



National  
**Eczema**  
Association

## **EMPLOYEE HANDBOOK**

**EFFECTIVE: MAY 2020**

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## **INTRODUCTION**

### **WELCOME TO THE NATIONAL ECZEMA ASSOCIATION!**

The National Eczema Association would like your employment with us to be mutually beneficial and enjoyable.

You are part of an organization that has established an outstanding reputation of integrity and compassionate understanding for people with eczema. Credit for this goes to every one of our employees and we hope that you find satisfaction and take pride in your work here.

### **MISSION AND VISION**

We are the voice, the resource and the hub for the more than 30 million Americans and their families who are living with eczema.

The National Eczema Association (NEA) is a non-profit, 501(c)(3) organization with a mission to improve the health and quality of life for individuals with eczema through research, support and education.

This means that day in and day out, NEA provides people with eczema the information they need to best manage their disease, while fast-tracking research towards better treatments and a cure.

### **CORE VALUES**

The National Eczema Association embraces the following core values:

Visionary:	we embrace the future and are passionate leaders
Authentic:	we are “all in” for the NEA community
Compassionate:	we have genuine heart and respect for individuals and relationships
Supportive:	we empower one another and seek collaboration
Responsive:	we are organizationally nimble and agile
Accountable:	we are honest, trustworthy and transparent
Transformative:	we think big, takes risks and create innovative change

### **HANDBOOK PURPOSE**

This employee handbook is presented as a matter of information and has been prepared to inform employees about the NEA’s philosophy, employment practices, policies and the benefits provided to our valued employees, as well as the conduct expected from them. While this handbook is not intended to be a book of rules and regulations or a contract, it does include some important guidelines which

employees should know. Except for the at-will employment provisions, the handbook can be amended at any time.

This employee handbook will not answer every question employees may have, nor would NEA want to restrict the normal question and answer interchange among us. It is in our person-to-person conversations that we can better know each other, express our views and work together in a harmonious relationship.

NEA depends on its employees; their success is our success. Please don't hesitate to ask questions. Every manager will gladly answer them. We believe employees enjoy their work and their fellow employees. We also believe that NEA is a great place to work.

No one other than authorized management may alter or modify any of the policies in this employee handbook. No statement or promise by a supervisor, manager, or designee is to be interpreted as a change in policy nor will it constitute an agreement with an employee.

Should any provision in this employee handbook be found to be unenforceable or invalid, such a finding does not invalidate the entire employee handbook, but only the subject provision. Nothing in this handbook is intended to infringe upon employee rights under Section 7 of the National Labor Relations Act (NLRA) or be incompatible with the NLRA.

We ask that employees read this guide carefully, become familiar with NEA and our policies and refer to it whenever questions arise.

## **EMPLOYMENT**

### **EQUAL EMPLOYMENT**

NEA provides equal employment opportunities to all qualified individuals without regard to race, color, religion, sex, gender identity, sexual orientation, pregnancy, age, national origin, physical or mental disability, military or veteran status, genetic information or any other protected classification. Equal employment opportunity includes, but is not limited to, hiring, training, promotion, demotion, transfer, leaves of absence and termination. NEA takes allegations of discrimination, harassment and retaliation seriously and will promptly conduct an investigation when such behavior is reported.

### **BACKGROUND CHECKS**

NEA may conduct a background check on any applicant or employee with their consent. The background check may consist of prior employment verification, reference checks, education confirmation, criminal background, credit history, or other information, as permitted by law. Third-party services may be hired to perform these checks. All offers of employment and continued employment are contingent upon a satisfactory background check.

### **AT-WILL NOTICE**

The employment relationship between NEA and employees is at-will. This means that employees are not hired for any specified period of time and their employment may be terminated at any time, with or without cause and with or without notice, by either NEA or the employee. Company policy requires that all employees are at-will; any implied, oral, or written agreements or promises to the contrary are void and unenforceable, unless approved by an officer with the power to create an employment contract. There is no implied employment contract created by this Handbook or any other Company document or written or verbal statement or policy.

### **ANNIVERSARY DATE AND SENIORITY**

The employee's date of hire is their official employment anniversary date. Seniority is the length of continuous service starting on that date. Should an employee leave NEA and then be rehired, previously accrued seniority will be forfeited and seniority will begin to accrue again on the date of rehire. With the exception of certain protected leaves and paid time off, seniority does not accrue during leaves of absence that exceed 30 calendar days.

### **IMMIGRATION LAW COMPLIANCE**

All employees are required to complete Form I-9 on or before their first day of employment and produce acceptable proof of their identity and eligibility to work in the United States. Failure to produce the proper identifying documents will result in termination.



## **EMPLOYMENT CLASSIFICATIONS**

NEA has established the following employee classifications for compensation and benefit purposes only. An employee's supervisor or manager will inform the employee of their classification, status and responsibilities at the time of hire, re-hire, promotion or at any time a change in status occurs. These classifications do not alter the employment at-will status.

### Regular Full-Time Employee

An employee who is scheduled to work no less than 100% of the scheduled work hours in a workweek on a fixed work schedule (not less than 30 hours).

### Regular Part-Time Employee

An employee who is scheduled to work less than 30 hours in a workweek and may be eligible for some benefits.

### Temporary Employee

An employee who is scheduled to work on a specific need of NEA. The employee will not receive any benefits unless specifically authorized in writing.

### Exempt

Employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and applicable state law and who are exempt from overtime pay requirements. The basic premise of exempt status is that the exempt employee is to work the hours required to meet their work responsibilities.

### Non-Exempt

Employees whose positions do not meet FLSA and state exemption tests and who are paid a multiple of their regular rate of pay for overtime hours worked.

## **EMPLOYEE RECORDS**

NEA maintains various employment files while an individual remains an employee of NEA. Such files may include employee personnel files, attendance files, I-9 files and files for medical purposes. Employees are required to notify their manager should any of their personal information change (e.g., address, phone number, last name) so the appropriate updates can be made to the files. NEA will take reasonable precautions to protect employee files and employees' personally identifiable information in its records.

Employee files are restricted based on who reasonably needs access to all or parts of the files. Employees may review their own personnel file by making a written request to their manager or Human Resources. The written request will become a part of the employee's personnel file. Review of files must take place in the presence of the employee's manager or Human Resources. Accommodations will be made for remote employees.

### **JOB TRANSFERS**

NEA aspires to promote qualified internal candidates to fill open positions whenever possible and practical. When job openings occur, current employees are encouraged to apply.

Management reserves the right to place an employee in whatever job it deems useful or necessary. All job transfers, reassignments, promotions, or lateral transfers are at the discretion of NEA.

### **EVALUATION AND REVIEWS**

Each employee will receive an annual review during his/her anniversary month including a letter outlining the details of his/her current compensation agreement.

## **CONDUCT AND BEHAVIOR**

### **GENERAL CONDUCT GUIDELINES**

Employees are expected to exercise common sense and courtesy at all times, for the benefit of clients, co-workers and NEA as a whole. Professionalism is expected, as is respect for the safety and security of people and property. Failure to meet these expectations may be grounds for discipline, up to and including termination.

### **SEXUAL AND OTHER UNLAWFUL HARASSMENT**

NEA is committed to providing a work environment free of harassment in any form, including inappropriate and disrespectful behavior, intimidation and other unwelcome conduct directed at an individual because of their inclusion in a protected class. Applicable federal and state law defines harassment as unwelcome behavior based on someone's inclusion in a protected class. Sometimes language or actions that were not expected to be offensive or unwelcome actually are, so employees should err on the side of being more sensitive to the feelings of their co-workers rather than less.

The following are examples of harassment; behaviors not in this list may also be considered harassment:

- Unwanted sexual advances;
- Implicitly or explicitly offering employment benefits in exchange for sexual favors;
- Retaliation or threats of retaliation for refusing advances or requests for favors;
- Leering, making sexual gestures or jokes, or commenting on an employee's body;
- Displaying sexually suggestive content;
- Displaying or sharing derogatory posters, photographs, or drawings;
- Making derogatory epithets, or slurs;
- Ongoing teasing about an employee's religious or cultural practices;
- Ongoing teasing about an employee's sex, sexual orientation, or gender identity;
- Physical conduct such as touching, assault, or impeding or blocking movements

Under California law, the offensive conduct need not be motivated by sexual desire, but may be based upon an employee's actual or perceived sex or gender-identity, actual or perceived sexual orientation and/or pregnancy, childbirth, or related medical conditions. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser and actions that subject co-workers to a hostile work environment. Sexual harassment on the job is unlawful whether it involves coworker

harassment, harassment by a manager, or harassment by persons doing business with or for NEA, such as clients, customers or vendors.

### Retaliation

Any form of retaliation against someone who has expressed concern about any form of harassment, refused to partake in harassing behavior, made a harassment complaint, or cooperated in a harassment investigation, is strictly prohibited. A complaint made in good faith will under no circumstances be grounds for disciplinary action. Individuals who make complaints that they know to be false may be subject to disciplinary action, up to and including termination.

### Enforcement

All supervisory employees are responsible for:

- Successfully completing required harassment training;
- Implementing NEA's harassment policy;
- Ensuring that all employees they supervise have knowledge of and understand NEA policy;
- Reporting any complaints of misconduct to the designated company representative, the COO or CEO, so they may be investigated and resolved internally;
- Taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with the policy; and
- Conducting themselves in a manner consistent with the policy.

### Addressing Issues Informally

Employees who witness offensive behavior in the workplace - whether directed at them or another employee - are encouraged, though not required, to immediately address it with the employee whose behavior was found offensive. An employee who is informed that their behavior is or was offensive should stop immediately and refrain from that behavior in the future, regardless of whether they agree that the behavior could have been offensive.

### Harassment Complaint Procedure

Employees are encouraged to use the Complaint Procedure to report behavior that they feel is harassing, whether or not that behavior is directed at them. The Complaint Procedure provides for immediate, thorough and objective investigation of claims of harassment. Appropriate disciplinary action will be taken against those who are determined to have engaged in harassing behavior.

### **ABUSIVE CONDUCT**

Abusive conduct means malicious conduct in the workplace that a reasonable person would find hostile or offensive and unrelated to an employer's legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or

humiliating, or the sabotage or undermining of a person's work performance. A single act will generally not constitute abusive conduct, unless especially severe.

NEA considers abusive conduct in the workplace unacceptable and will not tolerate it under any circumstances. Employees should report abusive conduct to a manager or the COO or CEO. Managers are responsible for ensuring that employees are not subjected to abusive conduct. All reports will be treated seriously and investigated when appropriate. Employees who are found to have engaged in abusive conduct will be subject to discipline, up to and potentially including termination. Retaliation against an employee who reports or abusive conduct or verifies that it took place is strictly prohibited.

#### **COMPLAINT PROCEDURE**

NEA has established a procedure for a fair review of complaints related to any workplace controversy, conflict, or harassment. Employees may take their complaint directly to the person or department listed in Step 2 if the complaint is related to their supervisor or manager or if the employee feels the supervisor or manager would not provide an impartial resolution to the problem.

##### Step 1

The complaint should be submitted in writing to a supervisor or manager within three working days of the incident or as soon as possible. Generally, a meeting will be held within three business days of the employee's request, depending upon scheduling availability. Attempts will be made to resolve the issue during the meeting, but regardless of whether there is an immediate resolution, the supervisor or manager will give the employee a written summary of the meeting within three business days. Resolution may take longer if further investigation of the complaint is required. If the employee is not satisfied with the resolution, they may proceed to Step 2.

##### Step 2

The employee may submit a written request for review of the complaint and Step 1 resolution to the COO or a designated investigator. This request should be made within three working days following the receipt of the Step 1 resolution. The COO or the designated investigator will review the complaint and resolution and may call an additional meeting to explore the problem. If warranted, additional fact-finding will be undertaken. A final decision will be rendered within 10 working days after receiving the Step 2 request and a written summary of the resolution will be provided to the employee who filed the complaint.

#### **CORRECTIVE ACTION**

A high level of job performance and professionalism is expected from each employee. In the event that an employee's job performance does not meet the standards established for the position, they violate company policies or procedures, or their behavior is otherwise unacceptable, corrective action may ensue. Corrective action may include, but is not limited to coaching, oral or written

warnings, performance improvement plans, paid or unpaid suspension, demotion and termination. The type and order of actions taken will be at management's sole discretion and NEA is not required to take any disciplinary action before making an adverse employment decision, including termination.

## **COMPENSATION**

### **PAY PERIODS**

The designated pay period for all employees is semi-monthly. Paydays are the 15th and last day of the month. Except as otherwise provided, if any date of paycheck distribution falls on a weekend or holiday, employees will be paid on the preceding scheduled workday.

### **TIMEKEEPING**

All non-exempt employees are required to record their hours worked. For the purpose of this policy, all forms of timekeeping will be referred to as clocking in or out. Accurate timekeeping is a federal and state wage and hour requirement and employees are required to comply.

Non-exempt employees are not permitted to work unscheduled time without prior authorization from their manager. This includes clocking in early, clocking out late, or working through scheduled break or lunch periods.

### **OVERTIME**

NEA complies with all applicable federal and state laws with regard to payment of overtime work.

### **PAY ADJUSTMENTS, PROMOTIONS AND DEMOTIONS**

All pay increases are based upon merit, market factors and the financial health of the organization. There may not be an automatic annual cost of living or salary adjustment. Employee pay also may be adjusted downward. Salary decreases may take place when there is job restructuring, job duty changes, job transfers, or adverse business economic conditions. Demotion is a reduction in responsibility, usually accompanied by a reduction in salary. If demotion occurs, employees will maintain their seniority with NEA.

### **PERFORMANCE EVALUATION**

Employees will generally receive an appraisal of their job performance annually. This evaluation may be either written or oral. Such evaluation may not occur at exactly the same time each year, but thereabout, at the discretion of the employee's manager.

In addition to performance evaluations, informal counseling sessions may be conducted from time to time.

## **EXPENSE AND TRAVEL REIMBURSEMENT**

### **Purpose**

NEA will cover all reasonable, business-related expenses. Any cost that does not fall within the guidelines below must be approved by the appropriate manager *before* the expense is incurred. Employees may not be reimbursed for expenses that were not approved in advance and are deemed unnecessary or extravagant.

### **Expense Reports**

NEA will only reimburse for travel related expenses when the employee provides documentation of the expense with receipts from purchases or other verifiable documentation.

Employees seeking reimbursement must complete a NEA Expense Report Form. The form must be fully and accurately completed and submitted to the Office Manager. All receipts should be scanned/attached and submitted with the form.

### **Receipts**

Receipts are required for all expenditures such as airfare and hotel charges. No expense in excess of \$25.00 will be reimbursed unless the individual requesting reimbursement submits with the Expense Report written receipts from each vendor (not a credit card receipt or statement) showing the vendor's name, a description of the services provided (if not otherwise obvious), the date and the total expenses, including tips (if applicable).

## **GENERAL TRAVEL REQUIREMENTS**

### **Prior Approval**

All travel must be approved in advance by the appropriate Reviewing Party, unless advance approval is impractical under the circumstances. For purposes of this Travel Policy, the Reviewing Party shall mean, unless otherwise indicated, the following:

- For the Chief Executive Officer; the COO;
- For all other NEA. employees; the traveler's supervisor;
- For directors or officers; the CEO or COO);

- For consultants, independent contractors or speakers at NEA events; the COO;
- For candidates for employment; the COO; and
- For volunteers: the COO.

All trips involving air travel or at least one overnight stay must be approved in advance by the individual's supervisor.

It is the responsibility of the individual planning to travel and seeking reimbursement to obtain any necessary approval prior to travel.

#### Expenses of Traveling Companion

NEA will not reimburse for expenses that are attributable to a traveler's spouse, partner, child or any other traveling companion, unless the companion is also conducting business on behalf of NEA. and the companion's travel is approved in advance by the COO.

#### Personal Travel Expenses

Individuals traveling on behalf of NEA may incorporate personal travel or business with their Company-related trips; however, NEA shall not arrange Company travel at a time that is less advantageous to NEA or involving greater expense to NEA in order to accommodate personal travel plans. Any additional expenses incurred as a result of personal travel, including but not limited to extra hotel nights, additional stop overs, meals or transportation, are the sole responsibility of the individual and will not be reimbursed by NEA. Expenses associated with travel of an individual's spouse, family or friends will not be reimbursed by NEA.

#### Air Travel - General

Air travel reservations should be made as far in advance as possible in order to take advantage of reduced fares. NEA will reimburse or pay only the cost of the lowest coach class fare actually available for direct, non-stop flights from the airport nearest the individual's home or office to the airport nearest the destination. Flights with destinations outside the continental United States and over six hours are eligible for business class with manager pre-approval.

#### Frequent Flyer Miles and Compensation for Denied Boarding

Employees traveling on behalf of NEA may accept and retain frequent flyer miles and compensation for denied boarding for their personal use. Individuals may not deliberately patronize a single airline to accumulate frequent flyer miles if less



expensive comparable tickets are available on another airline. Employees may “volunteer to be bumped” to a later flight, however, any expense incurred (e.g., meals or lodging) as a result will not be reimbursed.

### Hotel

NEA will reimburse at the single room rate for the actual, reasonable cost of hotel accommodations of standard convenience, comfort and safety, not deluxe or luxury hotel accommodations. Travelers are required to select the lowest reasonable rate for standard lodging in the area where travel is conducted. If room rates seem exorbitantly high for the area, travelers must obtain prior approval from the COO.

NEA does not reimburse for in-room movies, laundry (except on trips over seven days long) or personal phone calls (beyond one call home per day). Whenever possible, travelers should use a cell phone rather than the hotel billing for long-distance calls.

NEA will reimburse for the actual, reasonable cost of internet access in a traveler’s hotel room or through the hotel’s business center if such service is used for business purposes.

### Meals

Employees traveling on behalf of NEA are reimbursed for the reasonable and actual cost of meals (including tips) subject to a maximum average per diem meal allowance of \$50 per day.

Reimbursement of meals when there is no overnight travel should be paid by the organization only when the meal has a defined business purpose.

### Ground Transportation

Employees traveling on behalf of NEA are expected to use the most economical ground transportation appropriate under the circumstances and should generally use the following, in this order of desirability:

#### Courtesy Cars

Many hotels have courtesy cars, which will take you to and from the airport at no charge. The hotel will generally have a well-marked courtesy phone at the airport if this service is available. Employees should take advantage of this free service whenever possible.

### Airport Shuttle or Bus

Airport shuttles or buses generally travel to and from all major hotels for a small fee. At major airports such services are as quick as a taxi and considerably less expensive. Airport shuttle or bus services are generally located near the airport's baggage claim area.

### Taxis and Ride Sharing Services

When courtesy cars and airport shuttles are not available, an Uber, Lyft or a taxi is often the next most economical and convenient form of transportation when the trip is for a limited time and minimal mileage is involved. These options may also be the most economical mode of transportation between an individual's home and the airport.

### Rental Cars

Car rentals are expensive so other forms of transportation should be considered when practical. Employees will be allowed to rent a car while out of town provided that advance approval has been given by the individual's supervisor and that the cost is less than or equal to alternative methods of transportation.

### Personal Cars

Employees are compensated for use of their personal cars when used for NEA business. When individuals use their personal car for such travel, including travel to and from the airport, mileage will be allowed at the currently approved modified IRS rate per mile. In the case of individuals using their personal cars to take a trip that would normally be made by air, mileage will be allowed at the currently approved modified rate; however, the total mileage reimbursement will not exceed the sum of the lowest available round trip coach airfare.

### Parking/Tolls

Parking and toll expenses, including charges for hotel parking, incurred by Employees traveling on Company business will be reimbursed. The costs of parking tickets, fines, car washes, valet service, etc., are the responsibility of the employee and will not be reimbursed. On-airport parking is permitted for short business trips. For extended trips, Employees should use off-airport facilities.

### Entertainment And Business Meetings

Reasonable expenses incurred for business meetings or other types of business-related entertainment will be reimbursed only if the expenditures are approved in advance by the employee's supervisor or the COO.

Detailed documentation for any such expense must be provided, including:

- date and place of entertainment;
- nature of expense;
- names, titles and corporate affiliation of those entertained;
- a complete description of the business purpose for the activity including the specific business matter discussed;
- vendor receipts (not credit card receipts or statements) showing the vendor's name, a description of the services provided, the date and the total expenses, including tips (if applicable).

#### Non- Reimbursable Expenditures

NEA maintains a strict policy that expenses in any category that could be perceived as lavish or excessive will not be reimbursed, as such expenses are inappropriate for reimbursement by a non-profit, charitable organization. Expenses that are not reimbursable include, but are not limited to:

- Travel insurance.
- First class tickets or upgrades.
- When lodging accommodations have been arranged by NEA and the individual elects to stay elsewhere, reimbursement is made at the amount no higher than the rate negotiated by NEA. Reimbursement shall not be made for transportation between the alternate lodging and the meeting site.
- Limousine travel.
- Alcohol will not be reimbursed unless pre-approved by the CEO or COO.
- Membership dues at any country club, private club, athletic club, golf club, tennis club or similar recreational organization.
- Spa or exercise charges.
- Clothing purchases.
- Business conferences and entertainment which are not approved by the CEO or COO of NEA.
- Toiletry articles.
- Expenses for spouses, friends or relatives. If a spouse, friend or relative accompanies Employees on a trip, it is the responsibility of the Employee to determine any added cost for double occupancy and related expenses and to make the appropriate adjustment in the reimbursement request.
- Overnight retreats without the prior approval of the CEO or his/her designee.

### Documentation

Requests for reimbursement of business expenses must be submitted on the NEA Expense Report Template. In order to comply with IRS regulations, all business expenses be supported with adequate records; employees are responsible for keeping these records as expenses are incurred. These records must include:

- The amount of the expenditure
- The time and place of the expenditure
- The business purpose of the expenditure
- The names and the business relationships of individuals for whom the expenditures were made

Requests for reimbursement lacking this information will not be processed and will be returned to the employee. While original receipts are preferred for all expenses, they are required for those greater than \$25.00. Requests for exceptions to this policy should explain why the exception is necessary and be approved by management.

### Approvals

Expense reimbursement forms, together with required documentation, must be submitted for review and approval. Expense reimbursement should be submitted for processing no more than 30 days after the expenses occurred. Managers approving expense reports are responsible for ensuring that the expense reports have been filled out correctly with the required documentation and that the expenses submitted are allowable under this policy.

### Credit Cards

Company-issued credit cards are to be used for purchases on behalf of NEA and for any travel expenses incurred while traveling on company business only. At no time may an employee use a Company credit card for purchases intended for personal use; such expenses will require that NEA be reimbursed and may lead to revocation of credit card privileges and other discipline. Credit card expenses require the same reimbursement documentation as other expenses.

### **ADVANCES AND LOANS**

NEA does not give advances or loans to employees.

## **BENEFITS**

### **HOLIDAYS**

All Employees, except Temporary Employees.

NEA provides holiday pay for all Federal holidays where there is no mail delivery. Additional holidays include the day after Thanksgiving, Christmas Eve and New Year's Eve when they fall on a workday. Full-time employees qualify to receive the entire 8-hour day in pay; those who work part-time receive the equivalent of their part-time hourly wage. In addition, 30+ hour employees will receive one floating holiday per year.

Other days or parts of days may be designated as holidays with or without pay. No holiday pay will be paid to an employee who is on an unpaid status, on any leave, or absent due to workers' compensation. If a holiday falls on a Sunday, the holiday may be observed on the following Monday. If the holiday falls on a Saturday, the holiday may be observed on the preceding Friday.

### **SICK LEAVE**

Sick leave may be used for illnesses, doctor or dental appointments.

#### **Scope**

This policy is not applicable to Temporary Employees.

#### **Policy elements**

Paid sick leave will be accumulated at the rate of one day per month for a maximum of 20 days accumulation. It is accrued on a prorated basis for part-time employees. Unused sick leave will be carried over each year up to the maximum accrual bank of 20 days. Unused sick leave is not paid out upon employment separation.

#### **Procedure**

To be eligible for paid sick leave, employees must provide proper notification of absence as discussed under the Attendance and Tardiness policy. Employees must give this notification for each day they are absent. Employees may be required to submit, in writing, the reason or reasons for their continued sick leave, the estimated date of return and whether any supplemental income payments are being received or whether application for them is pending. In the case of certain absences in excess of three consecutive workdays, NEA may request a note from the employee's doctor.

If an employee's absence extends beyond the period of accrued sick leave, the employee may submit a request for a leave of absence. In such cases a written

statement from the treating doctor may be required stating the employee's ability to return to their regular duties before they are allowed to return to work.

## **PAID TIME OFF**

Time off provides a break beneficial to both NEA and the employee. Therefore, employees are encouraged to take time off annually. NEA's Paid Time Off (PTO) policy allows employees to take as much leave as they need.

This policy is based on mutual trust between employer and employee. It gives employees opportunities to work or take time off, as long as they keep fulfilling their duties. Employees do not accrue time off, therefore NEA does not pay out unused leave.

### **Scope**

This policy is not applicable to Temporary Employees.

### **Policy elements**

NEA doesn't limit the amount of PTO employees can take, provided all job responsibilities are satisfactorily covered. NEA will track vacation time for all employees to ensure that:

- Employees take time off to help them balance life and work responsibilities.
- Employees don't take time off that compromises their performance.
- Employees don't accrue time-off so the company will not compensate unused leave.
- This policy doesn't interfere with legally established leaves like maternity and paternity leave.

### **Procedure**

Employees are obliged to:

- Avoid abusing the policy by taking time off that negatively impacts their job and the organization.
- Communicate and collaborate with their team to ensure everyone takes leave without disrupting operations.
- Plan to delegate, postpone or otherwise manage projects that will be affected by their time off.
- Notify their supervisor at least two weeks in advance.

Supervisors can consider rejecting vacation requests if:

- Other team members with similar or complementary duties have already asked for leave during the same time.
- The time in question is too busy or includes an important deadline for the employee asking for leave.
- An employee appears to abuse the policy. Supervisors have to prove that this is the case, using data from our leave tracking system and presenting employees' inadequate deliverables. They should also arrange a meeting with the employee and the COO or CEO.

Vacations must be scheduled with the approval of your supervisor and are discouraged during our busiest times – December, January, May and June.

NEA will review this policy annually and address any issues.

#### **HEALTH AND LIFE INSURANCE BENEFITS**

NEA complies with all applicable federal and state laws with regard to benefits administration. All employees scheduled and generally working at least 30 hours a week are entitled to health insurance and other company-sponsored health benefits, when in effect. NEA reserves the right to change or terminate health plans or other benefits at any time.

New qualifying employees will be eligible for coverage the 1st of the month following 30 days of eligible employment. New employees may elect not to be covered, with the permission of NEA, provided the percentage of employees not covered is within the benefit plan specifications.

NEA provides medical, dental and life insurance benefits for the employee only. The employee may elect to purchase medical and dental insurance for his/her spouse or children from the same plan at his/her own expense. Life insurance is valued at one times the employee's annual salary.

#### **RETIREMENT PROGRAM**

Eligible employees are entitled to participate in the NEA 401(k) Retirement Plan. All employees other than temporary employees are eligible employees. A participant may elect to reduce his or her compensation and have that amount contributed as an elective deferral on his or her behalf to the Plan.

#### **Employer Profit Sharing Contributions**

The employer contribution to the Retirement Plan is an amount equal to fifteen percent of the participant's compensation and begins on the first day of the first calendar quarter after one year of service. These contributions are discretionary. Your entitlement to an Employer Profit Sharing Contribution is not dependent upon making Elective Deferrals.

Employer and participant contributions to the Plan become fully vested immediately upon contribution.

#### **FLEXIBLE SPENDING PLAN**

All employees have the option to participate in a flexible spending account (a pre tax benefit allowable under Internal Revenue Code Section 125) immediately upon employment.

#### **CONTINUATION OF BENEFITS**

Under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA), or a state mini-COBRA law, employees may be allowed to continue their health insurance benefits, at their own expense, for a set number of months after experiencing a qualifying event. Length of coverage may be dependent upon the qualifying event.

To qualify for continuation of health benefits, the covered individual must experience a qualifying event that would otherwise cause them to lose group health coverage. The following are qualifying events:

##### For Employees

- Voluntary or involuntary termination of employment for reasons other than gross misconduct
- Reduction in numbers of hours worked to less than 30 hours a week

##### For Spouses

- Loss of coverage by the employee because of one of the qualifying events listed above
- Covered employee becomes eligible for Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

##### For Dependent Children

- Loss of coverage because of any of the qualifying events listed for spouses
- Loss of status as a dependent child under the plan rules

See Human Resources for additional information.

#### **TEMPORARY DISABILITY LEAVE**

NEA recognizes that a temporary disability may prevent employees from coming to work for a period of time. In such cases, NEA may grant a temporary disability leave. This leave does not have a minimum or maximum time frame. Rather, NEA



will attempt to reasonably accommodate the needs of the employee as well as the needs of NEA. If a leave is granted, any extensions will be subject to the same considerations. The employee pays for disability insurance.

Employees requesting a temporary disability leave must document their request in writing. That request should be accompanied by a doctor's statement identifying how the temporary disability limits the employee's ability to work, the date and the estimated date of return and, where appropriate, diagnosis and prognosis. Should the employee's expected return date change, the employee should notify NEA as soon as possible. Prior to returning to employment with NEA, employees will be required to submit written medical certification of their ability to work, including any restrictions. Upon returning to work, if employees qualify, they will be reinstated to their former position or one that is substantially the same, depending upon the availability of any position at that time.

The leave will be unpaid, except that employees must use any available paid sick leave concurrently.

#### **MILITARY LEAVE**

If employees are on an extended military leave of absence, they are entitled to be restored to their previously held position or similar position, if available, without loss of any rights, privileges or benefits provided the employee meets the requirements specified in the Uniformed Services Employment and Reemployment Rights Act (USERRA).

An employee who is a member of the reserve corps of the armed forces of the United States or of the National Guard or the Naval Militia will be granted temporary leave of absence without pay while engaged in military duty as required by state employment law. A letter from the employee's commanding officer is required to establish the dates of duty.

#### **FAMILY AND MEDICAL LEAVE ACT**

##### Leave Entitlements

Under the Family and Medical Leave Act (FMLA), an eligible employee can take up to 12 weeks of unpaid, job-protected leave in a 12-month period. To be eligible, an employee must meet the following three criteria:

- Have worked for NEA for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave

Eligible employees can take leave for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);

- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform their job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

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

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

#### Using Leave

An employee does not need to use leave in one block. When it is medically necessary or NEA otherwise approves, employees may take leave intermittently or on a reduced schedule. Employees on FMLA leave may be required to report periodically to NEA regarding their status and intent to return to work. An employee who fails to return to work at the expiration of the leave without an approved extension will be considered to have resigned.

Employees must inform NEA if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employees may choose, or NEA may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes PTO (paid time off) for FMLA leave, they must comply with NEA's normal paid leave policies.

Employees must give 30 days' advance notice of the need for FMLA leave. If it is not possible to give 30 days' notice, an employee must notify their manager as soon as possible.

#### Documentation

NEA may require a certification from a health care provider and periodic recertification, supporting the need for leave. If certification is requested, employees will have 15 days to provide it. If NEA determines that the certification is incomplete, NEA will provide a written notice indicating what additional information is required.

Employees do not have to share a medical diagnosis but must provide enough information so that NEA can determine if the leave qualifies for FMLA protection. Sufficient information could include a doctor's note informing NEA that the employee is or will be unable to perform their job functions, that a family member

cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary.

If NEA becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, we will notify the employee if they are eligible for FMLA leave and, if eligible, provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, NEA will provide a reason for ineligibility. NEA will notify employees if leave will be designated as FMLA leave and if so, how much leave will be designated as FMLA leave.

### Benefits

While employees are on FMLA leave, health insurance coverage will continue as if the employees were not on leave. Employees are responsible for their portion of the medical insurance premium cost, if any. Failure to pay the employee portion of the health insurance premiums in advance (or on the schedule established by the payroll department) may result in the termination of coverage. If eligible, the employee will receive notification of continuation of benefits.

NEA reserves the right to seek reimbursement from the employee for the medical insurance premiums paid by NEA while the employee was on FMLA leave if the employee fails to return from FMLA. NEA will not seek reimbursement if the failure to return is due to continuation, recurrence, or onset of a serious health condition of the employee or the employee's family member that would otherwise qualify for FMLA leave, or other circumstances beyond the employee's control.

NEA will not interfere with an employee's FMLA rights or retaliate against them for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

Employees who believe they have not received the benefits to which they are entitled under FMLA are strongly encouraged to speak to another member of management or Human Resources for clarification or resolution. Failing that, an employee is able to file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private action. FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

### **JURY DUTY**

NEA supports employees fulfilling their civic responsibilities by serving on juries when required. Employees will be allowed time off to attend jury duty. NEA may request that the employee ask to be excused from service, or request postponement, if their absence from work would create a serious hardship to NEA. Employees must submit a copy of the original summons to their manager as soon as it is received. NEA will grant full-time employees 5 days of paid jury duty leave per service year. For periods of service longer than two days, NEA may require

proof that the employee attended jury service. Employees should report for work on any day, or partial day, not actually spent attending jury duty.

#### **WITNESS LEAVE**

Employees who need to attend court as a witness, to appear with a minor, or because they are the victim in a criminal case, will be granted leave in order to appear in court. NEA may require proof of the need for leave. Exempt employees will be paid in accordance with the Fair Labor Standards Act.

#### **VOTING LEAVE**

Employees whose schedules do not allow them enough time to vote before or after work may request up to two hours off, at the beginning or end of their shift, in order to vote on election day. Employees must request time off at least five days in advance. This time will be paid at the employee's regular rate of pay.

#### **PERSONAL LEAVE OF ABSENCE**

(Full-time 40-hour employees only)

Paid personal or bereavement leave is accumulated after one year's employment for all employees at the rate of three days per year.

The employee must submit their request in writing and state the date they would like the leave to begin, the date they expect to return and the reason for the leave. NEA will consider all factors, including the necessity of the leave and the impact on business operations and provide written approval or denial of the request at its sole discretion.

If approved, employees must use their leave of absence for the approved purpose. Sick leave, seniority and other benefits will not accrue during an unpaid leave of absence. Holidays that occur during the leave of absence will not be paid. If an employee fails to return to work on the scheduled date of return, NEA will assume the employee has resigned.

#### **BEREAVEMENT LEAVE**

A regular employee of NEA may request a leave of absence with pay for a maximum of three working days upon the death of a member of their immediate family. Members of the immediate family are defined as a parent, spouse, domestic partner, child, sibling, grandchild, parent-in-law and corresponding step-relatives. Proof of death may be required.

## **HEALTH, SAFETY AND SECURITY**

### **SMOKING**

Smoking, vaping and use of tobacco products are not permitted in any NEA building, work sites, or vehicle. Employees wishing to engage in these activities may do so during their designated break times, outside of Company buildings, in designated areas (or off the property if no area is designated) and in accordance with local ordinances.

### **DRUG AND ALCOHOL**

While on Company premises, whether during work time or non-work time, employees are prohibited from being under the influence of drugs or alcohol. There are limited exceptions for the use of prescription drugs (not including marijuana), as long as they do not create safety issues or impair an employee's ability to do their job and for the moderate use of alcohol at company-sanctioned events.

Employees are strictly prohibited from possessing illegal drugs or excessive quantities of prescription or over-the-counter drugs while on Company premises, performing Company-related duties, or operating any Company equipment. Any drugs confiscated that are suspected of being illegal will be turned over to the appropriate law enforcement agency.

Employees taking medication should consult a medical professional to determine whether the drug may affect their personal safety or ability to perform their job and should advise their manager of any resulting job limitations. Once notified, NEA will make reasonable efforts to accommodate the limitation.

NEA reserves the right to test any employee for the use of illegal drugs, marijuana, or alcohol, in accordance with applicable law. Employees in safety-sensitive positions may be subject to regular or random drug testing. Drug or alcohol tests may also be conducted after an accident in which drugs or alcohol could reasonably be involved, or when behavior or impairment on the job creates reasonable suspicion of use. Under those circumstances, the employee may be driven to a certified lab for testing at NEA's expense. Refusal to be tested for drugs or alcohol will be treated the same as a positive test result.

Violation of this policy may result in discipline, up to and including termination.

To the extent that any federal, state, or local law or regulation limits or prohibits the application of any provision of this policy, then that particular provision will be ineffective in that jurisdiction only, while the remainder of the policy remains in effect.

### **REASONABLE ACCOMMODATIONS**

If NEA is made aware of an employee's disability and resulting need for accommodation, Human Resources or the employee's manager will engage with

them in the interactive process. This process will determine what, if any, accommodations are necessary and reasonable in order to assist the employee in doing the essential functions of their job. Whether an accommodation is reasonable will be determined based on a number of factors, including whether it will effectively assist the employee in doing the essential functions of their job, the cost and the effect on business operations. In most cases, employees will be required to provide documentation from an appropriate healthcare provider.

All employees are required to comply with safety standards. Employees who pose a direct threat to the health or safety of themselves or others in the workplace may be temporarily moved into another position or placed on leave until it is determined if a reasonable accommodation will effectively mitigate the risk.

#### **INJURY AND ACCIDENT RESPONSE AND REPORTING**

If an employee is injured or witnesses an injury at work, they must report it immediately to the nearest available manager. Reporting should not delay necessary medical attention. Employees should render any assistance requested by that manager. When any accident, injury, or illness occurs while an employee is at work, regardless of the nature or severity, the employee must complete an injury reporting form and return it to Human Resources as soon as possible. Once the accident is reported, follow-up will be handled by Human Resources including a determination as to whether the injured employee may return to work.

Questions asked by law enforcement or fire officials making an investigative report should be answered giving only factual information and avoiding speculation. Liability for personal injury or property damage should never be admitted in answering an investigatory question asked by law enforcement or fire officials.

In addition to compliance with safety measures imposed by federal Occupational Safety and Health Act (OSHA) and state law, NEA has an independent interest in making its facilities a safe and healthy place to work. NEA recognizes that employees may be in a position to notice dangerous conditions and practices and therefore encourages employees to report such conditions, as well as non-functioning or hazardous equipment, to a manager immediately. Appropriate remedial measures will be taken when possible and appropriate. Employees will not be retaliated or discriminated against for reporting of accidents, injuries, or illnesses, filing of safety-related complaints, or requesting to see injury and illness logs.

#### **WORKERS' COMPENSATION**

NEA carries insurance that covers work-related injuries and illnesses. The workers' compensation insurance carrier governs the benefits provided. These benefits will not be limited, expanded, or modified by any statements of Company personnel or Company documents. In the case of any discrepancy, the insurance carrier's documents will control.

### **WORKPLACE VIOLENCE AND SECURITY**

NEA expects all employees to conduct themselves in a non-threatening, non-abusive manner at all times. No direct, conditional, or veiled threat of harm to any employee, customer, business partner, or Company property will be acceptable. Acts of violence or intimidation of others will not be tolerated. Any employee who commits, or threatens to commit, a violent act against any person while on Company premises, will be subject to discipline, up to immediate termination.

Employees share the responsibility of identifying and alleviating threatening or violent behaviors. Any employee who is subjected to or threatened with violence, or who is aware of another individual who has been subjected to or threatened with violence, should immediately report this information to a manager. Threats will be investigated and appropriate remedial or disciplinary action will be taken.

### **DRIVING SAFETY**

Employees who drive on Company business are expected to drive safely and responsibly and to use common sense and courtesy. Employees are also subject to the following rules and conditions:

1. A valid driver's license must be maintained as a condition of continued employment for positions that require driving. NEA may request to see an employee's license at any time.
2. Employees who drive their own vehicles for work must maintain the minimum amount of insurance required by state law as a condition of continued employment. NEA may request proof of insurance at any time.
3. Employees may not drive a personal vehicle for Company business without authorization from management.
4. Employees must wear seat belts at all times, whether they are the driver or a passenger.
5. With the exception of a phone being used only for navigation purposes, employees are required to turn off cell phones or put them on silent before starting their car. Employees are permitted and encouraged to communicate to clients, associates and business partners the reason why calls may not be returned immediately.
6. Employees who are using a device for navigation purposes should complete all set up before starting the vehicle.
7. Use of electronic devices for purposes other than navigation is strictly prohibited. This includes, but is not limited to, making or receiving phone calls, sending or receiving text messages or emails, browsing the internet, reading books and downloading information from the web. If an employee needs to engage in any of these activities while driving, they must pull over to a safe location and stop the vehicle prior to using any device.
8. Employees should not engage in other distracting activities such as eating, shaving, or putting on makeup, even in stopped or slow-moving traffic.

9. The use of alcohol, drugs, or other substances that in any way impair driving ability is prohibited. This includes, but is not limited to, over-the-counter cold or allergy medications and sleep aids that have a residual effect.
10. Employees must follow all driving laws and safety rules, such as adherence to posted speed limits and directional signs, use of turn signals and avoidance of confrontational or offensive behavior while driving.
11. All passengers must be approved by management in advance of travel.
12. Employees must not allow anyone to ride in any part of the vehicle not specifically intended for passenger use or any seat that does not have a working seat belt.
13. Employees must promptly report any accidents to local law enforcement as well as NEA.
14. Employees must promptly report any moving or parking violations received while driving on Company business or in Company vehicles.

#### **INCLEMENT WEATHER AND OUTAGES**

This policy establishes guidelines for Company operations during periods of extreme weather and similar emergencies. NEA will remain open in all but the most extreme circumstances. Unless an emergency closing is announced, all employees are expected to report to work. However, NEA does not advise employees to take unwarranted risks when traveling to work in the event of inclement weather or other emergencies. Each employee should exercise their best judgment with regard to road conditions and other safety concerns.

#### Designation of Emergency Closing

Only by the authorization of designated managers will NEA cease operations due to emergency circumstances. If severe weather conditions develop during working hours, it is at the discretion of Management to release employees. Employees will generally be expected to remain at work until the appointed closing time.

#### Procedures during Closings

If weather or traveling conditions delay or prevent an employee's reporting to work, their immediate supervisor should be notified as soon as possible. If possible, such notification should be made by a telephone conversation directly with the supervisor. If direct contact is not possible, leaving a detailed voicemail message or message with another employee is acceptable.

An employee who is unable to report to work may use any accrued personal time or take the day off without pay.

#### Pay and Leave Practices

When a partial or full-day closing is authorized by Management, the following pay and paid leave practices apply:

- Non-exempt hourly employees will be sent home for partial days with the option of using paid time off for the remainder of the day.



- Exempt employees will be expected to continue work from home if their job duties allow. NEA will pay the exempt employee's regular salary regardless.
- Exempt and non-exempt employees already scheduled to be off during emergency closings are charged such leave as was scheduled.

#### Other Work Options

Supervisors may approve requests for employees to temporarily work from home, if doing so allows completion of work assignments.

## **WORKPLACE GUIDELINES**

### **HOURS OF WORK**

Employees are expected to be at their work area and ready to work at their scheduled time. Employees will be given their work hours upon hire and at the time of any change in position. If the normal work hours are changed or if NEA changes its operating hours, employees will be given notice.

### **OFF-THE-CLOCK WORK**

Non-exempt employees must accurately record all time worked, regardless of when and where the work is performed. Off-the-clock work (doing work that is not reported in the timekeeping system) is prohibited. No member of management may request, require, or authorize non-exempt employees to perform work without compensation. Any possible violations should be reported promptly to a member of management.

### **LACTATION ACCOMMODATION**

NEA provides a supportive environment to enable breastfeeding employees to express breast milk during work hours for up to one year following the birth of a child. Accommodations under this policy include a place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public which may be used by an employee to express breast milk. Discrimination and harassment of breastfeeding mothers in any form is unacceptable and will not be tolerated.

### **ATTENDANCE AND TARDINESS**

Employees are expected to be at work and ready to go when their scheduled shift begins or resumes. If an employee is unable to be at work on time, or at all, they must notify their manager no later than 30 minutes before the start of their scheduled workday. If an employee's manager is not available, the employee should contact another member of management. If an employee is physically unable to contact NEA, they should ask another person to make contact on their behalf. Leaving a message with a co-worker or answering service is not considered proper notification. Excessive tardiness or absences are unacceptable job performance.

When an employee calls in absent, they should provide their expected time or date of return. NEA reserves the right to require proof of the need for absence, if allowed by law. If an employee is absent for three consecutive days and has not provided proper notification, NEA will assume that the employee has voluntarily quit their position and will proceed with the termination process.

If an employee becomes ill during their scheduled workday and feels they may need to leave before the end of their shift, they should notify their manager immediately. If an employee is unable to perform their job at an acceptable level, they may be sent home until they are well enough to work.

Absences should be arranged as far in advance as possible. When an employee needs to be absent during the workday they should attempt to schedule their outside appointment or obligation so that their absence has the smallest impact possible on business operations.

### **TELECOMMUTING**

Telecommuting may be a viable alternative work arrangement for some employees. Telecommuting allows an employee to work at home, on the road, or in a satellite location for all or part of their regular workweek. All telecommuting arrangements are made on a case-by-case basis and must be approved in advance. Consideration will be given to operational requirements, the job duties of the employee, the employee's work performance and attendance and other logistical details.

To be eligible for a telecommuting arrangement, an employee must have worked for NEA for at least three months and have acceptable work performance. Employees are expected to follow all procedures and work rules as if they were in the office, including but not limited to tracking their time, working their normal schedule and maintaining productivity.

NEA is not responsible for costs associated with initial setup of the employee's home office such as remodeling, furniture or lighting, or for repairs or modifications to the home office space. NEA will supply the employee with appropriate office supplies and reimburse the employee for all other reasonable business-related expenses. Any equipment supplied by NEA is to be used for business purposes only, unless otherwise specified. The telecommuter must take appropriate action to protect the items from damage or theft and must return the items upon termination of their employment at NEA regardless of reason.

As with employees working in the office, telecommuters will be expected to ensure the protection of proprietary Company and customer information through use of locking doors, desks, file cabinets and media storage, regular password maintenance and any other steps appropriate for the job and the environment.

### **PERSONAL APPEARANCE AND HYGIENE**

Employees are expected to present a professional image, both through behavior and appearance. Accordingly, employees must wear work-appropriate attire during the workday or any time they are representing NEA. Clothing should be clean and neat in appearance. Employees should consider their level of customer and public contact and the types of meetings they are scheduled to attend in determining what attire is appropriate.

The following are generally not acceptable:

- Sexually provocative clothing or exposed undergarments

- Clothing with offensive slogans or pictures
- Clothing showing excessive wear and tear
- Any clothing or accessories that would present a safety hazard
- Visible tattoos that are not appropriate in content

All employees are expected to maintain appropriate oral and bodily hygiene. Hair (including facial hair) should be clean and neat. Accessories should not interfere with an employee's work. The excessive use of perfume or cologne is unacceptable, as are odors that are disruptive or offensive to others or may exacerbate allergies.

Managers are responsible for enforcing dress and grooming standards for their department. Any employee whose appearance does not meet these standards may be counseled. If their appearance is unduly distracting or the clothing is unsafe, the employee may be sent home to change into something more appropriate.

Reasonable accommodation will be made for sincerely held religious beliefs and disabilities when such accommodations do not cause an undue burden. If you would like to request an accommodation or have other questions about this policy, please contact your supervisor.

#### **CONFIDENTIALITY**

Employees may not disclose any confidential information or trade secrets to anyone outside NEA without the appropriate authorization. Confidential information may include internal reports, financials, client lists, methods of production, or other internal business-related communications. Trade secrets may include information regarding the development of systems, processes, products, design, instrument, formulas and technology. Confidential information may only be disclosed or discussed with those who need the information. Conversation of a confidential nature should not be held within earshot of the public or clients.

When any inquiry is made regarding an employee, former employee, client, or customer, the inquiry should be forwarded to a manager or Human Resources without comment from the employee.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications. In addition, nothing in this policy is intended to infringe upon employee rights under Section 7 of the National Labor Relations Act.

#### **SOLICITATION AND DISTRIBUTION**

Solicitation during work time and in work areas is prohibited. Solicitation is defined as the act of asking for something, selling something, urging someone to do something, petitioning, or distributing persuasive materials. This could include, but is not limited to, asking for donations for a child's school (including through sales

of a product), attempting to convert someone to or from a religion, distributing political materials, or collecting signatures. Work time includes time when either the person soliciting, or being solicited to, is scheduled to be performing their work duties. Work areas include areas where employees generally do work, such as cubicles, offices, or conference rooms and does not include areas such as the lunch or break room.

This policy does not prevent employees from using their approved breaks and rest periods to solicit outside of working areas and is not intended to infringe an employee's Section 7 rights. Those not employed by NEA are prohibited from solicitation on company property at all times.

### **CONFLICT OF INTEREST**

A conflict of interest arises when an employee is engaged in activity that could be detrimental to NEA. This includes when an employee improperly uses their position with NEA for personal gain or the gain of someone with whom they have a relationship. *Improper use* includes behavior that is illegal, as well as behavior that is unethical or questionable to a reasonable person. These are some examples of a conflict of interest:

- An employee requesting or requiring gifts or discounts in exchange for starting or continuing a business relationship with a client or vendor
- An employee selecting a relative's company as a supplier when they have not produced the best proposal
- An employee taking a second job working for a competitor and sharing confidential company information with the competitor
- An employee taking a second job that interferes with their ability to do their work for NEA at their full potential, whether due to scheduling, exhaustion, or some other factor

Because how things appear, whether accurate or not, has a significant impact on NEA's reputation, employees should also avoid the appearance of a conflict of interest. If questions arise as to whether a certain activity or behavior is a conflict of interest, employees should speak with their manager or HR.

### **BUSINESS GIFTS**

Employees are prohibited from directly or indirectly requesting or accepting a gift for themselves or NEA that has a value of \$50 or more. If an employee is offered or given anything of value from any client, prospective client, vendor, or business partner in connection with company business, they should alert their manager immediately.

### **OUTSIDE ACTIVITIES**

Employees may engage in outside employment during non-working hours, provided doing so does not interfere with their job performance or constitute a

conflict of interest. Prior to accepting outside employment, employees should notify their manager in writing. The notice must include the name of the company, the title and nature of the position, the number of working hours per week and the time of scheduled work hours. If the position constitutes a conflict of interest or interferes with the employee's job at any time, they may be required to limit or end their outside employment.

#### **REPORTING IRREGULARITIES**

Employees should immediately report any actual or suspected theft, fraud, embezzlement, or misuse of Company funds or property, as well as suspicious behavior. An employee who is aware of such activity but does not report it will be considered part of the problem and disciplined accordingly.

#### **INSPECTIONS AND SEARCHES**

Any items brought to or taken off of Company premises, whether property of the employee, NEA, or a third party, are subject to inspection or search unless prohibited by state law. Desks, lockers, workstations, work areas, computers, USB drives, files, e-mails, voice mails, etc. are also subject to inspection or search, as are all other assets owned or controlled by NEA. Any inspection or search conducted by NEA may occur at any time, with or without notice. Failure to submit to a search will be grounds for discipline.

#### **HARDWARE AND SOFTWARE USE**

The following guidelines have been established for using the Internet and email in an ethical and professional manner. For the purpose of this policy, Company Internet includes productivity software, instant messaging applications, NEA cloud and networks, the intranet and any other tool or program provided by or through NEA or its internet connection.

- Company Internet and email may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing, or obscene nature.
- Telephones should only be used for company business. Employees should be professional and conscientious at all times when using Company phones or when using a personal phone for company business.
- Use of personal cell phones or other devices should be held to a reasonable limit. Reasonableness will be determined by management.
- Disparaging, abusive, profane and offensive language are forbidden.
- Employees must respect all copyrights and may not copy, retrieve, modify, or forward copyrighted materials, except with permission or as a single copy for reference only. Almost every piece of content is or could be copyrighted (a notice of copyright is not required), so employees should proceed with caution when using or reproducing materials.
- Unless necessary for work, employees should avoid sending or receiving large files, watching videos, mass-forwarding emails, or engaging in other

activities that either consume large amounts of bandwidth or create electronic clutter.

- Employees may not download any programs, applications, browser extensions, or any other files without prior approval or upon request of a manager.
- Each employee is responsible for the content of all text, audio, or images they place on or send over NEA's internet and email system. Employees may not send messages in which they are not identified as the sender.
- Email is not guaranteed to be private or confidential. NEA reserves the right to examine, monitor and regulate email messages, directories and files, as well as internet usage.
- Internal and external email messages are considered business records and may be subject to discovery in the event of litigation.

All company-issued hardware and software, as well as the email system and Internet connection, are Company-owned. Therefore, all Company policies are in effect at all times when they are in use. Access to the internet through NEA's network is a privilege of employment that may be limited or revoked at any time.

### **PASSWORD POLICY**

Passwords are an important aspect of computer security. They are the front line of protection for user accounts. A poorly chosen password may result in a compromise of NEA's entire network. As such, all NEA employees (including contractors and vendors with access to NEA systems) are responsible for taking the appropriate steps, as outlined below, to select and secure their password.

#### **Password Management**

NEA uses a password management service (LastPass) which is installed on all NEA issued computers. LastPass must be used for generating, storing and sharing of all device, application and service credentials (usernames and passwords). Credentials should never be written down, stored in unsecured documents or computer files or shared except through LastPass.

All passwords are to be treated as sensitive, confidential NEA information. Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

## **SOCIAL MEDIA**

### The Guiding Rule

Conduct that negatively affects an employee's job performance, the job performance of fellow employees, or NEA's legitimate business interests—including its reputation—may result in disciplinary action up to and including termination.

Below are some guidelines for the use of social media. These guidelines are not intended to infringe on an employee's Section 7 rights and any adverse action taken in accordance with this policy will evaluate whether employees were engaged in protected concerted activity.

### Avoiding Harassment

Employees must not use statements, photographs, video, or audio that could reasonably be viewed as malicious, obscene, threatening, or intimidating toward customers, employees, or other people or organizations affiliated with NEA. This includes, but is not limited to, posts that could contribute to a hostile work environment on the basis of race, sex, sexual orientation, disability, religion, national origin, or any other status protected by state or federal law.

### Avoiding Defamation

Employees must not post anything they know or suspect to be false about NEA or anyone associated with it, including fellow employees and clients. Writing something that is untrue and ultimately harmful to any person or organization is defamation and can lead to significant financial liability for the person who makes the statement.

### Confidentiality

Employees must maintain the confidentiality of Company trade secrets and confidential information. Trade secrets include, but are not limited to, information regarding the development of systems, products and technology. Private and confidential information includes, but is not limited to, customer lists, financial data and private personal information about other employees, partners or members that they have not given the employee permission to share.

### Representation

Employees must not represent themselves as a spokesperson for NEA unless requested to do so by management. If NEA is a subject of the content being created—whether by an employee or third party—employees should be clear and open about the fact that they are employed with NEA but that their views do not necessarily represent those of NEA.

### Accounts

Employees must not use Company email addresses to register for social media accounts unless doing so at the request of management. Employees who manage



social media accounts on behalf of NEA should ensure that the login information needed to access the account is stored in LastPass and shared with at least one member of the management team.

#### **PERSONAL CELL PHONE USE**

The use of personal cell phones, or work cell phones for personal matters, should be held to a reasonable limit during work hours and not interfere with an employee's productivity or the productivity of their coworkers. Reasonableness will be determined by management.

#### **PERSONAL PROPERTY**

NEA is not liable for lost, misplaced, or stolen property. Employees should take all precautions necessary to safeguard their personal possessions. Employees should not have their personal mail sent to NEA, as it may be automatically opened and should check with their manager before having larger items delivered to the workplace.

#### **PARKING**

All parking is at an employee's own risk. Employees and visitors should lock their vehicles and take appropriate safeguards to protect their valuables, including removing them from the vehicle if appropriate under the circumstances.

## **EMPLOYMENT SEPARATION**

### **RESIGNATION**

NEA requests that employees provide at least two weeks' written notice of their intent to resign. This notice should be submitted to an employee's manager. Dependent upon the circumstances, an employee may be asked to not work any or all of their notice period from the time notice is given. An exit interview may be requested.

### **TERMINATION**

All employment with NEA is "at-will." This means that either NEA or the employee can terminate the employment relationship at any time, with or without notice and for any reason allowed by law or for no reason at all. An employee's at-will status can only be changed by written contract, signed by both the employee and the President or CEO.

### **PERSONAL POSSESSIONS AND RETURN OF COMPANY PROPERTY**

All Company property, such as computer equipment, keys, or Company credit cards, must be returned immediately at the time of termination. Employees may be responsible for any lost or damaged items. When leaving, employees should ensure that they take all of their personal belongings with them.

## EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

I acknowledge receipt of NEA's Employee Handbook and agree to follow the guidelines within it. I also acknowledge the following:

1. Receipt of this handbook does not create a contract of employment or in any way alter my at-will employment status; NEA or I can end the employment relationship at any time, with or without notice and with or without cause.
2. I am not entitled to any particular sequence of disciplinary measures prior to termination.
3. With the exception of the at-will employment policy, this handbook may be modified at any time.
4. Violation of any policy in this handbook, or any policy included as an addendum, may be grounds for discipline, up to and including termination.
5. This handbook does not include every process, policy and expectation applicable to employees, or my position specifically; I may be counseled, disciplined, or terminated for poor behavior or performance even if the behavior or performance issue is not addressed in the handbook.
6. Should any provision in this handbook be in conflict with federal, state, or local law, that provision only will be considered ineffective, while the rest of the handbook remains effective.
7. If I have questions regarding any policy in this handbook, or other expectations related to my behavior or performance, it is my responsibility to speak with my manager or Human Resources.

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Signature

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Printed Name

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Date