Date________________________20_____

I acknowledge receipt of the Butler Ambulatory Surgery Center’s Employee Handbook that supersedes any previous employee handbook. I am aware of my responsibility to read this handbook, adhere to its policies, and consult with my administrator should I not understand any statement.

I understand that these policies do not form a contract or an offer of a contract and that these policies may be modified by Butler Ambulatory Surgery Center Administration at any time with or without notice. I further understand that my relationship with the Butler Ambulatory Surgery Center is at-will, meaning that I can terminate my employment at any time, for any reasons or for no reason at all, and that the Butler Ambulatory Surgery Center, LLC has the same right.

________________________________________
Employee Name

________________________________________
Employee Signature
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________________________________________
Employee Name

________________________________________
Employee Signature
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Welcome to the Butler Ambulatory Surgery Center, LLC. We value the unique skills and talents you bring to our organization and are pleased that you have decided to join us. We believe you will find your experience with us very rewarding, both professionally and personally.

At the Butler Ambulatory Surgery Center, we welcome the responsibility to provide a satisfying work environment that allows you to grow at a maximum rate. We are committed to open communications and want you to help us find new and more efficient ways of providing our services. Teamwork, commitment and respect for each other’s contributions and as individuals are priorities here.

The Employee Handbook has been prepared to familiarize you with our organization. It is designed to tell you what will be expected from you and what you can expect from us. It outlines our benefits and policies and answers many of the questions you may have as a new employee.

Read our handbook and, if you have any questions on anything, please ask. We do expect your cooperation on all these matters, and if there is any area with which you are uncomfortable, you are encouraged to talk with your administrator or our Medical Director.

Again, welcome to the Butler Ambulatory Surgery Center, LLC. !!!!!!
PURPOSE OF THIS HANDBOOK

This handbook has been prepared to inform you about the Butler Ambulatory Surgery Center’s practices and policies as well as the benefits provided to you and the conduct expected from you. It is not intended to cover the day to day operating procedures and policies.

No employee handbook can answer every question, nor would we want to restrict the normal question and answer interchange among us. It is through our person-to-person conversations that we can better know each other, express our views, and work together in a harmonious relationship.

We hope this handbook will help you feel comfortable with us. Please don’t hesitate to ask questions. Your manager will gladly answer them. We believe you will enjoy your work and your fellow employees here. We also believe you will find the Butler Ambulatory Surgery Center a good place to work.

Our policies, benefits and rules, as explained in this handbook, may be changed from time to time as business, employment, legislation, and economic conditions dictate. Should any provision in this Employee Handbook be found to be unenforceable and invalid, such finding does not invalidate the entire Employee Handbook, but only the subject under provision.
MISSION STATEMENT

It is important that each of us understands and is aware of the formal mission of our company.

MISSION

The Butler Ambulatory Surgery Center is dedicated to providing high quality, cost effective, efficient, and comprehensive outpatient surgery healthcare for adults and adolescents and children in the region. Our mission is to serve as a community resource, dedicated to all patients and their families. We are committed to providing compassionate, state of the art care in a cost effective manner and to offering a full range of educational opportunities to health professionals and the community. Care is rendered without distinction as to religious beliefs, race, national origin, age sex or disability.
EMPLOYEE RELATIONS

Your Employment with Butler Ambulatory Surgery Center is ‘At Will’

This employee handbook is for informational purposes. It neither directly nor indirectly constitutes an employment contract between the company and the employee. Employees have the right to end their work relationship with the organization, with or without advance notice or cause. The organization has the same right.

Equal Employment Opportunity

We are committed to providing equal opportunity in all of our employment practices including employment, promotions, transfer, recruitment, compensation and selection for training, to all qualified applicants and employees without regard to age, race, religion, color, sex, disability, marital status, national origin or any other status protected by law. If you are an individual with a disability and you desire an accommodation of any kind, please let your manager know. We will be happy to assist you.

Unlawful Harassment

A. Philosophy

The Butler Ambulatory Surgery Center is committed to maintaining a work environment that is free of all harassment, including sexual harassment, and to fostering positive business and personal practices designed to ensure that all employees and shareholders are treated with respect and dignity in an environment that is neither hostile nor discriminatory. In keeping with this commitment, harassment of employees by anyone, including any supervisor, coworker, vendor, client or customer of the Butler Ambulatory Surgery Center is unacceptable. We encourage reporting of all incidents of harassment, regardless of who the offender may be.
B. Definition of Harassment

Harassment consists of unwelcome conduct, whether verbal, physical or visual, that is based upon a person’s sex, color, race, religion, national origin, age, disability, marital status or any other protected status. The Butler Ambulatory Surgery Center does not condone and will not accept conduct that affects tangible job benefits, that interferes unreasonably with an individual’s work performance, or that creates an intimidating, hostile, or offensive work environment. Harassment may occur in the work place or in other work-related settings such as business trips, court appearances, and business-related social events.

C. Definition of Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other physical, verbal or visual conduct based on sex constitutes sexual harassment when:

1. submission to the conduct is an explicit or implicit term or condition of employment,

2. submission to or rejection of the conduct is used as the basis for an employment decision, or

3. the conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment includes, but is not limited to, unwelcome sexual propositions, sexual innuendo, sexually suggestive comments, sexually oriented “kidding” or “teasing,” “practical jokes,” jokes about gender specific traits, displays of obscene printed or visual material, and unwelcome physical contact, such as patting, pinching, or brushing against another’s body.

The Butler Ambulatory Surgery Center recognizes that the issue of whether the sexual harassment has occurred requires a factual determination based on all of the evidence available. The Butler Ambulatory Surgery Center also recognizes that false accusations of harassment can have a serious affect on innocent men and woman.
D. Reporting Harassment

If you feel that you are being harassed by another person based upon your race, color, sex, religion, national origin, age, handicap, marital status or other prohibited factor, you are encouraged to firmly and promptly notify the offender that his or her behavior is inappropriate and unwelcome. If this is ineffective or if you feel uncomfortable confronting the offender directly, you should immediately report the harassment to your supervisor. If your supervisor is engaging in harassment or if you do not feel that the matter can be discussed with your supervisor, you should directly contact the Compliance Officer. Prompt reporting of harassment will enable the Butler Ambulatory Surgery Center to respond to your concerns more quickly and effectively.

Any complaint must be reduced to writing by the complaining party, or in cases of exigent or excusable circumstances, by the party receiving the complaint. In either event, the complaining party must sign the complaint.

The Butler Ambulatory Surgery Center forbids retaliation against anyone who has reported harassment. Retaliation in any form is a serious violation of this policy, and will result in discipline up to and including termination. Persons filing false, frivolous, or malicious complaints, however, will be subject to discipline up to and including termination.

E. Investigating the Complaint

The supervisor or other person receiving the complaint will file a written report with the Compliance Officer. The Compliance Officer, in consultation with the Medical Director, will conduct a prompt and thorough confidential investigation of the complaint and take appropriate disciplinary measures against the offending party, up to and including termination. The Compliance Officer may designate a specific individual(s) to conduct the investigation, and will notify the Board of Managers of all complaints of harassment. All complaints of sexual harassment and any information developed during the course of the investigation of the complaints will be kept strictly confidential unless required to be divulged as part of the investigation or pursuant to a legal proceeding.
F. Conclusion

The Butler Ambulatory Surgery Center has developed this policy to ensure that all of its employees and shareholders can work in an environment free from harassment, including sexual harassment. The Administrators will make every effort to ensure that all personnel are familiar with the policy and that any complaint received will be thoroughly investigated and appropriately resolved.

**Policies Against Workplace Violence**

A. Statement of Policy

The Butler Ambulatory Surgery Center recognizes that violence in the workplace is a growing nationwide problem necessitating a firm, considered response by employers. The costs of workplace violence are great, both in human and financial terms. We believe that the safety and security of our employees are paramount. Therefore, the Company has adopted this policy regarding workplace violence.

Acts or threats of physical violence, including intimidation, harassment, and/or coercion, that involve or affect the Company or that occur on Company property or in the conduct of Company business off Company property, will not be tolerated. This prohibition against threats and acts of violence applies to all persons involved in Company operations, including, but not limited to, Surgery Center personnel, contract workers, temporary employees, and anyone else on Butler Ambulatory Surgery Center property or conducting Company business off Company property. Violations of this policy, by any individual, will lead to disciplinary and/or legal action as appropriate.

This policy is intended to bring the Butler Ambulatory Surgery Center into compliance with existing legal provisions requiring employers to provide a safe workplace; it is not intended to create any obligations beyond those required by existing law.
B. Definitions

Workplace violence is any intentional conduct that is sufficiently sever, offensive, or intimidating to cause an individual to reasonably fear for his or her personal safety or the safety of his or her family, friends, and/or property such that employment conditions are altered or a hostile, abusive, or intimidating work environment is created for one or several Butler Ambulatory Surgery Center employees. Workplace violence may involve any threats or acts of violence occurring on Company premises, regardless of the relationship between the Company and the parties involved in the incident. It also includes threats or acts of violence that affect the business interests of the Company or that may lead to an incident of violence on Company premises. Threats or acts of violence occurring off Company premises that involve employees, agents, or individuals acting as a representative of the company, whether as victims of or active participants in the conduct, may also constitute workplace violence. Specific examples of conduct that may constitute threats or acts of violence under this policy include, but are not limited to, the following:

1. Threats or acts of physical or aggressive contact directed toward another individual;

2. Threats or acts of physical harm directed toward an individual or his/her family, friends, associates, or property;

3. The intentional destruction or threat of destruction of Company property or another employee’s property;

4. Harassing or threatening phone calls;

5. Surveillance;

6. Stalking;

7. Veiled threats of physical harm or similar intimidations; and
8. Any conduct resulting in the conviction under any criminal code provision relating to violence or threats of violence that adversely affects the Company’s legitimate business interest. Workplace violence does not refer to occasional comments of a socially acceptable nature. These comments may include reference to legitimate sporting activities, popular entertainment, or current events. Rather, it refers to behavior that is personally offensive, threatening, or intimidating.

C. Enforcement

Any person who engages in a threat or violent action on Company property may be removed from the premises as quickly as safety permits and may be required, at the Company’s discretion, to remain off Company premises pending on the outcome of an investigation of the incident.

When threats are made or acts of violence are committed by employee(s), a judgment will be made by the Company as to what actions are appropriate, including possible medical evaluation and/or possible disciplinary action.

Once a threat has been substantiated, it is the Butler Ambulatory Surgery Center’s policy to put the threat maker on notice that he/she will be held accountable for his/her actions and then implement a decisive and appropriate response.

Under this policy, decisions may be needed to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing. No existing policy or procedure of the Company should be interpreted in a manner that prevents the making of these necessary decisions.

**Important Note:** The Butler Ambulatory Surgery Center will make the sole determination of whether, and to what extent, threats or acts of violence will be acted upon by the Company. In making this determination, the Company may undertake a case-by-case analysis in order to ascertain whether there is a reasonable basis to believe that workplace violence has occurred. No provision of this policy shall alter the at-will nature of employment at the Butler facility.
**Employee Problem-Solving**

Employees may have problems regarding the performance of their work and the fairness of the administration of personnel policies and practices. In order to ensure that the employee’s problem or question will be resolved or answered as quickly and fairly as possible, the steps listed below must be followed:

- You should first bring your problem or question to the Director of Nursing who will make every effort to reach a satisfactory solution.

- If you are uncomfortable or if the problem is not resolved to your satisfaction, you may bring your problem or question to the Executive Director who will make every effort to reach a satisfactory solution.

- If your problem is not solved to your satisfaction, you may take your problem to the Medical Director with a written statement of your question or concern. At this point the problem is considered a formal grievance and the Medical Director will review the grievance with you and determine a solution.
GENERAL POLICIES AND PROCEDURES

Rules of Conduct

It is our policy that certain rules and regulations regarding employee behavior are necessary for the efficient operation of the company and for the benefit and protection of the rights and safety of everyone. Conduct that interferes with surgery center operations, brings discredit to the Butler Ambulatory Surgery Center and/or is offensive to coworkers, clients, patients or visitors will not be tolerated. The following procedures should be used to implement these policies:

- Employees shall always act in the Butler Ambulatory Surgery Center’s best interest by upholding the highest ethical standards. Such conduct includes:
  - Reporting to work on time.
  - Notifying the appropriate person when the employee will be absent or late to work.
  - Complying with all safety and health regulations.
  - Performing assigned job duties efficiently.
  - Maintaining a work area that is clean and orderly.
  - Treating all patients, coworkers, clients and visitors courteously and with respect.
  - Treating all patient records and information with confidentiality.
  - Wearing clothing appropriate for business office or surgery center work and grooming oneself in a neat and clean manner. Hair should be clean, combed and neatly trimmed or arranged. Perfumes must be worn discretely.
- No open-toed shoes
- Tattoos, body paint and body piercing (with the exception of small ear piercings) must be covered.
- Jewelry must be worn in moderation.
- Employees are required to adhere to the dress code in effect for their office or department.

- Refraining from smoking in any area of the Butler Ambulatory Surgery Center’s workplace.

The following conduct is prohibited and shall be subject to disciplinary action up to and including termination:

- Using alcoholic beverages on surgery center property or reporting to work under the influence of alcohol.

- Using profanity or abusive language.

- Soliciting or distributing non-company literature or products in work areas.

- Possessing firearms or other weapons on surgery center property.

- Misusing the Butler Ambulatory Surgery Center property or another employee’s property.

- Stealing.

- Falsifying medical group records, reports or other documents.

- Possessing, using, distributing or selling controlled substances and the improper use of legally prescribed drugs on surgery center property or in the course of employment with the Butler Ambulatory Surgery Center.

- Performing job duties carelessly or negligently.

- Causing or contributing to unsatisfactory working relationships.

- Violating safety regulations.
- Lying.

- Divulging confidential information.

- Reviewing confidential business files of the Butler Ambulatory Surgery Center, including other employees’ personnel files, except as required by your job.

The above examples are illustrative of the types of employee behavior that shall not be permitted, but this list is not intended to be all-inclusive.

**Safety Rules**

Safety is everybody’s business. Safety is to be given primary importance in every aspect of planning and performing all Butler Ambulatory Surgery Center activities. We want to protect you against industrial injury and illness, as well as minimize the potential loss of production.

Please report all injuries to your manager immediately, as well as anything that needs repair or is a safety hazard. Below are some general safety rules. Your manager or department head may post other safety procedures in your department or work area.

- Avoid overloading electrical outlets with too many appliances or machines.

- Use flammable items, such as cleaning fluids, with caution.

- Walk—don’t run.

- Use stairs one at a time.

- Report to your manager if you or your co-worker becomes ill or is injured.

- Ask for assistance when lifting heavy objects or moving heavy furniture.
• Keep cabinet, file and desk doors closed when not in use.

• Sit firmly or squarely in chairs that roll or tilt.

• Avoid “horseplay” or practical jokes.

• Keep your work area clean and orderly.

• Stack materials only to safe heights.

• Watch out for the safety of fellow employees.

Remember that failure to adhere to these safety rules will be considered serious infractions and may result in disciplinary action.

Workers’ Compensation – On-the-Job Injuries

The Butler Ambulatory Surgery Center, LLC is insured under the Workers’ Compensation Act. This insurance provides compensation for lost time, medical expenses, and loss of life or dismemberment from injury or illness arising out of or in the course of your regular duties. You must immediately report all work-related injuries to your supervisor. If you fail to report an injury, you may jeopardize your right to collect workers compensation benefits.

Security

Maintaining the security of the Butler Ambulatory Surgery Center is every employee’s responsibility. Develop habits to ensure security as a matter of course. For example:

• Always keep cash properly secured. If you are aware that cash in insecurely stored, immediately inform the person responsible.

• Know the locations of alarms and fire extinguishers.

• When you leave the Butler Ambulatory Surgery Center premises, make sure that all entrances are properly locked and secured.
**Employee Identification**

Identification is important when making initial contact with individuals as well as displaying a uniform professional appearance. All facility employees should be issued a name tag or badge upon hire. Name tags will display full legal name and position. Business office employees should be encouraged to wear their name tag during daily operations, especially those individuals who work in the reception area of the facility. Clinical employees in both the pre-/post-operative areas should wear name tags when appropriate. Due to numerous variables encountered in this environment, such as the wearing of sterile surgical attire, creating sterile fields, patient prepping and positioning, etc., these activities may warrant the removal of name tags, jewelry, watches and other items.

**Security and Visitor Etiquette**

All patients and visitors to the Butler Ambulatory Surgery Center shall be promptly greeted by the registration representative. All service and delivery personnel must announce themselves to the registration area before proceeding. In this way, the registration representative will know at all times who is in the building and, if necessary, where they may be located.

**Severe Weather Policy**

While the Butler Ambulatory Surgery Center does not want employees to take unreasonable risks in order to report to work during severe weather, the company expects to remain in operation during normal working days whenever possible. In the event that inclement weather prevents the center from operating, the emergency phone chain will be activated. Employees may call the Director of Nursing or the Executive Director to obtain information on operating hours or to learn if the office has declared a “severe weather day”.
If an “inclement weather day” is declared, employees may choose from one of the following options to account for the day.

- Hours may be unpaid
- PTO hours may be used

If the center is open for operation, employees must call their supervisor 2 hours before their work shift if they are unable to report to work and must use PTO time to account for the hours off from work.

**Conflict of Interest and Outside Employment Statement**

**In General**

The Company expects our employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of the Company. Business dealings that appear to create a conflict between the interests of the Company and an employee are unacceptable. The Company recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to our business. However, the employee must disclose any possible conflicts so that the Company may assess and prevent potential conflicts of interest from arising. A potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or an immediate family member (i.e., spouse or significant other, children, parents, siblings) as a result of the Company's business dealings.

Although it is not possible to specify every action that might create a conflict of interest, this policy sets forth the ones that most frequently present problems. If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should immediately contact their administrator to obtain advice on the issue. The purpose of this policy is to protect employees from any conflict of interest that might arise.

A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination.
Outside Employment

Employees are required to notify their supervisor before participating in outside work activities. In general, outside work activities are not allowed when they:

- prevent the employee from fully performing work for which he or she is employed at the Company, including overtime assignments;
- involve organizations that are doing or seek to do business with the Company, including actual or potential vendors or customers; or
- violate provisions of law or the Company's policies or rules.

From time to time, Company employees may be required to work beyond their normally scheduled hours. Employees must perform this work when requested. In cases of conflict with any outside activity, the employee's obligations to the Company must be given priority. Employees are hired and continue in the Butler Ambulatory Surgery Center’s employ with the understanding that the Butler Ambulatory Surgery Center is their primary employer and that other employment or commercial involvement, which is in conflict with the business interests of the surgery center, is strictly prohibited.

Acceptance of Gifts

No employee may solicit or accept gifts of significant value (i.e., in excess of $25.00), lavish entertainment or other benefits from potential and actual customers, suppliers or competitors. Special care must be taken to avoid even the impression of a conflict of interest.

An employee may entertain potential or actual customers if such entertainment is consistent with accepted business practices, does not violate any law or generally accepted ethical standards and the public disclosure of facts will not embarrass the Company. Any questions regarding this policy should be addressed to Administration.

Reporting Potential Conflicts

An employee must promptly disclose actual or potential conflicts of interest, in writing, to his or her supervisor. Approval will not be given
unless the relationship will not interfere with the employee's duties or will not damage the Corporation’s relationship.

**Confidential Nature of Work**

All Butler Ambulatory Surgery Center records and information relating to the facility or its customers are confidential and employees must, therefore, treat all matters accordingly. No Butler Ambulatory Surgery Center-related information, including without limitation, documents, notes, files, records, reports, oral information, computer files or similar materials (except in the ordinary course of performing duties on behalf of the Butler Ambulatory Surgery Center) may be removed from the Butler Ambulatory Surgery Center’s premises without permission. Additionally, the contents of the surgery center’s records or information otherwise obtained in regard to business may not be disclosed to anyone, except where required for a business purpose. Employees must not disclose any confidential information, purposefully or inadvertently through casual conversation, to any unauthorized person inside or outside the Company as this would be a violation of HIPPA regulations. Employees who are unsure about the confidential nature of specific information must ask their supervisor for clarification. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

**Computer Use Policy**

You are given access to our computer network to assist you in performing your job. You should not have an expectation of privacy in anything you create, store, send, or receive on the computer system. The computer belongs to the corporation and may only be used for business purposes. Without prior notice, the company may review any material created, stored, sent, or received on its network or through the Intranet.

The Butler Ambulatory Surgery Center LLC relies on its computer network to conduct business. To ensure that its computer resources are used properly by its employees, independent contractors, agents, and other computer users the Butler Ambulatory Surgery Center Corporation has created this Computer Use Policy. All computer users are obligated to use these resources responsibly, professionally, ethically and lawfully.
The rules and obligations described in this policy apply to all users of the surgery center’s computer network, wherever they may be located. Violations will be taken very seriously and may result in disciplinary action, including possible termination, and civil and criminal liability.

Internet or any other computer network.

Use of the computer resources for any of these activities is strictly prohibited:

- Sending, receiving, downloading, displaying, printing, or otherwise disseminating material that is sexually explicit, profane, obscene, harassing, fraudulent, offensive, defamatory, or otherwise unlawful.

- Broadcasting, distributing, or storing commercial or personal advertisements, solicitations, promotions, destructive programs (that is, viruses or self-replicating code), political information, or any other unauthorized material.

- Wasting computer resources by, among other things, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, printing multiple copies of documents or otherwise creating unnecessary network traffic.

- Using or copying software in violation of a license agreement or copyright.

- Violating any state, federal, or international law.

Without prior authorization from the Director of Information Technology, users may not do any of the following:

1. Copy software for use on their home computers
2. Provide copies of software to any independent contractors or clients of Butler Ambulatory Surgery Center corporation or to any third party
3. Install software on any of the Butler Ambulatory Surgery Center’s workstations or servers
4. Download any software from the Internet or other online service to any of the surgery center’s workstations or servers
5. Modify, revise, transform, recast or adapt any software
6. Reverse-engineer, disassemble, or decompile any software

If you are aware of someone misusing the Butler Ambulatory Surgery Center’s computer resources or violating copyright law, you are obligated to report the incident immediately to your supervisor.

**Use of Office Facilities and Property**

Employees are not permitted to use office supplies or equipment for their personal use without first obtaining permission from their supervisor. Stationery or forms on which the company name appears may not be used for personal purposes at anytime.

No equipment, documents, records or other property of any kind, belonging to the Butler Ambulatory Surgery Center, shall be removed from the premises by an employee without first obtaining authorization from a senior manager, or physician.

Personal use of any medications (including sample drugs), equipment or instruments provided in the surgery center is strictly forbidden without the permission of the site manager or physician.

**Telephone and Cell Phone Use**

Use of the company telephones or personal cell phones for outside calls or personal matters must be held to a minimum. Urgent or emergency local calls may be made at the employee’s discretion. A reasonable standard the company encourages is to limit personal calls during work time to no more than one per day as needed. If you are making a personal call on company telephones, be constantly alert. If all the lines should become busy, you should terminate your call immediately. It will be the policy of the office staff to take the name and number of parties calling employees on personal business so the employee may return the call at a convenient time.

**CELL PHONE USAGE WHILE ON DUTY IS PROHIBITED!!!**
**Employing Relatives**

Members of an employee’s immediate family will be considered for employment on the basis of their qualifications. Immediate family may not be hired, however, if the employment would:

A. Create a supervisor/subordinate relationship with a family member;

B. Have the potential for creating an adverse impact on work performance; or

C. Create either an actual conflict of interest or the appearance of a conflict of interest.

This policy must also be considered when assigning, transferring, or promoting an employee. For the purpose of this policy, immediate family includes: spouse, parent, child, sibling, in-law, aunt, uncle, niece, nephew, grandparent, grandchild, and members of household. This policy also applies to romantic relationships.

Employees who become immediate family members or establish a romantic relationship may continue employment as long as it does not involve any of the above. If one of the conditions outlined should occur, attempts will be made to find a suitable position within the surgery center to which one of the employees will transfer. If employees become immediate family members or establish a romantic relationship, the company will make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security and morale. If accommodations of this nature are not feasible, the employees will be permitted to decide which of them will resign. If the employees cannot make a decision, the company will decide in its sole discretion who will remain employed.
**Attendance & Punctuality**

If you must remain home on a workday due to illness, injury or other justifiable reason, your supervisor must be notified as soon as possible. You are expected to call personally. If, for physical reasons, you are unable to do so, a member of your family should call.

**Excessive Absenteeism**

In general, four (4) absences in a 90-day period, or a consistent pattern of absence, will be considered excessive. Patterns of tardiness or leaving early will carry the same weight as an absence. Other factors, like the degree of lateness, may be considered.

Be aware that excessive absenteeism, lateness or leaving early may lead to disciplinary action, including possible dismissal.

**Parking**

Parking for employees is available in designated areas only.

**Entering & Leaving the Premises**

At the time you are hired, you will be advised about the proper entrances and exits for our employees. You are expected to abide by these rules at all times. Failure to do so will lead to disciplinary action.

**Disciplinary Procedures**

Every employee is responsible for observing the Butler Ambulatory Surgery Center’s policies, procedures and standards of conduct. The primary purpose of a disciplinary policy is to conform to established rules and regulations of the company and to promote safe, efficient and effective operations.

Occasionally, corrective action becomes necessary because of a violation/infraction of a work rule/expectation. Depending on the
circumstances and the employee’s record, the corrective action may include any of the following disciplinary steps:

- **Verbal Warning** - Discussion with superior regarding the policy or rule that was violated or inadequate performance.

- **Written Reprimand** - Written notice of an infraction.

- **Probationary Status** - Employee placed on probation for a specific period of time.
  - Employees are not eligible for paid time off (PTO), bonuses, or holiday pay during the probationary period.

- **Suspension Without Pay** - A suspension may be issued by the manager following a written reprimand or any violation warranting immediate suspension.
  - Employees are not eligible for paid time off (PTO), bonuses or holiday pay during the suspension period.

- **Discharge** - Dismissal will be made by the manager after a thorough investigation of the situation, including an interview with the employee.

The supervisor determines the level of discipline assessed in a given situation after reviewing the conduct, surrounding circumstances and employee’s record. Management reserves the right, based on the seriousness of the situation, to take any level of corrective action deemed appropriate.

**Leaving the Butler Ambulatory Surgery Center**

We strive to maintain continuous employment for all employees, but we also recognize that conditions may develop which preclude continuous employment. These conditions include employee resignation, discharge or reduction of staff (layoff).

The following procedures are used to implement this policy:

A. If you anticipate having to resign your position with the Butler Ambulatory Surgery Center, you are expected to provide written
notice to your manager at least 2 weeks in advance of the date that you must leave. Management employees are required to give 4 weeks notice. Bear in mind that vacation days and personal days may not be included in the notice period.

Failure to give the required notice may result in forfeiture of accrued Paid Time Off (PTO) and ineligibility for reemployment.

B. Any employee who is absent from work without notifying their manager of the reason for the absence shall be considered as having abandoned the job and as having resigned after the third consecutive day of absence.

C. Employees leaving the company must return office keys, security passes, Identification Badges, etc., before their final paycheck can be issued. This final paycheck will be mailed during the next normal pay period. If there are unpaid obligations to the company, the final paycheck will reflect the appropriate deductions.

D. Any used but unearned PTO will be deducted from your final paycheck. Any earned but unused PTO will be included in your final paycheck.

Employment Verification

The following information will be available to employers/creditors seeking employment verification from the Butler Ambulatory Surgery Center:

A. Employee’s date of hire, job title, full-time or part-time status, office location, termination date and eligibility for rehire.

B. Additional information may be released if authorized in writing by the employee.

Policies Subject to Change

The Butler Ambulatory Surgery Center continually reviews its personnel policies and employee benefits and reserves the right to modify, supplement, amend or delete any provisions contained in this Manual. This Manual does not represent the entire policies of the Butler Ambulatory Surgery Center, but is designed to provide guidance to many essential personnel actions.
EMPLOYMENT

Selection of Employees

Our policy is to employ individuals who are best qualified to fulfill the needs of the surgery center. Selection is based on:

A. The applicant’s ability to meet the requirements of the position for which he/she is applying.

B. Results of employment interview.

C. References and/or verifications provided by former employers and schools attended.

Workplace Safety – Background Screening

The company recognizes the importance of maintaining a safe workplace with Employees who are honest, trustworthy, qualified, reliable, and nonviolent, and do not present a risk of serious harm to their coworkers or others. For purposes of furthering these concerns and interests, the Company reserves the right to investigate an individual’s prior employment history, personal references, and educational background, as well as other relevant information that is reasonably available to the company. The company may review an applicant’s or an Employee’s credit report and criminal background, if any. In the event that a background check is conducted, the Company will comply with the federal Fair Credit Reporting Act and applicable state laws, including providing the job applicant or employee with any required notices and forms. Consistent with these practices, job applicants or employees may be asked to sign certain authorization and release forms. Consistent with legal requirements, the Company reserves the right to require job applicants or Employees to sign the forms as requested as a condition of employment.
**Employee Classifications**

It is the policy of the Butler Ambulatory Surgery Center to hire employees as full-time, part-time or casual. The following is a definition of an employee’s status and classifications:

A. Employees in a full-time position work at least thirty-six hours per week or seventy-two hours/pay and are eligible for benefits.

B. Employees in a part-time position work less than thirty-six hours per week or less than seventy-two hours/pay and are eligible for some part-time benefits.

C. Employees in a casual position work as needed with a minimum requirement of one day/month. There are no benefits associated with this classification.

**Probationary Period**

New, rehired and promoted employees will be subject to a 90-day probationary period. This period of time is used to learn your job responsibilities and to make a satisfactory adjustment to your working conditions. An employee is considered regular upon successful completion of this probationary period as determined by the supervisor. Management may extend the probationary period up to an additional six months when the employee is making progress but has not reached a satisfactory performance level. During the 90-day or extended probationary period, the new or rehired employee will not be eligible for bonuses, paid time off (PTO) or holiday pay. If you leave during the 90-day or extended probationary period, the new or rehired employee will forfeit any accrued PTO time.

**Orientation**

All employees will participate in an orientation program, usually during the first 2 weeks of employment. During this time, you will complete the necessary forms related to payroll, benefits and employee records. Your supervisor will introduce you to your co-employees, your work area, and will explain Butler Ambulatory Surgery Center policies, procedures and work requirements.
**Promotion/Transfer**

Promotions and transfers are made on the basis of current job performance records, performance evaluations, experience, education, knowledge, skills and abilities. Seniority is considered only when two or more applicants possess equal qualifications. Employees under disciplinary action will not be considered for promotion and/or transfer.

The promotion/transfer policy is applicable to employees who have been in their present position for a minimum of six months. To be considered for a promotion or transfer, employees should follow the transfer procedures. Employees are allowed time off, with pay, for job interviews related to an inter-company promotion or transfer.

**Personnel Records**

Please notify the Director of Information Systems of any changes in name, address, telephone number, dependents, marital status, emergency notification, educational achievements or any other pertinent information. This is necessary for both legal and administrative purposes.

**Licensure & Certification**

If you are required to have a licensure or certification as a condition of employment, you will be required to present your current license or certification at the time of employment and annually thereafter. Failure to obtain, or maintain current licensure or certification will be grounds for immediate dismissal.

An employee conditionally hired before receiving his/her licensure or certification must obtain the required licensure or certification within 60 days of employment. In the event the employee does not pass the required examinations for his/her licensure or certification, she/he will be moved to a lesser position, if such is available, or may be reclassified pending a second exam within 60 days of the results of the first exam. The employee’s current rate of pay would also be adjusted accordingly. Failure to pass a second exam will be considered grounds for dismissal unless the employee can be moved to another position not requiring license/registration.
COMPENSATION

Salary

Every effort is made to arrive at a fair and equitable salary for each employee. Some of the factors influencing the employee’s salary are:

- Prevailing salary scale in the community or area
- Salary scale for the position
- Training and experience required for the position
- Attitude, cooperation, loyalty and dedication
- Initiative, creativity, and problem-solving
- Quality of work and quantity of work
- Ability to follow and carry out instructions
- Commitment to customer satisfaction
- Attendance

Wages

Employees are paid biweekly on Fridays. The payroll workweek begins on Sunday and ends on Saturday. All compensation paid will be subject to withholding and social security taxes based on exemption information supplied by the employee.

Salary and bonus information is confidential and should not be discussed with other staff members. Employees who divulge confidential payroll information to other staff members will be subject to immediate dismissal.

Pay Advances

Neither pay advances nor extensions of credit on unearned wages will be provided to employees. If a regular payday falls during an employee’s vacation, the employee’s paycheck will be available upon his or her return from vacation.
**Direct Deposit**

You may use the automatic payroll deposit system if you would like the convenience of having an automatic, immediate, and confidential deposit of your paycheck every two weeks. You will receive a deposit notification instead of an actual paycheck to verify that your check has been deposited to your checking, savings, or Credit Union account. This cost-free benefit is available by completing an authorization form. Two full pay periods are required to process the automatic payroll deposit before it becomes available. Those employees that receive live checks can not deposit them prior to pay day. Doing so may subject you to penalties imposed by the payroll processing company.

**Hours**

It is the policy of the Butler Ambulatory Surgery Center to establish working hours as required by workload, staffing requirements and patient needs. The following procedures should be followed:

A. The Medical Director will determine surgery center hours.

B. All employees scheduled to work six (6) consecutive hours or more should observe an unpaid lunch period of one-half hour. This lunch break shall be in addition to the hours of work used in determining the length of the workday.

C. Additional breaks may be provided based on the daily work schedule and staffing availability.

**Overtime**

A. Work beyond your regularly scheduled shift is not encouraged. Occasionally, it may be necessary for you to work overtime. Employees are expected to stay when required, and overtime will be compensated at one and one-half times your regular hourly rate, if the worked time is more than 40 hours during the work week (Sunday through Saturday). Overtime must be approved in advance by your manager. Holidays and PTO do not count as hours worked in computing overtime.
B. Employees who are classified as exempt (salaried) under the Fair Labor Standards Act are not paid overtime.

**Expense Reimbursement**

You must have your manager’s authorization (requisition, purchase order, etc.) prior to incurring any expense on behalf of The Butler Ambulatory Surgery Center. To be reimbursed for all authorized expenses, you must submit an expense form including all supporting documentation (receipts) to your supervisor within one (1) month of incurring the expenses.

**Time Keeping Records**

Federal regulations require that the company maintain records of employees’ work. All nonexempt employees (those subject to the minimum wage and overtime provisions of the Fair Labor Standards Act) must complete a time sheet or other time-keeping record showing the daily hours worked. It is important that these records are accurate and thorough since your pay and certain benefits are directly calculated from these records.

Corrections or additions to time-keeping records must be authorized by an immediate supervisor or senior manager. Falsification or misuse of the timekeeping system can subject an employee to discharge. Swiping in another employee or asking someone else to swipe your card will be grounds for discipline or discharge.
**Cafeteria Plan**

The Butler Ambulatory Surgery Center sponsors a Cafeteria Plan (the “Plan”) to provide its employees with an opportunity to select benefits under the Company’s Group Heath Care Plan, as well as the Medical Reimbursement Plan, on a more favorable basis. Under this program, you will be able to pay for coverage made available to you under each of these plans with a portion of your pay before federal income or social security taxes are withheld. The amount each employee contributes would be determined by the type of coverage selected. This means that you will pay less tax and have more money to spend and save.

Employees who work a minimum of 36 hours per week are eligible to participate in the cafeteria plan. Insurance benefits will commence on the first of the month following the employees hire date.

To become a participant, you must elect or decline each individual health plan offered, on the designated enrollment form. Once an election is made, it cannot be changed during the plan year unless you have a change in “family status.”

At the end of the plan year you will be given the opportunity to change your elections during open enrollment. Open enrollment normally occurs in November of each year. If you do not change the elections already in place from the previous Plan Year, the Company will assume that your election with respect to the Group Health Care Plan to remain the same.

If you have medical coverage under a spouse’s plan and a qualifying event occurs, you may be able to enter the Plan outside of the open enrollment period.

The information contained in this Employee Handbook describes the basic operation of the Cafeteria Plan, but it is no substitute for the Plan itself. In the case of any conflict between the terms of the Cafeteria Plan and this description, the terms of the Plan are controlling.
**Medical Insurance**

Full-time employees are eligible for group medical coverage as of the first day of the month following their hire date. Details of the medical coverage are provided in the Summary of Benefits.

**Dental Insurance**

Full-time employees are eligible for group dental coverage as of the first day of the month following their hire date. Details of the dental coverage are provided in the Summary of Benefits.

**Vision Discount Program**

Details of the vision discount program are provided in the Summary of Benefits.

**Life Insurance**

The Butler Ambulatory Surgery Center provides benefit-eligible employees (i.e., full-time employees) an employer-paid basic group term life policy along with an accidental death and dismemberment policy. Employees may purchase additional coverage for themselves and their eligible dependents in accordance with plan provisions.

Details of the life and accidental death and dismemberment policies are provided in the Summary of Benefits.
**Long-Term Disability Insurance**

The Butler Ambulatory Surgery Center offers benefit-eligible employees a non-contributory Long-Term Disability ("LTD") plan that provides for monthly LTD benefits of 60% of basic monthly earnings to a maximum benefit of $10,000 per month. In accordance with plan provisions, benefits may be provided to eligible employees who have been unable to work due to illness or accident for a period of 90 consecutive days.

Details of the long-term disability plan are provided in the Summary of Benefits.

**401k Program**

The company offers a voluntary pre-tax salary reduction plan to regular employees who have completed one (1) Year of Service and have also attained the age of twenty-one (21). You will have completed a Year of Service if, at the end of your first twelve consecutive months of employment with us, you have been credited with at least 1,000 Hours of Service. If you have not been credited with 1,000 Hours of Service by the end of your first twelve consecutive months of employment, you will have completed a Year of Service at the end of any following Plan Year (calendar year) during which you were credited with 1,000 Hours of Service. You may begin participating under the Plan the first day of the Plan Year quarter coinciding with or next following the date you satisfy the Plan’s eligibility requirements. The “open enrollment” periods during which you may increase the dollar amount or the percentages of your contributions are around January 1, April 1, July 1, and October 1 of each year. Notices of these “open enrollment” periods and other information regarding the Plan are circulated to all employees periodically throughout the year.

Further details about the Plan may be obtained from the Human Resources Department and the Plan document.

**COBRA**

Benefits (Life, Medical, Dental) end on the last day of the month in which you and/or your covered dependents cease to be eligible for coverage due to a qualifying event (e.g., termination of employment,
reduction in work hours, attainment of child maximum age). An employee and/or covered dependent, unless dismissed for gross misconduct, has the option to convert to individual life insurance and to continue Medical/Dental benefits in accordance with the Consolidated Omnibus Budget Reconciliation Act (“COBRA”) regulations.

**Supplemental Insurance**

Butler Ambulatory Surgery Center provides the employee (full and part time) the ability to purchase a wide variety of supplemental insurance products through AFLAC or a similar provider. These policies are paid for 100% by the employee through a direct pre-tax payroll deduction.
**TIME OFF**

*Paid Time Off*

Paid Time Off (“PTO”) is designed to allow employees to take a specific number of days off, with pay, to be used for vacation, illness, family needs or funeral leave.

Employees begin to accrue paid time off on the date their employment begins with the Butler Ambulatory Surgery Center. Paid time off does not accrue during leave of absence and may be taken in not less than half-day increments.

Employees will accrue paid personal time according to the schedule listed below. Accruals will be awarded based on an employee’s standard weekly schedule and will not fluctuate unless a permanent schedule change is made.

Accrued hours will be credited on the second pay period of each month. If your employment begins after the second pay period of the month, you will start to accrue paid time off as of the following month.

<table>
<thead>
<tr>
<th>Length of Service</th>
<th>Hours Scheduled per Week</th>
<th>Hours Accrued per Month</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 5 years (60 months)</td>
<td>36-40</td>
<td>10</td>
<td>(3 weeks/year)</td>
</tr>
<tr>
<td>0 to 5 years (60 months)</td>
<td>25-35</td>
<td>5</td>
<td>(1.5 weeks/year)</td>
</tr>
<tr>
<td>0 to 5 years (60 months)</td>
<td>8-24</td>
<td>3.4</td>
<td>(1 week/year)</td>
</tr>
<tr>
<td>6+ years</td>
<td>36-40</td>
<td>13.4</td>
<td>(4 weeks/year)</td>
</tr>
<tr>
<td>6+ years</td>
<td>25-35</td>
<td>7.5</td>
<td>(2.25 weeks/year)</td>
</tr>
<tr>
<td>6+ years</td>
<td>8-24</td>
<td>5</td>
<td>(1.5 weeks/year)</td>
</tr>
</tbody>
</table>

When PTO is to be used for vacation, adequate levels of staffing must be considered. PTO requests for vacation must be submitted to your manager a minimum of 4 weeks before the vacation period. If a conflict occurs between two or more personnel requesting vacation, priority shall be established on a rotation basis.

Employees must use all available Paid Time Off (PTO) for sick, personal, and vacation absences. Unpaid absences may only occur when an employee has used all of their accrued PTO. Unpaid absences may
result in the loss of certain benefits when minimum hours requirements are not met.

The Butler Ambulatory Surgery Center reserves the right to require a physician’s certification of proof of illness, ability or inability to return to work.

PTO may be carried over from one year to the next. Full-time employees may carry over 120 hours; part-time employees may carry over 60 hours.

Employees who switch their status to casual will be paid any earned but unused PTO and must repay any used but unearned PTO.

**Holidays**

It is our policy to observe certain holidays each year. Each holiday observed by The Butler Ambulatory Surgery Center shall be a day off with pay for regular full-time employees in accordance with the following guidelines:

- The group shall observe the following schedule of holidays:
  
  - New Year’s Day
  - Memorial Day
  - Independence Day
  - Labor Day
  - Thanksgiving
  - Christmas
  - 2 “Float Days”

- A “float day” is an extra day that can be used for religious purposes, holidays outside of the company schedule, the employee’s birthday or at other times as deemed appropriate by the site. A float day must be requested in advance and is granted at the discretion of your manager. A “float day” can not be carried over from one year to another.

- Part-time employees will receive part-time holiday pay.

- To receive holiday pay, an eligible employee must be at work or on an authorized absence on the workdays immediately preceding and immediately following the day that the holiday is observed.
• If the holiday occurs during an employee’s vacation period, an additional day of vacation shall be granted at a time mutually convenient to the employee and management.

• Holidays that occur on a Saturday will be observed on Friday, those that occur on Sunday will be observed on Monday.

**Work Reductions**

Although our Surgery Center will always strive to maintain work to keep all our employees gainfully employed, we must recognize that, on occasion, business conditions may force the Surgery Center to make a reduction in its work force. Should this become necessary, decisions regarding reductions will include consideration of such factors including, but not limited to, length of service, job-related qualifications, performance and the needs of the Surgery Center.

**Leave Of Absence**

Leave of absence may be granted to eligible employees to provide for time off for personal, educational or other reasons not falling under the Family and Medical Leave Act provisions of this handbook within the following guidelines:

• Unpaid leaves of absence may be granted to full-time and part-time employees who have completed at least one continuous year of service and requested the leave in writing at least 30 days in advance.

• Management will make every effort to grant a leave of absence request when it is properly justified and in the best interest of the employee and surgery center.

• Leaves of absence will be without pay. The employee will be paid for any accrued PTO during the leave of absence. The employee will remain in a paid status during the period covered by the PTO. While in the unpaid status of the leave of absence, the employee will not be eligible for any medical benefit program that they may have previously participated in. If the employee wishes to continue medical benefits, they must do so under the provisions of COBRA.
• Leaves of absence may be granted for a period not to exceed twelve weeks. Extensions of leave of absence will only be granted in extenuating circumstances as approved by the Medical Director.

• Employees will not be eligible for holiday pay or allowed to accrue paid personal time off while on an approved leave of absence.

• The employee will be placed in his/her former job or a job comparable to the position held at the time of leaving and at the rate of pay when the leave commenced, if such a job is available at the time of employee’s return from the leave. The Butler Ambulatory Surgery Center retains the right to fill the position if necessary in order to assure the smooth functioning of the Site.

• If the employee fails to return to work at the conclusion of an approved leave of absence, the leave shall be canceled and employment terminated. The effective date of termination shall be the last day worked.

Family and Medical Leave Act

If you have been employed by the Butler Ambulatory Surgery Center for at least one year and worked at least 1,250 hours during the twelve months preceding the commencement of a leave of absence, you are eligible for a family or medical leave of absence for a period of up to twelve weeks if certain conditions are met. In appropriate circumstances, you will be returned to the same or an equivalent position.

You will be entitled to family and medical leave for one of the following reasons:

1. The birth of a child and the care for the newborn child, if within twelve months of the birth of the child;
2. Placement of child for adoption or foster care;
3. Care for a spouse, child or parent who has a serious health condition; or
4. Inability to perform the functions of your position due to a serious health condition.
If the necessity for the leave is foreseeable, you must provide Butler Ambulatory Surgery Center administration with 30 days advance written notice of a request for a leave; in any case, notice is required as soon as such notice is practical. To request leave, you must complete an Application for Family Medical Leave which is provided by your administrator.

If you participate in the Butler Ambulatory Surgery Center’s medical benefits program, those benefits will continue while you are on Family and Medical Leave. The amount normally deducted from your pay for benefits will be made in advance from your last pay prior to going on leave. It will be assumed that the employee will be on leave for the full twelve week period. Reconciliation of deductions will be made upon the employees return from leave of absence.

Under the Butler Ambulatory Surgery Center’s uniformly applied FMLA policy, employees are required to use accrued PTO during a Family Medical Leave. The period covered by PTO and the FMLA leave will run concurrently.

**Jury Duty**

When an employee is called for jury duty, he/she will be excused from work for up to five days with compensation. Any compensation received from the courts must be submitted to your supervisor or the accounting office.

An employee summoned as a juror or subpoenaed as a witness shall present to his or her supervisor the original summons or subpoena from the court to receive permission to be excused from work.

**Funeral Leave**

Full time employees are eligible for up to three days of paid leave, commensurate with their regular work schedule, in the event of an immediate family member’s death. Immediate family includes parents or legal guardian, spouse, brother, sister, children, mother-in-law, father-in-law, grandchildren and grandparents. Evidence of death and/or relationship of the deceased may be required by your supervisor.
Military Leave

An employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves or Public Health Service will be granted an unpaid leave of absence for military service, training or related obligations in accordance with applicable law. Employees on military leave may substitute their accrued paid leave time for unpaid leave.

Employees must present a copy of their orders to their immediate supervisors so that necessary arrangements can be made to accommodate the absence. Employees who serve for less than 31 days or who report for a fitness examination, are required to return to work for the first regularly scheduled shift after the end of training, allowing for reasonable travel time.

Employees on longer military leave must apply for reemployment in accordance with all applicable federal and state laws. Every reasonable effort will be made to return eligible employees to their previous or an equivalent position.

During a military leave of less than 31 days, an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. For military leaves of more than 30 days, an employee may elect to continue his/her health coverage for up to 18 months of uniformed service, but may be required to pay all or part of the premium for the continuation coverage. The premium is to be calculated in the same manner as that required by COBRA.