Policy**

The following are some general principles to be applied to the use of all electronic media and services used during employment, regardless of the owner of the electronic equipment used.

FAVER is committed to protecting confidential and proprietary information and avoiding misuse of electronic information systems. Considering these matters, the Foundation has adopted the following policy on electronic communications. All employees are expected to comply with this policy and to indicate their agreement to comply by signing the Foundation for Atlanta Veterans Education and Research, Inc. Handbook Acknowledgment Form.

FAVER maintains computers (including software, hardware, laptops, and network systems), Internet and email systems, and telephone, facsimile, and voice mail systems for business purposes, and their use should be limited to business purposes, except as expressly allowed below. In most cases, equipment is provided by the VA Health Care System for FAVER employees. For purposes of this policy, such systems and equipment are collectively referred to as "electronic information systems".

FAVER reserves the right to access, monitor, and disclose communications and information stored in, transmitted from, or received by any part of its electronic information systems without notice. The Foundation intends to access, monitor, and disclose such communications and information only for business purposes, such as protecting proprietary or confidential information, evaluating productivity, preventing misuse of the systems, investigating

illegal or unethical conduct, correcting system problems, and assuring compliance with this policy. However, the contents of all communications and all information on the systems, including email (Foundation and private accounts), text message, comments on blogs, social media sites, and other internet pages and voicemail messages, are subject to review and use by authorized organization representatives and by third parties (including law enforcement officials) as FAVER, in its discretion, deems necessary or appropriate.

Employees should not expect privacy in using the electronic information systems provided by the employer or in the workplace. This applies to all aspects of electronic information systems, including, but not limited to, stored email and voicemail messages and all data and work products created or stored on Foundation or host institution computers. Although each employee has an individual password to access these electronic information systems, the employee does not own any of the email or information stored on these systems. The electronic systems may be owned completely or in part by FAVER, VA or the hosting organization. Employee use of passwords and access codes does not imply privacy rights. Employees should be aware that even deleted messages can be retrieved.

Misuse of electronic information systems is prohibited and may result in disciplinary action, up to and including termination at FAVER's discretion. Misuse includes, but is not limited to, the following types of conduct.

- Using the Foundation's or host institution's electronic information systems for:
 - illegal purposes;
 - soliciting others for commercial, political, religious, or other purposes not related to work;
 - personal use (other than occasional, brief, and appropriate use approved by the supervisor);
 - downloading, displaying, transmitting, printing, or storing any offensive, obscene, or threatening material;
 - making, sending, or forwarding discriminatory, harassing, fraudulent, defamatory, threatening or otherwise improper communications intended as humor;
 - participating in online chat rooms, playing games, instant messaging (unless work-related), keeping personal journals ("blogging"), sending non-work-related mass mailings, sending chain letters, intentionally introducing viruses or damaging files, or otherwise making wasteful or disruptive use of electronic information systems;
 - loading unauthorized or unlicensed software onto electronic information systems;
 - distributing, downloading, or printing copyrighted materials in violation of copyright laws; and/or,
 - any use that is contrary to the Foundation's legal and business interests.
- Sharing or failing to safeguard passwords and access codes, and using or copying unauthorized passwords, access codes, encryption keys, or software.
- Using passwords or access codes assigned to others, accessing, altering, or copying other employees' electronic files without permission, and breaching or trying to breach computer or network security systems.
- Allowing electronic information systems to be used by individuals who are not employees or approved business associates of the Foundation.
- Using electronic information systems to disclose or communicate trade secrets or other proprietary, confidential, or sensitive information, except as expressly authorized and appropriately safeguarded.

Employees who become aware of other employees' misuse of electronic information systems or who receive offensive, obscene, threatening or otherwise improper communications through the systems are expected to report the incident immediately to their supervisor. Employees also should consult FAVER Human Resources if they are unsure whether a particular use of electronic information systems is allowed under this policy. Retaliation against an employee for reporting violations of this policy is prohibited.

In some cases, employees may be asked to sign standards of conduct when utilizing federal systems. In such cases, the owner of such systems can implement additional rules of behavior which are expected to be followed.

By signing the Foundation for Atlanta Veterans Education and Research, Inc. Employee Handbook Acknowledgement Form, employees consent to FAVER accessing, monitoring, using, and disclosing any communication or information on electronic information systems. Privacy rights are waived in such communications or information.

➤ Social Media Policy

In general, FAVER views social networking websites and applications including, but not limited to, the following: Facebook, Twitter, Instagram, TikTok, Snap Chat, etc., personal websites, and blogs positively and respects the right of employees to use them as a medium of self-expression. The use of social media, however, can impact both the Foundation and employees alike. FAVER created this policy to establish its expectations for employee use of social media.

Applicability: This policy is meant to apply to social networking websites and applications, personal websites, blogs, photo sharing sites, video sharing sites, podcasts, and/or bulletin boards and comments posted on other websites. For ease of reference, this policy refers to all of these types of websites and applications generically as “social media”. The absence of an explicit reference to a specific website and/or application is not meant to limit the policy. Where no policy or guideline exists, employees should use their professional judgment and take the most prudent action possible. Employees are reasonably expected to consult with their manager or FAVER Human Resources if there is any uncertainty about any of social media activities.

No Interference with Job Duties

The host institution’s internet and computer resources are provided to allow employees to complete job duties and should be used for business purposes only. As such, the Foundation does not allow personal use of social media during work time.

Personal Use Outside of Work

Employees may use social media during their personal time outside of work; however, they must be aware that information they display on the internet not only reflects on themselves, but could also be associated with FAVER, the VA and/or the host institution. Therefore, employees are expected to follow these guidelines when using social media:

- No employee may use their work email address to register on any social media for personal use.
- Any social media posting by an employee must be consistent with the Foundation’s policies including, but not limited to, FAVER’s EEO policy against harassment and discrimination, as well as our policies regarding confidentiality of information. Inappropriate postings may include discriminatory remarks, harassment, threats of violence, intimidation, bullying, defamatory statements, false statements, disclosure of confidential information, and similar inappropriate or unlawful conduct.
- If an employee identifies themselves as an employee of the Foundation, or if FAVER and/or the VA is referred to in or is the subject of a social media posting, the employee must be clear and open about the fact that all opinions or views expressed are those of the employee and not the Foundation. (For example, “The views and comments stated herein are personal and do not necessarily reflect the views of my employer”.)
- FAVER’s relationships with its clients and partners are valuable assets. Even positive references can be noticed and used to the Foundation’s disadvantage. Therefore, employees may not reference or display any information about any of the FAVER’s clients, vendors, business partners, or third parties that is inconsistent with our EEO Policy, policies regarding confidential information, and/or other provisions of the FAVER Employee Handbook (“the Handbook”).
- Confidential information of the Foundation, VA or host institution is not to be discussed or referred to by employees on any social media website, even in private messages between site members who have authorized access to the information. This includes information such as financial information about the Foundation or VA, pricing, strategies, intellectual property, patient or business partner information, or other information covered by our confidential information policy in the Handbook.
- An employee must be honest and accurate when posting information or news and if a mistake is made, the employee must promptly correct it. An employee may not post any information or rumors that he knows to be false about FAVER or the VA, its patients or clients, or people working on behalf of the Foundation or host institution.
- Employees are responsible for reading, knowing, and complying with the Terms of Service of the social media they use.
- Employees are expected at all times to comply with the law in regard to copyright, trademark, and plagiarism. Posting of someone else’s work without permission is not allowed.
- FAVER encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page or social networking site can be relayed and often misunderstood by the

reader. Employees must use their best judgment and also comply with the policies set forth in this Handbook.

Other Policies

All other policies in the Handbook apply with equal force to employee use of social media. In particular, employees are expected to follow the Foundation's EEO Policy when participating in social media. FAVER considers behavior that is inappropriate in the workplace to be inappropriate on the Internet as well, including that our EEO Policy concerning discrimination, harassment, and retaliation applies equally to the treatment of employees in the workplace and/or on the Internet and social media applications.

Business-Related Social Media Use

An employee is not permitted to visit social media during work hours, unless specifically authorized to do so for business-related purposes, either: (1) by virtue of the employee's job duties; or (2) with express authorization as specified below. Those employees who do have authorization and post messages on Foundation or VA websites or social media accounts should understand that they are posting on behalf of FAVER and must adhere to our professional standards, values, policies and applicable laws at all times.

Employees who have job responsibilities that include posting information to FAVER-maintained websites or social media accounts understand and agree that the content and followers of the blog or other website belong exclusively to the Foundation and that upon request the employee must provide the FAVER with any information necessary to log in to the website or social media account. No employee may create an official account or change a password, as this is solely the responsibility of the Foundation. Further, employees must comply with all copyright, trademark, and other applicable laws when posting material to a FAVER or VA website or social media account.

Employees who do not have job responsibilities that include the posting of information to FAVER-maintained websites and/or social media accounts on behalf of the Foundation or VA or in a manner that could reasonably be attributed to FAVER must obtain express written authorization from the FAVER Executive Director before posting any material to the website or social media account.

All employees authorized to post on the FAVER or VA social media accounts should identify themselves and their affiliation with the Foundation. Any content posted should be current and accurate. If you do make an error, take responsibility for it and correct it quickly. Do not post any information that is obscene, defamatory, libelous, threatening, harassing, or intimidating to another person or entity. 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 on the basis of any characteristic protected by law or FAVER policy.

When posting for authorized business-related purposes, employees are expected to avoid sharing information about political activity policy and to ensure compliance with laws governing such activities. Employees are also prohibited from using or disclosing any personal identifiable information about any individual who is employed by or has received services from the Foundation. If a comment contains information that identifies an individual who is an employee or has received services from/by FAVER and is sent by anyone other than that individual, the posting author should edit the identifying information out of the post immediately.

Employment Representations

Following the end of the employment relationship with FAVER, the employee must take prompt affirmative steps to ensure that no social media account or posting represents them to be a current employee of the Foundation.

Endorsements

The Federal Trade Commission has issued guidelines to regulate communications made through endorsements and testimonials via social media. Advertisers and endorsers are potentially liable for false or unsubstantiated statements and for failing to disclose material connections between themselves and their endorsers. To reduce the legal and reputational risk associated with the Foundation's employees' statements about its services, when offering testimonials or endorsements via social media, employees must clearly disclose that they are a FAVER employee and speaking on their own behalf. Failure to disclose your status as an employee of the Foundation may result in civil or criminal penalties and/or disciplinary action, up to and including the termination of employment. No

employee shall make any testimonials or endorsements about the Foundation's services in the name of, or as a spokesperson for, FAVER without express authorization from the FAVER Executive Director.

Disciplinary Action

While FAVER respects the right of employees to use social media, it has established this policy for the benefit and protection of the Foundation and its employees. Any employee witnessing or who believes a violation of this policy has occurred must refer to and utilize FAVER's Employee Complaint Procedure. FAVER takes the expectations explained above very seriously. As such, employees are advised that violating this policy may result in disciplinary action, up to and including termination.

➤ Driving Personal Vehicles & Work-Provided Vehicles

Some employees may be required to drive their personal vehicles or vehicles owned by the Foundation or the host institution as a part of their job duties. Any employees required to drive their personal vehicles, Foundation or host institution vehicles as a part of their job duties must comply with this policy.

You must have a valid driver's license appropriate to the vehicle that you drive and a driving record acceptable to the Foundation, the VA and our insurance company. If you receive a citation for a moving violation or DUI/DWI, whether on or off the job, you must report that fact in writing to your supervisor and the FAVER Human Resources Director within 48 hours. Similarly, any employee whose license is suspended, restricted, or revoked for any reason must also report this in writing to their supervisor and the FAVER Human Resources Director within 48 hours. If an employee fails to disclose the citation, revocation or suspension and we later learn about it, the employee will be subject to immediate termination and will not be considered for another position.

Foundation and host institution vehicles are for business use only and only employees are permitted to drive these vehicles and under no circumstances should an employee pick up hitchhikers.

Any employee who is involved in an accident while driving a personal vehicle for Foundation business or Foundation and/or host institution vehicle for VA business which results in personal injury or property damage of any kind must notify the police and his or her supervisor and the FAVER Human Resources Director immediately. If an employee fails to report such injury or damage or is considered to have excessive accidents or events of damaged vehicles, the employee is subject to termination.

➤ Off-Duty Employees

Off-duty employees are to visit the Foundation or the host institution only on matters of business, such as obtaining paychecks, and may not enter work areas unless granted permission to do so by a supervisor.

➤ Personal Property

The Foundation is not responsible for personal belongings that are brought onto the premises. Team members are encouraged not to bring valuable items with them to work. All personal items brought into the facility should be secured in lockers, if provided. The Foundation cannot be responsible for loss or damage to your personal property.

➤ Changes in Personal Data

The Foundation needs to maintain up-to-date information about you so that we may aid you and/or your family in matters of personal emergency. Changes in name, address, telephone number, marital status, number of dependents or changes in next of kin and/or beneficiaries should be given promptly to the FAVER Human Resources Director.

➤ Nondisclosure of Confidential Information

The purpose of this policy is to require all Foundation employees to maintain the confidentiality of VA, third-party, and FAVER confidential information. This policy applies to all FAVER employees, including those who hold a VA Without Compensation (WOC) appointment.

The Foundation considers its confidential information to be one of its most valuable assets. We all share a common interest in making sure this information is not improperly or accidentally disclosed. As such, employees must carefully protect and must not disclose to any third party any confidential or proprietary information belonging to the Foundation or its customers, unless expressly authorized or specifically required in the course of performing authorized services for the Foundation. Such protected information includes, but is not limited to, matters of a technical nature, such as computer software, product sources, product research, and designs, as well as matters of a business nature, such as customer lists, customer contact information, employee information, personnel information, on-site program and support materials, training materials, pricing lists, sales data, financial and marketing data, and any other confidential information, whether communicated orally or in writing, and whether in electronic or other tangible form, concerning the Foundation's or its customers' operations and business.

FAVER employees are required to maintain the confidentiality of information obtained in the performance of their duties. There are three main categories of confidential information that FAVER employees will encounter:

- **VA Confidential Information.** The VA is subject to various laws regarding confidentiality, including but not limited to the Privacy Act, the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191), the Freedom of Information Act, and 38 U.S.C. §§5701, 5705, and 7332. VA may only use or disclose Confidential Information consistent with applicable legal authority. Examples of VA Confidential Information include Individually Identifiable Information contained in VA patient files, VA data, VA research and VA employee records including but not limited to licensure and credentialing.
- **Third Party Confidential Information.** Confidential Information obtained from federal or non-federal sponsors and research collaborators in the context of potential and actual collaborative research and/or education. This information includes, but is not limited to, trade secrets, commercial, financial information, protocols and data.
- **FAVER Confidential Information.** Confidential information of FAVER, such as budget, personnel, and information pertaining to internal business operations matters.

For VA WOC Employees: FAVER employees, who hold a VA Without Compensation appointment, are subject to various laws regarding confidentiality, including but not limited to the Privacy Act, Freedom of Information Act, 38 U.S.C. §§5701, 5705, and 7332. VA WOC employees may only use or disclose confidential information consistent with applicable authorities. Requests for disclosure of confidential information will be handled in accordance with 5 U.S.C. §552, E.O. 12600, and 38 C.F.R. 1.554a. VA employees are bound by 18 U.S.C. § 1905, known as the Federal Trade Secrets Act, to not disclose confidential and proprietary information disclosed to them in the conduct of their official duties. Additionally, the Economic Espionage Act of 1996 makes the theft or misappropriation of a trade secret by VA employees a federal crime. 18 U.S.C. §§ 1831-1839.

Retention: Non-Disclosure Agreements (NDAs) shall be maintained in the FAVER employee's personnel file.

Misuse: Misuse of confidential information can include accessing information not directly germane or relevant to your specifically assigned tasks, disclosing, discussing and/or providing confidential information to any individual not authorized to view or access that data and failing to properly handle, store or dispose of confidential data. An employee is prohibited from accessing any of the Foundation's Confidential Information, including over the Foundation's or host institution's networks, servers or drives, to which the employee has not been granted access and employees also should clearly understand that they are prohibited from accessing Confidential Information by exceeding any authorization they have been granted to access any part of the Foundation's or host institution's technology systems, such as networks, servers or drives (this includes accessing any other person's computer, voicemail, files, or data without approval).

Individuals with access to confidential information should ensure that any materials containing confidential information are stored safely before leaving their work areas each day and that any confidential information on your computer, tablet, PDA or other personal mobile device shall be protected by use of a reasonably secure password. In the event that a personal mobile device with confidential information on it is lost or stolen, you must report it immediately to the FAVER Human Resources Director.

Further, upon separation from employment for any reason, employees are required to return all of the Foundation's property that is in their control or possession to the Foundation, including, but not limited to, confidential

information. Employees should clearly understand that, upon separation from their employment, they are without authorization to access or use any such Foundation property, whether through a Foundation-sponsored computer or computer network or via a non-Foundation computer or other electronic storage device. Further, for the avoidance of doubt, this Policy also makes clear that no individual is authorized to access the Foundation's or host institution's computer/network system after they are no longer performing services for the Foundation, unless such post-termination access is expressly authorized in writing by the Executive Director.

➤ **Inspection & Monitoring**

The Foundation provides offices, desks, computers, and other Foundation property to employees for their use while employed by the Foundation. These items are the property of the Foundation. The Foundation reserves the right to open and inspect any item of any kind on Foundation property, including in an office, desk, computer and files, file cabinet, or Foundation property and its contents, at any time with or without reason, notice or consent. All vehicles parked in secure parking areas that restrict the general public by way of a gate, security officer or station, or other similar means and all vehicles parked in temporary parking areas are subject to search at any time with or without reason. All policies will be applied in compliance with state law regarding inspection of persons and vehicles, including, if applicable, OCGA § 16-11-135. For example, if a particular applicable state law prohibits a certain type of inspection or imposes limits on when an inspection can take place, the Foundation shall comply with such law.

Employees should understand that any conversations over the Foundation's or host institution's telephones and similar voice systems may be monitored or recorded for any reason as a part of normal business operations. By using the Foundation's or host institution's telephones, employees expressly consent to such monitoring and recording for all lawful purposes, and any use of the Foundation's or host institution's telephones and similar voice systems is done so with the knowledge and awareness of this Policy.

Similarly, employees should be aware that, to promote the safety of employees, patrons, visitors, and occupants, as well as the security of its assets and properties, the Foundation or host institution may conduct video surveillance of any portion of its premises at any time, the only exception being private areas of restrooms, showers, and dressing rooms, and that employment with the Foundation constitutes an express awareness of and consent to such surveillance.

➤ **Care of Equipment**

You are expected to use proper care when using the Foundation's or host institution's property and equipment. No property may be removed from the premises without the proper authorization of management. If you lose, break or damage any property, report it to your supervisor at once.

➤ **Employment Applications**

We rely upon the accuracy of information contained in the employment application and 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 exclusion of the applicant from further consideration for employment or, if the person has been hired, disciplinary action, up to and including termination of employment.

➤ **Smoke-Free Workplace**

The Foundation is committed to providing a safe and healthy environment for employees and visitors. Therefore, smoking and the use of e-cigarettes and smokeless tobacco is not permitted at or within the facilities where FAVER employees perform work.

➤ **Drug-Free Workplace**

All employees are hereby notified that it is unlawful to manufacture, distribute, dispense, possess or use any controlled substance in the workplace. FAVER employees are expected to comply with all federal, state and local drug laws regardless of location where duties are performed, including work-related travel.

An employee who violates any of these drug laws during the performance of his or her duties, during work hours, or as a representative of FAVER by or through the unlawful manufacture, distribution, dispensation, possession or use of alcohol or any non-physician prescribed controlled substance on the Foundation or host institution premises or while conducting Foundation business is prohibited.

Employees are also required to abide by all drug/alcohol policies in effect at the research sites in which FAVER employees perform duties. Any employee who violates any of these policies will be subject to disciplinary actions, which may include legal consequences, up to and including termination.

The Foundation further reserves the right to take any and all appropriate and lawful actions necessary to enforce this Policy, including, but not limited to, the inspection of employees' personal property in certain circumstances, as well as Foundation or host institution-issued lockers, desks, or other suspected areas of concealment.

Legally prescribed medications/drugs may be taken during working hours but working while under the influence of prescription or over-the-counter drugs (or another substance) is not allowed to the extent that such use, influence, or presence in the body may affect the safety of employees, customers and/or members of the public, the employee's job performance, or the safe and efficient operations. Employees should notify their supervisors if the use of prescribed medications/drugs may affect the safety of employees, customers and/or members of the public, the employee's job performance, or safe and efficient operations. Abuse of prescription medications/drugs will not be tolerated.

The Foundation may conduct pre-employment screening examinations designed to prevent the hiring of individuals who use illegal drugs. The Foundation also may conduct drug and alcohol testing if and when there is reasonable cause to suspect an employee is under the influence of drugs and/or alcohol while on Foundation or host institution property. Additionally, the Foundation reserves the right to conduct unannounced substance abuse tests to ensure compliance with this Policy, and your continued employment reflects your consent to such tests. Furthermore, the Foundation reserves the right to conduct drug and alcohol testing of an employee who is involved in a work-related accident where 1) the Foundation determines that employee drug or alcohol use is likely to have contributed to the incident and for which the test can accurately identify impairment caused by drug or alcohol use, or 2) where such testing otherwise is permitted under an applicable state or federal law or regulation. An employee's refusal to submit to the test at the time requested may result in disciplinary action up to and including termination. If, due to injuries, the employee cannot submit to testing within the prescribed time, the employee will provide the Foundation with necessary authorization required to obtain hospital reports and other documents that would indicate the presence or non-presence of any drugs and/or alcohol in the employee's system at the time of the accident.

➤ **Attendance & Tardiness**

Regular attendance is essential to job performance. Employees are required to report to work punctually and to work all scheduled hours and any required overtime (with appropriate compensation for non-exempt employees). Excessive tardiness and poor attendance disrupt workflow and customer service and will not be tolerated. Abuse of this policy may result in disciplinary action, up to and including termination.

If an employee is unable to report to work or will be late, s/he must contact the immediate supervisor no later than two (2) hours before the employee's scheduled starting time. If the supervisor is unavailable, the employee should leave a voicemail, stating the reason for being late or absent and a telephone number where s/he may be reached.

If the employee's absence or tardiness is due to an emergency, s/he must contact the immediate supervisor as soon as practicable. Any unapproved leave may result in leave without pay, suspension or, if chronic, termination.

If an employee fails to report to work for three (3) consecutive workdays without notification to the supervisor, s/he will be deemed to have voluntarily resigned his or her position.

Attendance or tardiness problems, including failure to call in, may result in discipline up to and including termination. Corrective action, up to and including termination, will be dependent on the circumstances, including duration, frequency, and the nature of the employee's position.

This Policy will be applied consistent with all applicable laws. If you or an immediate family member has a medical condition that results in one or more absences, you may qualify for unpaid leave under the federal Family and Medical Leave Act of 1993 ("FMLA"), and your absences will be treated accordingly. Please refer to the Family and Medical Leave Policy in this Handbook for information about leave under the FMLA. Likewise, if your absence is approved leave under the Americans with Disabilities Act ("ADA"), your absence will be considered in accordance with the requirements of the ADA.

➤ **Discipline & Adverse Actions**

Employees have responsibilities and duties associated with their jobs. All employees are expected to perform their duties consistently at an acceptable level. If an individual's behavior interferes with the orderly and efficient operation of a department, corrective disciplinary measures will be taken. Disciplinary action may include a first level warning, second level warning, suspension without pay and discharge (exempt employees are subject to unpaid disciplinary suspensions of one or more full days imposed in good faith for infractions of workplace conduct rules, among other lawful deductions). Please note that the Foundation reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance and does not subscribe to a rigid application of progressive discipline. The Foundation will deal with each situation individually and nothing in this Handbook should be construed as a promise of specific treatment in a given situation and should not be relied upon as a contractual agreement to impose a particular type of discipline.

The Foundation emphasizes that it does not guarantee one form of discipline will precede another or that the Foundation will go through one or more progressive discipline steps and shows that it retains the sole discretion based on the circumstances of each case to determine the appropriate disciplinary action, which may include skipping any one or more steps, and nothing in this Handbook should be construed as a promise of specific treatment in any given situation.

Below are examples of the actions for which you could be disciplined and/or terminated. This list is not intended to be all-inclusive, and there are many other actions that can result in disciplinary action, up to and including termination.

- Theft, deliberately destroying or abusing Foundation and/or host institution property at any time, or other employee's property during working time on Foundation premises.
- Misusing or removing without authority, employee lists, blueprints, records or Foundation confidential or classified information of any kind or falsifying such information.
- Insubordination or other refusal to obey or the disregard of management's instructions.
- Fighting on Foundation and/or host institution premises.
- Possessing firearms, illegal knives or other dangerous weapons during work time or on Foundation and/or host institution premises or equipment (unless permitted by applicable state or local law).
- Deliberately altering employee's own time record or clocking in for another employee or allowing someone else to clock in for the employee or falsifying information on application for employment.
- Leaving premises, assigned job duties or assigned equipment during work hours without permission of the person in charge.
- Using or loaning out Foundation-owned or controlled material, time, keys or equipment for an unauthorized purpose or for personal use; or unauthorized operation, repair or attempt to repair machines, tools or equipment; or duplicating Foundation or host institution keys without proper authorization.
- Threatening, intimidating, coercing, interfering with or displaying indecent actions toward fellow employees, management or guests.
- Possessing, distributing, consuming or being under the influence of alcoholic beverages or dangerous or illegal drugs at any time on Foundation and/or host institution premises or while performing work for the Foundation.
- Using another person's badge or identification number for the purpose of gaining admission to Foundation and/or host institution premises; or permitting another person to use a badge or identification number for such purposes without appropriate approval.

- Being involved in accidents with Foundation and/or host institution operated equipment causing significant property damage or bodily injury resulting from driver negligence.
- Disregarding safety rules, fire regulations, or common safety practices.
- Failing to comply with the Foundation's and/or host institution Privacy Practices.
- Violating the Foundation EEO Policy or inducing another employee to violate the EEO policy.
- Failing to comply with all dress, appearance and personal hygiene standards.
- Failing to adequately inspect all assigned equipment or failing to report immediately to the person in charge any mechanical defect in equipment or personal illness or condition hazardous to the safe operation of any equipment.
- Being involved in any preventable accident with Foundation-owned or leased equipment.
- Sleeping during working hours.
- Failing to clock in when reporting for work or otherwise failing to maintain accurate time records.
- Suspicion of theft or dishonesty.
- Failing to report absences, excessive absences or tardiness.
- Failing to report an accident or report for first aid.
- Horseplay, running, pushing or throwing things on Foundation and/or host institution premises creating discord or lack of harmony in the business environment.
- Violating host institution parking and traffic regulations; unauthorized entry to or exit from Foundation and/or host institution premises at points other than those established as normal areas of entry and exit.
- Gossiping or discussing/disclosing confidential business or personnel matters.
- Attendance and punctuality problems.
- Misrepresenting information to the Foundation as a part of your hiring process, including misrepresentations on your resume about your educational or employment experience.
- Improper use of cell or portable communications device.
- Unsatisfactory job performance.
- Failure to work with a positive attitude or to help and support other employees, guests, customers or partners.
- Violation of policies or procedures set forth in the Foundation handbook; and
- Other misconduct as determined by the Foundation.

These examples are not all-inclusive. Because this list does not cover every action for which you may be disciplined, you also are expected to use common sense and conduct yourself in a reasonable and inoffensive manner. We emphasize that discipline and discharge decisions may be based on an assessment of all relevant factors, including the severity of the infraction and the employee's work record, as determined by the Foundation.

Employee Separation

➤ **Ending FAVER Employment**

It is important to highlight that employment with the Foundation is “at-will”. This means that both the Foundation and the employee have the right to terminate the employment relationship at any time, with or without cause or notice. Please understand that no individual other than the FAVER Executive Director has the authority to enter into any agreement with you for employment for any specified period of time or to make any promises or commitments contrary to the foregoing. Further, any employment agreement entered into by the Foundation will not be enforceable unless it is in writing.

Separating employees will be notified of their rights to continued benefits coverage in person by FAVER Human Resources or will receive the pertinent information by mail.

All keys, badges, access cards, equipment and supplies must be turned into the supervisor or agency representative prior to departure. Please refer all questions to FAVER Human Resources regarding this matter.

Employees who voluntarily end employment are asked to provide at least two weeks’ notice to the supervisor and FAVER Human Resources. *Notice is expected to be in writing to both FAVER HR and the supervisor, stating the last day of work and the reason for separation.* The last day of employment is a scheduled workday in which the employee is performing her or his duties.

The Foundation has the right to direct an employee who has provided such notice not to report for work for all or a portion of the two weeks’ notice period, though the Foundation shall continue to provide regular compensation through the duration of the notice period.

➤ **Final Pay**

The final pay will be issued on the next scheduled pay date.

In the event of voluntary resignation with at least two weeks’ (14 days) notice and involuntary termination due to lack of funding or lack of work, employees will be paid the remaining balance of accrued, unused annual leave not to exceed 100 hours. For all other separations, whether voluntary or involuntary, the Foundation will not pay out accrued, unused leave of any type upon the end of employment.

Accrued, unused annual and personal leave is for usage only and is not vested with the employee.

➤ **Separation Meeting**

Separating employees need to schedule a brief meeting with FAVER Human Resources prior to their departure. Topics discussed in the separation meeting include, but are not limited to, reviewing final pay, annual leave payout, benefit termination and continuance, and other similar items. Ample time is provided so that employee questions and feedback are properly addressed.

➤ **Post-Employment References**

Upon receipt of a request for reference, FAVER Human Resources will confirm only the dates of employment, positions held and the final rate of pay.

Prospective employers, financial institutions, and residential property managers routinely contact FAVER requesting information on a former or current employee's work history and salary. All such requests of this type shall be referred to and completed on a confidential basis by FAVER Human Resources.

For written verification of employment requests, information will be provided on the form only when it is accompanied by an employee's signed authorization to release information. The form will be returned directly to the requesting party. Verbal verifications are not provided.

Employee Safety

➤ Each Employee's Safety Responsibility

Employees are expected to obey safety rules, follow established safe work practices, and exercise caution in all their work activities. Safety can only be achieved through teamwork. Each employee, supervisor, and manager must practice safety awareness by thinking defensively, anticipating unsafe situations, and reporting unsafe conditions immediately. The Foundation is committed to providing a safe workplace for all employees.

As the Foundation has accepted this responsibility, employees in turn must accept the responsibility to work safely for themselves and the lives of their coworkers. This duty means working intelligently, with common sense, and with foresight. FAVER requires every employee to follow safety standards that apply to our operations and adhere to all OSHA regulations.

➤ Injuries at Work & Workers' Compensation

The various locations of work will provide employees with a safe and healthful place to work, as well as approved protective and safety equipment, as necessary to protect them from hazardous working conditions. Employees are required to observe established practices and to report unsafe conditions to their supervisor.

If an employee suffers an injury or illness that occurred at work, the employee must report it to his or her supervisor and FAVER Human Resources Director within a reasonable time after the employee realizes that he or she has suffered the injury or illness, which typically (unless exceptional circumstances are present) should be no later than the beginning of the employee's next working shift following discovery of the illness or injury and before engaging in any additional work. Failure to properly report an incident may result in denial of workers' compensation benefits. Employees should promptly seek medical treatment through the Foundation's appropriate channels.

If requested, FAVER employees will be provided with information about their benefits under the FAVER Workers' Compensation Program.

➤ Workplace Violence

The Foundation is committed to providing its employees a safe environment for working and conducting business. In this regard, the Foundation will not tolerate any threats, threatening behavior, acts of violence, or any related conduct that interferes with or disrupts the Foundation's safe working environment. This prohibition applies to Foundation employees, vendors, customers, and visitors, whether or not the conduct occurs on or off Foundation and/or host institution property.

Threats, threatening behavior, acts of violence or related disruptive conduct includes conduct against persons or property that is sufficiently severe, offensive, or intimidating that it disturbs, interferes with, or prevents normal work functions or activities. Specific examples of conduct that may be considered "threats, threatening behavior, acts of violence, or related disruptive conduct" include, but are not limited to, the following:

- Hitting or shoving an individual.
- Threatening to harm an individual or his/her family, friends, associates, or their property.
- The intentional destruction or threat of destruction of property owned, operated, or controlled by the Foundation.
- Harassing or threatening individuals through any form of written or electronic communications.
- Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the Foundation.
- Harassing surveillance of another Foundation employee and making a credible threat with intent to place the other person in reasonable fear of his or her safety; and
- Unlawful possession of firearms, weapons, or any other dangerous devices on Foundation property

If you feel that you have experienced or witnessed conduct that is prohibited under this policy, you are to follow the Employee Complaint Procedure, which is contained in this Handbook.

➤ **Inclement Weather**

Employees generally are expected to report to work during inclement weather conditions if FAVER does not declare an emergency closing. Employees should check the FAVER website and ADP WorkforceNow landing page for guidance. Notification with FAVER guidance will be sent to work and personal email addresses in advance whenever feasibly possible.

Non-exempt employees who are unable to report due to inclement weather or hazardous road conditions will be granted an authorized unpaid absence. Annual leave, if available, may be used. Non-exempt employees who arrive late or depart early because of weather or road conditions may be given a chance to make up their missed time if work schedules and conditions permit with approval from the supervisor.

If the office is open, but an exempt employee is unable to report to work due to inclement weather or hazardous road conditions, that employee should report annual leave for the missed time. In the event of continuing operation, FAVER retains the right to review the circumstances of exempt employees who have an insufficient annual leave balance on a case-by-case basis.

If authorized by the Foundation's Executive Director, Administrative Absence must be reported with supporting comments in the notes field of the timecard (refer to *Timekeeping* for details). In the instance of Administrative Absence, FAVER Human Resources will provide specific guidance to eligible employees via email.

If an employee worksite is closed, FAVER will communicate the status via www.faver.foundation and, whenever possible, email.

➤ **Mobile Device Use for Business**

FAVER recognizes that distractions do occur while driving and believes it is appropriate to avoid mobile device use while operating a vehicle, thus minimizing the risk of accidents.

Engaging in work-related business on a cell phone, computer, tablet, or similar mobile device, including hands-free communication, while operating a vehicle is prohibited. FAVER employees are required to stop the vehicle in a safe location for work-related matters.

This policy applies to any device that may make or receive phone calls, may send or receive text messages, browse the internet, download, and/or allows for the reading of and responding to email whether the device is personally owned or not.

The Foundation wishes to keep its employees safe while performing work-related duties. And, because of these intentions to do so, employees who violate this policy will be subject to disciplinary actions, up to and including termination.

➤ **Safe Driving**

Safe driving at all times is important for safety and preserving life. To prevent vehicular accidents, the Foundation prohibits the following acts while driving either Foundation or host institution vehicles or personal vehicles while performing your job duties.

This list is not intended to be an exhaustive list of actions covered by this policy, but is intended to illustrate the type of actions that employees must be aware of when they operate a vehicle while performing their job duties:

- Driving under the influence of alcohol or drugs;
- Operating any vehicle without proper license;
- Speeding;
- Operating a vehicle carelessly, negligently, improperly, illegally or outside recommended safety protocols;
- Driving a vehicle without using a seat belt, shoulder belt or other safety harness;
- Operating a vehicle while eating, writing, reading, texting or performing other functions that reduce the driver's awareness or ability to control the vehicle;

- Reading or sending text messages;
- Turning off or dismantling vehicle safety devices, like airbags.
- Looking away or down while driving or otherwise becoming distracted while operating a vehicle;
- Passing another vehicle in a “no pass” lane or in the wrong lane;
- Tailgating another vehicle;
- Driving too fast or aggressively during poor conditions, like rain or snow;
- Ticketing by law enforcement after an accident; or,
- Operating a vehicle while overly tired or with an illness or condition that impairs or could impair motor skills and judgment.

Compensation & Timekeeping

➤ **Pay Schedule & Paychecks**

Pay periods are biweekly. Paychecks will be paid by direct deposit on Friday following the close of the pay period, 26 times each year. The annual payroll calendar is available on the Foundation's website.

The first paycheck issued after hire (and/or direct deposit account changes) may be issued as a paper check, if the account information is not immediately verified in the Foundation's payroll system. In that instance, employees are responsible for picking the check up from FAVER Human Resources.

If the pay date falls on a holiday, employees are paid on the preceding business day.

Employees are expected to examine their pay statement on each pay date. Questions about paychecks should be directed to FAVER Human Resources in a timely manner and as soon as reasonably possible. As part of the pay statement, employees will be able to view current deductions from the gross pay. The amount withheld for federal and State of Georgia income taxes depends on an employee's gross earnings, pre-tax deductions and the number of exemptions claimed.

Deductions are issued if health coverage is selected for an employee's spouse and/or children, and if he/she chooses to participate in voluntary insurance and/or the 403(b) Plan.

The Foundation reserves the right to change timecard completion and approval dates, and the pay period from time to time, as needed.

➤ **Timekeeping**

All Foundation employees are required to track their time in the time and attendance system hosted by ADP Workforce Now. It is the responsibility of the employee to ensure that timecards are completed and accurate by or at the end of each pay period. Timecards are legal documents, and they are reasonably expected to be treated and maintained accordingly.

Failure to report absences to your supervisor or an approved delegate in a timely manner may be subject to disciplinary action, up to and including termination. Employees who do not inform their supervisor or Principal Investigator of an absence for three (3) consecutive workdays will be considered to have voluntarily resigned from their employment at FAVER.

Employees are required to submit a typical weekly work schedule to FAVER Human Resources in their first week of employment. Prior to any subsequent changes, the employee must provide the revised schedule to FAVER Human Resources in writing. The supervisor must be included in the communication to ensure awareness.

FAVER employees track time worked and absent in 15-minute increments, rounded to the nearest quarter-hour. For example, if an employee begins work at 7:06am, the time reported in the timecard is 7:00am.

Non-Exempt / Hourly Employees

Non-exempt employees are required to track and report actual hours worked and absences each day in the timekeeping system.

Each employee has an obligation to ensure that time worked and/or absent is recorded in the timekeeping system. For instance, if a non-exempt employee uses a mobile phone for work purposes or checks email messages outside of the normal work schedule, he or she must record that time spent as worked in the timecard. It is extremely important that non-exempt employees do not perform any work that is not recorded by the time system; the Fair Labor Standards Act bars non-exempt employees from volunteering time, effort and/or work for the employer.

If a non-exempt employee is asked or instructed by anyone with the Foundation and/or at the host institution to perform work "off the clock" (in other words, perform work without reporting it on the time system), the employee is directed to

refuse, and immediately report the situation by utilizing the Foundation's Employee Complaint Procedure, which is contained in this Handbook. Finally, if you contend you have not been paid time for all hours worked, please utilize the Foundation's Employee Complaint Procedure, which is contained in this Handbook.

Exempt / Salaried Employees

Exempt employees are also required to track their time and ensure that the daily, weekly and pay period totals are accurate by the end of each pay period. This group, however, will report only absences into the timekeeping system. Actual hours worked are not reported unless the employee is reporting a partial day absence.

➤ Hours of Duty

Full-Time Employee: Refer to *Employee Classifications* for definition.

Part-Time Employee: Refer to *Employee Classifications* for definition.

Rest Periods: Employees are required to take a 30-minute break for every six (6) hours worked. This means an employee must be at work 6½ hours (e.g., 9:00am-3:30pm) to be paid for 6 hours of work, and 8½ hours (e.g., 9:00am-5:30pm) for 8 hours of work. Rest periods cannot be observed or taken at the start or end of a shift to shorten the workday. Longer rest periods are requested in writing to FAVER Human Resources.

If circumstances occur that a non-exempt employee starts but is not able to take the full 30-minute uninterrupted break in which the employee was completely relieved of duties, the employee should adjust the timecard entry to show that no break was taken and immediately email FAVER Human Resources and the manager for guidance.

➤ Overtime

The Foundation defines a workweek as Sunday through Saturday.

From time to time, a project may necessitate the use of overtime. In this circumstance, the non-exempt employee's supervisor and FAVER must authorize any overtime hours to be worked in advance. The overtime rate is one and one-half (1½) times the regular rate of pay for all hours actually worked over forty (40) hours in one workweek. Only actual hours worked count as hours worked for the purpose of calculating overtime.

Non-exempt employees who are compensated for overtime and wish to miss scheduled work because of personal obligations may request the opportunity to make up the amount of time missed by working on another day or days only in the same workweek. To qualify, the make-up time must not cause the employee to exceed forty hours in the workweek. At all times, however, the Foundation retains the discretion to modify the schedule of an employee to keep a non-exempt employee from working more than 40 hours in a workweek. For instance, if a non-exempt employee works 40 hours in the first four days of the workweek, the Foundation has the discretion to send that employee home, so no additional hours are incurred in the workweek.

Because the Foundation is a private, non-profit corporation, we are precluded by federal and state law from utilizing compensatory time ("comp time") in lieu of overtime payment for hours worked by non-exempt employees over forty (40) hours per week. Comp time is time off substituted for payment of overtime for non-exempt employees and is not permitted.

➤ Salary Basis

The Fair Labor Standards Act (FLSA) is a federal law which requires FAVER employees to be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional, and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must

meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 per week. Job titles do not determine exempt status. For an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

Being paid on a "salary basis" means that exempt employees receive a pre-determined amount of compensation each pay period on a regular, biweekly basis. The pre-determined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing, and able to work, deductions may not be made for time when work is not available.

Circumstances in Which the Employer May Make Deductions from Pay

Deductions from pay are *permissible*:

- when an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability;
- for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness;
- to offset amounts an employee receives as jury or witness fees, or for military pay;
- for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions;
- for penalties imposed in good faith for infractions of safety rules of major significance
- to pay the full salary in the initial or terminal week of employment;
- for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act (in these circumstances, either partial day or full day deductions may be made); or,
- any other reasons permitted by applicable federal, state or local law.

It is our policy to comply with the salary basis requirements of the FLSA; therefore, we prohibit the practice of improperly deducting salaries of exempt employees. The Foundation does not allow deductions that violate the FLSA.

What to Do If an Improper Deduction Occurs

If you believe that an improper deduction has been made to your salary, immediately report this information using the Employee Complaint Procedure. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed.

➤ Compressed Workweek Arrangements

Eligibility for a compressed workweek schedule may be limited and must be approved by the employee's supervisor and FAVER Human Resources. FAVER retains full discretion to approve or disapprove eligibility for and the terms of the compressed workweek schedule.

In summary, an employee is eligible for a compressed workweek only if s/he meets the following criteria:

- the employee is a full-time employee;
- the employee works in a position for which the compressed workweek schedule is available;
- if newly hired, the employee has completed a 90-day employment period; and
- the employee's supervisor has approved of the arrangement.

Eligible employees may opt into the compressed workweek schedule on the first applicable Effective Date (day on which a pay period begins) following approval from FAVER. Thereafter, the following provisions shall apply:

- A newly hired full-time employee may request to be placed on a compressed workweek schedule as of the first full pay period following the successful completion of a 90-day employment period.
- An employee may opt out of a compressed workweek schedule and return to a five 8-hour day schedule at any time with the approval of that employee's supervisor and FAVER's Executive Director. All changes require a

minimum of two weeks' notice to FAVER Human Resources to make necessary adjustments prior to implementing the schedule.

All compressed workweek schedules are subject to change at any time at the request of the employee's supervisor or other applicable supervising authority, based upon organization or lab requirements. Based on specific work issues, an exempt employee's supervisor may require that an employee be available by phone on a given compressed workweek day off or may require the employee to work all or part of that day.

Supervisors will need to submit business justification for those requesting Monday or Friday as a Scheduled Day Off. The justification will be reviewed for approval by FAVER.

Please Note: Employees are required to take a half (1/2) hour lunch for every six (6) hours worked. This means an employee must work 6½ hours (i.e. 9-3:30) to get paid 6 hours, and 8½ (i.e. 9-5:30) for 8 hours.

Exempt employees working on a Scheduled Day Off:

If it is necessary for an exempt employee to work four hours or more on a day off, such employee may take an alternate day or portion of a day off during the same pay period, with the approval of his or her supervisor. If it is necessary for an exempt employee to work less than four hours on a day off, the employee is not entitled to take off the hours worked on another day.

Non-exempt employees working a Scheduled Day Off:

If it is necessary for a non-exempt employee to perform work on a day off, the employee shall be paid accordingly. The overtime rate is one and one-half times the regular rate of pay for all hours actually worked over forty hours in one workweek. The employee's supervisor and FAVER's Executive Director must authorize any overtime hours to be worked in advance.

Holidays:

In those weeks containing FAVER-recognized holidays, if the holiday falls on an employee's day off, the employee is permitted to take the *immediately* preceding or following business day so long as it is within the same pay period. An employee requesting an alternate day off must request the alternate day through his/her supervisor and FAVER Human Resources with at least 10 (ten) business days' notice. It should be noted in the request that it is for an alternate compressed workweek day off.

Administering Compressed Workweek Schedules:

FAVER Human Resources is responsible for entry and maintenance of work schedules for all employees of the Foundation. Employees requesting a compressed workweek schedule may do so by utilizing the Exempt or Non-Exempt Compressed Workweek Request Form.

➤ Telework

Foundation employees are permitted to telework when the employee's supervisor evaluates and supports the telework request, and authorization is granted by the Executive Director.

When evaluating requests, the supervisor must determine that the employee can effectively perform the job duties of the position while teleworking. The supervisor must also determine that the teleworking arrangement conforms with applicable regulations and policies at the hosting institution.

Employees are reasonably expected to discuss the nature of telework and his/her request with the supervisor prior to submitting a request. Supervisors may also submit requests on behalf of the employee.

All requests must be forwarded in writing to the FAVER Human Resources Director in advance of no less than one (1) week prior to desired effective date.

Employees may not work off-site without a signed telework agreement.

Requests to telework as a disability accommodation are handled through a separate process. Please refer to the Foundation's Human Resources Director.

➤ **Joint Appointments**

FAVER is unable to compensate a VA-paid employee, including outside of regular work schedule. Therefore, employees of FAVER may not be employed simultaneously by the VA and the Foundation.

Joint appointments (or dual employment) are a conflict of interest. Please refer to the Conflict of Interest Policy for details.

Employee Leave

➤ Time Off Requests

Time off requests must be completed for all absences, including work-related travel, approved by the employee's supervisor, and submitted in the timekeeping system.

Employees are encouraged to schedule appointments early or late in the day to minimize disruption to work activities whenever possible.

Supervisors must approve all leave in advance. If an emergency of any sort arises, supervisors must be contacted within two (2) hours of the employee's starting time. Any unapproved leave may result in leave without pay or disciplinary action, up to and including termination.

➤ Work-Related Travel

If an employee plans to travel for work purposes, FAVER pre-authorization is required regardless of the funding source for related expenses.

The FAVER policy for all employee travel is found via <http://www.faver.foundation> > FAVER Online > Policies and Procedures > Travel.

Attendance at meetings, training programs and similar activities are not considered time worked if one or more of the following criteria are met:

- It is outside of normal work hours;
- It is voluntary;
- It is not directly related to the job; and,
- No other work is concurrently performed.

Non-Exempt, Hourly Employees

Special rules apply for non-exempt, hourly employees when working hours beyond their normal schedule, including weekends. Consideration should be made for overnight travel, and compensable versus non-compensable time. Whenever possible, managers may request flex time on behalf of the employee to stay within the 40-hour workweek through FAVER Human Resources no less than five (5) business days prior to travel. Non-exempt employees are expected to report their actual hours worked while on work-related travel.

➤ Administrative Absence

Administrative absence will be granted to employees with specific circumstances. Approved absences for the following must be reported as Administrative Absence with comments / notes in the timecard to read according to the type of leave taken.

Court Leave & Jury Duty

An employee who appears in court on jury or witness duty (on behalf of the federal, state, or local government) will continue to receive pay and benefits as normally entitled. Employees who are subpoenaed to appear as a witness for a private party or have been accused of a crime must take annual leave or, if available, personal leave. Leave Without Pay may be applicable, dependent on available paid time off balances and with advance approval from FAVER Human Resources.

Employees are required to provide reasonable, advance notice of any need for such leave and are expected to return to work each day that they are not selected for jury duty or called as a witness.

The employee must provide FAVER Human Resources with a court document verifying attendance within 5 (five) working days after his/her return to work. A jury summons is not accepted as proof of attendance. Timecard comments / notes will read "Court Leave" or "Jury Duty".

Voting

Employees are encouraged to exercise their constitutional right to vote in all federal, state, and local elections. If election polls are not open at least three (3) hours before or three (3) hours after an employee's normally scheduled work shift, sufficient leave time, consisting of up to a three (3) hour block, will be granted to permit the employee to vote on the day of the primary / election day or on a designated in-person early voting day.

Typically, polling places throughout Georgia are open for extended periods of time; therefore, leave should be a rare occurrence. An employee will report Administrative Absence when taking time off to vote during his/her regularly scheduled work shift.

Time off for voting must be coordinated with the employee's supervisor and a request for approval is sent forth to FAVER Human Resources with as much foreseeable notice as possible and prior to a voting day to ensure work activities are not affected.

Timecard comments / notes will read "Approved for Voting".

Bereavement

Bereavement Leave for up to five (5) consecutive workdays may be taken for a death of an immediate family member* within six (6) months of the family member's passing.

*Immediate family is defined as the spouse, domestic partner (with a previously signed Declaration of Domestic Partnership), great-grandparents, grandparents, parents, step-parents, siblings, children, step-children, grandchildren and great-grandchildren of the employee.

Administrative Absence for this purpose requires documentation from a physician, hospital or funeral home, or an obituary, to be provided to FAVER Human Resources prior to the absence and/or within five (5) working days upon the employee's return to work. A memorial or celebration of life program is not accepted.

Timecard comments / notes will read "Bereavement for immediate family member".

Emergency Conditions or Inclement Weather

Administrative Absence may be used, when emergency conditions and/or inclement weather are present, only with authorization granted by FAVER's Executive Director and when instructed by FAVER Human Resources.

If a valid telework agreement is in place permitting remote work and the manager / PI supports it, employees are generally expected to conduct work during these instances.

Timecard comments / notes will read as per the FAVER guidance provided to your work email address.

➤ Holidays

The following holidays are recognized as holidays for FAVER employees:

New Year's Day - <i>January 1st</i>	Labor Day - <i>1st Monday in September</i>
Martin Luther King, Jr. Day - <i>3rd Monday in January</i>	Indigenous Peoples' Day - <i>2nd Monday in October</i>
Presidents' Day - <i>3rd Monday in February</i>	Veterans Day - <i>November 11th</i>
Memorial Day - <i>last Monday in May</i>	Thanksgiving Day - <i>4th Thursday in November</i>
Juneteenth National Independence Day - <i>June 19th</i>	Day after Thanksgiving - <i>4th Friday in November</i>
Independence Day - <i>July 4th</i>	Christmas Day - <i>December 25th</i>

Holidays that fall on a Saturday are observed the immediately preceding Friday. Holidays that fall on a Sunday are observed on the immediately following Monday.

Hosting institutions may recognize different days for any of the above holidays. Foundation employees may follow the holiday schedule of the agency in which they work, upon receipt of written request to FAVER Human Resources and the approval by one's supervisor and the FAVER Executive Director. If the hosting institution does not recognize a particular holiday, it is the employee's responsibility to inform FAVER Human Resources and his/her manager. The Foundation will notify the manager and employee if leave is authorized for that day.

In the case of part-time employment or a compressed workweek schedule, the employee will be paid for normal working hours for that date. For those not working on a scheduled holiday, the employee may submit a request for an observed holiday on the immediately preceding or following business day so long as it is within the same pay period as the original holiday. Requests are to be made in writing, including the supervisor in correspondence, to FAVER Human Resources with at least 10 business days' notice.

With the prior approval of their supervisors, employees who wish to observe religious holidays may use their accrued annual leave, personal time, or request Leave Without Pay (LWOP) through FAVER Human Resources.

➤ **Annual Leave & Personal Leave**

Full and part-time employees (20 hours or more each week), on regularly scheduled tours of duty, earn annual leave for vacations and other personal uses on a calendar year basis. Annual leave is charged in quarter hour increments and may not be used before it is accrued.

The amount of annual leave earned each calendar year depends on the length of service and the number of hours reported as paid each pay period.

- *Less than 3 Years:* Employees earn leave at the rate of 5% for each hour reported as paid (*approximately 2 hours of annual leave for 40 hours reported as paid*).
- *3 or More Years:* Employees earn 7.5% for each hour reported as paid (*approximately 3 hours of annual leave for 40 hours reported as paid*).
- *7 or More Years:* Employees receive 24 hours of personal leave each year in addition to accrued annual leave. If the 24 hours are not used in the calendar year earned, they will be lost. The leave taken is in accordance with the hours the employee is scheduled to work on the day the leave is taken.

Accrued, unused annual and personal leave is for usage only and is not vested with the employee.

Accrued, unused annual leave is "use-it-or-lose-it" at the end of each calendar year, with the exception that a maximum of 100 hours may be carried over from one year to the next, after which time it is deemed lost. Any time not used over this threshold will be lost on January 1st for the end of each calendar year.

In the event of voluntary separation with at least two weeks' notice and involuntary separation due to lack of funding/ lack of work, employees will be paid the remaining balance of accrued, unused annual leave not to exceed 100 hours.

No payment for unused personal leave is made upon separation from employment.

➤ **Sick Leave**

Full and part-time employees earn leave at the rate of 5% for each hour reported as paid (*approximately 2 hours of sick leave for 40 hours reported as paid*). Sick leave is charged in quarter hour increments and may not be used before it is accrued.

Sick leave may be used for illness, injury and/or medical examinations and treatment on behalf of the employee and/or an immediate family member*. Sick leave can be considered as insurance against lost income during periods of extended illness and its responsible use is encouraged. Reporting sick leave for personal reasons other than illness, injury, medical appointments and/or bereavement is not permitted.

Any absence of three (3) or more consecutive workdays under sick leave requires a verification of treatment on medical practice letterhead signed by a healthcare provider**. The verification of treatment must be submitted to FAVER Human Resources within five (5) days upon return to work, if not provided earlier. This requirement will be applied consistent with the Family & Medical Leave Act for employees who have previously provided sufficient medical documentation supporting the need for leave.

Bereavement Leave may be used for up to three (3) consecutive workdays for the death of an extended family*** member within one (1) month of the family member's passing. Documentation from a physician/hospital, funeral home, or an obituary must be sent to FAVER Human Resources before leave is reported in the timecard. A memorial or celebration of life program is not accepted.

Accrued, unused sick leave is for usage only and is not vested with the employee.

Acceptable uses of sick leave are:

- Personal illness and/or injury.
- Caring for an immediate family member* with illness and/or injury.
- Personal medical appointment.
- Attending and/or providing transportation to a medical appointment for an immediate family member*.
- Bereavement Leave for the death of an extended family member***.

No payment for unused sick leave is made upon separation from employment.

* Immediate family is defined as the spouse, domestic partner (with a previously signed Declaration of Domestic Partnership), great-grandparents, grandparents, parents, step-parents, siblings, children, step-children, grandchildren and great-grandchildren of the employee.

** Healthcare provider is defined as physician, osteopath, optometrist, chiropractor, podiatrist, dentist, clinical psychologist, Christian Science practitioner, nurse practitioner, nurse midwife, and clinical social worker (if authorized to diagnose and treat serious health conditions without supervision), and also includes treatment by a nurse or physician's assistant under the direct supervision of a health care provider, or treatment by a physical therapist on referral by a health care provider qualifies as treatment by a health care provider.

*** Extended family is defined as the parent-in-law, brother- or sister-in-law, nephew or niece of the employee.

➤ **Leave Without Pay (Unpaid Time Off)**

FAVER encourages employees to take care of themselves by having some time away from work. As such, FAVER will review requests on a case-by-case basis for Leave Without Pay (LWOP) to offer a middle ground for employees who may not have a sufficient and available leave balance to cover time off.

If authorized by FAVER, LWOP is an unpaid absence from work, which may be granted for medical or personal reasons after an employee has exhausted all applicable Annual Leave, Personal Leave (if eligible) and/or Sick Leave. Paid leave must be fully used before LWOP commences.

Leave Without Pay (LWOP) requires pre-approval from FAVER Human Resources in advance of the absence whenever possible. LWOP may be used only when appropriate leave balances are exhausted to support an employee during urgent or emergency circumstances. Employees are expected to plan time off in accordance with the available leave balance.

To submit a request for LWOP, employees or their supervisors must submit the request in writing with the reason and details as soon as reasonably possible. LWOP is reviewed on a case-by-case basis, and the Foundation reserves all rights to refuse requests.

Eligibility

- New Hires, if requested by the close of the 1st week of employment.
- Full- and part-time individuals employed for a minimum of 90 days.
- Employee has not used more than the calendar year LWOP maximum for reasons other than FMLA, medical leave of absence (FMLA-ineligible) and/or USERRA military leave.
- Manager and/or PI supports the unpaid time off when sick and/or annual leave is insufficient.
- Request is submitted to FAVER Human Resources and manager/ PI with advance notice.
- FAVER Human Resources grants authorization for unpaid time off.

Length of Absence

LWOP may be granted up for one (1) day up to a maximum of ten (10) consecutive workdays, subject to FAVER approval on a case-by-case basis.

Employees may request more than one period of LWOP each calendar year, however, the maximum of allowed unpaid time off days is set at twenty (20) workdays twenty or, the equivalent of two (2) weeks for part-time employees and employees with a compressed workweek.

The annual maximum does not apply to approved absences covered under the Family and Medical Leave Act (or medical leave of absence, if FMLA ineligible) and USERRA military leave.

Unpaid time off is granted in whole-day increments only.

Requests and Approvals

Employees must submit a written request for LWOP to her/his manager or PI with advance notice. The general rule of thumb is notice given twice the length of the requested time off. For example, if two weeks is requested, notice should be no less than four weeks prior to the first day of absence.

Advance requests may be waived in the event of an emergency. In an urgent situation, the employee is expected to communicate with her/his manager or PI as soon as feasibly possible and discuss the need for unpaid time off. The employee or manager / PI may communicate the request in writing with FAVER Human Resources.

Requests must clearly define the first day of absence, duration, reason and return to work date. Approvals are based on staffing and budgetary needs of the department and/or PI. Requests may be denied on the basis of these or other reasonable considerations.

If LWOP is granted for medical reasons, verification of treatment from a licensed healthcare provider is required and will be requested by FAVER Human Resources.

Compensation, Benefits and Benefit Premiums

With the exception of the FAVER 403(b) Wealth Accumulation / Retirement Plan, eligible employees maintain their benefits while absent from work on approved LWOP. Since contributions are based on employee earnings, LWOP will reduce the employee and employer contributions to the 403(b) plan. Employees are not paid for a Leave Without Pay absence.

FAVER employees are required to remain in pay status for at least 50% of her/his scheduled hours within a month in order for the Foundation to continue paying the employer portion of the medical, dental, vision and/or basic life insurance.

If the employee is on unpaid status for 50% or more within a month, the employee will pay prorated benefit premiums. Proration is based on the number of unpaid workdays divided by the total number of days in a month.

Timekeeping and Leave Accruals

All instances of Leave Without Pay (LWOP) require a Note in the timecard or a Comment in the Time Off Request to justify the absence. If left blank, FAVER Human Resources will request additional documentation from the employee to ensure accurate timekeeping records.

Employees are not eligible for paid Holidays unless paid time (work or leave) is on the immediately preceding or following scheduled workday within the same workweek. For example, the holiday is granted and paid if an employee works on Monday, the holiday is on Tuesday and unpaid leave begins on Wednesday. The holiday is not paid if an employee is on LWOP on Monday through Friday and the holiday is on Tuesday in that same week.

Annual and Sick leave does not accrue during unpaid time off and will resume upon return from Leave Without Pay. Accruals will continue as long as the employee is compensated.

Employees absent from work without the approval of her/his manager or PI are subject to corrective action, up to and including termination.

Employees who do not inform their supervisor or Principal Investigator of an absence for three (3) consecutive workdays will be considered to have voluntarily resigned from their employment at FAVER.

Family and Medical Leave Act (FMLA)

General Provisions

Subject to the federal and state regulations, as such requirements may exist from time to time, the Foundation is authorized to grant up to 12 weeks of family leave or up to 26 weeks of servicemember family leave (defined below) under this policy during a 12-month period. The leave may be paid, unpaid, or a combination of paid and unpaid, depending on the circumstances and as specified in this policy.

FAVER will measure the 12-month period backward from the date an employee requests FMLA leave to begin, on a rolling calendar year basis.

FMLA Leave Entitlement

In order to qualify for Family and Medical Leave (FML), all of the following conditions must be met. An employee must:

- Be employed by a covered employer and work at a worksite within 75 miles of which that employer employs at least 50 people;
- Have worked at least 12 months (which do not have to be consecutive) for the employer; and
- Have worked at least 1,250 hours during the 12 months immediately before the date Family and Medical Leave begins.

Eligible employees may use FML intermittently or in one continuous block for the following reasons:

- Birth or placement of a child (for adoption or foster care).
- To bond with a newborn or a newly placed child (must be taken within the first 12 months of the child's birth or placement in the home).
- The employee's own serious health condition or to provide care for the employee's child, spouse, or parent with a serious health condition.
- Any period of incapacity or treatment connected with inpatient hospital care, hospice, or residential medical care facility.
- Any period of incapacity, sporadic absence from work, school, or other regular daily activities that also involves continuing treatment by a health care provider.
- Continuing treatment by a health care provider for a chronic or long-term health condition that is incurable or so serious that if not treated, would likely result in a period of incapacity.
- Qualifying Exigency Leave:
 - When a qualifying exigency arises because the employee's spouse, son, daughter, or parent is on Active Duty, or has been notified of an impending call or order to covered Active Duty status.
 - Qualifying exigencies leave may include: short-notice deployment (7 days' notice or less and only available for 7 days total), military events and related activities (such as ceremonies and briefings), child care and school activities (for non-routine matters), financial and legal arrangements, counseling, rest and relaxation (up to 5 days), post-deployment activities (including debriefings or funeral services for up to 90 days following the termination of the covered military member's active duty status), and any additional activities agreed upon by the Foundation and employee.
- Military Caregiver Leave:
 - Eligible employees who are the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member.
 - Military caregiver leave is available during a single 12-month period during which an eligible employee is entitled to a combined total of 26 weeks of FMLA leave. A single 12-month period begins on the 1st day the employee takes military leave and ends 12 months later.
- Covered Active Duty Leave:
 - A member of the Armed Forces, including a member of the National Guard and 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,
 - 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 the National Guard and Reserves, at any time during

the five-year period preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy.

- A serious injury or illness for a covered veteran means an injury or illness that was incurred or aggravated by the member in the line of duty on active duty in the Armed Forces and manifested itself before or after the member became a veteran, and is:
 - 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,
 - A physical or mental condition for which the covered veteran has received a VA 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 caregiver leave; or,
 - A physical or mental condition that substantially impairs the 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,
 - 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.

A "Serious Health Condition" is illness, injury, impairment, or physical or mental condition that involves:

- any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; or,
- a period of incapacity requiring absence of more than three (3) calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a healthcare provider; or,
- any period of incapacity due to pregnancy, or for prenatal care; or,
- any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.); or,
- a period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, etc.); or,
- any absences to receive multiple treatments (including any period of recovery therefrom) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis, etc.).

Leave Entitlement When Multiple Events Occur

Employees may have one or more qualifying reason for leave during the year; however, the leave entitlement is limited to twelve (12) weeks within the 12-month period on a rolling calendar year basis.

Leave Entitlement When Both Spouses Work for FAVER

If both the employee and the employee's spouse work for the Foundation and are eligible for FMLA, then they are limited to a combined total of:

- 12 workweeks of FMLA leave during any 12-month period for the birth of a child or the placement of a child for adoption or foster care; or to care for an employee's parent with a serious health condition.
- Each employee may use up to 12 workweeks of FMLA leave during any 12-month period if the leave is for the care of the employee's spouse or child with a serious health condition or the employee's own serious health condition.
- 26 workweeks during the single 12-month period if the leave is Military Caregiver Leave or a combination of Military Caregiver Leave and Family Medical Leave, Employee Medical Leave, or Qualifying Exigency Leave.

Certification of the Serious Health Condition

FAVER may ask that the employee provide certification of the serious health condition to the FAVER Human Resources Director. Certification must be provided by a qualified, licensed healthcare provider, as determined by the State of Georgia. Failure to provide certification may result in a denial of the leave.

Certification of the serious health condition shall include: the date when the condition began, its expected duration, diagnosis, and a brief statement of treatment. For the employee's own medical condition, the certification must also

include a statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the employee's position. For a seriously ill family member, the certification must include a statement that the patient requires assistance, and that the employee's presence would be beneficial or desirable.

FAVER, at its own expense, has the right to ask for a second opinion. If it becomes necessary to resolve a conflict between the original and the second opinion, FAVER, at its own expense, may require the opinion of a third doctor. This third opinion will be considered final.

Genetic Information Nondiscrimination Act of 2008 (GINA)

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to a request for medical information.

"Genetic information" as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or embryo lawfully held by an individual or family member receiving assistive reproductive services.

Health Benefits and Premiums

During FML, the Foundation will maintain the employee's health coverage under any group health plan on the same terms as if the employee had continued to work, provided the employee continues to pay their portion of the premium. Use of FML cannot result in the loss of any employment benefit that accrued prior to the start of an employee leave.

FAVER employees are required to remain in pay status for at least 50% of her or his scheduled hours within a month in order for the Foundation to continue paying the employer portion of the medical, dental, vision and/or basic life insurance.

If the employee is on unpaid status for 50% or more within a month, the employee will pay prorated benefit premiums. Proration is based on the number of unpaid workdays divided by the total number of days in a month.

Employees who pay some or all of the health insurance premium(s) will be required to continue to pay the premiums in order to continue benefit coverage during the unpaid leave period. The employee is responsible for making payment arrangements.

Employees who do not return to work following FML will be liable for the payment of any health insurance premiums paid during unpaid FML, unless the failure to return to work was due to the continuation, recurrence, or onset of a serious health condition or for other circumstances beyond the employee's control.

If an employee fails to pay health insurance premiums within 30 days of invoice date, the employee's health insurance coverage and any family coverage, if applicable, will be terminated retroactively to the date that the premium was due. Upon the employee's return from FMLA leave all health insurance coverage will be reinstated on the same terms as prior to taking the leave without any qualifying period.

Job Restoration

An employee generally has a right to return to the same position or an equivalent position in terms of pay, benefits, and working conditions.

FAVER may require an employee on FML to periodically report her / his status and the intention of the employee to return to work and may also require recertification of the medical condition. Employees also must provide notice to the Foundation at least two (2) business days prior to their return to work. If an employee unequivocally indicates intent not to return to work after taking FML, the employee is subject to termination.

Employees returning from an approved FML due to their own serious health condition will be required to present a fitness-for-duty certification from their healthcare provider indicating that they are medically able to resume work. This certification specifically must address the employee's ability to perform the essential functions of his or her job. The Foundation may delay returning the employee to work until this certification is received. Failure to provide this certification may subject the employee to termination.

Certain "key employees" may be denied job restoration if they are among the highest-paid 10% of employees and if such denial is necessary to prevent substantial and grievous injury to the operations of the Foundation.

Adverse action or discrimination is prohibited against an employee or prospective employee who has taken FML and interference with any rights provided by FMLA will not be tolerated, including:

- Refusing to authorize FMLA leave;
- Discouraging an employee from using FML;
- Changing the essential functions of the employee's job to preclude the taking of FML; and / or,
- Reducing hours of work to avoid employee eligibility.

Outside employment during an employee's leave period without written Foundation approval is prohibited and may result in disciplinary action, up to and including termination of employment. Further, engaging in deceptive or misleading conduct as a part of an employee's leave (including lying about the reason or need for such leave) may result in disciplinary action, up to and including termination.

Determining Eligibility for Leave

The Foundation uses a "rolling" 12-month period (rather than a fixed calendar or fiscal year) to determine eligibility for, and availability of, leave time under FMLA. The 12-month period is determined by reviewing the twelve months of employment prior to the date that the employee requests FMLA leave to begin. If the employee has not utilized the equivalent of 12 weeks of FMLA-qualifying leave during the 12 months prior to the designated date, then the employee is eligible to take leave on that date, provided that all other eligibility criteria are met.

Use of Sick / Annual Leave and Leave Without Pay While on FML

FML is unpaid and FAVER requires that employees use accrued paid Sick Leave and/or Annual Leave concurrently with FML before going into unpaid status.

If FML is a result of an on-the-job injury however, you have the option of taking unpaid leave (LWOP) even if you have accrued leave available.

Similarly, an employee on FML utilizing Short-Term Disability (STD) insurance may go into an unpaid leave status when they begin receiving STD benefits, reserving any remaining sick leave and/or annual leave for use after the employee returns from leave.

Please note that employees using FML to bond with a healthy newborn or newly adopted or placed child may use accrued Annual Leave or take unpaid time off. Accrued Sick Leave may not be used for this purpose.

For purposes of determining the amount of leave used by an employee, the fact that a holiday may occur within the week taken as FML has no effect, and the week is counted as a week of FML leave. If an employee is using FML in increments of less than one week, however, the holiday will not count against the FMLA entitlement unless the employee was otherwise scheduled and expected to work during the holiday. Similarly, if operations have ceased and the employees are generally not expected to report for work for one or more weeks, then those days do not count against the FMLA entitlement.

To be eligible for a holiday during FML, the employee must be working the business day immediately preceding or following within the same workweek. For example, FML begins on a Wednesday. The employee would be eligible for the holiday if it were the day before, Tuesday. The employee would not be eligible for the holiday if it was on Friday in the same week.

Intermittent and Reduced Schedules While on FMLA

If an employee is on intermittent or reduced schedule FML and would otherwise be required to work overtime hours, any overtime hours not worked during the leave period count as FML.

Although intermittent and reduced schedule leave are available for qualifying exigencies, Qualifying Exigency Leave counts against the employee's total allotment of FML. The Foundation may also request documentation of the need for qualifying exigency leave.

Employees who accept light duty positions in lieu of taking time off from work under FML cannot have the time spent on light duty counted against the FMLA entitlement.

Employees are expected to talk with their supervisors about the need for intermittent leave prior to scheduling treatment to work out a schedule that best suits the needs of the employee, the research program and FAVER. To better accommodate the employee's intermittent leave or reduced work schedule the Foundation may assign the employee to an alternative position with equivalent pay and benefits. The assignment of such an alternative position must be coordinated through FAVER Human Resources.

Procedure for Requesting FML

Except where leave is not foreseeable, all employees requesting leave under this policy must submit the request in writing to the FAVER Human Resources Director 30 days prior to the commencement of leave. The dates of leave must be included in the notice. If it is not possible to give 30 days' notice, the employee must give as much notice as is feasible.

An employee must provide notice sufficient for the Foundation to determine that the leave is for an FMLA qualifying event. In the case of unforeseeable leave, calling in "sick" without providing any additional information is not sufficient. When an employee seeks FML for a qualifying reason for which the Foundation previously has granted FMLA-protected leave, the employee must specifically reference the qualifying reason for leave or the need for FML. If the employee fails to provide the Foundation the reason for leave, leave may be denied.

The Foundation requires that an employee provide a complete and sufficient certification of a serious health condition of the employee or the employee's family member, of a qualifying exigency, or of the need to care for a covered servicemember with a serious injury or illness. Certification forms are available through the FAVER Human Resources Director. The employee must submit the completed certification form to the Foundation within fifteen (15) calendar days unless it is not practicable to do so under the particular circumstances. Failure to provide such certification may result in the delay or denial of FML.

When the Foundation has sufficient information to determine whether the leave is for an FMLA qualifying event, the employee will be notified within five (5) business days whether the leave will be designated and counted as FML, absent extenuating circumstances.

Employees should understand that, for any absences, whether covered by the FMLA or not, it is imperative to follow the Foundation's usual and customary internal notice and procedural requirements for requesting leave, as outlined in the Foundation's Employee Handbook. If an employee fails to comply with the Foundation's internal notice and procedural requirements and no unusual circumstances justify such failure, FMLA protected leave may be delayed or denied.

An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to Foundation 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 FAVER receives notice.

FML may be taken intermittently under some circumstances. This will be determined on a case-by-case basis, relative to the employee's normal workweek. This must be arranged with the immediate supervisor and FAVER Human Resources.

The Foundation will not retaliate against any employee for requesting FML regardless of whether or not the leave is granted.

This policy is administered in accordance with the Family & Medical Leave Act, the regulations interpreting it and any applicable state law. Any questions regarding the Family & Medical Leave Act should be directed to FAVER Human Resources.

Military Leave

The Foundation will comply with its obligations for those employees who serve in any branch of the United States uniformed military services, including providing any necessary time off, in accordance with federal, state, and local law. Accrued annual leave (if any) may be used for this leave if the employee chooses, but the Foundation will not require the employee to use it.

The Family and Medical Leave Act of 1993 (“FMLA”) and the Uniformed Services Employment and Reemployment Rights Act (“USERRA”) contain provisions regarding certain types of military leave. The FMLA’s provisions regarding military leave are addressed in detail in the Family and Medical Leave Policy in this Handbook. Employees who are eligible to take military leave must comply with all applicable requirements.

Questions regarding the Foundation’s military leave policy should be directed to the FAVER Human Resources Director. If you believe you have been denied leave to which you are entitled or otherwise discriminated against because of your use of military leave, please utilize the Employee Complaint Procedure, which is contained in this Handbook.

FAVER Benefits

Your rights and benefits are determined in accordance with the provisions of the applicable benefit policy, and your benefits are effective only if you are eligible for the benefit (including any insurance) and remain covered or insured in accordance with policy terms. Any benefit policy is subject to amendment, suspension, modification, or termination in accordance with any provision thereof or at the discretion of the Foundation without the consent, notice to, or concurrence of any person covered or insured thereunder.

The Foundation reserves the right to amend, suspend, modify, or terminate these benefits at any time and for any reason. No agent or person, except the Executive Director in writing, has authority to contravene the terms of this policy, including waiving any condition or restriction of any benefit plan, extending the time for making a payment, or binding the Foundation by making any promise or representation. No change in any benefit policy shall be valid unless evidenced by an endorsement on it signed by the aforesaid person. Unless otherwise required by applicable law, once an employee is terminated for any reason, the Foundation will not pay benefits under any benefit plan, except for that amount that the employee has contributed into the plan and has not yet utilized up to the time of termination.

➤ **403(b) Wealth Accumulation Plan**

As a benefit to our employees, the Foundation has set up a 403(b)(7) Salary Reduction Plan for retirement purposes. Each employee interested may choose to have pre-tax and/or post-tax contributions of up to the annual limits established by the IRS. Specific investment questions can be addressed to the third-party administrator Financial Advisor at no cost to the employee. (Specific contact information may be obtained through FAVER Human Resources.)

All full and part-time employees are eligible for the FAVER 403(b) plan. Employees who have Non-U.S. Citizen or Non-Permanent Resident status are excluded from employer matching. This plan is funded both by pre- and after-tax employee contributions and FAVER's contributions.

Matching funds will be made by FAVER after one (1) year of employment to eligible, participating employees, even if automatically enrolled in the plan. The match is \$1 (FAVER) for \$1 (employee) for the first 3% contributed and \$0.50 (FAVER) for \$1 (employee) for the next 2% contributed. The maximum match of 4% will be made for employees contributing 5% or more.

The Foundation participates in automatic escalation of 1%, for those participating in the plan at less than 12%, on an annual basis at the beginning of each plan year, consistent with plan provisions. Participants may request to opt-out by submitting a written request to the FAVER Human Resources Director when notified of the escalation.

Vesting refers to a participant's right to receive a present or future retirement benefit. All plan participants are immediately vested in both the employee and employer contributions to the 403(b) plan.

You may elect to contribute, or you may opt-out of the plan.

- To contribute or opt-out, you must complete an election form through FAVER Human Resources.
- If you do nothing, an automatic 1% contribution election will apply each pay period until you change your election.

If you do not elect to contribute to or if you opt-out of the plan, you will be automatically enrolled 60 days after your date of employment. If you make an election to contribute to or opt-out of the plan, this automatic enrollment feature will not change your election.

The Plan's default investment is the Target Maturity Fund that corresponds to your estimated date of retirement. The Target Maturity Funds invest in a number of funds to provide an overall investment mix that is generally considered appropriate for investors at the corresponding stage of retirement planning. The Target Maturity Fund's strategy for creating the right mix of underlying investments (e.g., equity/ stocks, fixed-income/ bonds, and short-term mutual funds/ cash equivalents, etc.) is based on the number of years expected to reach the fund's target

retirement date. Each investment mix will change over time to become more conservative by gradually reducing the percentage of equity funds and increasing the percentage of fixed-income and short-term funds.

Participants have the right to request distribution within 90 days following the date the first automatic contribution was made. After which time, all employee contributions made within the participation timeline will be refunded to the employee. Employer contributions are forfeited.

Once you are in the plan for more than 90 days, you may not withdraw funds from your plan account until you separate from service or unless otherwise legally able to do so in accordance with the plan summary document.

The amounts in your plan account are invested with the investment company, which offers a diverse set of investment options. Contact FAVER Human Resources for more Plan Provider information and the available options.

You have the right to change the investment of your plan account at any time. You may obtain a copy of the prospectus or information statement for each investment option. Enrollment Procedures:

- Contact FAVER Human Resources to obtain an enrollment package or summary plan description.
- Contact the third-party administrator Financial Advisor to discuss investment options.
- Complete the election form and beneficiary designation form online with the investment company.

➤ **Medical, Dental & Vision Insurance**

Employees working 20 hours or more a week are eligible for health care that protects the employee against the costs of illness, accidents, and hospitalization.

Employees working between 20 and 29 hours a week wishing to enroll in health insurance may elect to do so; however, the pre-tax cost to the employee will be prorated to time worked (e.g. 20 hours/week is 50% of premium, 24 hours/week is 40% of premium). Sliding scales may be applied on a case-by-case basis to ensure benefits affordability under federal regulations. The employee, at his/her own expense and if electing to participate, can enroll dependents (spouse, domestic partner and/or child/ren) with a pre-tax deduction from each paycheck.

While FAVER intends to continue group benefit plans indefinitely, it reserves the right to amend or discontinue all or some of them at any time, subject to applicable laws and regulations. If a plan is terminated and not replaced with comparable benefits, participants in the plan(s) will be notified.

A Benefits Guide and plan information will be provided to benefits-eligible employees. The plan documents control in the event of any conflict between the statements in the handbook and the plan. *Please remember that actual benefits provided, as well as eligibility requirements, are determined by the plan documents.* For information, refer to the plan document or contact FAVER Human Resources.

➤ **Supplemental Insurance & Flexible Spending Accounts**

The Foundation voluntary Supplemental Insurance (Accident, Critical Illness, Hospital Indemnity, Short-Term Disability) through AFLAC, as well as Medical and Dependent Daycare Flexible Spending Accounts through HealthEquity. The Supplemental Insurance through AFLAC is portable. Plan details, brochures and rates are provided by FAVER Human Resources to benefits-eligible employees.

Employees working 20 hours or more a week are eligible to participate in the Flexible Spending Accounts after 6 months of employment.

➤ **Life Insurance**

Benefit eligible employees working 20 hours or more a week are automatically enrolled in the Basic Life and Accidental Death & Dismemberment plans. The Foundation pays the premium for coverage in the amount of \$25,000 for both plans.

Those eligible for life insurance may also elect voluntary Supplemental Life Insurance for themselves, spouse, and children, which is portable. Rates and plan details are provided by FAVER Human Resources.

➤ **Transportation Benefit Plan**

FAVER will provide a tax-free subsidy designed to encourage employees to use mass transportation for their daily commute to and/or from their place of work by methods other than single occupancy vehicles. The program is available to all FAVER employees.

In accordance with IRS regulations, FAVER will process reimbursement for transit passes (MARTA) up to the amount equivalent to a 30-day pass and vanpools* up to the current maximum annual limit. Indirect costs, such as gas, mileage, parking, or an employee's personal or leased vehicle, cannot be included as part of the cost qualifying for the transit benefit.

Employees must use transportation benefits for their daily commute to and/or from work via public mass transportation or vanpool. Only the transit portion of an employee's commuting cost is subsidized. The employee is responsible for any subsequent transit cost over the maximum authorized subsidy. Over-estimating transit costs, giving or selling transit benefits to others is prohibited.

Employees who misuse transportation subsidies will be subject to appropriate administrative action, including discipline, up to and including termination, and disqualification for future transportation benefits. FAVER retains the right to disqualify employees who have been determined to have misused transit benefits. Instances or possibilities of fraud will be investigated.

Participating in this program will not alter the amount you can defer to the FAVER 403(b) plan or any other pre-tax program.

Enrollment Procedures

To receive reimbursement, Foundation employees must complete the Transportation Benefit Plan Enrollment Form and submit the document to FAVER Human Resources. Reimbursement applies only to expenses incurred following enrollment. Employees are required to provide (an) original receipt(s) as proof of qualified transportation expenditures to reimbursement to be processed. Faxes may be submitted in advance; however, funds will not be released until the original is received by FAVER Human Resources.

FAVER Human Resources serves as the primary point of contact for the Transportation Benefit Plan.

* A qualified vanpool is defined as a commercially-owned highway vehicle with seating capacity for at least six adults excluding the driver. The vehicle may be owned and operated either by public transit authorities or by a person in the business of transporting persons for compensation or hire.

ACKNOWLEDGMENT OF EMPLOYEE HANDBOOK AND AT-WILL EMPLOYMENT

By my signature below, I acknowledge receipt of the Employee Handbook of Foundation for Atlanta Veterans Education and Research, Inc. (FAVER) ("Foundation"). NOTHING IN THIS MANUAL MAY BE CONSTRUED AS AN EMPLOYMENT CONTRACT OR ANY OTHER TYPE OF CONTRACT OR AS A GUARANTEE OF CONTINUITY OF BENEFITS OR RIGHTS. I understand that the policies set out in this Handbook may not apply to every employee or to me in every situation. I agree that the Foundation may modify these or other policies relating to employment matters from time to time as it considers necessary in its sole discretion either in Employee, facility-wide, or Foundation-wide situations without notice to me. I agree that these policies and procedures are to be interpreted and applied by the Foundation at its sole discretion, whose decisions in this regard will be final. I agree that, in the absence of an express written contract, my employment is for an indefinite term and terminable at the will of either myself or the Foundation for any lawful reason, at any time. My status as an "at-will" employee can be altered only by a written contract specific as to all material terms and signed by the Executive Director and me.

AGREEMENT TO ARBITRATE

By my signature below, the Foundation for Atlanta Veterans Education and Research, Inc. (FAVER) ("Foundation") and I agree to the final and binding resolution by arbitration of any claim (including, but not limited to, a claim for wages or other compensation, civil rights or whistleblower violations [including discrimination, harassment and retaliation], breach of contract, state tort claims, claims for attorney's fees, interpretation and enforceability of this Agreement and any other claim for violation of any federal, state or local law), whether or not arising out of my employment or the end of my employment and whether or not based on acts or omissions that occurred before or after execution of this Agreement, that I may have against the Foundation or any of its parents, subsidiaries or other related entities, and their predecessors or successors, or its or their officers, directors, shareholders, administrators, employees, or agents, in their capacity as such or otherwise; and any such claim that the Foundation may have against me. Any such arbitration shall be held in the county and state in which I am or was employed by the Foundation, unless otherwise agreed to by the parties, or an alternative venue, if ordered by the Arbitrator. Any arbitration pursuant to this Agreement shall be conducted in accordance with the then-current arbitration rules and procedures of Henning Arbitration Service (or Miles Arbitration Service if Henning Arbitration Service cannot serve as the arbitration service or if both parties mutually agree in writing to use MAS). The Foundation is responsible for paying any filing fee and the fees and costs of the Arbitration and Arbitrator; provided, however, that, if I initiate the claim, I will contribute an amount equal to the then-current filing fee in the state court in the county in which I am/was employed. The Foundation and I agree that any claims brought by me or the Foundation shall only be in an individual capacity and neither I nor the Foundation can bring claims as a class member in any purported class, collective or representative proceeding, including actions brought pursuant to Fed. R. Civ. P. 23, 29 U.S.C. 216 or any analogous state class action procedure. An Arbitrator will be selected from a list of nine (9) qualified and impartial arbitrators provided by the arbitration service and the parties alternately shall strike names until only one name remains. The Arbitrator shall afford the parties adequate discovery, including deposition discovery and third-party discovery, taking into account the shared desire for a speedy, cost-effective dispute-resolution mechanism. Except as provided in this Agreement, the Federal Arbitration Act, 9 U.S.C. § 1, et seq., (FAA) shall govern this Agreement. This Agreement does not preclude me from filing an administrative charge/complaint with, or communicating with the EEOC, the NLRB or any other federal, state, or local agency or official. This Agreement supersedes any prior or contemporaneous agreement regarding arbitration of claims, is a binding contractual agreement between me and the Foundation, shall survive the termination of my employment, and may only be revoked or modified in a written document which expressly refers to the "Agreement to Arbitrate" and is signed by both me and the Executive Director of the Foundation. If any term or provision of this Agreement shall be determined by to be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and each determined provision of this Agreement shall be valid and enforced to the fullest extent permitted by law. Further, if an applicable Executive Order or other applicable law prohibits the use or enforcement of an arbitration clause as to a specific type of claim, then I agree that this Agreement shall not apply to that specific type of claim. As to all other claims covered by this Agreement, this Agreement remains in full force and effect.

Receipt of *Employee Handbook* Acknowledged and *Agreement to Arbitrate* Agreed to by:

Employee Name: _____

Date: _____

Employee Signature: _____

This Organization Participates in E-Verify

Esta Organización Participa en E-Verify



This employer participates in E-Verify and will provide the federal government with your Form I-9 information to confirm that you are authorized to work in the U.S.

If E-Verify cannot confirm that you are authorized to work, this employer is required to give you written instructions and an opportunity to contact Department of Homeland Security (DHS) or Social Security Administration (SSA) so you can begin to resolve the issue before the employer can take any action against you, including terminating your employment.

Employers can only use E-Verify once you have accepted a job offer and completed the Form I-9.

E-Verify Works for Everyone

For more information on E-Verify, or if you believe that your employer has violated its E-Verify responsibilities, please contact DHS.

Este empleador participa en E-Verify y proporcionará al gobierno federal la información de su Formulario I-9 para confirmar que usted está autorizado para trabajar en los EE.UU..

Si E-Verify no puede confirmar que usted está autorizado para trabajar, este empleador está requerido a darle instrucciones por escrito y una oportunidad de contactar al Departamento de Seguridad Nacional (DHS) o a la Administración del Seguro Social (SSA) para que pueda empezar a resolver el problema antes de que el empleador pueda tomar cualquier acción en su contra, incluyendo la terminación de su empleo.

Los empleadores sólo pueden utilizar E-Verify una vez que usted haya aceptado una oferta de trabajo y completado el Formulario I-9.

E-Verify Funciona Para Todos

Para más información sobre E-Verify, o si usted cree que su empleador ha violado sus responsabilidades de E-Verify, por favor contacte a DHS.

888-897-7781

dhs.gov/e-verify



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English / Spanish Poster

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

BENEFITS & PROTECTIONS

ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

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

REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.



For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division



WH11420 REV 04/16



Foundation for Atlanta *Veterans* Education and Research

**For any questions relating to
employment, benefits, status, policy
or procedure, please contact:**

Ellen Schneider, HR Director

Direct: 404-417-1819

VA Ext. 201819

ellen.schneider@va.gov

