

H. READ, INC.
Mansfield Children's Center



PERSONNEL POLICY
January 1, 2022



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Welcome Letter

Welcome to H. Read, Inc./dba/Mansfield Children's Center (also referred to as MCC).

We are pleased to have you as an employee. In accepting employment at MCC you are agreeing to the best of your ability to embrace and effectuate the MCC mission and program goals as outlined on our website and other reference and teaching materials.

We want your employment experience to be rewarding and beneficial for you and the MCC community. To help achieve that goal, we have implemented this Personnel Policy, which will acquaint you with some policies affecting your employment.

The Personnel Policy is not intended as a contract per se. It is our policy that the employment relationship between MCC and our employees is "at-will". This means our relationship can be terminated with or without cause at any time at the option of either the employer or the employee.

We apply our policies consistently and without discrimination so that all similarly situated employees receive uniform treatment. A situation may arise that requires us to deviate from our normal procedures. While we attempt to minimize those situations, we must reserve the right to consider each case separately and make appropriate decisions. Only the owners have the authority to approve changes to the policies.

It is impossible to anticipate every situation that could arise, so the Personnel Policy highlights our general policies and employee benefits. Other existing policies and practices appear in other handbooks and documents including the Parents' Package, the Staff Handbook, the Health Policy, and Safety Guidelines. If you are not sure about any written or unwritten policy or need further information, please ask a director, office manager, or mentor.

Our needs may change from time to time and new governmental regulations may take effect. Therefore, to the fullest extent permitted by law, we reserve the right to amend, rescind, or modify any of our policies, practices, and benefits at any time, with or without prior notice. If any provision in the Personnel Policy becomes invalid, void, or unenforceable, the remaining provisions shall continue in full force and effect. If any policy conflicts with the state or federal law, the law controls and the policy or portion of the policy that conflicts with law will be considered inapplicable to the employees to the extent of the conflict.

This Personnel Policy applies to all new and existing employees. It applies to full-time, part-time, temporary, and, where applicable, trainees and volunteers. This Personnel Policy supersedes all previous editions.

You have been provided with your own copy of the Personnel Policy. Please review it and refer to it whenever you have questions about our policies, practices, or benefits. The policies are effective immediately and you are expected to know and comply with them. You must sign a statement that you have read, understand, and agree to these policies. As this information is revised, updated pages will be distributed to you. Please keep this readily available and insert the updated materials promptly so that it is current at all times.

Thank you,

MCC Directors



Employee Definition

Affirmative Action/Equal Opportunity Statement

MCC is an Equal Opportunity Employer, which means we are committed to the employment and advancement of minorities, females, protected veterans and individuals with disabilities.

Notice of Non-Discrimination

MCC is committed to non-discrimination, which means we make employment decisions without regard to an applicant or employee's race, color, creed, national origin, ancestry, sex, gender, pregnancy status and related conditions, paternity leave requirements, religion, age, disability, protected veteran's status, sexual orientation, gender identity, genetic information, marital status, active military service (including National Guard), or any other status protected by federal, state, or local laws. This policy applies to all terms and conditions of employment, including but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

The following person has been designated to handle inquiries regarding the non-discrimination policies: Jeanne Fallon, 1100 School St., Mansfield, MA 02048, (508) 339-4111. We encourage you to bring your issues, questions and concerns to Ms. Fallon. For information about our local Office of Civil Rights, visit <http://wdcrocolp01.ed.gov/CFAPPS/OCR/contactus.cfm> or call 1-800-421-3481.

- Appendix A: ADA Open Door Policy
- Appendix B: Discrimination and Abuse is Prohibited
- Appendix C: Sexual Harassment is Prohibited

Employee Classification

MCC employs persons to work in the area of early education as consultants, teachers, and aides or as administrative support staff. Work hours, schedules, documentation methods, employee classification and benefits are determined by the particular contract, grant or service for which the person is hired to be a part of. The specifics of the above will be defined in each employee's work agreement at the time of hiring. Generally, employees will fall within the following classifications.

- **Regular Full-Time Staff:** A staff member employed for a minimum forty-hour week. MCC is open from 6:30am-5:30pm, shifts will be assigned and may change based on the needs of the program. Employees in this category are entitled to accrue all benefits offered by H. Read, Inc.
- **Regular Part-Time Staff:** A staff member regularly employed for less than forty hours a week. Employees who are scheduled for less than forty hours per week are entitled to accrue sick time, but generally do not receive other benefits.
- **Temporary Full-Time or Part-Time Staff:** A person who is hired to fulfill an assistant or substitute position on a per day basis or for a period of three months or less is considered "temporary." Employees in this classification are entitled to accrue sick time, but do not receive other benefits.
- **Consultants:** Professionals fulfilling specialty services are generally paid on an hourly basis and are not entitled to any benefits.

NOTE: The classification of "professionals" is in keeping with those accepted by the Department of Labor and is primarily defined by the degree held and the level of responsibility and supervision. Each position will be classified individually as will the over-time and compensation-time arrangements on that classification basis.



Equal Pay Policy Statement

In compliance with the federal Equal Pay Act and the Massachusetts Equal Pay Act, MCC is committed to paying employees equally who perform substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions, except where the Company demonstrates the wage differential is based upon one or more of the following factors:

- Seniority
- Merit
- A bona fide factor other than sex or race, such as education, training, or experience that is job related with respect to the position, and is consistent with a business necessity.

Employees are not prohibited from disclosing their own wages, discussing their wages or aiding or encouraging any other employee to exercise his or her rights under the law. The Company is under no obligation under the law to disclose the wages of any employee.

MCC strictly prohibits discrimination or retaliation against any employee who takes action to invoke or assist in any manner the enforcement of the law.

Employees with questions about MCC's equal pay policies, or who believe pay inequity exists, should contact a director who will investigate the complaint respond to employee complaints and questions in a timely manner.

Minors

Federal and State Labor laws have regulations governing the employment of minors. In order to comply with these regulations, all minors employed (persons under eighteen years of age) must present a working permit. No one under sixteen will be employed.

Anniversary Date

The anniversary date is the date on which an employee begins work. Any employee hired prior to 2016 whose original employment date is different from their anniversary date will retain their current anniversary date for benefit purposes.

Required Documentation

Physical Examination

Prior to a new employee's employment date, a satisfactory physical and evidence of immunity to Measles, Mumps and Rubella either by two shots dates or by lab test must be submitted to the office. The physician's report should also indicate any limitations the employee may have in working with young children due to health problems, if applicable. The physical must be dated within the preceding 12 months. All employees' physicals must be updated every two years.

Policy Regarding Background Record Check (BRC)

MCC adheres to the BRC guidelines and practices as outlined in Commonwealth of Massachusetts Department of Early Education and Care regulations (606 CMR 14.00). Specifically:

- MCC completes BRC for each prospective employee. A candidate undergoing a BRC for our program may only be hired in a supervised "provisional" status. A candidate is eligible for



supervised "provisional" hiring only after completing a fingerprint scan and receiving approval of a SORI check. "Completing a fingerprint scan" means physically going to a [IdentoGO](#) site and completing an in-person fingerprint scan.

- MCC designates one or more staff as a BRC Reviewer. Reviewers are approved by EEC;
- MCC requires that the program's Licensee and Reviewers complete a BRC prior to each license renewal and that all employees, volunteers and interns who have the potential for unsupervised contact with children complete a new BRC every three years, and;
- MCC requires a new BRC review for an employee, volunteer or intern at any time the program receives information that may indicate that a new CORI or DCF Background Record Check, SORI or fingerprint review is appropriate.

Notice of Resignation

When an employee voluntarily resigns, MCC requests written notice of the employee's intent to resign. We ask that employees make every effort to provide resignations with a three-month notice and have leave dates correspond with the beginning or end of the Mansfield Public School Calendar. Unless there are extenuating circumstances, an employee who resigns without giving a proper two week written notice will not be eligible for re-employment. In addition, while MCC cannot mandate this notice, we can inform future employers that an employee left us without proper notice.

In order to better understand why employees leave the organization, it is important that we learn the reasons for departure. Therefore, we ask that employees meet with their supervisor and share their reasons for leaving. In addition, a resignation letter is required. Employees are expected to inform parents and children in a timely and positive manner in keeping with our philosophy. Employees may not use accrued time off in lieu of a notice period.

Access to Personnel Files and Wage Records

Employees may review or obtain a copy of their personnel file, generally not more than two times per calendar year, by submitting a written request to Human Resources. The review will take place in the presence of a company representative during normal business hours.

MCC shall notify an employee within 10 days of the employer placing in the employee's personnel record any information to the extent the information is, has been used or may be used, to negatively affect the employee's qualification for employment, promotion, transfer, additional compensation or the possibility that the employee will be subject to disciplinary action. An employer receiving a written request from an employee shall provide the employee with an opportunity to review such record within 5 business days.

Employees who disagree with any of the information contained in their personnel file should notify Human Resources. If an employee and MCC cannot agree to remove or correct the specified information, the employee can submit a written statement explaining his/her position regarding the disputed information. The statement will be maintained as part of the employee's personnel file and included in any disclosure to a third party.

Upon request, employees will also be allowed to inspect certain paper or electronic wage records maintained by MCC. Such records include the amount of pay per pay period, hours worked, rate of pay, vacation pay, and deductions from wages. These records are maintained by MCC for at least three years



after entry. Employees will be allowed to inspect such wage records at a reasonable time and place. Upon request, employees will be provided with a copy of the wage records within ten business days.

Performance Expectations

Attendance

To give the best service to our families and children, we depend on each employee. All employees are required to call the Center between 6:30 a.m. and 7:00 a.m. if they become ill and cannot come to work on a day scheduled to work. You must speak directly with an MCC staff member to report your absence. Leaving messages on the office voicemail is NOT acceptable. Electronic messages are not acceptable. Notification of absences must be made on each day of a prolonged absence.

Expectations Regarding Attendance

Regular, reliable attendance and timeliness is expected. If an employee is repeatedly absent, late or leaves work early for reasons not covered by earned sick time, is absent or tardy for more than the hours earned in a year, commits fraud or abuse by engaging in an activity that is not consistent with allowable purposes for sick time or exhibits a clear pattern of taking sick time on days just before or after a weekend, vacation or holiday, the employee may be subject to disciplinary action or termination. A pattern of infractions will result in a written warning and meeting.

Tardiness and Unexcused Absence

All employees are expected to arrive on time for the start of their shift, and each must begin work immediately at the assigned time. An employee who is late for work must complete a form in the office that indicates time lost due to tardiness. An employee who has an unexcused absence from work, may be disciplined with a written warning.

Dress Code

Because each employee is a representative of MCC in the eyes of the public, each employee must report to work properly groomed and wearing appropriate clothing. Although we do not require employees to be uniformly dressed we do have a strict dress code for our staff. See Appendix D – Dress Code. All employees are expected to wear clothing and observe personal hygiene habits which are in good taste and that project a positive image for the Company. Employees who report to work inappropriately dressed may be asked to go home and return in acceptable attire.

MCC recognizes the importance of individually held religious beliefs to persons within its workforce and will reasonably accommodate an employee's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Employees are advised that accommodation of religious beliefs in terms of attire may be difficult if it impacts safety issues for employees. Those requesting a workplace attire accommodation based on religious beliefs should speak to MCC Administration.

Initial Performance Assessment

The first three months of employment are considered a probationary period. Where the assessment is satisfactory, regular full-time and regular part-time employees can expect to be retained.

Performance Evaluation, Warnings, and Termination

Your performance will be periodically evaluated during the entire tenure of your employment by your mentor, a director, or another assigned staff, or consultant. These evaluations may be in writing, and will always be discussed with you. You will have the opportunity to reply in writing if you choose. The



written evaluations and replies will become part of your personnel record after they have been discussed. A copy of your written evaluation and the response will be given to you.

It is MCC's belief that all persons can improve their work in some way. These evaluations are designed to give you a focus and targets for improving or expanding your skills.

Evaluations will be given after the third month and around each anniversary date. At least every two months a supervising staff member will observe in the classroom and provide the employee with written feedback. The observations may focus on specific MCC curriculum (e.g. Natural Science, Social-Emotional Independence, Drawing) or may be part of the NAEYC accreditation process. All staff are required to engage in self-evaluation as part of the process and must be prepared to discuss ways to improve their performance. An employee can request that any informal verbal evaluation be put in written form. In cases of notable slippage of work standards, a written evaluation with suggestions for change will be given to the employee. The employee may be warned that not correcting these problems will lead to his or her termination. If there is no improvement after a reasonable time, such time being established in the evaluation, then the employee will be given written notification of release listing the reason(s) for dismissal.

A warning is a written statement that describes serious policy violations (e.g. unexcused absences or safety violations) or a failure to implement MCC curricula to the best of your ability. Three warnings generally result in termination.

It should be understood that in an unusual case (or cases) of severe problems with your work (such as instances where the employee has wittingly violated the rules established within the program he or she is working in, and particularly when placing a child at risk), you may be released without following the above procedure. Any person whose employment is terminated will be given a written statement that outlines the reasons for termination.

Directors reserve the right to immediately terminate any employee with a serious program infraction. This may include but is not limited to putting a child at risk.

Grievances

Cooperation and good communication are highly valued by MCC. Every effort is made to provide clear expectations, thorough training and ample support. There are many opportunities to bring concerns to the attention of others and vehicles to do so such as meetings. Any complaint should be addressed to the appropriate person whether co-worker, supervisor or director. Every effort should be made to resolve interpersonal conflicts directly with the person in conflict. Upon request support from a mentor or director will be provided.

Concerns not satisfactorily resolved through regular work channels, should be brought to the attention of a mentor or director at the earliest possible date and a means for responding to it will be outlined.

Suspension

An employee may be suspended if in the course of their job performance it is suspected that he or she has harmed a child in any way. This includes suspected incidents of institutional child abuse. In any case, the directors will review any incident brought to their attention and any suspected cases will immediately be reported to DCF followed by a written report within 48 hours. EEC will also be immediately notified. During the period of investigation, the employee will be suspended and any contact with the children will not be allowed. The rights and confidentiality of the employee are protected in that employment is



maintained while all state mandated reporting and investigations are followed. If the employee does not perform any work during the suspension period, he/she will not be paid. Based on findings, appropriate action will be taken whether reinstating the employee with or without warnings, or dismissing the employee.

Health and Safety

MCC's goal is to create a safe working environment that removes unsafe practices and eliminates avoidable accidents. MCC is governed by federal and state occupational safety and health laws which regulate hazards in the workplace, as well as its own safety and health standards and policies. Each employee is expected to comply with all applicable health and safety laws, standards and policies and is continuously trained on such laws, standards and policies. Employees must work in a manner to prevent personal injuries to themselves and others and will be evaluated on his/her compliance and safety work record during the performance review.

Employees have a right to report work-related injuries and illnesses free from retaliation. No employee will be deterred or discouraged from reporting a work-related injury and/or illness; and no employee will be retaliated against for reporting work-related injuries or illnesses. For more specific information about our Health and Safety program see: Appendix E: Health and Safety Policy

Child Guidance and Reporting Abuse and Neglect

Employees who are hired to work at the Mansfield Children's Center are required to be fully knowledgeable of MCC's guidelines regarding the guidance of children served. Guidance shall be consistent and based on an understanding of the individual needs and development of a child. The employee shall provide positive guidance to the goal of maximizing the growth and development of the children and for protecting the group and individuals within it. Discipline shall be administered in such a way as to help the individual child develop responsibility for his or her own actions. In any case:

- No child shall be subject to abuse, neglect, confinement, or corporal punishment of any kind.
- No child shall be subject to cruel or severe punishment, humiliation, verbal abuse, or excessive time-out.
- No child shall be denied food, rest, or outdoor time. No child will be force-fed, nor punished for eating or not eating nor will food be used as a consequence.
- No child shall be punished for soiling, wetting, or not using the toilet, nor be subject to excessive practices for toileting.
- No child shall be confined to a swing, high chair, crib or any piece of equipment for an extended period of time in lieu of supervision.

The MCC staff shall protect children from abuse and neglect while in the program's care and custody. The rights and confidentiality of the child are protected in that enrollment is maintained and any accused staff will be restricted from all classrooms while all state mandated reporting and investigations are followed. The MCC staff are responsible for reporting any suspected incidents of child abuse and neglect. In the event that the concern involves another member of the Center's staff, the reporting staff member will be immune from discharge, retaliation, or other disciplinary action for that reason alone, unless it is proven that the report was intended to do harm.

The procedures shall include:

1. All child care workers are mandated reporters. Staff shall report suspected child abuse or neglect immediately to a director or coordinator. The director will meet with staff to review the reported



incident and determine whether there is evidence of child abuse or neglect and outline a course of action.

2. The MCC's program administrator or designee shall, in cases of suspected child abuse or neglect, report to the Department of Children and Families, pursuant to M.G.L.,c.119, s.51A. A verbal report is made within 24 hours, followed by a written report within 48 hours.
3. The MCC's program administrator or designee shall notify the Department of Early Education and Care immediately after filing a 51A report, or learning that a 51A report has been filed.

The MCC staff shall cooperate in all investigations of abuse and neglect. Cooperation includes identifying parents of children currently or previously enrolled in the child care program; providing consent for disclosure to the Department of Early Education and Care of information from and allowing EEC to disclose information to any person and/or agency EEC may specify as necessary for the prompt investigation of allegations and the protection of children. Failure to cooperate may be grounds for suspension, revocation, or refusal to issue or renew a license.

The MCC staff shall develop and maintain written procedures for handling any suspected incident of child abuse or neglect, which includes, but is not limited to, ensuring that an allegedly abusive or neglectful staff member does not work directly with children until the Department of Children and Families investigation is completed and for such further time as EEC requires.

Confidentiality

All children's files and information are considered confidential. Confidential information is only shared with MCC staff, the parents/guardians of the child, professionals involved with the child's care or relevant legal representatives. Employee personnel files and H. Read, Inc.'s organizational files are also considered confidential. Staff are not to disseminate any child/family information (such as phone numbers, addresses, birthdays, photos) to other families or entities.

Employees who need to use or disseminate confidential information as part of their work for H. Read, Inc. must be sure to only use or disseminate the least amount of confidential information necessary to accomplish their work.

H. Read, Inc. has implemented a Written Information Security Program to comply with Massachusetts law and to protect all "personal information" in our possession. That policy is in the Appendix F to this Personnel Policy. Please read and abide by that policy.

Any employee who uses or disseminates confidential or personal information without permission or for a legitimate business purpose will be subject to discipline up to and including termination.

Parent Communication Guidelines

Communication between teachers and parents are to occur within MCC's hours of operation either in person, on the phone, or by email through MCC's internal communication systems. All parent and educator communications should align and conform to the organizations policies and practices.

Employees are not to represent themselves as MCC agents in advising parents on childcare practices and education outside the workplace. Should an employee be contacted by a parent during out of school time, the employee should suggest they contact the office with their question.



Cellphones and Electronic Devices Use and Prohibitions

Personnel cell phones and personal electronic devices (e.g., apple watch, iPods, iPads, etc.) may be carried and used during work by employees who are approved by a director or mentor for the following uses:

- Taking photos without faces of children for curriculum development or documentation
- Communicating with a supervisor who is not present during planning time
- Emergency situations that require leaving MCC's campus or where accessing MCC's phone is not possible

Employees approved for this use must have their cell phone set to a DO NOT DISTURB mode when working with children so that personal notifications do not disrupt being attentive to the children in the classroom.

Children may never use an employee's cell phone.

Employees not approved to use their personal cell phone during work hours must keep their cell phone stored with their personal belongings. All personal use of cell phones is restricted to an employee's break time, and must be done away from the classroom area. If an employee is expecting an urgent call, she should notify the office and the call should come through school phone system so that appropriate coverage for the children can be arranged while the call is taken.

To protect our employees and other drivers, employees are also prohibited from using cellphones and personal devices while driving on Company business without the use of hands-free devices. This includes texting, writing, and reading emails.

Employees found to be in violation of this policy may be subject to disciplinary action, up to and including termination of employment and, where appropriate, also may be in violation of applicable state law.

Social Media

We understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. Ultimately, you are solely responsible for what you post online.

Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects clients, the children, people who work on behalf of MCC or the Company's legitimate business interests may result in disciplinary action up to and including termination.

The Company prohibits employees from the use of social media and social networking during work hours with either a personal or Company provided device, unless the employee has been specifically identified and approved by management, in writing, to perform a social media/networking function for a legitimate business purpose.

Employees may not post any photos or videos of children or MCC property. Posting photos of children violates our confidentiality agreement with parents.



Smoke and Drug Free

Smoking is not permitted in any MCC facilities or on any outdoor property. MCC is entirely smoke free.

Unlawful possession, use, consumption, sale, purchase, distribution or manufacture by any employee of any illegally obtained drugs or alcohol within or on our facilities, or while performing work off their premises is prohibited. MCC does not permit any employee to report to work or perform their duties while taking lawfully prescribed drugs which may adversely impair their ability to safely and effectively perform their job functions. MCC's full Drug and Alcohol Policy is located in Appendix G and incorporated herein by reference.

Staff Meetings

The staff of each team is scheduled to meet every week. All staff meetings will be documented as per the plan outlined at the beginning of the meeting notebooks. Additional staff meetings will be scheduled as needed to facilitate the objectives of any project or service, including meetings with supervisors and task groups.

Staff Day

MCC schedules four required professional days each year. Staff may not request to take a vacation day on a Staff Day. All staff are scheduled to work from 8:00 a.m. to 4:00 p.m. on those days. Each Staff Day begins with an all staff meeting. An agenda is distributed at the meetings which outlines the remainder of the day and which includes training, special meetings, projects, and classroom maintenance. Staff Days are scheduled on Martin Luther King Day, Good Friday, the Friday before our summer program begins, and the Friday before Labor Day.

Unexpected Delay or Closure

The Center will be open most days when it snows. However, the Center will close by 3:00 p.m. if there is a "Traveler's Advisory Warning" for the Mansfield area. The Center WILL NOT open or will close immediately in the case of a State of Emergency or severe storms (e.g.. blizzards, hurricanes or other natural disasters). In addition, if Mansfield Public Schools are delayed or closed, we will open at 8:00am.

In the event of the loss of power, heat or water that is not rectified by 6:30am MCC will be closed. Should the Center lose power, heat or water during operating hours and the problem cannot be rectified in a timely fashion (i.e. almost immediately) the Center will close. In such an event, parents must make arrangements to pick up their children as quickly as possible.

If an event has affected our regular operating hours, staff and parents will be notified through the phone application "Remind: School Communication." If you begin by downloading the "Remind: School Communication" application you may search the MCC staff group by using the group code @mcc81staff. If you do not have a smartphone or prefer to receive a text, you can text the group code to 81010.

If we are closed unexpectedly staff will be paid for their full work day if they complete ~3 hours of professional development work.

Losses and Damages

MCC assumes no responsibility for personal property or effects or for damages or losses to personal property brought to our facility by our staff, unless prior written arrangements have been approved by one's immediate supervisor. Employees are expected to secure their possessions when they arrive at work.



Outside Employment

MCC's hours of operation are 6:30 a.m. to 5:30 p.m. Monday through Friday. Employees may be assigned to up to a 9-hour block of time between these hours, which may be subject to change based on the needs of the organization. Periodically evening meetings or trainings are required. Outside employment should not conflict with existing or potential work shifts.

Benefits

Pay Day

There are 26 pay periods occurring on alternate Thursdays. The payroll schedule may be changed to facilitate payment. In the event that this occurs, employees will be given written notice and a revised annual schedule of the paydays. Wage advances are not made.

Pay Raises

Employees are eligible for a raise on their anniversary date. Raises are not given automatically. Raises are based on the individual's attendance, past performance, ability to assume responsibilities and overall commitment to the program, as well as the financial health of the organization.

Bonuses

All bonuses are predicated on the financial health of the Company. It is MCC's practice to bonus employees at the end of their anniversary years based on attendance and performance. Additionally, MCC values bonusing employees during the holiday season and at other times when possible.

Promotions and Transfers

MCC encourages its employees to apply for new positions and assume new responsibilities as they arise. Committed, competent employees are an asset which the organization values and wishes to reward.

Payroll Deductions

Federal Income Tax and State Income Tax are calculated on the basis of deductions specified by the employee on the W4 forms. It is the employee's responsibility to notify MCC of any changes in these deductions.

MCC employees are covered by the Federal Social Security Program (FICA) and Medicare Tax. Deductions are withheld and contributions are made to FICA and Medicare.

Employees choosing the Health Insurance Benefit option will have their payment portion withheld from the bi-weekly paycheck or may elect to have their portion paid through the Sec. 125 – Cafeteria Plans benefit option (<https://www.irs.gov/pub/irs-drop/n-12-40.pdf>). The Health Care Benefit may be elected after three months employment.

Employees choosing the Child Care Benefit option will have their payment portion withheld from the bi-weekly paycheck.

Employees electing to join the IRA retirement plan will have contributions withheld through payroll.



Breaks

Unless an employee signs a waiver and submits it to Ashley Fallon, full-time staff will have a one hour break daily. All part-time employees working four hours or more are entitled to a break. Staff may request a short and immediate break when they are unable to perform their duties.

Additional Work Hours

Some program demands may require staff work additional hours on occasion beyond their regular schedule. Additional work hours may include required work meetings or trainings. Attendance at any required meeting or training outside of MCC's hours of operation will be paid.

Overtime Pay

Employees who work over 40 hours in a given week will be paid time and a half for those hours worked over the 40 hours.

Paid Time Off (PTO)

In compliance with the Massachusetts Earned Sick Leave Law, we provide earned sick time to all Company employees whose primary place of work is in Massachusetts. This sick time is paid to employees in one of two ways. Some employees will receive sick leave under our Paid Time Off (PTO) policy set forth below. Those employees who are not eligible for the PTO policy, will accrue Sick Time as defined by the Massachusetts Earned Sick Leave Law and Time Off (TO) under the policy set forth below.

PTO Eligibility

All regular full-time (40 hours per week) employees are PTO eligible. Some employees who work less than 40 hours per week are also eligible because of their tenure with MCC or their valuable contributions to MCC. An eligible employee begins accruing PTO under this policy commencing on the date of his or her hire, but PTO may not be used until 90 calendar days from the employee's start date.

Time Off Eligibility

Part time employees may request up to the equivalent of two weeks of their regularly scheduled work hours for unpaid time off. For example, if a part time employee is regularly scheduled to work 15 hours per week, he/she may request up to 30 hours of unpaid time off.

All part-time employees are eligible to accrue and use paid sick time. Sick time accrues at a rate of one hour for every 30 hours worked per year, up to 40 hours (annual cap). The Company's benefit year starts on January 1 of each year. Part-time employees can use up to 40 hours of paid sick time per year.

Part-time employees may carry over up to 40 hours of unused sick time at the end of their benefit year. For part-time employees, sick time is not payable on termination of employment.

PTO Accrual

PTO is accrued as follows:

- Level One: 0.083/hr worked with a 160 hour cap (20 days) (or approx. 1 hour per 12.05 hours worked)
- Level Two: 0.106/hr worked with a 200 hour cap (25 days) (or approx. 1 hour per 9.43 hours worked)



- Level Three: 0.130/hr worked with a 240 hour cap (30 days) (or approx. 1 hour per 7.69 hours worked)
- Level Four: 0.155/hr worked with a 280 hour cap (35 days) (or approx. 1 hour per 6.45 hours worked)
- Level Five: 0.181/hr worked with a 320 hour cap (40 days) (or approx. 1 hour per 5.52 hours worked)

All employees will begin with Level One benefits in their first year. Moving up a PTO level each year is based on an employee's attendance, on-time performance, staying within the hours of their current PTO level, and merit.

PTO Use

PTO leave may be used for sickness (as defined by the Massachusetts Earned Sick Leave law), vacation, a personal day, bereavement days or unworked holidays. However, once an employee has used all available PTO that employee will not be granted additional paid or protected sick days for the year.

Vacation: Twice a year (October and March), MCC gives employees who are at Level Five the opportunity to prioritize a vacation week for a following 6-month period (October is for January 1st to June 30th and March is for July 1st to December 31st). MCC uses a random selection process for approving those requests. Any other requests that are received by that time will be randomly approved after the priority week approvals have been completed. Additional PTO for vacation use must be requested one day in advance. All approvals will be based on operational needs.

Holidays: MCC is closed for the following 13 days every year: New Year's Day, Washington's Birthday, Patriot's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, the day after Thanksgiving Day, and two days on or around Christmas Day. MCC will pay full time staff accrued earned PTO hours for holidays unless an employee specifies that she does not want to use PTO hours for a designated holiday. This must be put in writing by the employee and given to the office prior to the holiday.

Pre-Scheduled Appointments/Foreseeable Absence: For pre-scheduled appointments or a foreseeable absence under this policy, employees must provide at least one day advance notice of their intention to take PTO. All approvals will be based on operational needs.

Unforeseeable Absence: If an employee's need for the use of PTO is unforeseeable, the employee must call MCC's office between 6:30 a.m. and 7:00 a.m. and speak directly with an MCC staff member. Leaving a voicemail is not acceptable. All employees are expected to comply with this call-in procedure for the use of unforeseeable PTO, recognizing that there are certain situations such as accidents or sudden illnesses for which a call in may be impossible. In these cases, the employee should provide notice as soon as it is reasonable to do so, but not later than the day he or she returns to work.

In the case of a multi-day absence from work, employees must provide notice of the expected duration of the sick time. If duration is unknown, employees should provide notification of the continuation of absence on a daily basis, unless doing so would be unreasonable. In circumstances where the employee is unable to provide notice personally, notice may be provided by the employee's spouse, an adult family member or other responsible party.

An employee must submit a doctor's note or other documentation to support the use of an unforeseeable absence if the absence:



- Exceeds 24 consecutively scheduled work hours (three consecutive days) on which the employee is scheduled to work;
- Is after the fourth unforeseeable and undocumented absence that occurs within a three month period;
- Is after the fourth unforeseeable time an employee has left early within a three month period; or
- Occurs within two weeks prior to an employee's final scheduled day of work.

Required documentation must be submitted within seven days of the absence. Additional time may be granted for good cause shown. If an employee does not provide the required documentation as outlined above the unforeseeable absence becomes an unexcused absence.

Failure to comply with the documentation requirement may result in PTO not being paid for the time outside of the parameters above. Any employee found to be exhibiting a clear pattern of taking unscheduled days off just before or after a weekend, vacation, or holiday, will not be paid for those days off, unless the employee provides verification of authorized use.

Bereavement Leave

In addition to accrued PTO, regular full-time employees may request up to two days of paid bereavement leave in relation to the passing of an immediate family member, defined as the employee's parent, spouse, child, sibling, grandparent or grandchildren; or the employee's spouse's parent, child, or sibling; the employee's child's spouse. A bereavement leave may constitute all or part of a work day.

We will make every effort to fully and reasonably accommodate a request for bereavement leave. However, our staffing requirements make it necessary for us to condition approval on our ability to meet our staffing requirements.

Although this is paid time off, it is not considered work time for purposes of benefits. Therefore, employees do not earn benefits during a bereavement leave.

PTO Accumulation

There is no carry over of time. At the end of the benefit year, a Level One and Level Two employees can cash in up to 40 unused hours. All employees Level Three and up can cash in up to 80 unused hours. All other accrued time will be lost at the end of the year.

Employees with Level Five benefits may choose to be paid for up to 20 hours during the first two months of their new year should they be absent prior to accruing the paid time. This borrowed time must be earned back and all other paid time off days must be accrued prior to being paid.

PTO (i.e. sick, vacation, personal day, bereavement days or unworked holidays), and other paid hours that are not actually worked do not count toward an employee's accrual. Once an employee has accrued to the annual cap, the employee will not accrue any additional hours for the balance of the benefit year.

PTO Payout

Employees may designate any time off for potential PTO payment. PTO will be paid once the full amount of the time off used has been accrued in the order of the days taken. If a full day was taken (vacation, holiday, or unforeseen) the full 8 hours must be accrued before it is paid. (If two days were taken off, each day will be paid when 8 hours are accrued, etc.)



Termination

Upon termination, fulltime employees will be paid 67% of any accrued, unused PTO, which will be considered unused vacation time.

Interaction with Other Types of Leave

If any time off covered under this policy is also covered under the Parental Leave, or other leave of absence policies, sick time will run concurrently with such leave. Employees may choose, and we may also require employees to use (to the extent allowed by the law) earned sick time to receive pay for absences under other leave policies if those absences would otherwise be unpaid.

Breaks in Service

If an employee separates (whether voluntarily or involuntarily) and returns to work, defined as a "break in service" within four months, the employee will maintain the right to use any earned sick time that accrued prior to the break in service. If the employee returns to work following a break in service between four and twelve months, if the employee left work with a sick leave bank of 10 or more hours, the employee will maintain the right to use the earned sick time that accrued prior to the break in service. If the employee left work with a sick leave bank under 10 hours, he or she will forfeit the accrued sick leave, and will not be entitled to use the sick leave that accrued prior to the break in service.

Retaliation

MCC will not take any adverse employment action against an employee for properly requesting or using earned PTO time under the terms of this policy.

Application of Law

In accordance with the Massachusetts Sick Leave Law, employees may use the sick leave provided for in this policy for all of the reasons allowed under the law. To the extent that the Law differs from this policy, it is the intent of MCC that the protections of the Massachusetts Sick Leave Law apply to all eligible employees.

Vacation and Time Off Requests

Employees may request time off using the MCC Time Off Form. MCC limits the number of employees who will be approved for time off on any given day. As a rule, on any given day, one teacher or aide may request a PTO day, one administrator may request a PTO day, and one person may request part of a day for appointments and the like. We ask staff who are requesting part of a day to schedule their time off in the morning, not in the afternoon. Generally, between mid-May and late-August and late-December and early-January an additional teacher or aide may request a full day off. The last week of summer and first week of fall (the week before Labor Day and the week of Labor Day) are excluded from time off requests. If there is already the maximum number of people approved for time off for a particular day, you may request the time and receive a pending status. Only one person may be pending on any given day. Pending does not mean you have the day off. You must call the office on the day of your requested time off to find out if your pending status has changed and has been approved. Consult the office calendar prior to making a request to maximize the probability that the request will be approved. Employees must be mindful of their PTO Level Cap and their requests may not exceed their potential earned Cap.

Discretionary Leaves of Absence

At the discretion of MCC, a leave of absence may be granted to employees for reasonable causes (extended illnesses, job related educational programs). Each request will be handled on an individual basis. A leave of absence must be applied for in writing and approved through your immediate supervisor with reasonable advance notice (two months, except in the case of illness). An extended absence of more



than three days and no more than 12 months constitutes a leave of absence. An employee is not paid during a leave of absence unless he or she uses accrued PTO. Employees do not accrue benefits during the leave period. Employees on the health insurance plan are responsible for their health insurance premiums, paying the full cost of their health insurance premium based on the Cobra laws during the leave period.

Military Leave

MCC complies with all federal, state and local military leave and discrimination laws, including USERRA—a federal law that protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services. Employee rights may vary depending on the individual circumstances of each case. Our Company's full Military Leave Policy is found in Appendix H. State laws may provide additional military leave benefits. Employees should consult with Human Resources regarding their entitlement to state leave.

Parental Leave

MCC provides Parental Leave in accordance with the Massachusetts Parental Leave Law, formerly known as the Massachusetts Maternity Leave Act.

An employee is eligible for up to eight weeks of unpaid Parental Leave under the Massachusetts law if:

- The employee has completed the initial probationary period and has been employed for at least three consecutive months as a full-time employee and
- If the eligible employee requests leave for the purpose of:
 - The birth of the employee's child;
 - Adopting a child under the age of 18;
 - Adopting a child under the age of 23, if the child is mentally or physically disabled; or
 - Having a child placed with the employee pursuant to a court order.
- This leave may be taken during the time immediately surrounding the birth of the child. It is not intended to cover bonding time months after the child's birth or for leave as a result of pregnancy related illness or disability unrelated to giving birth.
- The employee gives at least two weeks' notice of her/his anticipated date of departure and intention to return.

Parental Leave is unpaid and such leave time will not be included in the computation of eligibility for benefits or rights and advantages incident to employment. The employee on Parental Leave may use accrued time off concurrently with the Parental Leave.

The employee on such leave will be restored to her/his previous or similar position upon her/his return to employment following the leave.

Two employees of our Company (birth or adopting parents) are entitled to a combined total of eight weeks of Parental Leave for the birth or adoption of the same child.

Child Care Benefit Option

Regular full-time employees are eligible to place children in MCC's child care programs. A portion of the first child's tuition will be paid by the organization unless the family is eligible for other tuition support.



Employees may elect to participate in the Sec. 125 Plan which allows some child costs to be paid with pre-tax dollars. Employees choosing this benefit are not eligible for the Health Insurance Benefit Option.

Health Insurance Benefit Option

Regular full-time employees are eligible to participate in the organization's health insurance package after three full months of employment. A portion of the single member's rate will be paid by MCC. Employees may elect to participate in the Sec. 125 Plan which allows health premiums to be paid with pre-tax dollars. Employees choosing this benefit are not eligible for the Child Care Benefit Option. Employees who do not choose to participate in the program at the end of their probationary period may elect to join during the September Annual open enrollment time frame.

COBRA—Health Insurance Coverage

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health and dental insurance coverage under the Company's plans when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements. Under COBRA, the employee or beneficiary pays the full cost of coverage at the Company's group rates plus an administration fee.

Employee IRA Contribution

Employees may elect to make contributions to an IRA plan through payroll deductions. Information is available upon request.

Pregnant Workers Rights

All employees of MCC have a right to be free from discrimination due to pregnancy or a condition related to pregnancy. This includes an employee's right to reasonable accommodations for conditions related to pregnancy. Conditions related to pregnancy, include lactation or the need to express breastmilk for a nursing child.

MCC will not discriminate on the basis of pregnancy and pregnancy-related conditions. Employees, or applicants for employment, will not be treated less favorably than other employees/applicants based on pregnancy or pregnancy related conditions.

Further, MCC will provide pregnant women and new mothers with reasonable accommodations for their pregnancies and any conditions related to their pregnancies unless such accommodation will impose an undue hardship on MCC's operations.

Reasonable accommodations, may include (but are not limited to):

- More frequent or longer paid or unpaid breaks;
- Time off to recover from childbirth with or without pay;
- Acquisition or modification of equipment or seating;
- Temporary transfer to a less strenuous or hazardous position;
- Job restructuring;
- Light duty;
- Private space for expressing breast milk;
- Assistance with manual labor; or
- Modified work schedules.



If a pregnant and lactating employee needs an accommodation, that employee should notify MCC's administration as early as possible to arrange for appropriate accommodation.

Workmen's Compensation

MCC provides Workers' Compensation coverage to employees for work related injuries and illnesses as required by law. Work related injuries and illnesses must be reported immediately to your supervisor. Accident reports must be completed with the employee's supervisor describing exactly what happened within 24 hours of the incident. Employees have a right to report work-related injuries and illnesses free from retaliation.

Arrangements must be made with MCC's administration to continue employee benefit coverage while out of work due to a work related injury or illness. No paid time-off is accrued while out of work.

Jury Duty

Employees may serve on juries as required by law. When you receive a notice to serve, you must check the Time Off Calendar to see if that date is available. If our Time Off Calendar is full for the day in question, we urge you to submit to the courts an available day that we can accommodate.

MCC will compensate an employee for the actual time served up to three full days. In order to be paid by MCC written documentation must be presented which verifies the date and specific hours served, and any compensation received. The difference between your pay and the pay received for jury duty will be paid by MCC. You may ask for a written statement from your supervisor exempting you from jury duty if your job responsibilities so warrant.

Employees released by the courts are expected to return to work if their normally assigned work day is not over.

Education

Employees are required to participate in the orientation and training programs as they are offered by MCC. Additionally, all staff are required to complete 20 hours of professional development annually as mandated by EEC. Aide qualified employees are strongly urged to become teacher qualified which requires the passing of Child Development or an equivalent course at the college level. Each employee will annually participate in outlining his or her Individual Professional Development Plan (IPDP). MCC hosts a number of evening workshop programs that are specific policies, programs, and curricula. All employees are expected to attend these workshops. MCC often offers food and attendees are paid.

We use photos and videos of our teachers and their classrooms for learning, training, and, at times, promotional purposes. Our experience is that these tools accelerate learning, skill building, and help showcase our best practices.

Education Reimbursement

MCC provides reimbursement for further education or professional development for all employees. Part-time employees may use up to \$100 and full-time employees may use up to \$200 each calendar year. Unused funds may be accrued up to \$250 for part-time employees and \$500 for full-time employees.

Legal Force of the Personnel Policy

The Personnel Policy or any revisions of the Personnel Policy will serve as the primary document and contract with MCC employees. Employees are required to sign an agreement that they have read,



understand, and will abide by the Personnel Policy. Every employee is responsible to keep the standards and practices written and implied within the Personnel Policy. Employees are invited to make suggestions where they believe policy changes will improve the services offered by MCC or enhance employee involvement and satisfaction with their roles and contributions.



APPENDIX A—ADA OPEN DOOR POLICY

Purpose

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that require employers with 15 or more employees to not discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

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

Procedures

When an individual with a disability requests accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, he or she will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

The Company is committed to complying with all applicable provisions of the Americans with Disabilities Act (“ADA”). It is the Company’s policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual’s disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of non-discrimination, the Company will provide reasonable accommodations to any qualified individual with a disability, as defined by the ADA, who has made the Company aware of his/her disability, provided that such accommodation does not impose an undue hardship on the Company, or cause a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation.

Employees with a disability who believe they require a reasonable accommodation to perform the essential functions of their job should contact the Human Resources. The Company encourages individuals with disabilities to come forward and request reasonable accommodations.

Requests for Accommodation

On receipt of an accommodation request, a member of the Human Resources and your supervisor will meet with you to discuss and identify the precise limitations resulting from the disability and the potential accommodation that the Company might make to help overcome those limitations. This may include documentation or communication with your healthcare provider to determine the nature of the disability and necessary accommodations.

The Company will determine the feasibility of the requested accommodation considering various factors, including but not limited to the nature and cost of the accommodation, the availability of tax credits and deductions, outside funding, the Company overall financial resources and organization, and the accommodation’s impact on the operation of the Company, including its impact on the ability of other employees to perform their duties and on the Company’s ability to conduct business.



The Company will inform the employee of its decision regarding accommodations within a reasonable period of time. If the accommodation request is denied, the employee will be advised of his/her right to appeal the decision by submitting a written statement explaining the reasons for the request, and any documentation of the disability and need for accommodation that the employee may have. If the request on appeal is denied, the decision is final.

The ADA does not require the Company to make the best possible accommodation, to reallocate essential job functions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs, etc.).

All employees are required to comply with the Company's safety standards. Current employees who pose a direct threat to the health or safety of themselves or other individuals in the workplace will be placed on leave until an organizational decision has been made in regard to the employee's immediate employment situation.

Individuals who are currently using illegal drugs are excluded from coverage under the Company ADA policy.

Human Resources is responsible for implementing this policy, including the resolution of reasonable accommodation, safety/direct threat and undue hardship issues.

An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on such an ADA recognized disability should notify the Human Resources.

All such inquiries or complaints will be treated as confidential to the extent permissible by law.

All employees are required to comply with the Company's safety standards. Current employees who pose a direct threat to the health or safety of themselves or other individuals in the workplace will be placed on leave until an organizational decision has been made in regard to the employee's immediate employment situation.



APPENDIX B—DISCRIMINATION AND ABUSE IS PROHIBITED

Policy Statement

The Company is committed in all areas to providing a work environment that is free from harassment. Harassment based upon an individual's race, color, creed, national origin, age (40 or older or as defined by state, federal or local law), religion, disability status, gender, sex (including pregnancy), sexual orientation, gender identity, genetic information, veteran or military status or any other legally protected characteristics will not be tolerated. All employees are expected and required to abide by this policy. The Company will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, the Company will seek to prevent, correct and discipline behavior that violates this policy.

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee, including a supervisor or other management employee, who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension or termination of employment.

Supervisor's Accountabilities

It is the responsibility of all managers and supervisors to demonstrate their awareness of actions, which constitute discrimination, harassment, abusive behavior, bullying, cyberbullying, and to support the position that discrimination, harassment, abusive behavior, bullying and cyberbullying will not be tolerated. Managers and supervisors are charged with both the responsibility of promoting a work environment free from such actions and taking immediate action when an issue addressed in this Policy is suspected or identified.

Prohibited Conduct

The following behaviors are prohibited under this Policy:

- Discrimination;
- Discriminatory Harassment (Sexual Harassment is addressed as a separate policy);
- Abuse;
- Bullying;
- Cyberbullying; and
- Retaliation against those reporting such defined behaviors.

The Company, in compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

Discrimination

It is a violation of the Company's policy to discriminate in the provision of employment opportunities including hiring and firing, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, creed, national origin, age (40 or older or as defined by state, federal or local law), religion, disability status, gender, sex (including pregnancy), sexual orientation, gender identity, genetic information, veteran or military status or any other status protected by law. Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act 1964, the Age Discrimination Act of 1975, and the Americans



with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

The Company is an equal opportunity employer. We will not discriminate and will take affirmative action measures to ensure against discrimination in employment, recruitment, advertisements for employment, compensation, termination, upgrading, promotions, and other conditions of employment against any employee or job applicant on the basis of race, color, creed, national origin, age (40 or older or as defined by state, federal or local law), religion, disability status, gender, sex (including pregnancy), sexual orientation, gender identity, genetic information, veteran or military status or any other protected category under applicable state, federal, or local law.

Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination.

Discriminatory Harassment

Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967 (ADEA), and the Americans with Disabilities Act of 1990 (ADA).

Harassment as defined in this policy, is unwelcome conduct that is based on a person's race, color, creed, national origin, age (40 or older or as defined by state, federal or local law), religion, disability status, gender, sex (including pregnancy), sexual orientation, gender identity, genetic information, veteran or military status or other legal protected status that creates a work environment that a reasonable person would find intimidating, hostile, or offensive.

Offensive conduct may include but is not limited to:

- Offensive jokes, slurs, epithets or name calling;
- Uninvited physical contact, including physical assaults or threats;
- Intimidation, ridicule or mockery, insults or put-downs;
- Offensive objects or pictures, and
- Interference with work performance.
- Verbal harassment includes comments that are offensive or unwelcome regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body, disability or appearance, including epithets, slurs and negative stereotyping.
- Non-verbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital or other protected status.

Discriminatory Harassment can occur in a variety of circumstances, including but not limited to, the following:

- The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but can be anyone affected by the offensive conduct.
- Unlawful harassment may occur without economic injury to, or discharge of, the victim.

No employee shall be subjected or required to endure Discriminatory Harassment as a condition of continued employment at the Company. Discriminatory Harassment in violation of this policy will be subject to disciplinary measures up to and including termination.



Abusive Behavior

Abusive behavior includes but is not limited to:

- Any act of physical violence;
- Any direct, implied or veiled threat, made seriously or in jest;
- Any type of abusive language or behavior which interferes with the work effectiveness of employees;
- Any unwarranted exertion of force or power;
- Any unjust use of one's position or seniority to exert control over another person; and
- Any act of coercion or intimidation, whether intentional or unintentional.

Abusive Behavior in violation of this policy will be subject to disciplinary measures up to and including termination.

Bullying

"Bullying" includes but is not limited to, a written, oral or electronic expression or a physical act or gesture or any combination thereof directed at an employee or employees that has or a reasonable person would expect it to have, the effect of:

- Physically harming an employee, damaging an employee's property; or
- Placing an employee in reasonable fear of physical harm or damage to the employee's property;
- Interferes with the rights of an employee by:
 - Creating an intimidating or hostile work environment for the employee;
 - Interfering with the employee's work performance or ability to participate in or benefit from the services, activities or privileges provided by the Company; or
 - Is based on an employee's actual or perceived race, color, creed, national origin, age (40 or older or as defined by state, federal or local law), religion, disability status, gender, sex (including pregnancy), sexual orientation, gender identity, genetic information, veteran or military status, or any other distinguishing characteristic, or is based on an employee's association with a person with one or more of these actual or perceived characteristics, and that has the effect described in subparagraph (1) and (2) above. (These behaviors might also meet the criteria for Discriminatory Harassment or Discrimination as defined in this Policy or Sexual Harassment as defined in the Company's Sexual Harassment Policy.

Examples of conduct that may constitute bullying include but are not limited to:

- Repeated or pervasive taunting, name-calling, belittling, mocking, put-downs, or demeaning humor;
- Behavior that is intended to harm someone by damaging or manipulating his/her relationships with others, including but not limited to gossip, spreading rumors, and social exclusion;
- Non-verbal threats and/or intimidations such as use of aggressive, menacing, or disrespectful gestures;
- Threats of harm to an employee, to his/her possessions, or to other individuals, whether transmitted verbally or in writing;
- Blackmail, extortion, demands for protection money, or involuntary loans or donations;
- Blocking access to Company property or facilities;
- Stealing or hiding possessions;
- Stalking; and



- Physical contact or injury to another person or his/her property.

Bullying in violation of this policy will be subject to disciplinary measures up to and including termination.

Cyberbullying

“Cyberbullying” means bullying through the use of technology or any electronic communication, including but not limited to, a transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted by the use of any electronic device, including but not limited to, a computer, telephone, cellular telephone, text messaging device and personal digital assistant.

Examples of conduct that may constitute cyberbullying include but are not limited to:

- Posting slurs or rumors or displaying any defamatory, inaccurate, disparaging, violent, abusive, profane, or sexually oriented material about an employee on a website, blog or other online application;
- Posting misleading or fake photographs or digital video footage of an employee on websites or creating fake websites or social networking profiles in the guise of posing as the target;
- Impersonating or representing another employee through use of that other employee's electronic device or account to send email, text messages, instant messages (IM), or phone calls;
- Sending email, text messages, IM, or leaving voicemail messages that are harassing or threatening, or so numerous as to bombard the target's email account, IM account, or cellphone; and
- Using a camera phone or digital video camera to take and/or send embarrassing or “sexting” photographs of other employees.

Cyberbullying in violation of this policy will be subject to disciplinary measures up to and including termination.

Anti-Retaliation Policy

It is the policy of the Company that no negative employment action will be taken against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under state or federal laws; or opposing employment practices that the employee reasonably believes discriminate against individuals, in violation of state and federal laws. No hardship, loss, benefit or penalty may be imposed on an employee in response to:

- Filing or responding to a bona fide complaint of discrimination, harassment, abuse or bullying;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

Retaliation or attempted retaliation in response to lodging a complaint or invoking the complaint process is a violation of this policy. Any person who is found to have violated this aspect of the policy will be subject to sanctions up to and including termination of employment.

Frivolous Claims

The Company has the right to take appropriate disciplinary actions against an employee who makes a false or bad faith claim of sexual harassment. In addition, to the extent that any willfully false claim constitutes resistance to or interference with the work of the Massachusetts Commission Against Discrimination, the person filing such a complaint may be subject to civil and/or criminal penalties.



APPENDIX C—SEXUAL HARASSMENT IS PROHIBITED

The Company expects all employees to conduct themselves in a professional manner and to always treat co-workers, clients, customers, and business associates with respect. Harassment of any type undermines the victim's sense of personal dignity as well as our focus on teamwork.

Sexual harassment of employees occurring in the workplace or in other settings in which employees find themselves in connection with their employment is unlawful and will not be tolerated. Further, any retaliation against an individual who complains about sexual harassment or cooperates with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve our goal of providing a workplace free from sexual harassment, the conduct described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct should be handled, if encountered by employees.

This policy applies to all phases of employment, including but not limited to recruiting, testing, hiring, promoting, demoting, transferring, laying off, terminating, paying, granting benefits and training.

Definition

Sexual harassment is a form of illegal sexual discrimination that includes unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature. This definition encompasses many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. Sexually harassing behavior includes unwelcome conduct such as: sexual advances, requests for sexual favors, offensive touching, or other verbal, visual or physical conduct of a sexual nature. Such conduct may constitute sexual harassment when it:

- Is made explicitly or implicitly;
- Is made an explicit or implicit condition of employment;
- Is used as the basis for employment decisions;
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Has the purpose or effect of creating an intimidating, hostile or offensive working environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as a favorable review, pay increase, promotion, training, increased benefits, favorable hours or threats concerning continued employment constitutes sexual harassment. In addition, any unwelcome sexually oriented conduct, intended or not, that has the effect of creating a workplace environment that is hostile, offensive, intimidating or humiliating to male or female workers may also constitute sexual harassment.

While it is not possible to list all of the additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment depending upon the circumstances, including the severity of the conduct and its pervasiveness:

- Offering employment benefits in exchange for sexual favors;
- Sexual advances or propositions, whether or not they involve physical contact;
- Making or threatening reprisals after a negative response to sexual advances;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;



- Inquiries into one's sexual experiences;
- Discussion of one's sexual activities;
- Repeated sexual flirtations, advances or propositions;
- Verbal abuse of a sexual nature, making or using derogatory comments, epithets, slurs, jokes, sexually related comments, graphic or degrading comments about an employee's appearance, sexually degrading words used to describe an individual, suggestive or obscene notes, emails, letters or invitations;
- Displaying sexually suggestive objects or pictures including cartoons, posters and vulgar email messages; and/or
- Any uninvited physical contact or touching, such as patting, pinching, assault, blocking movements or repeated brushing against another's body.

Such conduct may constitute sexual harassment regardless of whether the conduct is between members of management, between management and staff employees, between staff employees, or directed at employees by non-employees conducting business with the Company, regardless of gender.

Harassment by Non-Employees

The Company will also endeavor to protect employees, to the extent possible, from reported harassment by non-employees in the workplace, including customers, clients and suppliers.

Electronic Harassment

All harassment (electronic or otherwise) based on sex is prohibited, and this policy and the definition contained within it apply equally to any harassment that takes place via electronic means. Using electronic communication, including but not limited to, sending sexually suggestive/explicit messages and pictures via email, text messages, and other social networking sites is strictly prohibited, regardless of whether the messages are sent during or outside of working time, inside or outside of the office. Dissemination of sexually explicit voicemail, email, graphics, downloaded material or websites in the workplace is specifically prohibited.

Non-Retaliation Policy

Any employee who files a complaint of harassment or other discrimination in good faith will not be adversely affected in terms and conditions of employment and will not be retaliated against or discharged because of the complaint. Additionally, the Company will not tolerate retaliation against any employee who, in good faith, cooperates in the investigation of a complaint. Employees at all levels of the Company should understand the importance of reporting complaints of harassment, and communicating those complaints to the appropriate level of management. It is the practice of the Company to protect complainants and witnesses from any retaliation from any source as a result of initiating or supporting a sexual harassment allegation. Anyone who engages in such retaliatory behavior will be subject to appropriate discipline, up to and including termination.

Frivolous Claims

The Company has the right to take appropriate disciplinary actions against an employee who makes a false or bad faith claim of sexual harassment. In addition, to the extent that any willfully false claim constitutes resistance to or interference with the work of the Massachusetts Commission Against Discrimination, the person filing such a complaint may be subject to civil and/or criminal penalties.

Consensual Romantic or Sexual Relationships

The Company strongly discourages romantic or sexual relationships between a manager or other supervisory employee and his/her staff (an employee who reports directly or indirectly to that person) because such relationships tend to create compromising conflicts of interest or the appearance of such



conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staff employee. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others or, at a later date, by the staff member him or herself as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. If there is such a relationship, the parties need to be aware that one or both may be moved to a different department, or other actions may be taken at the discretion of the Company.

If any supervisory employee of the Company enters into a consensual relationship that is romantic or sexual in nature with a member of his/her staff (an employee who reports directly or indirectly to him or her), or another subordinate member of the same department, the parties must notify the Human Resources Director or other appropriate corporate officer. Because of potential issues regarding quid pro quo harassment, the Company has made reporting mandatory. This requirement does not apply to employees who do not work in the same department or to parties who do not supervise or otherwise manage responsibilities over the other.

Once the relationship is made known to the Company, the Company will review the situation with Human Resources in light of all the facts (reporting relationship between the parties, effect on co-workers, job titles of the parties, etc.) and will determine whether one or both parties need to be moved to another job or department. If it is determined that one party must be moved, and there are jobs in other departments available for both, the parties may decide who will be the one to apply for a new position. In all other situations, the Company will make the determination based on what will be least disruptive to the organization as a whole. If it is determined that one or both parties must be moved but no other jobs are available for either party, the parties will be given the option of terminating their relationship or resigning.



APPENDIX D—DRESS CODE

It is important that your dress convey a level of professionalism that meets the high level of education and care we provide to our children and families. Choosing your own professional wear allows you to choose clothing that you feel comfortable working in that meets the level of professionalism outlined below.

Teachers are to wear clothing that is clean, comfortable, and appropriate for an educational setting where they are interacting with children, parents, and visitors.

These guidelines must be followed:

Tops

- Tops must completely cover front and back of midriff and cleavage.
- Shirts or tank tops must fully cover all parts of a bra.



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acceptable

- Some graphic shirts are permitted others are not. Graphics that are not permitted predominately advertise something, such as another company, sports team, school, place, music group, event or express political, military or religious views. These could be placed on the front, back, or sleeves of a top. The MCC graphic tops and graphics with pictures or words that are child appropriate are permitted. Periodically MCC provides all staff with MCC graphic tops. Additionally, there are opportunities for staff to purchase MCC tops (long sleeve, sweatshirts, etc.). Small logos (under two inches) are permitted.



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Bottoms

- Pants or shorts should cover the waist area front and back.
- Shorts or skirts must adequately cover the top of the thighs. The bottom of shorts or skirts should be below your hands when resting by your side (approx. four inch inseam).
- Shorts or skirts must allow for movement (bending, sitting, etc.) without being revealing (no spandex shorts).



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- Pants and shorts must be free of holes, frayed patches or edges, and writing.
- Pants made of a cotton, knit, or sweat pant material may not be overly baggy.
- Leggings must be worn with an extra-long top that meets the bottom of your hands when resting by your side.



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Footwear

- Footwear should be comfortable, protective, and appropriate for active indoor and outdoor play regardless of the season or weather.
- Sneakers or flip flops must work for summer play and water play.
- Boots or sneakers are needed for winter outdoor play.

Accessories

- Hats and sunglasses may be worn outside for sun protection. It is important the children be able to see your face and your eyes so that your communication with them is clear.
- Excessive jewelry should be left at home.
- Facial piercing of any kind, including tongue piercing, is not appropriate for this school setting, nor is excessive make up.
- Extreme hairdos or color are not appropriate for this school setting.

Extra clothes

- An extra change of clothes should be kept on hand in case they are needed. (For example, an accident with a child's bodily fluid, or you get caught in the rain!)

Ready for any type or play or weather!

- Season appropriate outerwear must be on hand. This includes boots, winter jacket, snow pants, gloves, etc. for outdoor winter play. In the summer teacher should have a conservative bathing suit (one piece, or water shorts and shirt). In any season or weather, teachers should be dressed to participate in active indoor and outdoor play.



APPENDIX E—HEALTH AND SAFETY POLICY

Workplace Safety

MCC has a continuing commitment to the health and safety of every employee, individuals who receive our services, and individuals who are present at our facility. MCC's Safety Program is intended to identify and provide necessary resources for providing a safe workplace, and to locate and correct any conditions responsible for past and potential accidents. Responsibility for the control of accidents belongs to each employee. Each employee is expected and required to adhere to this Health and Safety Policy. Any violation of this policy may result in discipline up to and including termination.

An employee must not perform any task which he or she feels could cause injury or harm to self or co-workers, or individuals receiving services, or to visitors to our offices, such as lifting heavy objects, climbing upon unstable objects or use of chemicals that are not preapproved by MCC. All employees must cooperate with any request by their supervisor, an owner, or the Safety Director to discontinue or modify any task determined to be unsafe to the employee or coworkers or individuals receiving services. To keep the work environment safe, please follow basic safety rules, and keep work areas, floors and walkways clean and free of obstructions.

Employees will be trained to recognize hazards and to report any hazards they find to MCC's Safety Director, so that the hazard can be corrected as soon as possible. In addition to taking immediate action to report a hazard orally or to provide interim protection, if necessary, the employee may submit a statement in writing concerning a safety issue. Safety issues must be reported to the Safety Director or an owner. Accidents or injuries must be reported to the Safety Director or an owner immediately, regardless of how minor the accident may seem. You must report any incident before the end of your regular work day on the day of the occurrence. We will investigate all safety related incidents whether near-miss, first-aid accidents, minor injuries and major accidents. As needed, the Safety Director and the owners will coordinate and ensure that an investigation is conducted and all proper procedures are followed consistent with this policy.

Remember, if you notice any unsafe working conditions, report it immediately to the Safety Director or an owner. Please take time to read and understand this safety policy and make it a priority!

Hazard Prevention and Control

1. MCC will ensure that hazards are eliminated when economically feasible.
2. Barriers will be used to protect persons from hazards when needed.
3. Exposure to hazards will be controlled through administrative procedures.

Management will ensure that all equipment is cared for properly so that the environment remains safe and healthy. All employees are required to use our equipment properly and safely. All employees will be held accountable for obeying site safety and health rules. Therefore, if you have questions about how to use or care for some piece of equipment, please ask for help.

We need to know if visitors, including contractors, are not acting safely while at our office locations. We have the right to stop them from violating our safety and health rules. If you observe a visitor not acting safely while at our office locations, please inform the Safety Director or an owner.

MCC, with appropriate outside agencies such as the fire department, the police department, and the hospital, will prepare and maintain an Emergency Response Plan for all potential emergencies, including



utility outage, fire, explosion, severe weather, and violence. Evacuation drills will be conducted regularly, focusing on one emergency type. The drill will be evaluated by the Safety Director.

Each shift will have staff certified in cardio pulmonary resuscitation (CPR) and first aid, and trained under the requirements for OSHA's blood-borne pathogen standards. Safety Director's safety and health responsibilities will be to ensure that first aid kits are stocked and readily available in marked locations throughout our facility.

MCC will call 911 in the event that someone might need emergency care or to be transported to the nearest hospital.

Hazard Communication

MCC recognizes its providers' and staff members' right to know about the existence of hazardous chemicals of any kind that exist in the workplace (e.g., alcohol, disinfectants, anesthetic agents and sterilants). We will maintain a written list of the hazardous chemicals store or used in our offices, along with the corresponding manufacturer-supplied Material Safety Data Sheet (MSDS), in an accessible place, for all providers and staff members to access. (MSDS outline the proper procedures for working with a specific substance and for handling and containing it in a spill or other emergency.)

Exit Routes

MCC provides safe and accessible exits in case of fire or other emergencies. These exit routes are communicated to the employees and the children through the use of highly visible evacuation diagrams which are posted in prominent areas through our offices.

Mental Awareness

The greatest, most thorough safety program in the world is useless if employees lack reasonable awareness of the surroundings. In one form or another, impaired awareness plays a part in every accident. Repetition sometimes dulls awareness and workers begin to believe that because they have performed the same job without an accident, an accident will never happen. This is when accidents happen! Please make safety awareness your priority.

Good Housekeeping/Slips, Trips, and Falls

According to the National Safety Council, falls are the number two cause of accidental death next to traffic accidents. More often falls results in serious injury and a seemingly minor fall can have long term adverse effects. Obviously, falls are usually caused by people tripping over an object that is in their way rather than in its place. Every employee is expected to abide by good housekeeping standards. If something is on the floor that is not supposed to be there, please pick it up. Employees should identify all potential tripping and fall hazards before work starts. Look for fall hazards such as cords, frayed rugs, and hallways clutter. Secure and stabilize all ladders before climbing them. Never stand on the top rung/step of a ladder. Use handrails when you go up or down stairs. If you observe a trip hazard, please remove it or alert someone who can. Failing to follow these rules will constitute a violation of this policy.

Substance Abuse

MCC is a drug-free workplace. All employees are expected to adhere to our drug-free workplace policy at all times. Everyone knows that substance abuse and safety do not mix. Impaired employees are accidents waiting to happen and everyone's safety is affected by them. DO NOT report to work under the influence of alcohol or drugs. MCC has a responsibility to deal severely with employees who violate this policy.

Electrical Safety



Electrical injuries can be quite severe. Burns, slowed breathing, interrupted heartbeat, internal bleeding and death can result from becoming part of an electrical circuit. Please follow these precautions to prevent getting shocked:

- Never leave charging devices for electronics connected for extended periods of time as they tend to overheat.
- Never operate electrical equipment while standing in water.
- Report any damage to electrical equipment immediately, and check often for frayed cords.
- Never repair electrical cords or equipment unless qualified or authorized.
- Never touch a fallen overhead power line. Call the electric utility company to report fallen electrical lines. See Emergency Response Plan for more tips.
- If an overhead wire falls across your vehicle while driving, stay inside the vehicle and continue to drive away from the line. If the engine stalls, do not leave your vehicle.
- Call for help and ask someone to call utility company or emergency services.
- Warn people not to touch the vehicle or the wire.
- If someone becomes victim of electrical shock, **DO NOT TOUCH THE PERSON...YOU WILL BECOME PART OF THE CIRCUIT AS WELL.** You must turn the power off, then notify a qualified first-aid caregiver and notify your supervisor.
- Always use caution when working near electricity.

Safe Machine Operation

There are several types of machines and power equipment that may be used by MCC. Please follow these general safety rules when operating any type of machinery:

- Never operate a machine or tool unless you have completed training and your supervisor has authorized you to operate it.
- Never under any condition remove a guard that has been placed on a machine.
- Examine all tools before use.
- Keep all tools in good condition.
- Use the right tool for the job.
- Use the right personal protective equipment.
- Report any unsafe use of machinery or tool.

Ergonomics

Ergonomics is the study of man in his work place. More specifically, it deals with the work methods, physical movements and equipment designs that affect cumulative trauma disorders (CTDs). CTDs, or repetitive motion injuries, have grown at an alarming rate and now comprise a great deal of Workers' compensation claims. Carpal tunnel syndrome is an example of a CTD that many workers are familiar with but trauma disorders can affect any area of the body that endures repeated biomechanical stress. The following are some guidelines to enable you to recognize and deal with CTDs.

- Evaluate your work area. Make sure that your area enables you to use good posture throughout the day. If you are having to strain a certain muscle or body part in the order to do your job, talk with your supervisor and the safety director to determine what options can be explored in order to correct the problem. Remember, no one knows your situation unless you make it known.
- Take action early. If you are having cramps, numbness or persistent pain in an isolated area, discuss this with your doctor. Early intervention can spare you unnecessary suffering.
- Rest your hands and rotate jobs, if possible. Minimizing repetition reduces the chance of the condition worsening.



- Watch your grip. Use your whole hand to hold and use tools. Try to reduce the force used to do repetitive motion work.
- Always use good posture. Following this rule at work and at home can literally improve your quality of life and health.
- When lifting any object (light or heavy) use your leg muscles and bend at the knees rather than at the waist.

Fire Safety and Evacuation

All precautions must be observed to prevent loss of life, health or property due to fire. There will be no smoking in the workplace under any condition. Under Massachusetts Smoke-Free Workplace Law, it is illegal to smoke in a workplace. It is MCC's policy that all employees evacuate the premises in the event of a fire. Fire extinguishers are located throughout the facilities for insurance purposes only.

The risk of electrical fire exists anywhere electricity is used regardless of what precautions are taken because circuits and equipment can overheat with no warning. Some chemicals in the workplace are potential fire hazards because of their extreme flammability.

First step to fire safety is knowing the possibility of a fire always exists. Secondly, you must know exactly what to do in the event of a fire.

- Alarm sounds, or supervisor sounds the alarm, which means to exit immediately.
- KNOW YOUR FIRE EXIT! Time to look for your exit is now, not during a fire emergency.
- In the event of a fire, call 911, from outside the building.
- Walk to your exit. If exit is blocked by fire or smoke, proceed to alternate exit.
- If smoke is visible, stay near the floor to prevent inhalation.
- Supervisors will station themselves in a manner that enables them to ensure everyone has evacuated.
- Once evacuated, proceed to designated area to be counted by supervisor
- Once evacuated, first aid will be administered by those who have been trained to do so.
- NEVER re-enter a burning building to attempt to rescue someone. There is a far greater chance of the rescuer becoming another statistic than of a successful rescue.
- When Fire Department arrives, stay clear and allow them to work unhampered.

Emergency Telephone Numbers:

Fire, Police, Ambulance.....911

Fire drills will be conducted periodically. It is your duty to know what to do in the event of a fire! Please also see our Emergency Response Plan for instructions on this and other emergency situations.

Disaster Preparedness

Hurricanes are possible. Follow instructions in hurricane procedure and Emergency Response Plan, and instructions from local authorities if hurricane or flood predicted.

Winter storms require additional safety guidelines. The Directors will decide if and when to close the facility because travel is unsafe for employees. Assume we are open, unless advised otherwise.

Workplace Security

Employees must be alert and aware of any potential dangers to themselves, the children we support, or their coworkers. Take every precaution to ensure that your surroundings are safe and secure. Guard personal belongings and company property. Visitors shall sign in and shall be escorted at all times. Report any suspicious activity to a supervisor immediately.

If you suspect or learn of a security risk to yourself, the children or a co-worker, you are expected to alert your supervisor, the Safety Director, or an owner immediately. If you have been threatened by anyone,



whether at work or outside of work, you should alert your supervisor, the Safety Director, or an owner immediately. To the fullest extent possible, MCC will keep personal matters confidential. MCC will only disclose that amount of information deemed necessary to respond to or prevent a security risk.



APPENDIX F—WRITTEN INFORMATION SECURITY PROGRAM

Purpose

The purpose of the Program is to:

- Ensure the security and confidentiality of personal information and data;
- Protect against any anticipated threats or hazards to the security or integrity of such information; and
- Protect against unauthorized access to or use of such information in a manner that creates a substantial risk of identity theft or fraud.

The phrase “personal information” as used in this policy shall be interpreted consistent with 201 CMR 17.00. It shall include any record (electronic or paper) that includes (1) the first name and last name or (2) first initial and last name of a Massachusetts resident in combination with any one or more of the following data elements that relate to such resident:

- Social Security number;
- Driver's license number or state-issued identification card number; or
- Financial account number, or credit or debit card number, with or without any required security code, access code, personal identification number or password, that would permit access to a resident's financial account; provided, however, that “Personal information” shall not include information that is lawfully obtained from publicly available information, or from federal, state or local government records lawfully made available to the general public.

Scope

In formulating and implementing the Program, we have (1) identified reasonably foreseeable internal and external risks to the security, confidentiality, and/or integrity of any electronic, paper or other records containing personal information; (2) assessed the likelihood and potential damages of these threats, taking into consideration the sensitivity of the personal information; (3) evaluated the sufficiency of existing policies, procedures, customer information systems, and other safeguards in place to control risks; and (4) designed and implemented a plan that put safeguards in place to minimize those risks.

Data Security Coordinator

We have designated Ashley Fallon to implement, supervise and maintain the Program. That designated employee (the “Data Security Coordinator”) will be responsible for:

- Initial implementation of the Program;
- Training employees;
- Regular testing of the Program's safeguards;
- Evaluating the ability of each of our third-party service providers to protect the personal information to which we have permitted them access, and taking the steps reasonably necessary to ensure that such third party service provider is applying to such personal information protective security measures at least as stringent as those required to be applied to such information.
- Reviewing the scope of the security measures in the Program at least annually or whenever there is a material change in our business practices that may implicate the security or integrity of records containing personal information.
- Conducting an annual training session for all owners, managers, employees and independent contractors, including temporary and contract employees who have access to personal information on the elements of the Program. All attendees at such training sessions are required to



certify their attendance at the training, and their familiarity with the firm's requirements for ensuring the protection of personal information.

Internal Risks

To combat internal risks to the security, confidentiality, and/or integrity of any electronic, paper or other records containing personal information, and evaluating and improving, where necessary, the effectiveness of the current safeguards for limiting such risks, the following measures are mandatory and are effective immediately:

- A copy of the Program will be distributed to each employee who shall, upon receipt of the Program, acknowledge in writing that he/she has received a copy of the Program.
- There will be immediate retraining of employees on the detailed provisions of the Program.
- Employment contracts, if any, will be amended immediately to require all employees to comply with the provisions of this Program and to prohibit any nonconforming use of personal information during or after employment, with mandatory disciplinary action to be taken for violation of security provisions of the Program (The nature of the disciplinary measures may depend on a number of factors including the nature of the violation and the nature of the personal information affected by the violation).
- The amount of personal information collected is limited to that amount reasonably necessary to accomplish our legitimate business purposes or necessary to us to comply with other state or federal regulations.
- Access to records containing personal information is limited to those persons who are reasonably required to know such information in order to accomplish your legitimate business purpose or to enable us to comply with other state or federal regulations.
- Electronic access to user identification after multiple unsuccessful attempts to gain access is blocked.
- All security measures shall be reviewed at least annually or whenever there is a material change in our business practices that may reasonably implicate the security or integrity of records containing personal information. The Data Security Coordinator shall be responsible for this review and shall fully apprise management of the results of that review and any recommendations for improved security arising out of that review.
- Terminated employees must return all records containing personal information, in any form, that may at the time of such termination be in the former employee's possession (including all such information stored on laptops or other portable devices or media, and in files, records, work papers, etc.).
- A terminated employee's physical and electronic access to personal information must be immediately blocked. Such terminated employee shall be required to surrender all keys, ID's or access codes or badges, business cards, and the like, that permit access to the firm's premises or information. Moreover, such terminated employee's remote electronic access to personal information must be disabled, and his/her voicemail access, email access, internet access, and passwords must be invalidated. The Data Security Coordinator shall maintain a highly secured master list of all lock combinations, passwords and keys.
- Current employees are encouraged to change user-IDs and passwords periodically.
- Access to personal information is restricted to active users and active user accounts only.
- Employees are encouraged to report any suspicious or unauthorized use of customer information.
- Whenever there is an incident that requires notification there shall be an immediate mandatory post-incident review of events and actions taken, if any, with a view to determining whether any changes in our security practices are required to improve the security of personal information for which we are responsible.



- Employees are prohibited from keeping open files containing personal information on their desks when they are not at their desks.
- At the end of the work day, all files and other records containing personal information must be secured in a manner that is consistent with the Program's rules for protecting the security of personal information.
- All hard copies of documents containing personal information are stored in locked file cabinets.
- All hard and electronic copies of documents with personal information are stored within the office. The office door remains locked when the office is unattended.
- Visitors shall not be permitted to visit unescorted any area within our premises that contains personal information.
- Paper or electronic records (including records stored on hard drives or other electronic media) containing personal information must be stored in a manner consistent with the Company's record retention and document destruction policy.

External Risks

To combat external risks to the security, confidentiality, and/or integrity of any electronic, paper or other records containing personal information, and evaluating and improving, where necessary, the effectiveness of the current safeguards for limiting such risks, the following measures are mandatory and are effective immediately:

- Consistent with the scope of the Company's business, its resources, and what is technically feasible, the Company has:
 - Up-to-date firewall protection and operating system security patches, reasonably designated to maintain the integrity of the personal information, installed on all systems processing personal information and
 - Up-to-date versions of system security agent software which must include malware protection and reasonably up-to-date patches and virus definitions, installed on all systems processing personal information.
- To the extent technically feasible, all personal information stored on laptops or other portable devices must be encrypted, as must all records and files transmitted across public networks or wirelessly, to the extent technically feasible. Encryption here means the transformation of data through the use of an algorithmic process, or an alternative method at least as secure, into a form in which meaning cannot be assigned without the use of a confidential process or key.
- All computer systems will be monitored for unauthorized use of or access to personal information.
- The Company has secure user authentication protocols in place, including (1) protocols for control of user IDs and other identifiers; (2) a reasonably secure method of assigning and selecting passwords, or use of unique identifier technologies, such as biometrics or token devices; (3) control of data security passwords to ensure that such passwords are kept in a location and/or format that does not compromise the security of the data they protect; (4) restriction of access to active users and active user accounts only; and (5) blocking of access to user identification after multiple unsuccessful attempts to gain access.
- The secure access control measures in place include assigning unique identifications plus passwords, which are not vendor-supplied default passwords, to each person with computer access to personal information.

Security of Employee Personal Data

The Company employs security measures and technologies, such as password protection and physical locks, to ensure the confidentiality of employee personal data.



Employees authorized to have access to the personal data of others, must take appropriate safeguards to protect this personal data. Examples include:

- Paper and other hard copies containing personal data should be secured in a locked location when not in use.
- Computers and other access points should be secured when not in use by logging out or locking.
- Passwords and user IDs should be guarded and not shared.
- When no longer necessary for business purposes, paper and hard copies should be immediately destroyed using paper shredders or other approved devices.
- Do not leave copies in unsecured locations waiting to be shredded or otherwise destroyed.
- Do not make or distribute unauthorized copies of documents and other tangible mediums containing personal data.
- Electronic files containing personal data should only be stored on secured computers and not copied or otherwise communicated to unauthorized individuals within or outside of the Company. The Company monitors Internet traffic to detect access to inappropriate websites or other materials. The Company also uses email filters to block spam and computer viruses. It is possible that some legitimate email messages and websites may be blocked or hindered by these filters.

Violations of Policy

Compliance with this Policy is extremely important to the Company. Any potential violation of this policy should be reported to the Data Security Coordinator, Sandra King. Failure to follow this policy may result in discipline, up to and including termination.



APPENDIX G—DRUG-FREE WORKPLACE POLICY

The Company is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to these goals and Company productivity.

It is a violation of our drug free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants on Company property or while on Company business. Unlawful possession, use, consumption, sale, purchase, distribution or manufacture by any employee of any illegally obtained drugs, or alcohol within the Company's facilities, or while performing work off the Company premises is prohibited. The Company does not permit any employee to report to work or perform their duties while taking lawfully prescribed drugs which may adversely impair their ability to safely and effectively perform their job functions.

Any employee taking prescribed or over the counter medications will be responsible for consulting with his or her prescribing physician and/or pharmacist to ascertain whether the medication may interfere with the safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees, or the public; it is the employee's responsibility to use the appropriate personnel procedures (e.g., call in sick, use leave, request change in duty, notify the supervisor) to avoid unsafe workplace practices. The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of our drug-free workplace policy to intentionally misuse and/or abuse prescription medications.

Controlled Substances – Including Medicinal Marijuana

The Company complies with all state and federal laws, including state laws related to the use and possession of medicinal marijuana. Marijuana remains a controlled substance under the Federal Controlled Substances Act. Marijuana, even medicinally prescribed marijuana is a controlled substance. The Company has a zero-tolerance policy concerning:

- the use, consumption, selling, dispensing, manufacturing, and possession of alcohol and substances regulated as controlled substances under the Controlled Substances Act (“Controlled Substances”);
- Employees under the influence of Controlled Substances at the workplace; and
- Employees with a presence of any detectable amount of Controlled Substances while performing work for the Company.

All employees must at all times ensure that their off-duty use of medications or Controlled Substances prescribed for medical purposes, if lawfully being used under the laws of the state in which they live, and authorized by a qualified medical professional:

- do not interfere with the employee's duties for Company, Company's business, or Company's employees, customers, clients, vendors, and other business relationships; and
- Do not pose a threat or danger to employee, the Company's other employees, or any third parties.

Recognizing that there is substantial evidence that marijuana use will compromise the safety of employees working in safety sensitive positions the usage of marijuana at the workplace is strictly prohibited.

The Company understands that there is a difference between substance use and substance abuse, and that prescribed use of a substance isn't necessarily abuse. The Company further understands that medicinal marijuana is legitimately prescribed for a number of illnesses under the laws of several states. Legal



employee use of medicinal marijuana by an employee who is prescribed marijuana by his or her treating physician, and/or contact with marijuana by an employee who is a qualified caretaker under the applicable medicinal marijuana law of the state in which he or she lives, when not in the workplace or otherwise on Company time is not regulated by the Company. However, such use or contact must not be allowed to interfere with job performance.

Employees are prohibited from reporting for duty or remaining on duty while under the influence of alcohol or any other intoxicants or controlled substance (including marijuana). Employees are further prohibited from consuming alcohol or other intoxicants or controlled substances (including marijuana) during working hours, including meal and break periods.

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

FOR-CAUSE TESTING: The Company may ask an employee to submit to a drug and/or alcohol test at any time it feels that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity, unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol, negative performance patterns, or excessive and unexplained absenteeism or tardiness.

POST-ACCIDENT TESTING: Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test.

"Involved in an on-the-job accident or injury" means not only the one who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way. If an employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of this policy, or if an employee refuses a request to submit to testing under this policy, the employee may be subject to appropriate disciplinary action, up to and possibly including discharge from employment. In such a case, the employee will be given an opportunity to explain the circumstances prior to any final employment action becoming effective.

The Company complies with the law of each state in which it operates, including but not limited to state laws regarding the scope of testing and testing methods. Testing procedures and practices will be based on accepted government guidelines and will abide by applicable state laws. Testing laboratories, collection sites, and medical review officers will be certified. Alcohol testing will be conducted using government approved breath alcohol testing devices and procedures. Cut-off levels for positive drug testing will be those set by the government (Department of Transportation).

In those states that require that employees who test positive for drug or alcohol be referred to a substance abuse professional for assistance, the Company will comply, but reserves the right to require follow-up testing and if such tests indicate continued use of controlled substances, the Company will proceed with terminating the employee.

Failure to comply with this policy will result in disciplinary actions up to and including termination of employment.

This policy is subject to change at any time with or without notice.





Reasonable Suspicion Documentation

This form must be completed prior to a reasonable suspicion drug or alcohol test every time an employee is suspected of drug and/or alcohol use on the basis of major changes in their physical presence, behavior, speech, or job performance.

Employee Name: _____

Date of Observation: _____

Time of Observation: from _____ to _____

Location: _____

Observed Behavior – Check all that apply:

PHYSICAL INDICATORS

- dilated pupils
- constricted pupils
- drowsiness
- cold sweats
- tremors
- excessive yawning
- rapid breathing
- dizziness
- chronic redness of eyes
- chronic nasal problems
- odor of marijuana
- odor of alcohol
- noticeable weight loss
- loss of appetite
- ravenous appetite
- unsteady walk, stumbling

BEHAVIORAL

- depression
- moodiness
- alienation
- combativeness
- panic reactions
- neglect of personal hygiene
- anxiety
- irritability
- agitation
- restless
- euphoria

SPEECH INDICATORS

- thick
- slurred
- excessive talkativeness
- incoherent

PERFORMANCE INDICATORS

- unable to concentrate
- errors in judgment
- loss of interest in work
- impaired reasoning
- disappearances from work
- tardiness/absences
- accidents

Other abnormal behavior observed: _____

To the best of my knowledge and belief, this report represents the physical, behavioral, speech, or performance indicators of the above name employee, observed by me and upon which I base my decision to require said employee to submit to reasonable suspicion testing.

drug testing alcohol testing both

Above behavior witnessed by:

Signature of Company official

Signature of second Company official



APPENDIX H—MILITARY LEAVE (USERRA) POLICY

The Company recognizes the need for a policy that addresses the employment and re-employment rights of full and part-time employees who serve in the military as well as discrimination against members of the military, reserves, or veterans. It is the policy of the Company to comply with the Uniformed Services Employment and Reemployment Act of 1994 (USERRA) (as revised) and applicable state and local laws which protect job rights and benefits for and against discrimination of veterans and members of the military and reserves. USERRA and this policy cover all persons serving in the Army, Navy, Marine Corps, Air Force, Coast Guard, Public Health Service commissioned corps, and the reserve components of these services, and the National Guard.

Eligibility

In accordance with USERRA employees who perform service in the uniformed services are entitled to a leave of absence and reemployment rights. For purposes of this policy, “service in the uniformed services” means the performance of duty on a voluntary or involuntary basis in a uniformed service, including, but not limited to:

- Active duty
- Active duty for training
- Initial active duty for training
- Inactive duty training
- Full-time National Guard duty.
- Absence from work for an examination to determine an employee’s fitness for any of the above types of duty
- Funeral honors duty performed by National Guard or reserve members
- Duty performed by intermittent disaster response employee for the Public Health Service, and approved training to prepare for such

The “uniformed services” for purposes of this policy consist of the following:

- Army
- Navy
- Marine Corps
- Air Force
- Coast Guard
- Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve
- Army National Guard or Air National Guard
- Commissioned Corps of the Public Health Service
- Any other category of employees designated by the President in time of war or emergency

Any employee whose absence from the Company is due to service in the uniformed services will be entitled to reemployment, healthcare benefits and other employment benefits provided by the Company, provided:

- Advance Notice: The employee has given advance written or verbal notice of such service to the Company as required under this policy.



- **Cumulative Length of Absence:** The cumulative length of the absence and of all previous absences from a position of employment with the Company by reason of service in the uniformed services does not exceed five years, as defined in this policy; and
- **Timely Application for Reemployment:** The employee reports to, or submits an application for reemployment to, the Company in accordance with the provisions of this policy.
- **Timely Return to Work:** The employee reports back to work within the time limits set forth within this policy.

Advance Notice

All employees seeking reemployment rights must provide the Company with advance notice of military service. Notice Procedure:

- Employees will provide 30 days' written notice to the Company of anticipated military leave.
- In the event that the employee is unable to give 30 days' written notice, the employee must provide written or verbal notice as far in advance as is reasonable under the circumstances.
- Notice may be provided by the employee or by an appropriate officer of the branch of the military in which the employee will be serving.
- No notice is required if:
 - Military necessity prevents the giving of notice; or the giving of notice is otherwise impossible or unreasonable.

Cumulative Length and Duration of Service

The cumulative length of service that causes an employee's absence(s) from the Company may not exceed five years. Most types of service will be cumulatively counted in the computation of the five-year period. However, the following categories of service are exempt from the five-year limitation. These include:

- Service required beyond five years to complete an initial period of obligated
- Service from which the employee, through no fault of the employee, is unable to obtain a release within the five year limit (e.g., obligated service dates that expire while the service member is at sea or involuntarily retained on active duty).
- Required training for reservists and National Guard members. The two-week annual training sessions and monthly weekend drills mandated by statute for reservists and National Guard members are exempt from the five-year limitation.
 - Also excluded are additional training requirements certified in writing by the Secretary of the service concerned to be necessary for individual professional development.
- Service under an involuntary order to, or to be retained on, active duty during a domestic emergency or national security related situation.
- Service under an order to, or to remain on, active duty (other than for training) because of a war or national emergency declared by the President or Congress.
 - This includes service not only by employees involuntarily ordered to active duty, but also service by volunteers who receive orders to active duty.
- Active duty (other than for training) by volunteers supporting "operational missions" for which Selected Reservists have been ordered to active duty without their consent.
 - Such operational missions involve circumstances other than war or national emergency for which, under presidential authorization, members of the Selected Reserve may be involuntarily ordered to active duty.
 - This exemption covers employees who are called to active duty after volunteering to support operational missions.



- Service by volunteers who are ordered to active duty in support of a “critical mission or requirement” in times other than war or national emergency and when no involuntary call up is in effect.
- Federal service by members of the National Guard called into action by the President to suppress an insurrection, repel an invasion, or to execute the laws of the United States.

Disqualifying Service

The following forms of service are considered disqualifying, and not eligible for the benefits provided under this policy:

- Separation from the service with a dishonorable or bad conduct discharge.
- Separation from the service under other than honorable conditions. Regulations for each military branch specify when separation from the service would be considered “other than honorable.”
- Dismissal of a commissioned officer in certain situations involving a court martial or by order of the President in time of war.
- Dropping an individual from the rolls when the individual has been absent without authority for more than three months or who is imprisoned by a civilian court.

Reporting Back To Work

Time limits for returning to work depend, with the exception of fitness-for-service examinations, on the duration of an employee's military service:

- Service of 1 to 30 days: The employee must report to the Company by the beginning of the first regularly scheduled work day that would fall 24 hours after the end of the calendar day the employee's completion of service.
 - If, due to no fault of the employee, timely reporting back to work would be impossible or unreasonable, the employee must report back to work as soon as possible.
 - Fitness Exam. The time limit for reporting back to work for an employee who is absent from work in order to take a fitness-for-service examination is the same as the one above for employees who are absent for 1 to 30 days. This period will apply regardless of the length of the employee's absence.
- Service of 31 to 180 days: An application for reemployment must be submitted to Human Resources no later than 14 days after completion of an employee's service.
 - If submission of a timely application is impossible or unreasonable through no fault of the employee, the application must be submitted as soon as possible.
 - If the 14th day falls on a day when the Company offices are not open, or there is otherwise no one available to accept the application, the time extends to the next business day.
- Service of 181 or more days: An application for reemployment must be submitted to Human Resources no later than 90 days after completion of an employee's military service. If the 90th day falls on a day when the Company offices are not open, or there is otherwise no one available to accept the application, the time extends to the next business day.
- Disability incurred or aggravated: The reporting or application deadlines are extended for up to two years for employees who are hospitalized or convalescing because of a disability incurred or aggravated during the period of military service.
 - The two-year period will be extended by the minimum time required to accommodate a circumstance beyond an individual's control that would make reporting within the two-year period impossible or unreasonable.



- Unexcused delay: Any employee who fails to report to work or to apply for reemployment rights as outlined within this section is subject to the Company's policy regarding unexcused absences.

Required Documentation Upon Return:

Employees absent for a period of service of 31 days or more are required to provide the Company with documentation showing that:

- The employee's application for reemployment is timely;
- The employee has not exceeded the five-year service limitation; and
- The employee's separation from service was for a reason other than Disqualifying Service as defined under this policy.

Unavailable documentation: Employees who are unable to provide satisfactory documentation because it is not readily available or does not exist should provide said documentation as soon as it becomes available. If, after reemploying the employee, documentation becomes available that shows one or more of the reemployment requirements were not met, the employer may take appropriate action up to and including termination of the employee. The termination would be effective as of that moment, and would not operate retroactively.

Reinstatement

Except with respect to employees who have a disability incurred in or aggravated by military service, the position into which an employee is reinstated is based on the length of an employee's military service:

- *An employee whose military service lasted 1 to 90 days will be promptly reemployed in the following order of priority:*
 - In the job the employee would have held had the employee remained continuously employed, so long as the employee is qualified for the job or can become qualified after reasonable efforts by the employer to qualify the employee; or
 - In the position of employment in which the employee was employed on the date of the commencement of the service in the uniformed services, only if the employee is not qualified to perform the duties of the position referred to in subparagraph (a) after reasonable efforts by the employer to qualify the employee.
 - If the employee cannot become qualified for either position described above (other than for a disability incurred in or aggravated by the military service) even after reasonable employer efforts, the employee is to be reemployed in a position that is the nearest approximation to the positions described above (in that order) which the employee is able to perform, with full seniority
- *The Company will promptly reemploy employees returning from military service of 91 or more days in the following order of priority:*
 - In the job the employee would have held had the employee remained continuously employed, or a position of like seniority status and pay, so long as the employee is qualified for the job or can become qualified after reasonable efforts by the employer to qualify the employee; or,
 - In the position of employment in which the employee was employed on the date of the commencement of the service in the uniformed services, or a position of like seniority, status, and pay the duties of which the employee is qualified to perform, only if the employee is not qualified to perform the duties of the position referred to in subparagraph (a) after reasonable efforts by the Company to qualify the employee.



- If the employee cannot become qualified for the position either in (a) or b) above: in any other position of lesser status and pay, but that most nearly approximates the above positions (in that order) that the employee is qualified to perform with full seniority.
- “Escalator” position: It is the policy of the Company that each returning service member actually step back onto the seniority escalator at the point the employee would have occupied if the employee had remained continuously employed. The position may not necessarily be the same job the employee previously held. This may include a position at a higher level than the one previously held, lower level than the one previously held, it could be a different job, or it could conceivably be in layoff status.
- Requalification Training: The Company will make reasonable efforts to qualify returning service members who are not qualified for reemployment positions that they otherwise would be entitled to hold for reasons other than a disability incurred or aggravated by military service, provided such training does not impose an undue hardship on the Company.

Subject to the exceptions stated within this policy, the Company will reemploy returning military service members “promptly” as required by USERRA. Employees should understand that the timing for reinstatement will depend on the circumstances of each individual case. Reinstatement following a lengthy leave of absence may require giving notice to an incumbent employee who has occupied the service member’s position and who might possibly have to vacate that position.

Exceptions to Re-Employment

In addition to the employee’s failure to apply for re-employment in a timely manner, an employee is not entitled to reinstatement as described above if any of the following conditions exist:

- The Company’s circumstances have so changed as to make reemployment impossible or unreasonable.
- The employee’s employment prior to the military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would have continued indefinitely or for a significant period.
- The employee did not receive an honorable discharge from military service.
- Requalification efforts cause difficulty and/or expense as to cause an undue hardship on the employer.
- The employee’s cumulative military absences from one employer’s employment has exceeded five years, unless certain conditions are met.
- The employee has failed to reapply for employment within USERRA’s time limits.
- The Company would not have reemployed the employee even if he/she had not been returning from a military leave.

Disabilities Incurred or Aggravated While in Military Service

Subject to the exception listed within this policy, the Company will comply with the requirements of USERRA and applicable state laws with regard to reasonable accommodation of a returning service member’s disability unless efforts to qualify returning service members or accommodate individuals with service connected disabilities is of such difficulty or expense as to cause “undue hardship” for the Company.

Forfeiture of rights

If, prior to leaving for military service, an employee knowingly provides clear written notice of an intent not to return to work after military service, the employee waives entitlement to leave-of-absence rights and benefits not based on seniority.



Benefits

Where an employee is absent from work due to military service, benefits will continue as follows:

- An employee on extended military leave may elect to continue group health insurance coverage for the employee and covered dependents under the same terms and conditions for a period not to exceed 31 days from the date the military leave of absence begins. The employee must pay, per pay period, the premium normally paid by the employee. After the initial 31 day period, the employee and covered dependents can continue group health insurance up to 24 months at 102% of the overall (both employer and employee) premium rate.
- The group term life/AD&D insurance provided by the Company will terminate the day the employee becomes active military.
- The group long term disability insurance provided by the Company will terminate the day the employee becomes active military.
- Employees do not accrue vacation, personal leave or sick leave while on military leave of absence status.
 - Employee's time spent on active military duty will be counted toward their eligibility for FMLA leave once they return to their job.
- With respect to the Company's retirement plan, upon reemployment, employees who have taken military leave will be credited for purposes of vesting with the time spent in military service and will be treated as not having incurred a break in service. Immediately upon reemployment, the employee may, at the employee's election, make any or all employee contributions that the employee would have been eligible to make had the employee's employment not been interrupted by military service. Such contributions must be made within a period that begins with the employee's reemployment and may last up to three times the length of the employee's military service, not to exceed five years. Employees will receive all associated Company match for such contributions.
- If an employee has voluntary life insurance and/or short term disability insurance through the Company, the employee should contact Human Resources to discuss the terms and conditions of his/her policy(ies) as it relates to his/her military leave.
- Vacation Time: At the employee's request and with prior notice to the Company, the employee may use any vacation time that has accrued prior the beginning of his or her military service instead of unpaid leave.

Non-Discrimination and Retaliation Policy

Employment discrimination because of past, current, or future military obligations is prohibited under state and federal law. The law protects from discrimination past members, current members, and employees who apply to be a member of any of the branches of the uniformed services. Under USERRA, employees with past, current, or future obligations in all branches of the military are also protected.

Employees who file a complaint of discrimination under the law or this policy, who testify, assist or otherwise participate in an investigation or proceeding under the law or this policy; or who exercises any right provided under the law or this policy may do so without fear of retaliation or reprisal whether or not the employee has performed military service.



MILITARY LEAVE REQUEST

INSTRUCTIONS: Use this form to request leave for military training and active military duty.

TO BE COMPLETED BY EMPLOYEE

Employee Name _____

Department _____

Position _____

Immediate Supervisor _____

Branch of Military _____ Army _____ Navy _____ Army Reserve
_____ Marines _____ Air Force _____ Coast Guard
_____ National Guard _____ Other

Name of military unit issuing orders: _____

Order Number: _____

Date ordered to report to active duty: _____

Anticipated date of return to work: _____

(Employee is requested to contact _____ upon return from active duty if employee is not ready by anticipated date indicated above. This will assist in planning for the employee's return to work.)

Please attach copy of military orders if available.

Person to contact, as necessary, while employee is on active military duty:

Name: _____

Relationship to Employee: _____

Address: _____

Phone Number: _____

Signature of Employee: _____

Date: _____

TO BE COMPLETED BY _____

Date form received: _____

Date employee provided with Military Policy: _____

Current vacation leave balance: _____

Current sick leave balance: _____

Any other paid leave balance: _____

Base compensation at time of military leave: _____

Has all salary wages been paid to employee on last day of work prior to military leave?

___ Yes ___ No

Did employee request pay for vacation leave upon start of military leave? ___ Yes ___ No

If yes, date vacation leave paid or to be paid: _____

Other benefits employee qualifies for as start of military leave:

Medical Coverage Plan: _____

Level of Coverage (employee only, 2-person, family): _____

Has employee paid normal employee contributions for the first 31-day period?

___ Yes ___ No

Did employee elect COBRA-like continuation?

___ Yes _____ Date of Election _____ Level of coverage

___ No. _____ Last day of coverage

Is employee a participant of the Company's 401K Plan? ___ Yes ___ No

Any other benefits employee qualifies for: _____

Title: _____

Date: _____



APPENDIX I—COMPLAINT PROCEDURE

Procedure for Complaints under ADA, Sexual Harassment or Discrimination Policy

- Any employee who feels that he/she is the subject of discrimination, harassment, abusive behavior, bullying, cyberbullying or any other offense, or has witnessed such activity should immediately report the incident, verbally or in writing, to Human Resources whenever possible. Formal or informal reports may also be made to the employee's immediate supervisor, or the immediate supervisor's manager. All supervisory employees are required to report any complaints of discrimination, harassment, abusive behavior, bullying or cyberbullying to Human Resources.
- MCC will immediately and thoroughly investigate all complaints of discrimination, harassment, abusive behavior, bullying, or cyberbullying. The investigation may be performed internally or by an impartial third party from outside the company. In either case it will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances, and in a manner consistent with a fair and full investigation.
- Because we consider discrimination, harassment, abusive behavior, bullying, and cyberbullying to be serious matters, if it is determined that inappropriate conduct has been committed by one of our employees, we will act promptly to eliminate the offensive conduct and initiate disciplinary action where it is appropriate. Such action may range from counseling to termination of employment.
- In addition to filing a complaint with MCC, employees who believe they have been subjected to discrimination, harassment, abusive behavior, bullying, or cyberbullying may file a formal complaint with appropriate state and federal government agencies. For the employee's convenience, agencies are listed below. However, the list included may not be exhaustive, and the employee should conduct his/her own research with regard to filing a formal complaint with appropriate state and federal government agencies. Each agency has a short period for filing a claim. For your reference, time limits for filing complaints are included below, and to the best of the Company's knowledge these deadlines are accurate; however, employees are encouraged to conduct their own research to ensure that they do not miss a filing deadline.
- Using the Company's complaint process does not prohibit employees from filing a complaint with applicable agencies. However, we encourage you to come to MCC with your concerns so we can address them quickly and maintain a workplace that is free of discrimination, harassment, abusive behavior, bullying, or cyberbullying.
- This policy will be provided to all new employees when they are hired. Additionally, a copy of this policy is available in the office at all times. Employees are encouraged to review this Policy annually.

We trust that all managers, supervisory personnel and employees will continue to act responsibly to establish a pleasant working environment free of harassment and discrimination of any type.

STATE AND FEDERAL AGENCY ADDRESSES: TIME PERIOD FOR FILING A CLAIM:

The United States Equal Employment Opportunity Commission (EEOC)

John F. Kennedy Federal Building

475 Government Center

Boston, MA 02203

(800) 669-4000

300 Days

Massachusetts Commission Against Discrimination (MCAD)

One Ashburton Place, Room 601



Mansfield Children's Center

Boston, MA 02108

(617) 727-3990

300 Days

New Bedford Office

800 Purchase St., Room 501

New Bedford, MA 02740

(508) 990-2390

300 Days

If you have any questions regarding the Company's policy against discrimination, harassment, abusive behavior, bullying and cyberbullying or wish to report an incident, contact Human Resources immediately.



APPENDIX J - PAID FAMILY MEDICAL LEAVE (STATE PLAN)

In accordance with the Massachusetts Paid Family and Medical Leave Law ("MPFMLL"), beginning January 1, 2021, eligible employees are entitled to a leave of absence to care for a family member with a serious health condition, care for their own serious health condition, bond with a new child, care for a family member who is a covered servicemember or assist with obligations that arise when a family member is called into active military service. Employees are also eligible to receive partial wage replacement benefits during the leave through the state-mandated Department of Family and Medical Leave ("Department") Employment Security Trust Fund.

Eligible Employees

This policy applies to eligible Massachusetts-based employees including full-time, part-time, permanent or seasonal workers, as well as some former employees. To be eligible for paid family and medical leave ("PFML"), employees must meet financial eligibility requirements established by the Department, and former employees cannot have been separated from the Company for more than 26 weeks. Participation in the program is not optional for these employees.

Payroll Deductions

The Company makes appropriate payroll deductions to fund the Massachusetts Paid Family Medical Leave insurance program.

Reasons for Leave and Length of Leave

- Covered employees may be entitled to up to 20 weeks of paid medical leave in a benefit year if they have a serious health condition that incapacitates them from work.
- Covered employees may be entitled to 12 weeks of paid family leave in a benefit year related to the birth, adoption or foster care placement of a child, or because of a qualifying exigency rising out of the fact that a family member is on active duty or has been notified of an impending call to active duty in the Armed Forces.
- Covered employees may be entitled to up to 26 weeks of paid family leave in a benefit year to care for a family member who is a covered service member with a serious health condition.
- Covered employees may be entitled to up to 12 weeks of paid family leave to care for a family member with a serious health condition.

Covered employees are eligible for no more than 26 total weeks, in the aggregate, of paid family and medical leave in a single benefit year.

The smallest amount of PFML time that an employee can take is 15 minutes. PFML time cannot be used as an excuse to be late for work without an authorized purpose.

Birth and Bonding/Adoption of a Child

Leave is available for the birth of a child, and time to bond with and care for a child following the child's birth, adoption, or placement in foster care with the employee. Leave must be taken within the 12-month period following the child's birth or placement with the employee, and is available to both parents.



Definitions:

Serious Health Condition: A serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical facility or continuing treatment by a healthcare provider. Cosmetic treatments are not considered serious health conditions.

Family Member: A family member includes an employee's spouse, domestic partner, child, parent, parent of spouse or domestic partner, person who stood in loco parentis of the worker when they were a child, grandchild, grandparent, or sibling.

Requests and Documentation Requirements for Family/Medical Leave

The employee must provide at least 30 days' notice of anticipated start date of PFML leave, and if unanticipated, must provide notice as soon as practicable. When requesting PFML leave, employees do not have to share a medical diagnosis but must provide enough information to the Company to determine if the leave qualifies for PFML protection. Sufficient information could include informing the Company that the employee is or will be unable to perform his/her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary.

In order to apply for PFML Leave, the employee must submit an application with the DFML. Forms and claim instructions will be available on the Department's website. <https://www.mass.gov/orgs/department-of-family-and-medical-leave>. Employees must provide DFML with consent to share information regarding your application for benefits to both the Company and your doctor.

The DFML will determine whether PFML leave is granted or denied within 14 days of application.

Medical Certification

The DFML may require certification to support the need for leave. Required certification information will depend upon the reason for leave requested. Failure to submit required certification may result in delayed approval or denial of leave.

Scheduled Leave

Prior to submitting your application to the DFML, if you require scheduled leave, you must consult with your supervisor to create a schedule for planned medical treatments in order to not unduly disrupt the Company's operations.

Rate of Pay

There is a 7-day waiting period before employees will be eligible for payment from the DFML.

The employee will be required to submit an application for benefits to the DFML each week that the employee uses any PFML leave.

The rate at which an employee will be paid will be calculated based on a percentage of the employee's earnings. Weekly benefit amounts are currently capped at \$850.00. Weekly benefits may be reduced if an



employee earns amounts from workers compensation, state or federal temporary or permanent disability benefits, or employer-provided permanent disability benefits.

Employer Responsibilities

Once the Company becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the Company must notify the employee if he/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 Company must provide a reason for ineligibility. The Company must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Intermittent Leave or a Reduced Work Schedule

When it is medically necessary or otherwise permitted, employees will be allowed to take leave intermittently or on a reduced schedule. In other words, under these circumstances, employees will not be required to take PFML in one block. Employees may take leave on an intermittent basis (a single or several days at different points throughout the year) or work a reduced schedule when medically necessary to care for a seriously ill family member or because of the employee's serious health condition. Employees needing intermittent / reduced schedule leave for foreseeable medical treatment will be required to schedule the leave so as not to unduly disrupt the Company's operations, subject to the approval of the employee's healthcare provider. If the Employee takes reduced schedule leave, the Company will reduce the Employee's salary based on the amount of time actually worked.

The Company may elect to temporarily transfer an employee seeking intermittent or reduced schedule leave to an available alternative position with equivalent pay and benefits to better accommodate the intermittent or reduced schedule.

Continuation of Health Insurance

The Company will continue to provide for and contribute to your employment-related health insurance benefits, if any, at the level and under the condition's coverage would have been provided if you had continued working continuously for the duration of such leave.

Returning from Leave

Under most circumstances, employees returning from medical leave will be reinstated to the same or an equivalent position, with equivalent pay, benefits and other terms and conditions of employment.

Fitness-For-Duty: Employees who take leave for their own serious health condition will be required to provide a return to work, or "fitness-for-duty," certification from the employee's healthcare provider showing that the employee is able to resume work. The fitness-for-duty certification will be limited to the particular health condition that caused the employee's need for PFML leave. Certification must address the employee's ability to perform the essential functions of his/her job.

Employees who are unable to return to work at the end of the leave should notify their supervisor in writing at least two weeks in advance and must have the physician re-certify that the leave is medically



necessary. Supervisors should contact Human Resources to discuss alternatives prior to taking any action if an employee is unable to return to work, has exhausted the 20 weeks of PFML leave and/or is out of sick time or paid time off.

Interaction with Other Types of Leave

If any time off covered under this policy is also covered under the Company's Parental Leave, Military Leave, or other leave of absence policies, time shall run concurrently with such leave.

An employee can choose to use a Company sponsored paid leave in lieu of PFML benefits. If you choose to use one of the Company provided paid leaves for a PFML-qualifying reason, the PFML leave will run concurrently with the leave program.

Enforcement

Employees may file a complaint with the Massachusetts Department of Paid Family Medical Leave. Employees file a complaint or appeal for benefits with the DFML. For additional information or to file a complaint or appeal:

Charles F. Hurley Building
19 Staniford Street, 1st Floor
Boston, MA 02114
(617) 626-6565
www.mass.gov/DFML

Fraud

An employee who fraudulently obtains or uses family and medical leave is not protected by FMLA's job restoration or maintenance of health benefits provisions, and the Company will take all available appropriate disciplinary action against such employee due to such fraud.

Retaliation

The Company will not take any adverse employment action against an employee for requesting or using PFML time under the terms of this policy.

Application of Law

In accordance with the Massachusetts PFML, employees may use the leave provided for in this policy for all of the reasons allowed under the law. To the extent that the Law differs from this policy, it is the intent of the Company that the protections of the Massachusetts PFML Law apply to all eligible employees.