



Hilltop Community Resources

# Employee Handbook

April 2021



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# Hilltop Purpose and Governance

## Mission

Hilltop Community Resources, Inc. has been serving the community since 1950. Since that time, Hilltop's programs and divisions have changed to meet the needs of our community. These adaptations and changes will likely continue as new programs are created by Hilltop to serve the community and fulfill the Hilltop mission of "People First."

To achieve its mission, Hilltop focuses on making a difference one individual at a time. We provide services to people of all ages, race, national origin, color, gender, sexual orientation, disability, to navigate life's challenges and build a healthy community. Hilltop promotes education, economic stability, wellness and health care, builds environments, and social cohesion. Hilltop's programs assist individuals confronting poverty, violence, mental or physical limitations, aging, and other challenges.

## Values

Hilltop will achieve its mission by empowering our employees, volunteers and board members to embody Hilltop's values. We value:

- Relationship
  - Start with possibilities, practice kindness, and speak with care and candor.
- Integrity
  - Take responsibility for our actions, honor our commitments, and act with transparency.
- Courage
  - Encourage bravery, speak truth to power, and challenge the status quo.
- Inclusivity
  - Respect individual differences, ensure equal opportunities, and condemn prejudicial actions.
- Growth
  - Pursue greatness, champion excellence, and celebrate success.
- Fun
  - Take our responsibilities seriously but not ourselves, promote laughter, and remember to play.

## Governance

The Board of Directors for Hilltop Community Resources, Inc. is responsible for setting the mission and strategic direction of Hilltop, as well as providing oversight of the finances, operations and policies of Hilltop. The Board of Directors supervises the CEO and does not manage the day-to-day affairs of Hilltop, which falls under the responsibility of the CEO.

Hilltop Community Resources, Inc. is organized under and governed by the Colorado Revised Nonprofit Corporation Act, CRS §7-121-101 et seq. and shall be operated exclusively for "Charitable Purposes," as established by Hilltop's Articles of Incorporation<sup>1</sup> and Bylaws.

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<sup>1</sup> Hilltop's Articles of Incorporation were filed with the Colorado Secretary of State in 1984 and amended in 2016.



## Organizational Officers

Hilltop's Chief Executive Officer appoints officers to comply with regulations, mitigate risk, and maintain the integrity of the organization.

### Compliance Officer

Director responsible for the ongoing monitoring of the regulatory requirements, including those under HIPAA. Assists with ensuring all departments are in compliance and department leaders are informed of their responsibilities to uphold regulatory compliance, and that the HIPAA Committee is evaluating, documenting and revising HIPAA related policies and procedures as operations and programming changes throughout the organization. The Compliance Officer is the Chief Operating Officer.

### Privacy Officer

Director responsible for maintaining participant/resident confidentiality and security. Ensures that privacy policies are in place, and HIPAA training is provided routinely. Investigates privacy breaches. The Privacy Officer is the Chief Financial Officer.

### Security Officer

Holds the overall responsibility for the security of individually identifiable health information, in electronic and all other forms. Approves and oversees the administration, implementation and selection of Hilltop's security controls for the Network. Ensures that the threats and risks to the confidentiality, integrity, and availability of ePHI and PII (personally-identifiable information) are monitored and evaluated. The Security Officer is the Chief Financial Officer.

### Information Technology Officer

Ensures that the Network activity is monitored and audited to identify Security Incidents and malicious activity. Assesses whether established security controls reasonably and appropriately protect against the risks identified for the Network. Participates in breach notification investigations, determinations, and responses. The Information Technology Officer is the Director of Information Technology.

### Ethics Officer

Develops and coordinates the processes and procedures related to investigating and resolving ethics-related complaints. Provides regular employee training and organizational interventions as needed to promote an ethical culture. The Ethics Officer is the Chief Operating Officer.



# Employee Handbook

## Overview

Please read this Handbook carefully. It acquaints Employees with many of the important rules, policies, benefits, and practices that apply to all employees of Hilltop Community Resources, Inc.

This handbook is **NOT** intended to create and shall not be construed to create a contract between employees and Hilltop Community Resources, Inc., either expressed or implied.

Policies may be changed at the sole discretion of the Hilltop Chief Executive Officer (“CEO”) without prior notice to or approval by the employees. No other supervisor or individual is authorized to modify the terms of these policies either verbally or in writing.

This handbook is important for the safety and clarification of our policies and procedures. Failure to know and follow Hilltop policies and procedures could result in corrective action up to and including termination.

Questions about any policy within the Employee Handbook may be directed to a supervisor or People Operations.

## Employment Relationship: “At-Will”

Employment with Hilltop is entered into voluntarily and is considered “at-will.” This means that all employees are free to resign at any time, with or without notice, and for any reason. In turn, Hilltop is free to terminate the employment relationship at any time, with or without notice, and with or without cause.

No policy, verbal statement, or written document shall modify or alter this employment at-will relationship in any way, unless in writing by the Board of Directors or CEO specifically waiving those rights.

This Handbook does not modify or alter the employment at-will relationship in any way.



# Code of Ethics

## Applicable Laws

The conduct of Hilltop Community Resources, Inc., its employees and volunteers shall be in compliance with the laws and regulations relating to Hilltop's business.

## Employee Code of Ethics

Hilltop, through its workplace standards, policies and processes, seeks to promote an ethical corporate culture among its employees and volunteers, involving both internal and external relationships.

Hilltop's employees and volunteers must:

1. Commit to remain sensitive to, and be respectful of, the ethnic, racial, cultural, sexual orientation, gender identification, religious and lifestyle diversity of employees, volunteers, participants and participant's family members.
2. Respect and protect the confidentiality of information and privacy.
3. Refrain from giving or accepting gifts of value or monetary compensation or to solicit or accept loans of any sums of money from any participants or participant's family.
4. Honor the intent of benefactors and donors who support Hilltop programs.
5. Maintain professional boundaries with participants and their family members.
6. Become familiar with Hilltop's Corporate Policies
7. Become familiar with all applicable procedures and processes established for the purpose of conducting the business of Hilltop.

## Code of Ethics and Business Conduct

Hilltop Community Resources, Inc. is committed to being an ethical and responsible member of society. In order to ensure the highest standards of ethics, honesty, governance, and integrity are maintained, Hilltop has adopted this Code of Ethics Policy. We refer to the elements of this policy as our Code. Our Code provides the guidelines and standards for acceptable business conduct.

It is our policy that all employees, volunteers, and board members shall comply with the Organization's Code.

When an employee, volunteer or board member believes they discover a matter that appears to be in violation of the Code, they must report the matter to the employee's supervisor, the Ethics Officer or other management-level employee.

## Confidential Information

Employees, volunteers and board members may not divulge confidential or proprietary information except as authorized by the Chief Executive Officer.





## Conflicts of Interest

No employee shall be, potentially be, or appear to be, subject to influences, interests, or relationships, which conflict with the best interests of Hilltop.

Employees, without prior approval of the Chief Executive Officer, may not serve as an officer, director, manager, employee, or agent of any company that is a competitor, supplier, or customer of Hilltop if it creates a conflict of interest to Hilltop.

Employees should not engage in outside interests that divert time and attention from properly attending to Hilltop affairs if it creates a conflict of interest to Hilltop.

An employee of Hilltop may own or operate a business outside of hours worked for Hilltop. However, employees are to refrain from seeking/soliciting business from co-workers, Hilltop's participants, or a participant's family, without express CEO approval.

## Duty to Report Suspected Abuse and Neglect

All employees are expected to report any suspected abuse or neglect of children, at-risk adults, elders and all Hilltop participants in compliance with all applicable reporting laws. If anyone witnesses or becomes aware that an at-risk child, adult, or elder has been or is at imminent risk of mistreatment (abuse or neglect), a report must be made to a Program Director or People Operations immediately.

## Compliance and Reporting

Any person who is aware of violations to this Code, or has reason to believe there are violations of this Code or to any other Hilltop policy, is expected to promptly report the violation to Hilltop's Ethics Officer or any management-level employee.

An employee may make an anonymous report; however, an anonymous report may limit Hilltop's ability to fully investigate due to lack of information or details.

No employee or volunteer will be subject to retaliation, discrimination, or other adverse treatment for reporting known or suspected violations of this and other Hilltop policies and procedures.

All employees receive information concerning ethics, the Ethics Officer name, and contact information, during New Employee Orientation. Inquiries may also be made to the People Operations department.

## Protected Disclosure and Whistleblower

Hilltop empowers its employees to prevent, detect, report, and correct any and all illegal or unethical activities, be they accidental or intentional, which could be considered fraud, waste or abuse of local, state, or federal funds.

It is Hilltop's policy that any employee suspecting, in good faith, that a violation of a law, Hilltop's policies, or other unethical or concerning situation has, will, or may likely occur has



a duty to report the violation to Hilltop and they shall be able to do so without fear of retaliation, harassment, or dismissal.

Reports of illegal or unethical conduct should be promptly reported to a supervisor, manager, the Hilltop Compliance Officer, the Hilltop Ethics Officer or the Vice-Chair of the Hilltop Board of Directors.

If the employee is not comfortable making a genuine complaint about a violation of the Hilltop Code for any reason, or is not satisfied with Hilltop's response, it is Hilltop's policy to provide a Whistleblower Complaint Procedure to ensure the anonymity of the employee making or elevating such complaint.

Any good faith report, concern or complaint is fully protected by this policy, even if the report, question or concern is, after investigation, not substantiated. Any employee filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code of Ethics, Hilltop policy, or law.

Protection under this policy does not extend to an employee who knowingly made false allegations. An employee making allegations in bad faith or intention may be subject to corrective action, up to and including termination.

Hilltop will take no disciplinary action or otherwise change the terms and conditions of employment against employees in retaliation for making a report of fraud, waste, or abuse with any merit. Nor will Hilltop tolerate any harassment from other employees directed at an employee who has reported a legitimate concern.

## Responsibilities

It is the responsibility of all Hilltop employees, volunteers and Board Members to comply with Hilltop's Code and to report any suspected violations of policies.

It is the responsibility of the Compliance Officer, the Ethics Officer, and the Vice Chair of the Board of Directors to maintain a log of all protected disclosure complaints tracking their receipt, investigation, and resolution.

The Senior Leadership and the Executive Committee shall be informed of complaints or reports and the action taken.

## Whistleblower Reporting and Resolving Procedure

In order to file a concern, or complaint via email, US Mail or in person:

- Contact the supervisor, program director, or PeopleOps Business Partner;
- Contact Hilltop's Ethics Officer (*Can also be contacted by completing the Ethical Concerns Form on the Hilltoppers Home Page*)
- Contact Hilltop's Compliance Officer
- Email the Vice Chair of the Board of Directors at: [boardethics@htop.org](mailto:boardethics@htop.org)



Upon the receipt of the complaint, Hilltop will use its best efforts to protect the confidentiality of the complainant for any good faith report. Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Hilltop's Compliance Officer or the Hilltop Ethics Officer shall receive and investigate whistleblower complaints. In the event the employee does not feel comfortable speaking with the Compliance or Ethics Officers, or is not satisfied with the response, they are encouraged to report to the Vice Chair of the Board of Directors.

All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation. The complainant will be informed that follow-up has or is occurring within two weeks after the Ethics Officer, Compliance Officer, or Board Officer has received the complaint or report.

Complaints that are found to not be an ethical or legal issue but which need to be addressed will be handled through the problem resolution process.

Because of the need to investigate and take action, Hilltop cannot promise confidentiality regarding a reported violation of this policy.

# Equal Opportunity

## Equal Opportunity Employment

Hilltop protects its employees from discrimination and harassment based on any protected classification and from being subject to retaliation based on any protected activity. Discrimination is the act of treating an individual differently based on a protected classification.

There shall be no unlawful discrimination or harassment against employees or applicants for employment because of race or color, religion or creed, sex or gender, pregnancy, sexual orientation, national origin or ancestry, age, physical or mental disability, military status, genetic information, or other protected status. Equal employment opportunity, as required by law, shall apply to all personnel actions including, but not limited to, recruitment, hiring, promotion, demotion, layoff, or termination. This policy applies to all employees, including managers, supervisors, co-workers, and non-employees such as volunteers, customers, participants, vendors and consultants.

### What is a protected classification?

- **“Age”** as used above refers to the age group 40 and above, as specified by the Age Discrimination in Employment Act and the Colorado Antidiscrimination Act in Employment Act and the Colorado Antidiscrimination Act.
- **“Race”** Title VII defines race discrimination as "discrimination on the basis of ancestry, physical, or cultural characteristics associated with a certain race, such as skin color, or certain facial features. “Race” also includes, but is not limited to, hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race.
- **“Sex,” “Gender,” and “Sexual Orientation”** Sex and Gender discrimination includes unlawful discrimination on the basis of sex, gender, pregnancy, and sexual harassment. Colorado law defines “sexual orientation” as “a person’s orientation toward heterosexuality, homosexuality, bisexuality, or transgender status or an employer’s perception thereof.
- **“Genetic Information”** Genetic information includes: 1) information about a person’s genetic tests; 2) information about the genetic tests of that person’s family members; 3) a person’s family medical history (i.e., the manifestation of a disease or disorder in a person’s family members, often used to determine if a person has an increased risk of getting a disorder, disease or condition in the future); 4) a person’s request for, and receipt of, genetic services; 5) a person’s participation in clinical research that includes genetic services (or the person’s family members participation); 6) the genetic information of a fetus carried by a person or a family member of the person; and 7) the genetic information of an embryo legally held by a person or a family member using assisted reproductive technology.
- **“Disability”** includes physical and mental disabilities that substantially limit one or more major life activities. Disabled individuals must be otherwise qualified for the job and able to perform essential job functions with or without reasonable accommodations.

## Harassment

Hilltop prohibits all forms of harassment and unprofessional behavior. Harassment is unlawful where it is unwelcome, severe or pervasive, and unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment. Unlawful harassment and unprofessional behavior may result in corrective action up to and including termination.

Harassment includes, but is not limited to:

- Communications, implicit or explicit about another's sex life, preferences or appearance and whether in:
  - Written form - such as cartoons, posters, calendars, notes, letters, e-mail, etc;
  - Verbal form - such as comments, jokes, foul or obscene language or gestures, gossiping or questions about another's sex life, or repeated unwanted requests for dates, and;
- Physical gestures and other nonverbal behavior - such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another person's body.

Unprofessional Behavior includes, but is not limited to:

- Slurs
- Derogatory statements or demeaning treatment
- Jokes
- Stereotyping based on protected status

## Sexual Harassment

"Sexual Harassment" occurs when an employee is subjected to unwelcome conduct based on sex or gender that is severe or pervasive and: (1) which conduct is either an explicit or implicit condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting the individual (e.g. salary increases); (3) or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Unprofessional conduct may rise to the level of sexual harassment if it is unwelcome, based on sex, and severe or pervasive.

Unprofessional conduct includes, but is not limited to:

- Unwelcome sexual advances or propositioning
- Jokes of a sexual nature
- Unwelcome sexual comments about someone's clothing or appearance
- Intimate stories about one's sex life
- Sexually explicit photographs or drawings
- Unwelcome touching of a sexual nature
- Adverse treatment based on gender, and/or gender identity, and/or sexual orientation

Unprofessional conduct may result in corrective action up to and including termination regardless of whether it rises to the level of unlawful sexual harassment.

## Nondiscrimination for Pregnancy and Child Birth

Employees will not be subject to discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. Employees may request a reasonable accommodation related to pregnancy, a health condition related to pregnancy or the physical recovery from childbirth.

Hilltop will support employees who wish to continue expressing when the employee returns to work. Hilltop will provide nursing employees reasonable daily unpaid break time to express breast milk for up to two years.

An employee wishing to request a reasonable accommodation for pregnancy or expressing should contact People Operations.

If an employee requests an accommodation, Hilltop will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of their position.

Hilltop may require documentation from the employee's health care provider detailing the medical advisability of the reasonable accommodation.

A reasonable accommodation will be provided unless it imposes an undue hardship on Hilltop's business operations.

Hilltop will not deny employment opportunities or retaliate against an employee because of a request for reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth.

An employee will not be required to take leave or accept an accommodation that is unnecessary for the employee to perform the essential functions of the job.

## Reasonable Accommodations

An employee wishing to request a reasonable accommodation for a disability, religious reason, gender identification, or pregnancy or pregnancy related condition should contact People Operations department.

Reasonable accommodations can be requested for:

- Disabled applicants or employee who are otherwise qualified to perform the essential job functions
- An applicant or employee whose work requirements interfere with a religious belief
- An applicant or an employee for health conditions related to pregnancy or physical recovery from childbirth
- An applicant or employee for gender identification and/or gender expression as it relates to use to restroom facilities, health conditions or recovery related to gender reassignment surgery.



If an employee requests an accommodation, Hilltop will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of their position.

Hilltop may require documentation from the employee's health care provider detailing the medical advisability of the reasonable accommodation.

A reasonable accommodation will be provided unless it imposes an undue hardship on Hilltop's business operations.

## Non-Retaliation

Federal and state law prohibit punishing job applicants or employees for asserting their rights to be free from employment discrimination, including harassment. Asserting these rights is called "protected activity," and it can take many forms. For example, it is prohibited by Hilltop to retaliate against applicants or employees for:

- Filing or being a witness in an EEO charge, complaint, investigation, or lawsuit
- Communicating with a supervisor or manager about employment discrimination, including harassment
- Answering questions during an employer investigation of alleged harassment
- Resisting sexual advances, or intervening to protect others
- Requesting accommodation of a disability, for a religious practice, for sexual orientation, or for gender identity/expression.

Hilltop prohibits all employees from retaliating against others. Retaliation can result in corrective action up to and including termination of employment.

## Reporting and Resolving Procedure

If an employee believes they have been subjected to discrimination, harassment, or retaliation:

Employees are empowered to prevent, report, and correct any and all illegal, unethical, discriminatory, harassing, or retaliatory activities, be they accidental or intentional. Accordingly, in such a situation, whether the employee is the subject of the conduct or the employee witnesses the conduct, the employee should do one of the following:

- Address the situation, professionally, if comfortable and appropriate.
- Contact employee's supervisor, Program Director, PeopleOps Business Partner, or People Operations Team
- Contact Hilltop's Ethics Officer in person or by email or Hilltoppers' portal
- Contact Hilltop's Compliance Officer in person, by email or by completing an Ethical Concerns form found on the Hilltoppers home page

Such reporting includes conduct by co-workers, supervisors, management, officers or directors, agents, participants, suppliers, or others encountered during the course and scope



of employment. It is Hilltop's desire to maintain a professional working environment and to prevent any unlawful discrimination, harassment, or retaliation in employment. Employees are strongly advised that they should not quit employment because of conduct that violates this policy rather than reporting such conduct.

Upon receiving a report of conduct that may violate this policy, Hilltop will investigate the circumstances and take appropriate action. Employees must cooperate fully during an investigation and must provide the investigator with honest and complete responses. Because of the need to investigate and take action, Hilltop cannot promise confidentiality regarding a reported violation of this policy.

## Problem Resolution Policy

Employees concerned about Hilltop policies, procedures, or practices are encouraged to express their concern through discussion with the employee's supervisor, program director, Senior Leader or the People Operations team. If the problem is not resolved, or if the problem involves the supervisor, arrange to meet with the program director or People Operations.

If the problem remains unresolved after discussion, or if the problem involves the program director, the problem may be discussed with the appropriate Senior Leader or People Operations.

If the employee is not satisfied with the Senior Leader's decision or opinion, the employee may appeal to the Chief Executive Officer. The appeal must be submitted in writing. The Chief Executive Officer's decision on the appeal is final. Employees may not present issues to the Board.



# Employee Conduct

## Unacceptable/Prohibited Conduct

Although employment with Hilltop is at-will, meaning that either the employee or Hilltop may terminate the employment relationship at any time, with or without cause, certain conduct is unacceptable and may result in corrective action, suspension or immediate termination.

The list below is not all-inclusive. Other conduct not listed may also lead to corrective action, suspension or termination.

Unacceptable conduct includes, but is not limited to:

- Violation of a law, Hilltop policy, or Hilltop departmental or program rule that results or could result in serious damage to Hilltop's property or interests or could endanger the life of the Employee, participants/residents or others;
- Disloyalty to Hilltop that may be harmful to Hilltop's relationship with customers, participants/residents or the public in general;
- Falsification of records or reports required by Hilltop, including the falsification of time records, or other acts of dishonesty;
- Theft;
- Insubordination;
- Assaulting or threatening to assault another person;
- Willful neglect or damage to Hilltop's property or interest;
- Incarceration after conviction of a violation of any law;
- Loss of driver's license, professional license, certification or other professional designation essential to job performance;
- Failure to participate in or to complete an approved program of corrective action to deal with an addiction to intoxicating beverages or controlled substances;
- Failure to properly safeguard, maintain, or account for Hilltop's property when this obligation is an essential part of the job;
- Behavior in the workplace that is or may be harmful to morale or work performance;
- The presence of non-medically prescribed controlled substances in the employee's system, during working hours.
- Rudeness, insolence or offensive behavior toward a customer, participant, supervisor or fellow employee;
- Taking unauthorized vacations or other leave;
- Excessive tardiness or absenteeism;
- Sleeping on the job;
- Failure to meet job performance standards;
- Failure to observe work rules;
- Refusal to perform any reasonable work request;
- Revealing confidential information obtained through employment to any person or to other employees who do not need to know in the performance of their duties or dealings on behalf of Hilltop or in pursuit of Hilltop's best interests;
- Workplace bullying, which refers to severe and pervasive unreasonable actions of individuals (or a group) directed toward an employee (or a group of employees) which



is intended to intimidate and creates a risk to the health and safety of the employee(s) Including, but not limited to:

- Unwarranted or invalid criticism
- Blame without factual justification
- Treating another/others differently than the rest of the group
- Swearing at someone
- Exclusion or social isolation
- Shouting at or humiliating someone
- Making someone the target of practical jokes
- Excessive monitoring
- Taking credit for another person's ideas
- Spreading rumors and gossip regarding individuals
- Persistent singling out of one person
- Violation of personnel policies, and/or violation of the policies of department or program.

## Infractions of Policy or Code of Conduct

Violations of Hilltop's policy shall be addressed as soon as possible with the employee. Appropriate action will be taken according to the extent, or significance, of the violation. These actions may include, but are not limited to, verbal warning, written reprimand, final warning, administrative leave, suspension or termination.

### Administrative Leave

If an allegation has been made against an employee for improper conduct, the management, in its sole discretion, may place an employee on unpaid Administrative Leave.

During the course of the Administrative Leave, the employee shall not be permitted to be on any Hilltop campus, or to have contact with any Hilltop employee or program participant or use accrued paid leave. Exception may be made by the supervisor.

Administrative Leave may be used at the sole discretion of management, in connection with conducting an internal and/or external investigation of an allegation of improper conduct by an employee. Back pay for any missed shifts may be provided to the employee placed on administrative leave if the allegations are determined to be unfounded and the employee returns to work.

### Termination of Employment

Employment with Hilltop is "at-will" and either Hilltop or the employee may terminate the employment relationship at any time, with or without cause, and with or without notice. A no-call, no-show for an assigned shift extending beyond 24 hours may be considered job abandonment and, as such, result in termination of employment.



On or before the last day of work, all Hilltop property, such as a Hilltop-issued phone, laptop, credit card, name badge, electronic data, keys, and other items, shall be returned to supervisor or may be charged according to our policy.

## Confidentiality

Confidential information may be accessible to Employees from:

- Program participant information and records;
- Other Hilltop employee personnel information and records; and/or
- Hilltop financial records or privileged corporate information.

Every employee has a responsibility to manage and maintain all information in a confidential manner. Infractions will result in immediate corrective action up to and including termination.



# Program Participant Information

Employees are required to meet all applicable Health Insurance Portability and Accountability Act (HIPAA) privacy and security requirements. Only when necessary may employees share personal health information of program participants/residents through appropriate HIPAA processes.

Every employee is expected to know the program participants HIPAA policies and practices specific to their assigned department.

No information shall be released to any outside individuals or agencies without a properly signed **Release of Information form** or appropriate court order. A release of information form is not necessary for meetings where the resident/program participant and/or legal representative are present.

## HIPAA Privacy Practices

Hilltop requires all employees, volunteers and board members to reasonably safeguard personal identifiers from intentional or unintentional use or disclosure.

Hilltop provides a Notice of Privacy Practices to program participants and employees. Contact People Operations for a copy of the Notice of Privacy Practices to employees. Contact the program for a copy of the participant's Notices of Privacy Practices.

Hilltop is committed to protecting the privacy of program participants and employee health information which is sometimes referred to as Protected Health Information ("PHI")<sup>2</sup>. A part of this commitment involves compliance with the privacy standards contained in the regulations promulgated under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the first comprehensive federal protection of health information. The regulation is known as the Privacy Rule.

Hilltop recognizes its status as a Covered Entity under the definitions contained in the Act. Hilltop also acknowledges a duty to support and facilitate the timely and unobstructed flow of health information for lawful and appropriate purposes.

Hilltop acknowledges a duty and responsibility to protect the privacy and security of the following personal identifiers:

- Name, address, telephone number;
- Social security number;
- Date of birth;
- Admit date;
- Other identifying number or symbol.

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<sup>2</sup> Credit for portions of this policy to American Health Care Association (2017) retrieved from: [https://www.ahcancal.org/facility\\_operations/privacysecurity/Pages/HIPAAPolicyProcManual.aspx](https://www.ahcancal.org/facility_operations/privacysecurity/Pages/HIPAAPolicyProcManual.aspx)

Hilltop establishes the following written procedures with respect to PHI:

- Designation of Privacy Officer;
- Physical safeguards;
- Technical safeguards;
- Follow the “Keep Your Stuff Secret” rule;
- Breach notification;
- Release of information;
- Violations of policy.

## Safeguarding and Disposal of Personal Identifying Information

**Purpose.** Hilltop understands the importance of keeping personal identifying information secure. To that end, Hilltop implements the following policy to ensure that personal identifying information is handled with care.

**Personal Identifying Information (PII)** means: a social security number; a personal identification number; a password; a pass code; an official state or government-issued driver’s license or identification card number; a government passport number; biometric data; an employer, student, or military identification number; or a financial transaction device.

**Safeguarding PII.** In order to protect PII, including that of Employees, from unauthorized access, use, modification, disclosure, or destruction, Hilltop limits access of PII to the individual’s need to know.

**Disposal of PII.** When paper or electronic documents containing PII are no longer necessary for Hilltop’s business purposes, Hilltop will destroy or arrange for the destruction of the documents in its custody or control by shredding, erasing, or otherwise modifying the personal identifying information in the documents to make the information unreadable or indecipherable through any means.

**Notice of Security Breach.** Hilltop will take no more than 30 days to provide Employees and program participants/residents notice of a security breach that results in or is likely to result in the misuse of PII when the breach involves a Colorado resident’s first name or first initial and last name in combination with: the individual’s social security number; student, military, or passport identification number; driver’s license number or identification card number; medical information; health insurance identification number; or biometric data; username or email address, in combination with a password or security questions and answers, that would permit access to an online account; or an account number or credit or debit card number in combination with any required security code, access code, or password that would permit access to that account, when any of these data elements are not encrypted, redacted, or secured by any other method rendering the name or the element unreadable or unusable.



## Commitment to Program Participants & Their Rights

### Services for Program Participants

Hilltop provides services as indicated for participants within the policies and procedures of the program and the organization.

### Program Participant/Resident Rights

All employees will become familiar with, and respect the following rights of Hilltop Program Participants:

- All participants/residents will be treated with respect. They will be listened to and their ideas and opinions valued.
- No participant/resident shall be discriminated against on the basis of age, gender, race, culture, religion, or sexual orientation.
- Employees will be professional in their actions through their use of language, presentation, and manner.
- Food, rest, and toileting will not be denied or forced upon a participant/resident as a means of punishment.
- Separation, when used as discipline, will be brief and appropriate for the participant's/resident's age.

Participant/Resident safety shall at all times be a priority for staff.

Conflicts will be resolved fairly and promptly. Participants/residents shall report any concerns and management will act on any breaches of these standards of behavior through established procedures.

### No Proselytizing or Faith-Based Requirement

Employees and volunteers shall not proselytize to any participant/resident, meaning to induce someone to convert to one's faith; to recruit or convert to a new faith, institution or cause; espouse, persuade, talk into, convert, convince.

Hilltop honors each participant's/resident's faith and will accommodate and facilitate participation as possible.

Hilltop Community Resources, Inc. is a 501(c)(3) not-for-profit corporation and is not a faith-based organization. Hilltop serves participants/residents of all faiths and beliefs at many facilities and through many programs.

Hilltop does not provide services with a religious or faith-based requirement, nor does Hilltop require participants/residents to attend religious activities or instruction in exchange for, or as a requirement to receive any services that Hilltop provides.

## Participant/Resident Protection

All employees and volunteers must share Hilltop's commitment to providing services to participants/residents in a safe and professional manner.

All employees and volunteers must ensure the physical and emotional well-being of participants/residents of Hilltop at all times. Each employee and volunteer are expected to provide services and address behavioral concerns within the policies and procedures of the program and organization.

Participant/resident abuse is unacceptable and will result in corrective action up to and including termination of employment.

Participants/residents shall not be subjected to physical, sexual, emotional harm, humiliation, unprofessional, disrespectful or inappropriate behavior. Employees or volunteers shall not use or be permitted to use corporal or other harsh punishment, including but not limited to pinching, shaking, spanking, punching, biting, kicking, rough handling, hair pulling, or any humiliating or frightening method of discipline or sexual act or sexual threat. Employees shall not attack a person's self-esteem e.g. through bullying, name-calling, threatening, ridiculing, intimidating or isolating the participant/resident.

Participants/residents shall not be subjected to abusive or foul language from any individual. Employees shall endeavor to intervene and remove them from the area of another participant/resident or visitor if employees become aware of the use of language which humiliates, belittles or degrades another participant/resident.

Verbal abuse and derogatory remarks about the participant/residents are not permitted. Employees should not use prejudicial or oppressive behavior, social media, language, clothing or other forms of inappropriate communication.

Any employee who has an allegation of abuse or neglect made against him or her or who has engaged in behaviors inconsistent with job duties, placing a participant/resident at risk to injury or maltreatment, may be placed on administrative leave and will remain on administrative leave until a finding can be made regarding the allegations. If participant/resident abuse or neglect is determined to have occurred, Hilltop will proceed with corrective action up to and including termination of employment.

## Relationships between Participants/Residents & Employees

There shall be no financial or business relation between employees and participants/residents of Hilltop, or family members of participants/residents that creates or may create a potential conflict of interest or compromises the professional relationship. A family member of a participant/resident is defined as a spouse, child, stepchild, adoptive child, foster child, parent, stepparent, adoptive parent, foster parent, brother, sister, niece, nephew or cousin.

Some examples include, but are not limited to:

- Business dealings on either a profit or nonprofit basis.
- Fraternalization after working hours or away from work.
- Compromising personal contact, such as consumption of alcoholic beverages or engaging in a sexual relationship with a participant/resident or their family member.



- Violations of contraband statues, policies, procedures, or operational memorandums.
- Meeting with juveniles on escape status for any reason other than to assist in their apprehension.
- The granting of favors or services to a participant/resident which, in the view of other employees and/or participants/residents, is preferential in nature by either not being given or being only minimally given to other participants/residents who have similar circumstances, including bringing gifts; performing personal errands within or outside the agency; extending any other extra privileges; or extending significantly more time to one individual than to other participant/residents.
- Accepting gifts, discounts, favors, loans, or services from a participant/resident.

Exceptions may be made for certain situations by the CEO. Infractions of this policy will result in corrective action up to and including termination of the employee.

## Participant/Resident Complaints or Concerns

Hilltop strives to live up to its values and always do the right thing but recognizes that sometimes it may fall short. Hilltop welcomes feedback from concerned people - participants/residents, family members, or the public. In these cases, Hilltop requests the concerned persons let Hilltop know immediately. The process to report a concern is called a "grievance."

Verbal reporting of a grievance is acceptable, if made to a Hilltop Director. Grievances may also be placed in writing.

All written and verbal grievances will be treated confidentially to the extent possible and will immediately be referred to the appropriate member of management for investigation. If a grievance is anonymous, Hilltop management will investigate the grievance based on the information provided and to take appropriate action.





# Benefits/Compensation

## Benefits

Hilltop is committed to providing quality benefits to employees. Please refer to the most current Hilltop Benefits Guide, which includes information specific to the benefits Hilltop provides to Employees. The Guide identifies the benefit, which employees are eligible, and a brief description of each benefit.

### Paid Time Off (PTO)

Employees accrue paid time off (“PTO”) to use for illness, including those illnesses or domestic violence situations addressed in Colorado’s Healthy Families and Workplaces Act (HF&W), holidays, bereavement, vacation, personal days, and other time away during normally scheduled hours of work, which are approved by Hilltop.

Employees accrue PTO based on the number of hours worked and an employee’s PTO accrual rate is based on longevity with Hilltop.

PTO is accrued for employees as follows:

Years of Service	Accrual Rate Per Hour Worked	Pay Period Accrual (80 hours worked)	Annual Accrual (2080 hours worked)	Maximum PTO Bank
Less than 4	.0847	6.776	176.176	240
Greater than 4	.1038	8.304	215.904	240

PTO Breakdown	Annual Accrual (2080 Hours Worked)	HF&W/Vacation	Vacation	Holiday
Less than 4	176.176	48	80	48
Greater than 4	215.904	48	120	48

Employees accrue a maximum of 240 PTO hours. Once an employee reaches 240 hours, the PTO accrual stops until PTO is used and the balance falls below 240.

Any exceptions, such as for some exempt employees, to the accrual rates above will be determined by the CEO or Board of Directors.

### *PTO for Recognized Holidays*

Hilltop recognizes the following holidays: New Year’s, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

All buildings or departments that routinely operate five (5) days per week or less will be closed for the observed holidays listed above. Regularly-scheduled Employees who work in those buildings or departments who do not perform any work will use accrued PTO for the holiday.



### *PTO for Low Census*

If an employee is asked not to work due to a “low census” situation, PTO or Leave Without Pay may be used to cover the hours not worked. Low census is defined as a Hilltop program workload being too low for the designated time frame. Use of PTO or Leave Without Pay should be designated in the timecard as “low census”.

### *Scheduling PTO*

Employees are required to consult with supervisors in advance for use of PTO. PTO must be used to cover any time missed from the employee’s normal schedule. Supervisors will give preference to participant/resident care needs and business necessity when considering PTO requests.

PTO requested or taken may not exceed the hours the employee has accumulated. A maximum of 80 hours PTO and/or EIB may be paid in any pay period. PTO must be exhausted before employees may use leave without pay.

A negative PTO balance is not routinely allowed. However, newly-hired employees who do not have sufficient PTO hours accrued, may go into negative PTO, with their supervisor’s approval based on their scheduled hours, for recognized Hilltop Holidays. A maximum negative balance of 24 hours may be accrued during that period.

For non-exempt (hourly) employees, PTO must be used for time taken away from scheduled work.

For exempt (salaried) employees, PTO must be used in full-day increments for time taken away from work.

In the case of an employee’s illness beyond the 48-hour paid sick leave maximum that is not covered under the Healthy Families and Workplaces Act (“HF&W”), employees can access PTO and EIB following our policies listed in the Employee Handbook.

### *PTO Usage for Events Covered by Healthy Families and Workplace Act*

Pursuant to the HF&W, Hilltop permits Employees to use accrued PTO, up to the maximum 48 hours HF&W Paid Leave, when:

The Employee or an Employee’s family member:

- Has a mental or physical illness, injury, or health condition that prevents the employee from working;
- Needs to obtain a medical diagnosis, care or treatment of a mental or physical injury or health condition; or
- Needs to obtain preventative medical care.

The Employee or Employee’s family member has been the victim of domestic abuse, sexual assault, or harassment and the use of leave is to:

- Seek medical attention for the Employee or the Employee’s family member to recover from a mental or physical illness, injury, or health condition cause by the domestic abuse, sexual assault, or harassment;
- Obtain services from a victim services organization;
- Obtain mental health or other counseling;



- Seek relocation due to the domestic abuse, sexual assault, or harassment; or
- Seek legal services, including preparation for or participation in a civil or criminal proceeding relating to or resulting from the domestic abuse, sexual assault, or harassment.

Hilltop limits all employees from using more than 48 hours of HF&W Paid Leave for the reasons specified above in any given year.

Additional HFWA leave will not be provided if an employee uses all of their available PTO for non-HFWA-qualifying reasons (e.g., vacation), except when a public health emergency is declared after usage of PTO, requiring supplemental leave.

### *Non-Retaliation*

Hilltop will not take retaliatory personnel action or discriminate against an Employee or former Employee because the person exercised, attempted to exercise, or supported the exercise of rights protected under this policy and/or federal or state law. This includes, but is not limited to the right to request or use paid leave; the right to file a complaint with the division or court or inform any person about Hilltop's alleged violation; the right to participate in an investigation, hearing, or proceeding or cooperate with or assist the division in its investigations of alleged violations; and the right to inform any person of the person's potential rights under this Healthy Families and Workplace Act.

An employee is entitled to:

- Use paid leave consistent with this policy and/or federal or state statutes;
- File a complaint or inform any person about Hilltop's alleged violation of federal or state leave statutes;
- Cooperate with the division in its investigation of an alleged violation of federal or state statutes; and
- Inform any person of the person's potential rights under federal or state statutes.

### *PTO Cash out*

Once in a fiscal year (August 1 to July 31), Hilltop allows an employee to request a PTO cash out. A maximum of 40 hours of accrued PTO may be cashed out. A balance of at least 100 hours must remain in the employee's PTO bank after the cash out. Any exceptions must be approved by Senior Leadership.

### *Payment Upon Termination*

Upon separation of employment, Hilltop will pay employees for their accrued, but unused PTO.

### *Extended Illness Bank ("EIB")*

The Extended Illness Bank (EIB) provides paid leave for employees in the event of an employee's own extended illness, injury, surgery or hospitalization. EIB may also be used for parental leave.

EIB is accrued each pay period, based on the number of regular hours worked in each pay period. The accrual rate for eligible employees is .02692 for each hour worked. The accrual



rate remains the same throughout employment at Hilltop. The EIB maximum accrual is 560 hours.

Eligible employees may use accrued EIB after three (3) days' absence of scheduled work days for any one event. An event is considered a non-work-related injury, illness, medical procedure, surgery or birth or adoption of a child that temporarily prevents the employee from performing the essential functions of their position.

If EIB is requested, an employee may consider eligibility for Family Medical Leave. A doctor's note is required that includes the length of time the employee will be away from work, the start date of the leave (or the date of surgery) and the date employee is anticipated to return to work. Before returning to work, the employee must have a doctor's note indicating "released" to work, and provide a copy to Department director.

EIB may be used for Public Health Emergency Leave, as stated in the Public Health Emergency Leave Policy, provided the Employee's reason for leave qualifies under PHEL.

### *Transfer of EIB Hours to PTO*

Employees with more than 500 hours of EIB may transfer EIB hours to their PTO bank. Requests must be submitted on the EIB Transfer Form located in the HRIS system. Two (2) EIB hours = one (1) PTO hour. A maximum of 48 hours EIB (or 24 PTO) may be transferred each year.

### *EIB Payment Upon Resignation*

An employee serving Hilltop continuously for ten (10) years or more may receive a portion of their accrued EIB hours, to be paid out at resignation or termination.

Accumulated EIB will be compensated, based on length of service from the employee's last date of hire, as follows:

Tenure	Amount of EIB to be paid out upon separation
10 years+ but less than 15 years	25% of EIB accumulation
15 years + but less than 20 years	50% of EIB accumulation
20 years + but less than 25 years	75% of EIB accumulation
25 years + or more	100% of EIB accumulation

### *Tuition Reimbursement/Advancement*

At Hilltop's sole discretion, Employees may be reimbursed for the cost of educational courses that benefit the employee, or Hilltop, presently or in the future.

The maximum reimbursement per employee is \$375 per semester, and \$750 per fiscal year. This amount is regardless of school, program or number of classes or courses taken.

Hilltop may request proof of registration and/or course completion prior to reimbursement. The source providing the course must be accredited or recognized. Hilltop may request details concerning the course, financial need and proof of registration/course completion.

A limited pool of tuition dollars exists in each fiscal year. Requests will be taken on a first-come, first-serve basis and prioritized in order of the education needs of Hilltop. Hilltop



management may allocate these dollars to specific certification/training areas. Determination concerning the terms, eligibility and granting of this benefit shall be final.

In order to apply for tuition reimbursement, employees must complete a Tuition Reimbursement form and submit it to department director for approval.

## Employee Assistance Program

Hilltop provides a confidential Employee Assistance Program (EAP) to all Hilltop employees, spouses, and dependent family members. This service provides confidential counseling and referral services for things such as:

- Work Life Balance
- Relationship and Communication enhancement
- Stress, Anxiety, and Depression
- Grief, Loss, and Trauma
- Sleep Issues
- Addiction
- Workplace Relations
- Parenting skills
- Legal and Financial services

See the current Hilltop Benefits Guide for additional EAP assistance.

Should an employee experience issues that impact their judgment, performance, or behavior, the employee is encouraged to participate in the EAP to avoid possible corrective action. Participation in EAP after the corrective action process has begun may not preclude corrective action, up to and including termination of employment. Questions should be directed to the People Operations Department.

## Health & Wellness Program

Hilltop values the health and wellbeing of all employees and believes that healthy employees are essential to the success of Hilltop. Whether employees need to quit smoking, get fit, or manage stress, our Health Top Wellness Program provides them with the tools and resources to help. By participating, employees qualify for prizes and rewards along the way. Good health is the best reward of all!

All employees are encouraged to participate in the Wellness Program. This program provides wellness workshops/seminars, tobacco cessation counseling, company-wide challenges and more!

In addition, Hilltop may offer on-site health screenings which allows employees to participate in blood draws, blood pressure readings, fitness assessments and other related health status checks.

## Benefits Continuation during Personal Leave

For unpaid leave of 30 days or less (if employee is out of PTO/EIB, not eligible for FML or FML has been exhausted), the employee's portion of eligible benefits premiums will go into



arrears and will be deducted from the employee's pay upon their return to work. Deductions for benefits in arrears will begin no later than the third pay period following the employee's return to work and must be paid in equal amounts in up to six pay periods.

If an employee's unpaid leave of absence exceeds 30 days and the employee is out of PTO/EIB, not eligible for FML or FML has been exhausted, then the employee will be responsible to remit payment for their benefits premiums, in order to maintain benefits coverage.

Eligible benefits that will continue on unpaid personal leave (with premium payment):

- Medical
- Dental
- Vision
- Voluntary Life and AD&D/UNUM benefits
- Healthcare and Dependent Care Flexible Spending Accounts - If an employee chooses to continue a Healthcare FSA during unpaid leave, these dollars will be contributed on a post-tax basis.

Non-Eligible Benefits that will not continue on unpaid personal leave:

- 401(k) Contributions - During unpaid leave, any contributions to the Employee's 401k Retirement Plan cannot continue since those are only done through payroll deduction.

Please note that if benefits premiums are not paid (either during leave, upon return to work, or in the event the employee does not return to Hilltop), benefits may be canceled effective the end of the month following the employee's last payment.

## Compensation

### Employment Categories

Employment classifications determine employment status and benefits eligibility as follows:

- Exempt Employee: Employees who are exempt from overtime pay. These positions meet specific tests of the Fair Labor Standards Act and Colorado state law. Refer to job description for status.
- Non-exempt Employee: Employees who are paid 1.5 times their regular rate for hours worked in excess of 40 hours in a workweek and/or 12 hours in a day. Refer to job description for status.
- Regular Employee: Full-time and Part-time employees hired for an indefinite period of time into a permanent position.
- Full-time Employee: Regular employees hired for an indefinite period of time to work a regular schedule of 30 -40 hours per week. Eligible for full benefits.
- Part-time Employee: Regular employees hired for an indefinite period of time to work a regular schedule of less than 30 hours per work week. Eligible for all benefits except Medical Insurance and Medical FSA.
- Temporary Employee: Employees hired into a position for six months or less. Not eligible for any benefits.



## Payroll period

Hilltop's pay period is two consecutive workweeks. This starts on Sunday at 12:01am, and ends on Saturday at 12:00am. Pay is distributed on the Friday following the end of a pay period. If payday falls on a day in which the office is closed, pay shall be available the day prior.

## Required Payroll Deductions

Hilltop will deduct from an employee's gross pay all amounts required by the government such as Federal Income Taxes, Social Security Taxes, Medicare and State Income Taxes. Deductions for insurance premiums and other benefits shall require the prior written authorization from the Employee, except in cases of court order or otherwise permitted by law.

## Deductions for Damages, Penalties, and Property Not Returned

Employees are entrusted during employment with property that belongs to Hilltop and which has value. The employee is responsible for returning this property to Hilltop upon request or at the time of termination of employment, whichever is first.

Employees are responsible for paying to Hilltop the balance of any amount owed for property not returned to Hilltop. Employees who convert or steal Hilltop's property may be liable to Hilltop for three times the value, plus Hilltop's costs and attorneys' fees incurred in obtaining a judgment for the damages and penalties, pursuant to Colorado's civil theft statute (§18-4-405).

Hilltop may require employees sign a written authorization for Hilltop to deduct from their final paycheck the value of any of Hilltop's property. Hilltop has the right to withhold the final pay check for up to 10 days in order to audit the return of all property and to determine the value of any property not returned. That value may be deducted from the employee's final paycheck.

## Working "Off the Clock" Is Prohibited

Non-exempt Employees are not permitted to perform work "off-the-clock" (i.e., performing work without being clocked in or not identifying that time as time worked on the time card or Hilltop's timekeeping system). This means that Non-exempt Employees must be "clocked in" during that time or must immediately report that time worked was not recorded. Further, the Employee should immediately inform People Operations or program supervisor if anyone (e.g., other employee, supervisor, manager, coordinator, Director, CEO, etc.) requests that work was performed off-the-clock or that work was performed before or after clocking in.



## Breaks and Meal Periods

### Breaks

Non-exempt employees are authorized and permitted to take one ten-minute rest period to the extent practical in the middle of each four-hour work period. This time is paid and is considered non-productive work time. The supervisor may set break times. Breaks do not accumulate if not taken and cannot be used in combination with a meal period or for purposes of arriving late or leaving early. Employees should immediately inform their Supervisor or People Operations Department if anyone (e.g., co-employee, supervisor, manager, etc.) does not authorize or permit a rest break as required. If an employee is requested to do that by one of the identified positions in this policy, please inform one of the other individuals listed as soon as possible.

### Meal Periods

If a Non-exempt employee works longer than five hours in a workday, the employee is entitled to an unpaid meal period of not less than thirty minutes. The supervisor may set the time for meal periods. These meal periods are not compensated and are not treated as work time. When circumstances prevent a meal period of at least 30 minutes, the employee shall be permitted to consume an “on-duty” meal while performing duties. Non-exempt employees shall be fully compensated for on-duty meal periods and such time shall be treated as work time. Non-exempt employees must not work during their meal periods unless required to do so by the Supervisor or other Management. Non-exempt Employees must report on-duty meal periods on their time cards so that they will be properly compensated.

Non-exempt employees must clock out for lunch break or any other reason when not working and clock back in when returning to duty.

All employees must inform their supervisor before leaving their work duty station. Violations of this policy may result in corrective action, up to and including termination.

### Travel

“Travel time” is time spent on travel for the benefit of Hilltop, excluding normal home-to-work travel, and shall be considered time worked. This includes whether the employee is a driver or passenger, overnight travel is required or whether traveling in the employee’s or Hilltop’s vehicle. Travel time includes the time spent to get to the destination. Any time spent at the destination performing labor or services for the benefit of the employer, will be paid as time worked. See COMPs Order Poster attached.

### Employee Electronic Timecards

Electronic timecards are the property of Hilltop and an employee’s legal record of the hours worked. Any timecard changes must be submitted to People Operations Team.

Falsification of time cards or delayed submittal may result in corrective action, up to and including termination.





## Work Hours and Time Worked

Employees' total work hours may include overtime and may vary from week to week. Hilltop's normal workweek is a seven-day period starting at 12:01 a.m. Sunday morning and ending at 12:00 a.m. Saturday evening.

Work hours are hours actually worked. Work hours do not include Paid Time Off ("PTO"), Extended Illness Bank ("EIB"), Family and Medical leave ("FML") or other leave periods such as, Administrative Leave, Jury Duty, Gift Days off, Sabbatical leave, or holiday time not actually worked.

"Time worked" means time during which an employee is performing labor or services for the benefit of Hilltop, whether or not required to do so. See COMPs Order Poster attached.

## On-call

Non-exempt employees may be designated on-call to respond to after-hours situations as stated in the employee's job description. These employees are expected to be available in a timely manner and follow all Hilltop policies and procedures, including alcohol and substance use, when they are on-call.

Employees designated as on-call are to record the hours worked on-call on their electronic timesheet. This includes responding to the on-call situation and phone time.

On-call will be paid a stipend, all regular hours worked, and any overtime.

## Overtime

Overtime must be pre-approved by the department Supervisor. Absent compelling reasons, employees are expected to work overtime when requested.

Overtime is defined as hours worked in excess of 40 hours per workweek or 12 hours in one day. Non-exempt employees shall receive premium pay (1.5 times their rate of pay) for all overtime hours worked.

## Microloans

All employees, with a minimum of one year of service, are eligible for a microloan twice per fiscal year, upon approval by the appropriate Ops Leader. A maximum amount of \$500 is allowed per loan, with only one active microloan at a time. Repayment of the microloan will be made through payroll deductions. The payroll deduction will begin no later than the third pay period following approval of a microloan and must be paid back in equal amounts in up to six pay periods.

In order to request a microloan, Employees shall complete the employee section of the Microloan request form and submit the completed form to their Program Director.

If an employee leaves Hilltop before the microloan is paid off, the balance will be deducted from the employee's final paycheck as allowed by law.



# Types of Leave

## Holiday Pay

Hilltop recognizes the following six holidays for all employees:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

Holiday pay will be paid to non-exempt employees working the designated holiday for hours worked. The actual legal holiday is from 12:01 a.m. to midnight of that calendar day.

Holiday pay is based on one and one-half (1.5) the employee's regular rate of pay multiplied by the number of hours worked on the actual holiday. If an employee works over 40 hours in addition to working the holiday, the employee will still be paid at one and one-half (1.5) times the regular rate of pay.

Exempt employees do not qualify for holiday pay.

## Jury Duty/Subpoenaed Witness

Hilltop supports employees in their civic responsibilities, such as appearing for jury duty, serving on a jury, and appearing in court in response to subpoenas.

Regular full-time and part-time employees will receive regular wages for the days originally scheduled to work, or would have been scheduled to work, up to three (3) days of jury duty.

When an employee receives a summons for jury duty, they must inform their supervisor as soon as possible but no later than two weeks in advance of the jury appearance date.

Employees may be asked to provide a copy of either the Juror Service Certificate, or the subpoena to appear as witness, to the Payroll Specialist.

If an employee is a party to a non-work-related action, and requires time off to appear in court, the employee must use PTO for hours missed from their regular schedule, or take leave without pay if PTO is exhausted.

## Military Duty

Hilltop abides by the Federal Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees who are members of the U.S. Armed Forces Reserve or National Guard are granted an unpaid leave of absence when called for active or inactive duty training. However, if an employee desires to use PTO time for this purpose, they need to inform their supervisor.



If an employee is inducted into a branch of the U.S. Armed Forces for an extended period, they may be reinstated to their previous position in accordance with the provisions of the Law.

## Public Health Emergency Leave (PHEL)

Upon declaration of a public health emergency by either the State or Federal government agencies, employees are allowed additional leave.

Employees may use the available PHEL (i.e., a total maximum of 80 hours) for the reasons identified in this Section of the Policy.

### *Events Covered by PHE*

PHEL is available for all effected employee's during a public health emergency for the following reasons:

An Employee's personal need to:

- Self-isolate and care for oneself because the Employee is diagnosed with a communicable illness that is the cause of a public health emergency;
- Self-isolate and care for oneself because the Employee is experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- Seek or obtain medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- Seek preventive care concerning a communicable illness that is the cause of a public health emergency;
- An Employee's inability to work because the Employee has a health condition that may increase the susceptibility to or risk of a communicable illness that is the cause of the public health emergency.

An Employee's need to care for a family member who:

- Is self-isolating after being diagnosed with a communicable illness that is the cause of a public health emergency;
- Is self-isolating due to experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- Needs medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- Is seeking preventative care concerning a communicable illness that is the cause of a public health emergency;
- To care for a child or other family member when the individual's child care provider is unavailable due to a public health emergency or if the child's or family member's school or place of care has been closed due to a public health emergency, including if a school or place of care is providing instruction remotely.

PHEL is available until four (4) weeks after the official termination or suspension of the public health emergency.



### *PTO/EIB Usage for Events Covered by PHE*

On the date a public health emergency is declared, effected employee's will be supplemented leave as necessary to ensure that an Employee may take the following amounts of PHEL for the purposes specified above:

- Employees who normally work 40+ hours a week will receive 80 hours of PHE.
- Employees who normally work less than 40 hours a week will receive the normal scheduled hours in a 14-day period or the average amount of time the employee works in a 14-day period, whichever is greater.

Hilltop may offset these hours with an employee's available PTO and EIB toward the leave allowable during a public health emergency. No additional PHEL will be given if the employee meets the above amounts with their PTO and EIB.

PTO will be used for the first three days missed due to PHEL. EIB will then be used.

Exceptions include:

- If the employee does not have three days' worth of PTO available, EIB may be used immediately after PTO is exhausted for PHEL purposes only.
- If the employee does not have EIB available, PTO will be used.
- If PTO and EIB are not available, PHEL will be used to supplement the employee's pay up to the appropriate maximum as stated above.

### *Non-Retaliation*

Hilltop will not take retaliatory personnel action or discriminate against an Employee or former Employee because the person exercised, attempted to exercise, or supported the exercise of rights protected under this policy and/or federal or state law. This includes, but is not limited to the right to request or use paid leave; the right to file a complaint with the division or court or inform any person about Hilltop's alleged violation; the right to participate in an investigation, hearing, or proceeding or cooperate with or assist the division in its investigations of alleged violations; and the right to inform any person of the person's potential rights under this Healthy Families and Workplaces Leave.

An employee is entitled to:

- Use paid leave consistent with this policy and/or federal or state statutes;
- File a complaint or inform any person about Hilltop's alleged violation of federal or state leave statutes;
- Cooperate with the division in its investigation of an alleged violation of federal or state statutes; and
- Inform any person of the person's potential rights under federal or state statutes.



## Parental Involvement in K-12 Education

Hilltop will provide unpaid leave to non-supervisory and non-executive level employees for attending parent teacher conferences and/or other academic activities for their children, ages kindergarten through twelfth grade. Unpaid limited-time off is limited to 18 hours per school year, not to exceed 6 hours per month. Hilltop may require written verification of appointments, one-week advance notice, and can limit the leave to three (3) hour increments.

## Family and Medical Leave

Hilltop abides by the Family Medical Leave Act. Employees who are eligible under FMLA may be granted leave for up to 12 weeks in a 12-month period. Leave under the FMLA can be defined as a continuous period of time, or intermittent time away from work.

FML is granted for the following reasons:

- Employee's own serious health condition that makes them unable to perform the functions of the position;
- Because of a birth of a child and in order to care for such son or daughter;
- Because of the placement of a child with the employee for adoption or foster care;
- In order to care for the spouse/domestic partner, child, or parent, of the employee, if they have a serious health condition;
- Because of any qualifying exigency arising out of the fact that the spouse/domestic partner, child, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.
- Subject to meeting certification requirements by the health care provider, an eligible Employee who is the spouse/domestic partner, child, parent, or next of kin of a covered service member shall be entitled to a total of 26 workweeks of leave during a single 12-month period to care for the covered service member.

Please refer to the FMLA policy attached.

## FMLA Eligibility and Documentation

Eligibility for FML is determined by a "rolling" 12-month period defined as the 12 months immediately preceding the date of leave under consideration for FMLA benefits.

In any case in which the necessity for FMLA leave is foreseeable, the Employee shall provide Hilltop with at least 30 calendar days' notice before the date the leave is to begin, or as much notice as is practical.

Hilltop may require that a request for leave involving a serious health condition or to care for a service member be supported by a certification issued by a health care provider of the eligible employee, child, spouse/domestic partner, parent or next of kin of the Employee, as appropriate. Hilltop may require that the Employee use the Medical Certification Form provided by Hilltop. Hilltop may also require, at its own expense, that the Employee obtain a second opinion from a health care provider designated or approved by Hilltop.



Before the Employee may return to work following FMLA leave as a result of the Employee's own serious health condition, the Employee must provide Hilltop with a certification issued by a health care provider stating that the Employee has the ability to perform the essential functions of the job, based on a list of the essential functions specified by Hilltop. Please refer to the FMLA policy attached.

### FMLA Pay and Benefits

Employees must use PTO and EIB hours at the beginning of the leave. Otherwise, Family and Medical Leave is unpaid. As with other types of unpaid leave, PTO and EIB will not accrue during the unpaid leave.

Employees on FMLA leave are entitled to a continuation of any group health insurance benefits to which they are normally entitled and reinstatement to the same or equivalent position.

The Employee's failure to pay their share of the premiums may result in loss of coverage. Should the Employee fail to pay their share of premiums during their leave period, Hilltop may elect to pay the Employee's share as an advance against future wages in order to maintain coverage while the Employee is on FMLA leave. In this event, Hilltop has the right to deduct the amount advanced from the Employee's paycheck upon return to work. Please refer to the FMLA policy attached.

### Sabbatical Leave

Hilltop grants eligible employees in good standing (no corrective actions and currently working) four (4) weeks Sabbatical Leave (taken consecutively) after their 10-year anniversary; and 10 years after their last sabbatical date. During the course of the leave, the employee is expected to be completely removed from work as well as work-related contacts.

Ninety (90) days prior to leave, the employee shall provide their supervisor a written request for Sabbatical Leave. The supervisor will then present the request to a Senior Leader for approval.

When calculating eligibility, all employment with Hilltop is considered, including previous Hilltop employment. Employees who previously worked for Hilltop and returned after working elsewhere must work a minimum of five (5) additional years after their return before being eligible for sabbatical leave.

During this leave, Hilltop pays the employee their regular rate of pay for regular shift hours. If the employee is currently covered by Hilltop's medical insurance, these benefits continue for the Sabbatical Leave. Employees must continue to pay their portion of any insurance premiums while on leave.

PTO and EIB will continue to accrue during leave. A total PTO Cash Out of up to 80 hours will be allowed during the Sabbatical year, as long as 100 hours remain in the employee's PTO bank after Cash Out. Sabbatical Leave and FMLA do not run concurrently. The employee, upon return from Sabbatical Leave, will return to the same position held when leave commenced.



# Safety/Security/Health & Welfare

## Alcohol and Substance Use

The unlawful manufacture, possession, distribution, transfer, purchase, sale, use or being under the influence of alcoholic beverages or substances, illegal drugs, or illegal prescription drugs while on the employer's property, while on duty, or while operating a vehicle or machine leased or owned by the employer is strictly prohibited.

Exceptions to this rule may be appropriate when approved by OPS/Senior Leadership for functions related to business operations, retention and recognition, events and/or other circumstances when the use of alcohol can be done legally, safely and responsibly.

Any violation of this policy may lead to corrective action, up to and including immediate termination of employment. Such violations may also have legal consequences.

## Prescription drugs

The legal use of prescribed drugs is permitted on the job only if it does not impair the ability to perform the essential functions of the job and in a manner that does not endanger participants or other individuals in the workplace.

"Drugs" or "controlled substances" means a controlled substance listed in Schedules I through V of 21 U.S.C. 812 and as further defined by federal regulations (21 CFR Section 1300.11 through 1300.15). This list includes, but is not limited to, marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP). It does not include over-the-counter medications taken in accordance with the manufacturer's instructions or drugs prescribed by a physician for the Employee when taken in the manner, combination and quantity prescribed, unless possession or use is illegal despite a prescription. Employees who are using over-the-counter or medically prescribed drugs that could impair their ability to perform work in a safe manner must notify their Supervisor prior to starting work. The Employee may be required to provide a physician's certification that it is safe for the Employee to perform the essential job functions while using the medications as a condition of continuing to work.

## Alcohol, marijuana or other substances

Employees who smell of, or appear to be under the influence of alcoholic beverages, marijuana, or other illegal substances while performing the duties of their position may be required to undergo a reasonable suspicion drug screening test, and may be placed on administrative leave or discharged regardless of the level of impairment or influence of alcohol, marijuana or other illegal substances.

**Although the Colorado Constitution has decriminalized certain use of marijuana, Colorado does not require employers to accommodate the use of marijuana by their Employees. Further, use of marijuana is still illegal under federal law. Hilltop prohibits marijuana use by Employees and will treat its use the same as any other use of unlawful controlled substance.**



## Smoke-Free Facility

There shall be no use of tobacco, marijuana or illicit material within any Hilltop building, including the use of chew, cigarettes, e-cigarettes, and vaping. Smoking marijuana or other illicit material is prohibited at any time on any Hilltop property by Hilltop employees.

Tobacco use areas may be allowed in designated, outdoor areas, near or at certain Hilltop facilities. Employees choosing to use tobacco shall do so only in these designated smoking areas and shall not infringe on the rights of participants/residents and non-smokers. Employees shall properly extinguish cigarettes and properly dispose of all waste.

## Report required

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify Hilltop of a criminal conviction for drug-related activity occurring in the workplace. All employees must notify Hilltop of any criminal conviction for drug-related activity. The report must be made within five (5) days of the conviction.

## Drug Testing

Using or being under the influence of alcohol or drugs on the job is prohibited. To help ensure a safe and healthy working environment, job applicants and employees may be asked to provide body substance samples (such as urine and/or blood) to determine the illicit or illegal use of drugs and alcohol.

If an Employee exhibits behavior at work for which a Supervisor or other member of Hilltop management has reasonable suspicion that an employee may be under the influence of alcohol or drugs, the supervisor or other Hilltop management member may require the employee to undergo reasonable suspicion drug or alcohol testing.

If an employee is required to submit to a drug or alcohol test, a member of management and/or People Operations representative will escort the employee to the designated medical facility in order to undergo the appropriate test before a certified tech at the medial facility. After the required testing, the employee will be placed on administrative leave until the results are received and transported home. If test results are positive, it may result in corrective action, up to and including immediate termination.

If an Employee refuses to submit to a reasonable suspicion request to undergo a drug or alcohol test while on the job, such refusal is treated the same as a positive test result.

## Safety Rules & Expectations

Hilltop's goal is to maintain a high standard of employee health and safety. Hilltop provides training, safeguards, and programs to promote safety and prevent accidents and damage to property.

Each employee is responsible for abiding by all applicable safety rules and regulations. It is the employee's responsibility to locate, read, and understand all such rules and regulations, and to ask their supervisor any questions for clarification.





Hilltop expects every employee to do their job in a manner that ensures personal safety and safety of fellow employees. Safety is everyone's responsibility.

**In order to provide a safe workplace, every employee must follow these safety rules:**

- Horseplay, roughhousing and other physical acts that may endanger employees or cause accidents are prohibited.
- Employees must follow their program/department's safety instructions.
- Employees in certain positions may be required to wear protective equipment, such as hairnets, hard hats, safety glasses, work boots, earplugs, masks or any other safety protection required by supervisors or other applicable standards. Supervisors will inform their employees if their position requires protective gear.
- Employees in certain positions may be prohibited from wearing lanyards, dangling jewelry or loose apparel and may be required to pull back or cover their hair for safety purposes. Department supervisors will inform their employees if their employees fall into one of these categories.
- All equipment and machinery must be used properly. This means all guards, restraints, and other safety devices must be used at all times when any equipment/machinery is in use. Only use equipment for its intended purpose.
- All employees must attend safety training as required.
- Every safety precaution should be observed no matter how routine or urgent a job might become.
- All employees must immediately report any workplace condition that they believe to be unsafe to their supervisor.

### Anti-Violence and Weapons

Hilltop strictly prohibits weapons of any type in its facilities, and at any Hilltop-sponsored events. This includes visible and concealed weapons, even those for which the owner has obtained the necessary permits, with the exception of law enforcement.

Hilltop prohibits the possession, transfer, sale or use of illegal drugs, firearms, explosives, pornography or other improper or illicit materials on its premises at all times.

While this list is not all-inclusive, "weapons" includes firearms, hunting knives, any explosive materials, and any other objects that could be used to harass, intimidate, or injure another individual. Violators of this policy will be subject to corrective action, up to and including termination.

Employees must not engage in intimidation, threats or hostile behaviors, physical abuse, vandalism, arson, sabotage, use of weapons, bullying, or any other act, which, in management's opinion, is inappropriate to the workplace. In addition, employees must refrain from making bizarre or offensive comments regarding violent events and/or behavior.

Employees are expected to report any prohibited conduct to management immediately. Employees should directly contact proper law enforcement authorities if they believe there is a serious threat to the safety and health of themselves or others.



## Security Inspections

Hilltop reserves the right to perform security inspections at any time, with or without notice and at its sole discretion.

Desks, lockers, and other storage devices may be provided by Hilltop for the convenience of employees but remain the sole property of Hilltop. Accordingly, Hilltop may search or inspect the storage devices, at any time, either with or without prior notice.

Hilltop will follow proper procedure and involve law enforcement, as needed, to search personal items if violation of the law has been suspected.

## Workers' Compensation

Hilltop provides workers' compensation program at no cost to employees. This program's insurance is to help cover the cost of work-related injuries or illnesses for its employees. These benefits help pay for employee's medical treatment and part of any income lost while recovering from a work-related injury or illness.

Any employee who sustains a work-related injury or illness should report the injury immediately by notifying their supervisor. All injuries, no matter how minor, need to be reported.

- If injury or illness is life threatening or so serious that ambulance transportation is needed, the employee or supervisor should call 911.
- If non-emergent care is needed, employees should seek treatment with one of Hilltop's designated medical providers. These can be located in the First Report of Injury Packet.

All injuries should be completed and submitted to People Operations department within 72 hours of the accident, or Workers Compensation benefits may be reduced or denied.

**Modified Duty:** The designated medical provider may recommend an injured employee return to work on modified duty. In such event, Hilltop may require the employee to return to work performing duties within the medical restrictions even if such work is different from the employee's regular job duties. There may be situations where modified duty is not feasible. The employee, if eligible, may have up to 480 hours of job protected leave under the Family and Medical Leave Act, in which event, the employee may take such leave. The employee may not be entitled to receive worker's compensation temporary disability benefits if employee refuses modified duty.

## Required Vaccinations & Flu Shots

Employees may be required to receive vaccinations, TB and flu shots, depending upon their position at Hilltop. The Supervisors or program nurses will inform employees if required for certain departments or programs.

# Employee Information

## Telecommuting

Telecommuting allows employees to work at home, on the road or in a satellite location for all or part of their workweek. Hilltop considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement.

Telecommuting may be appropriate for some employees and jobs but not for others.

Telecommuting is not an entitlement nor is it a company-wide benefit.

Employees may telecommute as long as they have approval from their supervisors to do so, and the work can be measured concretely and effectively completed from a remote setting.

Telecommuting can be informal, such as working from home for a short-term project or on the road during business travel, or a formal, set schedule of working away from the office as described below.

Telecommuting is not designed to be a replacement for appropriate child care. Although an employee's schedule may be modified to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands.

If a supervisor determines job duties are not efficiently and effectively completed, telecommuting benefits may be revoked.

## Equipment

On a case-by-case basis, Hilltop will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phone and data lines and other office equipment) for each telecommuting arrangement. Equipment supplied by the organization will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. Hilltop accepts no responsibility for damage or repairs to employee-owned equipment. Hilltop reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the organization is to be used for business purposes only.

The employee will establish an appropriate work environment within their home for work purposes. Hilltop will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

## Security

Consistent with the organization's expectations of information, security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary company and customer information accessible from their home office.

## Safety

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with



their regular work duties should be reported to the employer within three working days. The employee is liable for any injuries sustained by visitors to a home worksite.

## Time Worked

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using Hilltop's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor.

## Dress Code

Employees shall dress and groom appropriately, so as to present a professional, business-like image to participants/residents, visitors, customers and the public at all times. Employees are not permitted to wear ripped, frayed or disheveled clothing, clothing with obscene writing or graphics, revealing or excessive clothing that is inappropriate for business image, or that may pose a safety risk.

Depending on the nature of the job, certain employees may be required to meet special dress, grooming or hygiene standards, such as uniforms or protective clothing. Please refer to department or program manuals, and consult with direct supervisors for any exceptions applicable to the assigned department.

Hilltop encourages individual's gender expression, within the constraints of the dress code, without discrimination or harassment. Hilltop will not restrict an employee's clothing on the basis of gender.

Hilltop will reasonably accommodate workplace attire for individually-held religious beliefs. Please consult with the People Operations department to request a workplace attire accommodation.

Employees not in compliance with the attire or grooming standards set by Hilltop will be required to leave the premises to change clothing. In such event, employees will not be paid for the time required to change clothing.

## Nepotism/Employment of Relatives

People Operations will evaluate and approve any case involving employment of relatives. Relatives include spouse, domestic partner, parent, child, sibling (brother, sister), grandparent, grandchild, aunt, uncle, first cousin, in-laws (brother, sister, father, mother, son, daughter), and any significant other living in the employee's household, as well as "step" relation in any category listed above.

Hilltop does not allow the employment of relatives where there is an actual conflict of interest, where one relative would exercise direct supervisory authority over another, or if a relative would have access to sensitive information regarding another relative that may be inappropriate. All employees are required to inform People Operations of any relatives working for Hilltop and of any changes in relatedness of an employee, such as marrying or entering into a domestic partnership while employed at Hilltop.

## Employee Records

All Employee files contain information regarding employment at Hilltop, such as the employment application, resume, commendations, change of status records, corrective action warnings, performance reviews, salary history, emergency contacts, tax reporting and other information. This file is maintained in the People Operations department at the Corporate Office or electronically stored on the HRIS system.

Employees are obligated to provide information for this file, such as emergency contact, telephone numbers, address, tax status and family status that may impact employee benefits. Please notify supervisor or People Operations immediately if there are changes in personal data.

Hilltop may release the file, or parts thereof, at the discretion of Hilltop, or in response to an approved judicial subpoena. All outside inquiries for employee information, including requests by process servers, subpoenas, or other legal action requests must be directed to People Operations or Senior Leader before any information related to an employee is released.

Employee files are the property of Hilltop. Information contained in an employee file is confidential. An employee may, upon written request, review and obtain a copy of their own personnel file at the People Operations department once per calendar year, at a mutually-arranged time.

## Recordkeeping

Every employee is responsible for making and keeping records related to work performed for Hilltop. Hilltop departments and programs keep records for a variety of reasons. However, employees must be aware of the responsibilities associated with records within their assigned department or program whether they come into contact with participant/resident records or not.

Records should be maintained in an organized fashion. This means setting up folders and files, and filing materials (in whatever format) regularly and carefully in a manner that allows them to be safely stored and efficiently retrieved when necessary.

Disposition of records may be carried out in accordance with the guidelines established in a department or program. Records may not be destroyed without permission from a supervisor.

## Training Requirements

Hilltop requires a variety of training for new employees. Hilltop programs and departments may have specific trainings and may require employees to participate in other trainings within their department or program. At a minimum, Hilltop employees are required to participate in New Employee Orientation within one month of employment and any additional on-site training as determined by the department or program to which the employee is assigned.



## Open Positions

Job postings for open positions at Hilltop are provided through reasonable sources for advertising and recruitment, including but not limited to: online and printed media, the Mesa County Workforce Center, and Hilltop's website at [www.htop.org](http://www.htop.org).

If an applicant or employee provides false information in the application for employment process, Hilltop may rescind or terminate its conditional offer of employment, regardless of when the falsification or the discovery of falsification occurs.

## Promotions

Hilltop recruits and hires the most qualified individual for any particular job opening. At the same time, Hilltop promotes from within whenever practicable.

## Verification of Eligibility to Work in the United States

Hilltop adheres to the requirements concerning verification of employee eligibility to work in the United States as set forth in the Federal Immigration Reform and Control Act of 1986. An I-9 Form (Employment Eligibility Verification Form) must be completed at the time of hire. By law, new hires are required to provide original documentation establishing identification and employment eligibility within three (3) business days from date of hire.

If documentation has been misplaced or lost, the new hire has three (3) days to provide People Operations representative a receipt showing application for the documentation. Failure to produce the requested receipt within three (3) days may result in termination of employment. Replacement documents must be provided within 90 days of the date of the hire.

## Attendance, Absenteeism and Tardiness

Hilltop employees are expected to report for duty as scheduled and be consistent in their attendance.

Hilltop maintains sufficient staffing levels to:

- Assure program staff ratios are maintained;
- Ensure an adequate number of employees are working to create the highest possible level of care and/or service;
- Maintain positive team morale; and,
- Establish trusting relationships with others.

When Hilltop cannot maintain sufficient staffing levels, it creates a hardship within programs, which may unnecessarily put Participants' and Employees' safety and wellbeing at risk.



Scheduling and call-off procedures are determined within each Hilltop program based on operational needs. Failure to follow program call-off procedures may be considered a no call/no show.

Unplanned Absence Definition:

Unplanned absences impact Hilltop's ability to provide quality service, create undue hardship, and may lead to loss of confidence in an employee's dependability. Additionally, potential compliance issues may arise. An unplanned absence may include the following\*:

- anything that prevents an employee from reporting for a shift, training, and/or meeting as scheduled;
- reporting for duty late;
- failing to remain on duty for the entire length of the scheduled shift.

\*Unless absence is a HFWA qualifying event. Please refer to Hilltop's PTO policy for more information.

If an employee has consecutive unplanned absences for the same reason, this will be considered one occurrence. If absence occurrences exceed four days, supervisors may require written documentation explaining the absence.

Five unplanned absence occurrences within a previous 12-month period are considered excessive. Excessive absences may result in reduction of scheduled hours, a change in employment status (i.e. full-time to part-time), performance correction, and/or termination.

Planned Absence Definition:

A planned absence is defined as an approved request with prior notification as required by each Hilltop program. PTO request decisions are made based on specific program needs and procedures. PTO requests cannot be guaranteed but reasonable efforts will be made to accommodate, assuming staffing is available. Refer to the PTO policy for required use of Paid Time Off.

# Representing Hilltop

## Social Media, Media Interaction and Public Appearances

Only designated employees of Hilltop are authorized to make public statements on behalf of Hilltop. This includes statements on social media, or in response to social media postings.

Employees may not consent to or engage in any public relations activity on behalf of Hilltop with participants, suppliers, distributors or others without Hilltop management approval.

Unless a specific essential job function, Employees may not engage in activities that create a conflict of interest or disclose confidential business information, without prior approval from a manager and/or the Marketing & Communication team. Specifically, Employees may not:

- Publish, post or link to any Hilltop material, refer to Hilltop participants, employees or volunteers in written or electronic format (including books, articles, podcasts, webcasts, blogs, website postings, photos, videos or other media);
- Make speeches, give interviews or make public appearances on behalf of or as a representative of Hilltop and make mention Hilltop's operations, participants, products or services.

Any comments made on a Hilltop social media page, will be reviewed by Hilltop's Marketing & Communication department and are considered public record. Such comments will be deleted or not submitted if the comments:

- contain vulgar language, personal attacks of any kind, offensive comments, comments that target or disparage any group;
- are spam, or include links to other sites;
- are clearly off topic;
- advocate illegal activity;
- promote services, products or political organizations;
- infringe on copyrights or trademarks;
- use personally identifiable medical information or PII;
- contain case specific and or other confidential information;
- purport to reflect the opinions and positions of Hilltop or its officers and employees.

Employees contacted by representatives from the media seeking a statement on behalf of Hilltop, must be referred to the Marketing & Communication Team.

## Communication & Marketing

All Hilltop communication shall reflect the organization's mission and values, be effective, consistent, and maintain consistent branding messages. Hilltop communications will avoid implied endorsement of products, businesses, religious and political entities and non-approved causes.

Only Hilltop Marketing and Communication Department may prepare and disseminate communications concerning Hilltop, especially communication and marketing material using the Hilltop name or logo.





## Privacy: Use of Hilltop name

Employees shall not use Hilltop's name, facilities or established business relationships, logo, trademarks, or contact lists for commercial purposes unrelated to their position, including outside work.

Use of Hilltop's name, facilities, or relationships for charitable or pro-bono purposes can be made only with prior approval from Senior Leadership, and only after any other necessary notification and approvals are provided as required to ensure that there is no conflict of interest or violation of privacy.

Any violations of these guidelines may be grounds for corrective action, up to and including termination.



# Use of Company Property

## Hilltop Buildings and Equipment

All employees are expected to respect Hilltop's buildings, office furniture, equipment, outdoor landscaping and parking lots. Employees shall refrain from conduct that may harm or degrade Hilltop property. Removing Hilltop owned property from any Hilltop premises must be approved by a supervisor.

## Conference Rooms

Employees may use Hilltop facilities, including conference rooms, for Hilltop-related business only. Conference rooms or Hilltop facilities may not be used for outside interests that divert time and attention from properly attending to Hilltop business. Any proposed after-business hours use of Hilltop facilities and properties must be discussed with a supervisor.

## Computers and Office Equipment

All employees using any Hilltop property or equipment shall have no expectation of privacy. Hilltop may monitor, and record and store data related to all use of its property, including but not limited to email and phone systems.

Hilltop owns all company computers, copiers, phones, desks, and other resources used in connection with any position. Access to Hilltop-owned property and equipment, including but not limited to email, internet, Hilltop wi-fi, telephone, two-way radio, and cell phone is provided to Hilltop employees whose duties require it for the conduct of Hilltop business. Use of such resources by employees constitutes consent for Hilltop to monitor, inspect, audit, collect and remove any information without permission or further notice. All devices remain the property of Hilltop and Employees are expected to return all designated equipment or devices upon termination with Hilltop.

## Generally-prohibited activities

- Using a logon ID and password that does not belong to the employee.
- Stealing or copying electronic files without permission. Hilltop's data, files, or software may not be copied onto private computers or other computers not owned by Hilltop, or onto any other media, without prior permission from Senior Leadership.
- Performing non-work-related activities on Hilltop equipment and devices. This includes playing electronic games, streaming media, etc.
- Performing activities intended to degrade Hilltop's system performance.
- Performing activities intended to, or which may result in, the circumvention of security or access controls of Hilltop or any other organization. This includes the possession or use of hardware or software tools intended to defeat software copy protection, discover passwords, identify security vulnerabilities, decrypt encrypted files, or compromise information security by any other means.



- Writing, copying, executing, or attempting to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of or access to any Hilltop computer, network, or information.
- Performing any act that may defame, libel, abuse, embarrass, tarnish, present a bad image of, or portray in false light, Hilltop or any person.
- Acquiring, browsing, posting, or sending sexually explicit or sexually-oriented material, hate-based material, hacker-related material, racist or offensive material, chain letters, unauthorized mass mailings, malicious code, or other material that Hilltop may determine, in its sole and absolute discretion, to be off-limits.
- Unencrypted transmission or conveyance of protected health or financial information. This includes but is not limited to conveying protected health or financial information via unencrypted email or through an unsecure website or software application.

## Software

All Hilltop employees, volunteers and contractors shall abide by software copyright laws and shall not obtain, install, replicate, or use software except as permitted by the software licensing agreements.

All software used on Hilltop's equipment or computers shall be procured and installed with the approval of Hilltop's Information Technology department, and shall be licensed, and registered in the name of Hilltop.

Employees shall not use personally-owned software on Hilltop equipment or computers. This includes, but is not limited to: purchased and licensed applications; shareware; freeware; downloads from bulletin boards, internet, intranet, FTP sites, and other personally-owned or controlled software.

Violation of any of these provisions is unacceptable conduct and may be subject to corrective action up to and including termination. Employees may also be subject to legal repercussions or criminal prosecution.

## Hilltop Vehicles

Hilltop owns vehicles and may allow employees to use Hilltop-owned vehicles when certain licensure and driving requirements are met by the employee. Access to Hilltop-owned vehicles may be revoked by Hilltop at any time, at Hilltop's sole discretion.



## Driving Requirements

The Transportation Department is responsible for establishing procedures, processes and requirements for driving.

Before driving for Hilltop, the following requirements shall be met:

- An employee driving a Hilltop vehicle or transporting participants in any vehicle shall be at least 21 years of age. In certain circumstances, employees under 21 may be allowed to drive a Hilltop vehicle when not transporting participants as long as the employee doesn't have more than one moving violation.
- Employees must hold a valid Colorado driver's license, provide proof of personal vehicle insurance, and possess an acceptable Motor Vehicle Record. For more information about an acceptable Motor Vehicle Record, please reach out to the Transportation Coordinator.
- Employees must participate in classroom training and pass motor vehicle examinations, as determined by Hilltop. Employees may also be expected to pass an on-the-road driving test.
- Hilltop's transportation database and the Employee's personnel file must contain copies of the employees' valid Colorado driver's license, proof of personal vehicle insurance Motor Vehicle Record, and Hilltop driving test results.

Expired documentation will result in revoked driving privileges.

Supervisors and employees are responsible for obtaining current documentation and providing the documentation to Hilltop's Transportation department.

## Driver's License

A valid driver's license is defined as a driver's license not under suspension, revocation, cancellation, denial, or expiration. Employees shall, within 24 hours, or the next working day, inform supervisor of any suspension, revocation, or license expiration.

An employee's driving privileges may be revoked if an employee's license is suspended, revoked or expired, or if the employee is no longer certified.

## Accidents

Employees shall immediately report any accident that occurs while driving for Hilltop purposes, whether an accident occurs in a Hilltop vehicle, or in a private vehicle driven while on Hilltop business. Accident reports shall be made to supervisor and to the Transportation Coordinator.

## Parking Tickets; Violation of Traffic Laws

Hilltop is not responsible for any traffic violations or parking tickets acquired by employees who act in violation of city or town ordinance, state or federal laws as a result of the driving habits of the employee or the employee's operation of a private motor vehicle.



## Use of Portable Electronic Devices in Motor Vehicle

Hilltop prohibits the use of all cell phones/electronic devices while driving a Hilltop motor vehicle or personally-owned vehicle while on company business. A passenger may make or take calls for the driver, provided the interaction does not affect the driver's performance.

The use includes all functions of the device, including but not limited to, phone calls, text messaging (SMS), email, internet use, MMS, and camera use.

Driving a motor vehicle includes: driving a Hilltop vehicle, whether on business or not; transporting a Hilltop participant, resident or coworker in any vehicle, personal or otherwise; or driving a personal vehicle while performing duties as a Hilltop employee.

### Exceptions:

- The use of headsets or hands-free devices while driving is permissible, if the use of the hands-free device does not cause undue distraction, conversations do not interfere with the driver's ability to drive safely and road conditions do not threaten safety.
- Cell phones may be used for calls placed to 911.



# Acknowledgment and Receipt of Handbook

I have received a copy of the Employee Handbook for Hilltop dated April 1, 2021. I understand that it contains important guidelines and information relating to my employment. I understand that it is my responsibility to read and be familiar with the information contained in this Employee Handbook.

I understand that this Employee Handbook is not an employment contract and is not intended to, nor should be interpreted to, create contractual rights or obligations either express or implied between Hilltop and me.

**I understand that my employment with Hilltop is AT-WILL, meaning that either the Employee or Hilltop may terminate the employment relationship at any time with or without cause or prior notice. Nothing in this Employee Handbook is intended to, nor should be interpreted to, create a promise of employment for a definite time period or that is otherwise not at will.**

In addition, I understand that the policies and procedures described in this Employee Handbook are subject to the interpretation and discretion of Hilltop and may be modified or amended by Hilltop with or without prior notice to employees. No supervisor has authority to make promises that are contrary to these policies. Modifications must be in writing, signed by the Chief Executive Officer or else it is not reasonable for me to rely on the policy as being authorized by Hilltop.

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Employee Name (Printed)

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Employee Signature

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Date



# Receipt of COMPS Poster

1. **Breaks.** Non-exempt Employees are authorized and permitted to take one ten-minute rest period to the extent practical in the middle of each four-hour work period. This time is paid and is considered non-productive work time. The Supervisor may set break times. Breaks do not accumulate if not taken and cannot be used in combination with a meal period or for purposes of arriving late or leaving early. Hilltop requests that you immediately inform your Supervisor or People Operations if anyone (e.g., co-employee, supervisor, manager, etc.) does not authorize or permit you to take a rest break as required. If you are requested to do that by one of the identified positions in this policy, please inform one of the other individuals listed as soon as possible. Hilltop will make every effort possible to ensure that all employees are paid for time worked and that all non-exempt employees are authorized and permitted to take rest breaks.
2. **Meal Periods.** If a Non-exempt Employee works longer than five hours in a workday, the Employee is entitled to an unpaid meal period of not less than thirty minutes. The Supervisor may set the time for meal periods. These meal periods are not compensated and are not treated as work time. When circumstances prevent a meal period of at least 30 minutes, the Employee shall be permitted to consume an “on-duty” meal while performing duties. Non-exempt Employees shall be fully compensated for on-duty meal periods and such time shall be treated as work time. Non-exempt Employees must not work during their meal periods unless required to do so by the Supervisor or other Management. Non-exempt Employees must report on-duty meal periods on their time cards so that they will be properly compensated.
3. **COMPS Poster.** I acknowledge, by my signature below, that I have received with this revised policy a copy of the Colorado Department of Labor and Employment’s COMPS Order Poster. I also understand that if I have any questions regarding this Poster that I should contact my Supervisor or People Operations if I have any questions or concerns.

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Employee Name (Printed)

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Employee Signature

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Date

## Family and Medical Leave

In accordance with the Family and Medical Leave Act (FMLA) of 1993 as amended, this policy is intended to explain those rights and obligations required by the Act and is not intended to create any additional or contractual rights or obligations.

To be eligible for FMLA leave, an employee must be employed at Hilltop for at least 12 months and have worked at least 1,250 hours during the 12 months before the commencement of leave.

Under Family and Medical Leave (FML), **employees must use PTO and EIB hours at the beginning of the leave.** Otherwise, Family and Medical Leave is unpaid. As with other types of unpaid leave, PTO and EIB will not accrue during the unpaid leave. FML is granted for the following reasons:

- Employee's own serious health condition that makes the Employee unable to perform the functions of the position of the Employee;
- Because of a child of the Employee and in order to care for such son or daughter;
- Because of the placement of a child with the Employee for adoption or foster care;
- In order to care for the spouse, or a son, daughter, or parent, of the Employee, if such spouse, son, daughter, or parent has a serious health condition;
- Because of any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the Employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. "Qualifying exigency" is defined by the FMLA Regulations at 29 CFR §825.126. "Covered active duty" means in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of Title 10, United States Code.

A "week" is equal to the average weekly hours worked by the Employee during the 12 weeks prior to the start of the leave. A "rolling" 12-month period is the 12 months immediately preceding the date of leave under consideration for FMLA benefits.

In any case in which husband and wife are both employed by Hilltop, the aggregate number of workweeks of leave to which both may be entitled may be limited to 12 workweeks during the rolling 12-month period, if such leave is taken to care for employee's parent with a serious health condition, for the birth of the employee's son or daughter, or to care for the child after birth, or for placement of a child with the employee for adoption or foster care or to care for the child after placement.

## Service Member Family Leave

Subject to meeting certification requirements by the health care provider, an eligible Employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of 26 workweeks of leave during a single 12-month period to care for the covered service member.

- "Covered service member" means:



- A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.
- “Next of kin of a covered service member” means the nearest blood relative other than the covered service member’s spouse, parent, son, or daughter, in the following order of priority: Blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When such designation has been made, the designated individual shall be deemed to be the only next of kin.
- The leave described in this paragraph shall be available during a single 12-month period. During the single 12-month period, an eligible Employee shall be entitled to a combined total of 26 workweeks of leave under FMLA benefits and Service Member Family Leave. The “single 12-month period” begins on the first day the eligible Employee takes FMLA leave to care for a covered service member and ends 12 months after that date. If an eligible Employee does not take all of his or her 26 workweeks of leave entitlement to care for a covered service member during this “single 12-month period,” the remaining part of his or her 26 workweeks of leave entitlement to care for the covered service member is forfeited.
- Where husband and wife are both employed by Hilltop, the aggregate number of workweeks of leave to which both husband and wife may be entitled for service member family leave may be limited to 26 workweeks during the single 12-month period if the leave is service member family leave or a combination of such leave and FMLA leave. If the leave taken by husband and wife includes leave for other FMLA reasons, the aggregate number of workweeks of leave to which both may be entitled may be limited to 12 workweeks for that FMLA purpose.

Reference to FMLA leave in this policy includes Service Member Family Leave, unless stated otherwise.

### Serious Health Condition, Injury or Illness

A “serious health condition” means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; any period of incapacity requiring absence from work, school or other regular daily activities of more than three calendar days, that also involves continuing treatment by a health care provider; continuing treatment by a health care provider for a chronic or long term health condition that is incurable or so serious that if not treated would likely result in a period of incapacity of more than three calendar days; or prenatal care.

“Serious Injury or Illness” in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and

was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period described above means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

#### *Intermittent/Reduced Schedule*

When leave is taken after the birth of a healthy child or placement of a healthy child for adoption or foster care, FMLA leave shall not be taken by an Employee intermittently or on a reduced schedule basis unless the eligible Employee and Hilltop agree otherwise. Otherwise, intermittent and reduced schedule leave is available only for a medical necessity that can be best accommodated through an intermittent or reduced leave schedule. If an Employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment, Hilltop may require such Employee to transfer temporarily to an available alternative position for which the Employee is qualified that has equivalent pay and benefits, and which better accommodates the recurring periods of leave.

#### *Notice of Need for FMLA Leave*

In any case in which the necessity for FMLA leave is foreseeable, the Employee shall provide Hilltop with at least 30 calendar days' notice before the date the leave is to begin, or as much notice as is practical. In any event, notice should be provided the same day or the next business day after the Employee becomes aware of the need for leave. The notice should be in writing and must make Hilltop aware that the Employee needs leave for one of the reasons described above and the anticipated timing and duration of the leave.

#### *Notice of Leave Due to Active Duty of Family Member*

In any case in which the necessity for leave is due to a qualifying exigency relating to a service member, the Employee shall provide such notice to Hilltop as is reasonable and practicable.

#### *Certification of Need for Leave*

Hilltop may require that a request for leave involving a serious health condition or to care for a service member be supported by a certification issued by a health care provider of the eligible Employee, son, daughter, spouse, parent or next of kin of the Employee, as appropriate. The certification shall state:

- The date on which the serious health condition commences;
- The probable duration of the condition;
- The appropriate medical facts within the knowledge of the health care provider regarding the condition;

- For purposes of leave to care for a spouse, child or parent, a statement that the Employee is needed to care for the child, spouse or parent and an estimate of the amount of time the Employee is needed;
- For purposes of leave for an Employee's own serious health condition, a statement that the Employee is unable to perform the functions of the Employee's job position;
- In the case of certification for intermittent leave, or leave on a reduced schedule, for planned medical treatment, the dates on which the treatment is expected to be given and the duration of the treatment, the medical necessity for the intermittent or reduced schedule leave for the Employee's own serious health condition or to care for another with a serious health condition.
- Any other information permitted by the FMLA to assist Hilltop in evaluating the leave request.

Hilltop may require that the Employee use the Medical Certification Form provided by Hilltop. Hilltop may also require, at its own expense, that the Employee obtain a second opinion from a health care provider designated or approved by Hilltop.

### *Continuation of Health Insurance Benefits*

Employees on FMLA leave are entitled to a continuation of any group health insurance benefits to which they are normally entitled and reinstatement to the same or equivalent position. Hilltop will pay its normal contribution to the health insurance premiums of Employees who are on FMLA leave, but Hilltop's obligations (if any) to contribute to health insurance premiums and to restore the Employee to similar employment terminates when FMLA leave is exhausted or when the Employee gives Hilltop unequivocal notice of intent not to return to work, whichever occurs first. The Employee may then have the right to continue benefits, at Employee's own costs, pursuant to Title 10 of the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). Employee must make arrangements with the Human Resources Department for how Employee will pay his or her share of premiums while on leave or under COBRA.

### *Loss of Insurance Benefits*

The Employee's failure to pay his or her share of the premiums may result in loss of coverage. Should the Employee fail to pay their share of premiums during their leave period, Hilltop may elect to pay the Employee's share as an advance against future wages in order to maintain coverage while the Employee is on FMLA leave. In this event, Hilltop has the right to deduct the amount advanced from the Employee's paycheck upon return to work. This right to pay the Employee's premium by Hilltop is solely at Hilltop's discretion and this policy does not give the Employee any right to demand that Hilltop pay the Employee's portion of the insurance premium.

### *Hilltop's Right to Recover Insurance Premiums*

Hilltop may recover from the Employee Hilltop's portion of premiums paid during any period of unpaid FMLA leave if the Employee fails to return to work, as defined by the Act, after the Employee's FMLA

leave entitlement has expired, unless the reason that the Employee does not return is due to: (1) the continuation, reoccurrence of or onset of a serious health condition that would entitle the Employee to family and medical leave (either affecting Employee or immediate family) or (2) other circumstances beyond the control of the Employee.

#### *Medical Recertification*

Employees on leave because of a serious health condition are required to furnish medical recertification from their health care provider every 30 days affirming their continuing need for leave, unless the medical certification states that the Employee will be unable to work for a longer designated period. In all cases, recertification will be required at least every six months. Employees on leave are also required to furnish Hilltop with periodic reports of Employee's intent to return to work. If the circumstances of an Employee's leave changes, and Employee is able to return to work earlier than the date originally indicated, Employee will be required to notify Hilltop at least two work days prior to the date the Employee intends to report for work.

#### *Fitness for Duty*

Before the Employee may return to work following FMLA leave as a result of the Employee's own serious health condition, the Employee must provide Hilltop with a certification issued by a health care provider stating that the Employee has the ability to perform the essential functions of the job, based on a list of the essential functions specified by Hilltop.

#### *Extension of Leave*

If for any reason Hilltop grants Employee additional leave after the Employee has exhausted all FMLA leave, such leave shall be unpaid discretionary leave not subject to the rights and obligations of the Family and Medical Leave Act. It shall not require Hilltop to pay any portion of Employee's health insurance premiums and shall not guarantee Employee's return to the same or equivalent position upon return to work, unless required by law other than under the FMLA. Hilltop has no obligation under this policy or the Act to grant leave in excess of the period specified by the FMLA.

#### *Use of Paid Leave during FMLA*

Employee is required to exhaust Employee's accrued PTO, if any, during FMLA leave. FMLA leave is, otherwise, unpaid leave. FMLA is tracked hour by hour for exempt and non-exempt employees, and PTO or EIB will be utilized accordingly. The total period of absence considering all PTO and family leave used for reasons covered by this Family and Medical Leave policy cannot exceed 12 weeks in a rolling 12-month period for FMLA, or 26 weeks in a single 12-month period for Service Member Family Leave. No PTO leave benefits accrue while on unpaid FMLA leave.

### *Forms*

Forms are available through the Human Resources Department for requesting FMLA leave and for fulfilling Medical Certification requirements.

### *Termination During Leave*

Employees on FMLA leave generally have a right to return to the same position or an equivalent position with equivalent pay, benefits and other terms and conditions of employment. However, this does not entitle the restored Employee to accrue any seniority or employment benefits during any period of leave, or any right, benefit or position of employment other than that which the Employee would have been entitled to, had the Employee not taken the leave. This means that an Employee on FMLA leave may be laid off or terminated during the leave period at will, the same as any other Employee, so long as the lay-off or termination is not because of the Employee's legitimate use of FMLA leave.

### *Key Employee Exception*

Hilltop may deny restoration of a "Key Employee" following FMLA leave as described in paragraph 19, and also if (i) such denial is necessary to prevent substantial and grievous economic injury to the operations of Hilltop; (ii) Hilltop notifies the Employee of the intent of Hilltop to deny restoration on such basis at the time that Hilltop determines that such injury would occur; and (iii) in any case in which the leave has commenced, the Employee elects not to return to employment after receiving such notice. A "Key Employee" is a salaried FMLA-eligible Employee who is among the highest paid 10 percent of all the Employees employed by Hilltop within 75 miles of the Employee's worksite.

### *Hilltop's Responsibility*

Hilltop will inform employees requesting leave whether they are eligible under the FMLA. If the employee is eligible, the notice will specify any additional information required as well as the employees' rights and responsibilities. If the employee is not eligible, Hilltop will provide a reason for the ineligibility.

### *Unlawful Acts by Hilltop*

The FMLA makes it unlawful for any employer to (1) interfere with, restrain, or deny the exercise of any right provided under FMLA; or (2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

### *Enforcement*

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



**COLORADO OVERTIME & MINIMUM PAY STANDARDS**  
**ORDER (“COMPS Order”) #37 POSTER**  
Division of Labor Standards & Statistics

**Colorado Minimum Wage: \$12.32 per hour, or \$9.30 for Tipped Employees, effective 1/1/2021.**

- The minimum wage adjusts annually by inflation; next year’s COMPS Order and Poster will provide the 2022 minimum wage.
- The minimum wage applies to all adults and emancipated minors, whether paid hourly or any other basis (salary, commission, piecework, etc.), unless exempted by COMPS Order Rule 2. Unemancipated minors may be paid 15% below the minimum.
- The federal minimum wage (\$7.25) and any local minimum wages (including \$14.77 in Denver as of 1/1/21) may also apply. If work is covered by multiple minimum or overtime wage rules, the rule with the higher wage or standard applies.

**Overtime: 1½ times the regular pay rate for hours over 40 weekly, 12 daily, or 12 consecutive.**

- Hours in two or more weeks cannot be averaged in computing overtime.
- Employers may not provide time off (often called “comp time”) instead of time-and-a-half premium pay for overtime hours.

**Meal Periods: 30 minutes uninterrupted and duty-free, for shifts over 5 hours.**

- Employees must be completely relieved of all duties, and allowed to pursue personal activities, for meal periods to be unpaid.
- If work makes uninterrupted meal periods impractical, eating an on-duty meal must be permitted, and the time must be paid.
- To the extent practical, meal periods must be at least 1 hour after starting and 1 hour before ending shifts.

**Rest Periods: 10 minutes, paid, every 4 hours.**

#Work Hours:	Up to 2	>2, up to 6	>6, up to 10	>10, up to 14	>14, up to 18	>18, up to 22	>22
#Rest Periods:	0	1	2	3	4	5	6

- Rest periods need not be off-site but must not include work and should be in the middle of the 4 hours to the extent practical.
- Two 5-minute rest periods, instead of one 10-minute, are permitted if employees and employers agree voluntarily and without coercion, and if 5 minutes is enough to go back and forth to a bathroom or other place where a genuine break would be taken. Additional flexibility with 5-minute periods applies to agriculture, Medicaid home care, and collectively bargained work.
- Employers that do not authorize and permit rest periods must pay extra for the work time that would have been rest periods.

**Time Worked: Time employers allow performance of labor/services for their benefit must be paid.**

- All time on-premises, on duty, or at prescribed workplaces (but not just letting off-duty employees be on-premises), including:
  - putting on or removing work clothes/gear (but not clothes worn outside work), cleanup/setup, or other off-the-clock duty;
  - awaiting assignments at work, or receiving or sharing work-related information; or
  - security/safety screening, clocking/checking in or out; or
  - waiting for any of the above tasks.
- Travel for employer benefit is time worked; normal home/work travel is not. For more on travel and sleep time, see Rule 1.9.2.

**Deductions, Credits, & Charges from Wages: Subject to limits in C.R.S. 8-4-105 and below.**

- Tip credits of up to \$3.02 per hour (lowering minimum wages to \$9.30) are allowed for those regularly, customarily receiving over \$30 per month in tips. If hourly pay plus tips is below the full minimum wage, the employer must pay the difference.
- Meal credits are allowed for the cost or value (without employer profit) of a voluntarily accepted meal.
- Lodging deductions are allowed only if housing is voluntarily accepted by the employee, primarily for the employee’s (not employer’s) benefit, recorded in writing, and limited to \$25 or \$100 per week (depending on the housing type).
- Uniforms that are ordinary clothes, without special material or design, need not be provided; other uniforms must be provided at no cost. Employers must pay for any special cleaning required, and cannot require deposits or deduct for ordinary wear and tear.

**Exemptions from the COMPS Order: All listed in Rule 2; key exemptions listed below.**

- Executives/supervisors, decision-making administrative employees, and professionals (Rule 2.2.1-3) paid the exempt salary:

2021	2022	2023	2024	Each Year After 2024
\$40,500	\$45,000	\$50,000	\$55,000	Prior year’s salary, inflation-adjusted

- 20% owners, or at a nonprofit the highest-paid/highest-ranked employee, if actively engaged in management (2.2.5).
- Highly technical computer-related employees (defined in 2.2.10), if paid at least \$28.38 per hour.
- Various in-residence workers, including property managers, range workers, and camp/outdoor education field staff (2.2.7).
- Various, but not all, types of salespersons (2.2.4, 2.4.1, 2.4.2) and taxi drivers (2.2.6).
- Certain medical transportation and hospital/nursing home employees have modified overtime rules (2.4.4, 2.4.5).
- Downhill ski/snowboard employees, including on-mountain food but not lodging, are exempt from 40-hour overtime (2.4.3).
- Agriculture (2.3) and some transportation (2.4.6) jobs are exempt from overtime and meal periods, and have more flexible rest periods (agriculture) or no (transportation) rest periods.

**Complaint & Anti-Retaliation Rights.**

- The Division of Labor Standards and Statistics (contact info at the bottom of this Poster) accepts complaints and tips as to violations of COMPS or other wage rights under federal, state, or local law. Alternatively, employees may file lawsuits in court.
- Parties liable for unpaid wages include the employer as an entity, and individuals with operational control over the entity.
- Employers cannot retaliate by threatening, coercing, or discriminating for purposes of reprisal, interference, or obstruction, as to actual or anticipated wage investigations, hearings, complaints, or proceedings.
- Violations of wage or anti-retaliation provisions may be reported to the Division as complaints or anonymous tips.
- Immigration status is irrelevant to wage rights. The Division will investigate and rule on complaints without asking, reporting, or considering status. Using status to interfere with rights is illegal under Wage Protection Rule 4.8 and other applicable law.

**This poster must be displayed where easily accessible to workers, included in any existing employee handbook or manual, shared with remote workers, provided in languages other than English as needed, and replaced annually.**

**This Poster summarizes key wage rules in the COMPS Order, but not all, and should not be relied upon as complete information. For the full Order, more detailed fact sheets, or for questions, information, or complaints as to wage or other labor laws, contact:**

**Division of Labor Standards and Statistics, [coloradolaborlaw.gov](http://coloradolaborlaw.gov), [cdle\\_labor\\_standards@state.co.us](mailto:cdle_labor_standards@state.co.us), 303-318-8441 / 888-390-7936.**