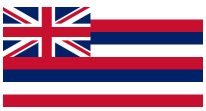
# NMC, Inc. Employee Manual



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## ABOUT THIS HANDBOOK/DISCLAIMER

We prepared this manual to help employees find the answers to many questions that they may have regarding their employment with NMC, Inc.. Please take the necessary time to read it.

We do not expect this manual to answer all questions. Supervisors and Human Resources also serve as a major source of information.

Neither this manual nor any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. NMC, Inc. adheres to the policy of employment at will, which permits NMC, Inc. or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

No NMC, Inc. representative other than the CEO may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be in a signed writing.

Many matters covered by this manual, such as benefit plan descriptions, are also described in separate NMC, Inc. documents. These NMC, Inc. documents are always controlling over any statement made in this manual or by any member of management.

This manual states only general NMC, Inc. guidelines. NMC, Inc. may, at any time, in its sole discretion, modify or vary from anything stated in this manual, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and the CEO.

This manual supplements the NMC, Inc Manual here: https://newmexicoconsortium.org/wp-content/uploads/2026/03/EE-Manual-040226.pdf

State specific requirement may supercede the regulations in that Manual.

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**Section 1 - Governing Principles of Employment**

## Introduction

On behalf of NMC, Inc., let me extend a warm and sincere welcome to employees commencing with us.

For employees who have been with us, thanks for your past and continued service.

I extend my personal best wishes for success and happiness here at NMC, Inc.. We understand that it is our employees who provide the services that our customers rely upon, and who will enable us to create new opportunities in the years to come.

Dr. John Engen, CEO

## Equal Employment Opportunity

NMC, Inc. is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, pregnancy-related conditions, and lactation), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws and ordinances. NMC, Inc.'s management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs, and general treatment during employment.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of HR Manager. NMC, Inc. will not allow any form of retaliation against employees who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact HR Manager. To ensure the workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

## Reasonable Accommodations & Interactive Dialogue

NMC, Inc. is committed to complying with applicable federal, state, and local laws governing reasonable accommodations of individuals, including, but not limited to, the Americans with Disabilities Act (ADA) and the Pregnant Workers Fairness Act (PWFA). To that end, NMC, Inc. will endeavor to make a reasonable accommodation to applicants and employees who have requested an accommodation or for whom NMC, Inc. has notice may require such an accommodation, related to an individual's:

- Disability, meaning any physical, medical, mental, or psychological impairment, or a history or record of such impairment;
- Sincerely held religious beliefs and practices;
- Needs as a victim of domestic violence, sex offenses, or stalking;
- Needs related to pregnancy, childbirth, or related medical conditions; and/or
- Any other reason required by applicable law, unless the accommodation would impose an undue hardship on the operation of our business.

Reasonable accommodations can take many forms. For example, reasonable accommodations for pregnancy, childbirth, or related medical conditions include but are not limited to things such as the ability to carry or keep water near and drink, as needed; allowing the employee additional restroom breaks; allowing the employee whose work requires standing to sit and whose work requires sitting to stand; allowing the employee breaks, as needed, to eat and drink; accommodations related to lactation; time off to recover from childbirth; modification of equipment; appropriate seating; temporary transfer to a different position that the employee is able to perform; restructuring job duties; light duty; or a modified work schedule. NMC, Inc. will work with the employee to determine what accommodation is appropriate for the employee, given the employee's unique circumstances, that does not impose an undue hardship on NMC, Inc..

Any employee who would like to request an accommodation based on any of the reasons set forth above should contact HR Manager. Accommodation requests can be made in writing using a form which can be obtained from HR Manager. If the employee who has requested an accommodation has not received an initial response within five (5) business days, they should contact the CEO.

Unless otherwise required by law, NMC, Inc. may request that the employee provide supporting documentation. Cooperating with NMC, Inc. by returning requested information in a timely fashion is required.

After receiving a request for an accommodation or learning indirectly that the employee may require such an accommodation, NMC, Inc. will engage in an interactive dialogue with the employee.

Even if the employee has not formally requested an accommodation, NMC, Inc. may initiate an interactive dialogue under certain circumstances, such as when NMC, Inc. has knowledge that employee's performance at work has been negatively affected and a reasonable basis to believe that the issue is related to any of the protected classifications set forth above, in compliance with applicable law. In the event NMC, Inc. initiates an interactive dialogue, it should not be construed as NMC, Inc.'s belief the employee requires an accommodation, but will serve as an invitation for the employee to share with NMC, Inc. any information the employee desires to share, or to request an accommodation.

The interactive dialogue may take place in person, by telephone, or by electronic means. As part of the interactive dialogue, NMC, Inc. will communicate openly and in good faith with the employee in a timely manner in order to determine whether and how NMC, Inc. may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, NMC, Inc. will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the employee. NMC, Inc. is not required to provide the specific accommodation sought by the employee, provided the alternatives are reasonable and either meet the specific needs of the employee or specifically address the employee's limitations.

NMC, Inc. will endeavor to keep confidential all communications regarding requests for reasonable accommodations and all circumstances surrounding the employee's underlying reason for needing an accommodation.

NMC, Inc. will not allow any form of retaliation against employees who have requested an accommodation, for whom NMC, Inc. has notice may require such an accommodation, or who otherwise engage in the interactive dialogue process.

Employees with questions regarding this policy should contact HR Manager.

## Hawaii: Pregnancy Accommodations

NMC, Inc. will endeavor to make every reasonable accommodation to the needs of individuals affected by pregnancy, childbirth, or related medical conditions.

Reasonable accommodations may include, but are not limited to:

1. Allowing time off from work for doctor's appointments;
2. Allowing the pregnant employee to sit instead of stand while working;

3. Excusing from or providing assistance for lifting tasks;
4. Reassigning the pregnant employee to a light duty and/or other vacant position;
5. Allowing more frequent breaks or rest periods; and
6. Allowing the pregnant employee to take sick leave.

Employees affected by pregnancy, childbirth, or related medical conditions will be granted an unpaid leave of absence for a reasonable period of time as determined by and the employee's physician, with regard for the employee's physical condition and the job requirements. The employee may request a doctor's certificate in advance of the leave setting forth the estimating the length of leave and the estimated start and end dates for leave required by the employee.

During leave, the employee may qualify for monetary short-term disability benefits or time off benefits to the same extent as any other employee. Health insurance benefits will continue during leave, subject to the terms of the health insurance plans.

Leave under this policy runs concurrently with all other applicable NMC, Inc. leaves, to the extent permitted by applicable law.

Any employee who has taken leave due to pregnancy or related medical conditions will be reinstated to the employee's original job or to a position of comparable status and pay, without loss of accumulated service credits and privileges. NMC, Inc. may request, prior to the employee's return, a medical certificate from the employee's physician attesting to the employee's physical condition and approving the employee's return to work.

NMC, Inc. will not penalize employees because they require time away from work for a known limitation due to or resulting from pregnancy, childbirth, or related medical conditions.

If employees have any questions regarding this policy or if they wish to request an accommodation, they should contact HR Manager.

## Non-Harassment

It is NMC, Inc.'s policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by NMC, Inc..

The purpose of this policy is not to regulate any employee's personal morality, but to ensure that no one harasses another individual in the workplace, including while on NMC, Inc. premises, while on NMC, Inc. business (whether or not on NMC, Inc. premises) or while representing NMC, Inc.. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

**Harassment Defined**

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails), or physical conduct (including physically threatening another, blocking

someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

**Sexual Harassment Defined**

Sexual harassment can include all the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that violate this policy include:

- Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters, and drawings;
- Sexually explicit emails, text messages, or voicemails;
- Uninvited touching of a sexual nature;
- Unwelcome sexually related comments;
- Conversation about a person's own or someone else's sex life;
- Conduct or comments consistently targeted at a single gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender.

**Reporting Procedures**

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to the Employee's Supervisor. If the employee is unable for any reason to contact this person or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact HR Manager. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

**Investigation Procedures**

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

**Retaliation Prohibited**

In addition, NMC, Inc. will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

## Drug-Free and Alcohol-Free Workplace

To help ensure a safe, healthy, and productive work environment for our employees and others, to protect NMC, Inc. property, and to ensure efficient operations, NMC, Inc. has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for NMC, Inc..

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale, or distribution of controlled substances (including medical marijuana), drug paraphernalia, or alcohol by an individual anywhere on NMC, Inc. premises, while on NMC, Inc. business (whether or not on NMC, Inc. premises) or while representing NMC, Inc., is strictly prohibited. Employees and other individuals who work for NMC, Inc. also are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, which may impact the employee's ability to perform their job or otherwise pose safety concerns, except when the use is pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee or individual to report to work. However, this exception does not extend any right to report to work under the influence of lawful recreational or medical marijuana or to use such as a defense to a positive drug test, to the extent the employee is subject to any drug testing requirement, except as permitted by and in accordance with applicable law.

Violation of this policy will result in disciplinary action, up to and including discharge.

NMC, Inc. maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies and those who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. NMC, Inc. encourages employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs or jeopardizes the health and safety of any NMC, Inc. employee, including themselves.

Employees must notify NMC, Inc. within five (5) calendar days if they are convicted of a criminal drug violation in the workplace. Within ten (10) days of such notification or other actual notice, NMC, Inc. will advise the contracting agency of such conviction.

All employees are hereby advised that full compliance with the foregoing policy shall be a condition of employment at NMC, Inc..

Any employee who violates the foregoing drug-free workplace policy described above shall be subject to discipline up to and including immediate discharge.

In the discretion of NMC, Inc., any employee who violates the drug-free workplace policy may be required, in connection with or in lieu of disciplinary sanctions, to participate to NMC, Inc.'s satisfaction in an approved drug assistance or rehabilitation program.

In order to maintain a drug-free workplace, NMC, Inc. has established a drug-free awareness program to educate employees on the dangers of drug abuse in the workplace; NMC, Inc.’s drug-free workplace policy; the availability of any drug-free counseling, rehabilitation, and employee assistance programs; and the penalties that may be imposed for violations of our drug-free workplace policy. Such education may include: (1) distribution of NMC, Inc.’s drug-free workplace policy at the employment interview; (2) a discussion of NMC, Inc.’s policy at the new employee orientation session; (3) distribution of a list of approved drug assistance agencies, organizations, and clinics; (4) distribution of published educational materials regarding the dangers of drug abuse; (5) reorientation of all involved employees in cases in which a drug-related accident or incident occurs; (6) inclusion of the policy in handbooks and any other personnel policy publications; (7) lectures or training by local drug abuse assistance experts; (8) discussion by NMC, Inc.'s safety experts on the hazards associated with drug abuse; and (9) video tape presentations on the hazards of drug abuse.

## Workplace Violence

NMC, Inc. is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to NMC, Inc. and personal property.

NMC, Inc. does not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, NMC, Inc. specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, NMC, Inc. does expect and encourage employees to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in NMC, Inc. policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

**Prohibited Conduct**

Threats, threatening language or any other acts of aggression or violence made toward or by any NMC, Inc. employee WILL NOT BE TOLERATED. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto NMC, Inc. premises.

**Procedures for Reporting a Threat**

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede NMC, Inc.'s ability to investigate and respond to the complaints. All threats will be promptly investigated. All employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

If NMC, Inc. determines, after an appropriate good faith investigation, that someone has violated this policy, NMC, Inc. will take swift and appropriate corrective action.

If the employee is the recipient of a threat made by an outside party, that employee should follow the steps detailed in this section. It is important for NMC, Inc. to be aware of any potential danger in its offices. Indeed, NMC, Inc. wants to take effective measures to protect everyone from the threat of a violent act by employees or by anyone else.

**Section 2 - Operational Policies**

## Employee Classifications

For purposes of this manual, all NMC, Inc. employees fall within one of the classifications below.

**Full-Time Employees** - Employees who regularly work at least 40 hours per week who were not hired on a short-term basis.

**Part-Time Employees** - Employees who regularly work fewer than 40 hours per week who were not hired on a short-term basis.

**Short-Term Employees** - Employees who were hired for a specific short-term project, or on a short-term freelance, per diem or temporary basis. Short-Term employees generally are not eligible for NMC, Inc. benefits, but are eligible to receive statutory benefits.

Employees who regularly work at least 30 or more hours per week who were not hired on a short-term basis are eligible for health insurance benefits.

In addition to the above classifications, employees are categorized as either "**exempt**" or "**non-exempt**" for purposes of federal and state wage and hour laws. Employees classified as exempt do not receive overtime pay; they generally receive the same weekly salary regardless of hours worked. Such salary may be paid less frequently than weekly. The employee will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

## Your Employment Records

In order to obtain their position, employees have provided personal information, such as address and telephone number. This information is contained in their personnel file.

Employees should keep their personnel file up to date by informing HR Generalist of any changes. Employees also should inform HR Generalist of any specialized training or skills they acquire, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach employees in a crisis could cause a severe health or safety risk or other significant problem.

## Working Hours and Schedule

NMC, Inc. normally is open for business from 9 to 5, Monday through Friday.

Employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of the business, at some point NMC, Inc. may need to change individual work schedules on either a short-term or long-term basis.

Employees will be provided meal and rest periods as required by law. A supervisor will provide further details.

## Remote Work/Telecommuting

NMC, Inc. may allow employees to work remotely if their job duties and work performance are determined to be eligible for remote work. Eligibility will be decided on a case-by-case basis by NMC, Inc.. Employees also may be required to work remotely during periods of public health emergencies if government orders and mandates recommend such work.

This policy provides general information regarding remote work/telecommuting. Employees who are approved to work remotely should consult their individual agreement for specific details of their remote work/telecommuting arrangement, such as expected work hours, equipment provided, and other important information.

Any remote work/telecommuting arrangement may be discontinued by NMC, Inc. at any time and at the discretion of NMC, Inc.. Employees also may discontinue the arrangement but may not be guaranteed office space at NMC, Inc.'s location.

**At-Will Employment**

This policy and any individual agreement addressing this work arrangement do not create a contract of employment and are not intended to be considered or construed as a promise of continued employment. Employment is at will and may be discontinued at any time by NMC, Inc. or employee without notice, cause, or liability.

**Hours of Work**

Employees will work full time from home. Scheduled hours of work will be set by the employees' manager or supervisor. Employees should maintain regular contact with their supervisors and managers.

Nonexempt employees must accurately record all hours worked pursuant to NMC, Inc.'s timekeeping system and take rest and meal breaks as if in NMC, Inc.'s workplace and as required by law. Nonexempt employees may not work beyond scheduled working hours (including working more than 40 hours in a workweek) without prior, written authorization from their manager or supervisor.

**Location**

Employees will provide, at their expense, a secure, dedicated work area. Employees are responsible for maintaining the work area in a safe, secure, and nonhazardous condition at all times. Employees will maintain security devices and procedures necessary to prevent use by unauthorized persons, including by preventing the connection of any NMC, Inc.-furnished computer system, network, or database to any computer, network, or database other than a computer, network, or database to which connections are provided or authorized by NMC, Inc..

**Duties**

Employees are expected to follow all existing NMC, Inc. policies and procedures. The duties, obligations, responsibilities, and conditions of employment with NMC, Inc. remain unchanged. Employees must stay engaged with work throughout the workday and be fully available during normal business hours. If employees do not successfully perform their job duties remotely, this arrangement will be revoked. Employees are expected to follow existing NMC, Inc. policies with respect to scheduled and unscheduled time off, including the obligation to speak with their manager or supervisor before the scheduled start time in the event of an unscheduled absence, tardy, or early departure.

**Accidents and Injuries**

Employees agree to maintain safe conditions in the remote work space and to practice the same safety habits and rules applied on NMC, Inc. premises. If employees incur an injury arising out of the course and scope of the assigned job duties while working in the remote work space, the workers' compensation provisions in place for the state in which the employees are working will apply. Employees must notify their supervisor or manager immediately and complete all necessary and/or requested documents regarding the reported injury. NMC, Inc. assumes no responsibility for

injuries occurring in the remote work space outside normal working hours or for injuries that occur as a result of a reasonably recognizable unsafe remote work space.

**Equipment**

Employees agree to use electronic equipment that has been encrypted and meets all of NMC, Inc.'s security requirements. If NMC, Inc. provides equipment for home use, employees agree to provide a secure location for NMC, Inc.-owned equipment and will not use, or allow others to use, such equipment for purposes other than NMC, Inc. business. Employees have no expectation of ownership in such equipment, linkages, property, or other items installed or provided by NMC, Inc.. NMC, Inc. will bear the expense of removal of any such equipment, linkages, and installations provided by NMC, Inc. upon the termination of the remote work/telecommuting arrangement but not modification of or repairs to the work location. Employees hereby release NMC, Inc. from any damage or liability incurred in the installing or removal of the equipment provided by NMC, Inc..

**Return of NMC, Inc. Property**

All equipment, records, and materials provided by NMC, Inc. will remain NMC, Inc. property. Employees agree to return NMC, Inc. equipment, records, and materials upon request. All NMC, Inc. equipment will be returned by employees for inspection, repair, or replacement as needed or requested or immediately upon termination of the remote work/telecommuting arrangement. All equipment must be returned within five (5) business days of written notice to the employees.

**Expenses**

Upon presentment of receipts and in accordance with the Business Expense Reimbursement policy, NMC, Inc. will reimburse employees for certain preapproved expenses.

Regular household utility charges, such as electricity, water, phone, Internet service, auto, homeowners' insurance, etc., are not reimbursable unless state law requires reimbursement.

**Confidentiality**

Employees agree that they are subject to NMC, Inc.'s policies prohibiting the nonbusiness use or dissemination of NMC, Inc.'s confidential business information. Employees will take all appropriate steps to safeguard NMC, Inc.'s confidential business information, including segregating it from personal papers and documents, not allowing nonemployees to access such information, and keeping such information in locked drawers or file cabinets when not in use. Employees will maintain confidential information, including, but not limited to, information regarding NMC, Inc.'s products or services, processing, marketing and sales, client lists, client e-mail addresses and mailing addresses, client data, orders, memoranda, notes, records, technical data, sketches, designs, plans, drawings, trade secrets, research and development data, experimental work, proposals, new product and/or service developments, project reports, sources of supply and material, operating and cost data, and corporate financial information.

**Contact**

If employees have any questions concerning this policy or would like to apply to work remotely, they should contact HR Generalist.

## Artificial Intelligence

NMC, Inc. recognizes that the use of artificial intelligence (AI) tools can potentially assist employees with the performance of job duties. However, there are many risks. To ensure the protection of confidential information and the integrity of our operations, as set forth below, all employees who wish to use AI tools must receive management approval and, if granted, comply with the below best practices.

**Evaluation of AI tools.** Employees must evaluate the utility and security of any AI tool before using it. This includes reviewing the tool's security features, terms of service, and privacy policy. Employees also should review the reputation of the tool developer and any third-party services used by

the tool. But most importantly, employees must receive management approval prior to using any AI tool after explaining the manner in which it will be used and the benefits to the business.

**Protection of confidential data.** In using any AI tool, employees must not upload or share any confidential, proprietary, or protected data without prior written approval from the Head of Human Resources. This includes data related to customers, employees, or partners. Similarly, employees must ensure any AI tool does not utilize confidential or copyrighted information of a third party.

**Access control.** Employees must not give access to any AI tools approved for business use to anyone outside NMC, Inc. without prior approval from the Head of Human Resources and implementation of processes as required to meet security compliance requirements. This includes sharing login credentials or other sensitive information with third parties.

**Compliance with security policies.** Employees must apply the same security best practices we use for all NMC, Inc. and customer data. This includes using strong passwords, keeping software up-to-date, and following NMC, Inc.'s data retention and disposal policies.

## Timekeeping Procedures

Employees must record their actual time worked for payroll and benefit purposes. Non-exempt employees must record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason, on forms as prescribed by management.

Altering, falsifying or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

Exempt employees are required to record their daily work attendance and report full days of absence from work for reasons such as leaves of absence, sick leave or personal business.

Non-exempt employees may not start work until their scheduled starting time.

It is the employee's responsibility to sign time records to certify the accuracy of all time recorded. Any errors in the time record should be reported immediately to a supervisor, who will attempt to correct legitimate errors.

## Overtime

When NMC, Inc. experiences periods of extremely high activity, additional work may be required. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations. Employees may work overtime only with prior management authorization. Any non-exempt employee who works overtime without authorization may be subject to disciplinary action, up to and including termination.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) their regular hourly wage for all time worked in excess of 40 hours each workweek, unless otherwise required by applicable law. Overtime pay is calculated based on actual hours worked. Paid time off, holidays, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations. For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Sunday and ends 168 hours later at 12 a.m. on the following Sunday.

## Safe Harbor Policy for Exempt Employees

It is NMC, Inc.'s policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Those classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours they may work for NMC, Inc.. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing wage replacement benefits for such absences (deductions also may be made for the exempt employee's full-day absences due to sickness or disability before the employee has qualified for the plan, policy or practice or after the employee has exhausted the leave allowance under the plan);
- full-day disciplinary suspensions for infractions of our written policies and procedures;
- Family and Medical Leave Act absences (either full- or partial-day absences);
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- the first or last week of employment in the event the employee works less than a full week; and
- any full work week in which the employee does not perform any work.

Salary may also be reduced for certain types of deductions such as a portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions to a 401(k) or pension plan.

In any work week in which the employee performed any work, salary will not be reduced for any of the following reasons:

- partial day absences for personal reasons, sickness or disability;
- an absence because NMC, Inc. has decided to close a facility on a scheduled work day;
- absences for jury duty, attendance as a witness, or military leave in any week in which the employee performed any work (subject to any offsets as set forth above); and
- any other deductions prohibited by state or federal law.

However, unless state law provides otherwise, deductions may be made to accrued leave for full- or partial-day absences for personal reasons, sickness or disability.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to a supervisor. If the supervisor is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), they should immediately contact H Manager or any other supervisor in NMC, Inc. with whom the employee feels comfortable.

## Your Paycheck

Employees will be paid bi-weekly for all the time worked during the past pay period.

Payroll stubs itemize deductions made from gross earnings. By law, NMC, Inc. is required to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received.

If there is an error in any employee's pay, the employee should bring the matter to the attention of HR Manager immediately so NMC, Inc. can resolve the matter quickly and amicably.

Paychecks will be given only to the employee, unless the employee requests that they be mailed or authorizes in writing that another person may accept the check.

## Direct Deposit

NMC, Inc. strongly encourages employees to use direct deposit. Authorization forms are available from HR Manager.

## Salary Advances

NMC, Inc. does not permit advances on paychecks or against accrued paid time off. Advance pay for vacation must be requested in writing at least two weeks prior to the vacation period.

## Performance Review

Depending on the employee's position and classification, NMC, Inc. endeavors to review performance none. However, a positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management.

In addition to these formal performance evaluations, NMC, Inc. encourages employees and supervisors to discuss job performance on a frequent and ongoing basis.

## Record Retention

NMC, Inc. acknowledges its responsibility to preserve information relating to litigation, audits and investigations. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against NMC, Inc. and its employees and possible disciplinary action against responsible individuals (up to and including discharge of the employee). Each employee has an obligation to contact the HR Manager to inform them of potential or actual litigation, external audit, investigation or similar proceeding involving NMC, Inc. that may have an impact on record retention protocols.

## Job Postings

NMC, Inc. is dedicated to assisting employees in managing their careers and reaching their professional goals through promotion and transfer opportunities. This policy outlines the online job posting program which is in place for all employees. To be eligible to apply for an open position, the employees must meet the following requirements:

- Be a current, regular, full-time or part-time employee;
- Have been in current position for at least six (6) months;
- Maintain a performance rating of satisfactory or above;
- Not be on conduct/performance-related probation or warning;
- Meet the job qualifications listed on the job posting; and
- Provide their current manager with notice prior to applying for the position.

If employees find a position of interest on the job posting website and they meet the eligibility requirements, an online job posting application must be completed in order to be considered for the position. Not all positions are guaranteed to be posted. NMC, Inc. reserves the right to seek applicants solely from outside sources or to post positions internally and externally simultaneously.

For more specific information about the program, please contact the Human Resources Department.

## Open Door Policy

All employees have the opportunity to express ideas and opinions to management. NMC, Inc. believes that open communication is essential to a successful work environment, as well as to NMC, Inc.'s success. All employees may express ideas and opinions directly to NMC, Inc. management. Employees who would like to bring an idea or suggestion to NMC, Inc.'s attention, or just simply wishes to discuss an issue not covered by a separate reporting procedure, are always welcome to send an email or make a call to Human Resources.

**Section 3 - Benefits**

## Benefits Overview

In addition to good working conditions and competitive pay, it is NMC, Inc.'s policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations and holidays, and insurance and other plan benefits. We are constantly studying and evaluating our benefits programs and policies to better meet present and future requirements. These policies have been developed over the years and continue to be refined to keep up with changing times and needs.

The next few pages contain a brief outline of the benefits programs NMC, Inc. provides employees and their families. Of course, the information presented here is intended to serve only as guidelines.

The descriptions of the insurance and other plan benefits merely highlight certain aspects of the applicable plans for general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon request from HR Generalist. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this manual.

Further, NMC, Inc. (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement.

While NMC, Inc. intends to maintain these employee benefits, it reserves the absolute right to modify, amend or terminate these benefits at any time and for any reason.

If employees have any questions regarding benefits, they should contact HR Generalist.

## Paid Holidays

None employees are eligible to be paid for the following holidays:

None

When holidays fall or are celebrated on what otherwise would be a regular workday for the eligible employee, eligible employees will receive one (1) day's pay at their regular straight-time rate. Eligible employees who are called in to work on a holiday will receive one (1) day's pay at their regular straight-time rate and an additional payment of straight-time for the actual time they work that day unless otherwise required by applicable law.

## Paid Time Off

NMC, Inc. appreciates how hard employees work and recognizes the importance of providing time for rest and relaxation. NMC, Inc. fully encourages employees to get this rest by taking paid time off. Time off under this policy includes extended time off, such as for a vacation, and incidental time due to sickness or to handle personal affairs.

Full-time employees accrue paid time off as follows:

During the first partial calendar year of employment and the first five (5) full calendar years of employment, full-time employees accrue up to 20 days of paid time off per year. Paid time off is accrued on a pro-rata basis throughout the year.

Thereafter, full-time employees accrue up to 25 days of paid time off per year. Paid time off continues to be accrued on a pro-rata basis throughout the year.

The maximum paid time off entitlement for part-time employees is pro-rated based on hours worked.

Paid time off should be taken during the year received, unless otherwise required by law. Accrued, unused paid time off can be carried over to the following calendar year only if approved by HR Generalist.

If employees wish to use three (3) or more full days of paid time off consecutively, they must submit a request to their manager at least two (2) weeks in advance of the requested time off. Similar notice should be provided for planned time off of shorter duration. Every effort will be made to grant requests, consistent with operating schedules. However, if too many people request the same period of time off, NMC, Inc. reserves the right to choose who may take time off during that period. Individuals with the longest length of service generally will be given preference.

If employees will be out of work due to illness or due any other emergency for which notice could not be provided, they must call in and notify their supervisor as early as possible, but at least by the start of their workday. If they call in sick for three (3) or more consecutive days, they may be required to provide their supervisor with a doctor's note on the day they return to work.

Paid time off may be used only in half-day increments.

Up to 10 days of accrued, unused paid time off is paid out upon separation, unless otherwise required by law.

Advanced but unaccrued paid time off will be deducted from the employee's final paycheck, to the extent permitted by law.

## Workers' Compensation

On-the-job injuries are covered by NMC, Inc.'s Workers' Compensation Insurance Policy, which is provided at no cost. If employees are injured on the job, no matter how slightly, they should report the incident immediately to their supervisor. Failure to follow NMC, Inc. procedures may affect the ability of employees to receive Workers Compensation benefits.

This is solely a monetary benefit and not a leave of absence entitlement. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this manual for more information.

## Jury Duty

NMC, Inc. realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

Employees on jury duty leave will be paid for their jury duty service in accordance with state law; however, exempt employees will be paid their full salary for any week in which time is missed due to jury duty if work is performed for NMC, Inc. during such week.

## Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in a statewide election, if required by state law, the employee may take off enough working time to vote. Such time will be paid if required by state law. This time should be taken at the beginning or end of the regular work schedule. Where possible, supervisors should be notified at least two (2) days prior to the voting day.

## Lactation Accommodations

NMC, Inc. will provide a reasonable amount of break time to accommodate employees desiring to express breast milk for their child, in accordance with and to the extent required by applicable law. The break time, if possible and permitted by applicable law, must run concurrently with rest and meal periods already provided. If the break time does not run concurrently with rest and meal periods already provided, the break time will be unpaid, subject to applicable law.

NMC, Inc. may not be able to provide additional break time if doing so would seriously disrupt NMC, Inc.'s operations, subject to applicable law.

NMC, Inc. will make reasonable efforts to provide employees with the use of a room or location in close proximity to the employee's work area, other than a bathroom, to express milk in private. This location may be the employee's private office, if applicable. Please consult HR Generalist with questions regarding this policy.

Employees should advise management if they need break time and an area for this purpose. Employees will not be discriminated against or retaliated against for exercising their rights under this policy.

## Insurance Programs

Full-time employees may participate in NMC, Inc.'s insurance programs. Under these plans, eligible employees will receive comprehensive health and other insurance coverage for themselves and their families, as well as other benefits.

Upon becoming eligible to participate in these plans, employees will receive summary plan descriptions (SPDs) describing the benefits in greater detail. Please refer to the SPDs for detailed plan information. Of course, feel free to contact HR Generalist with any further questions.

## Hawaii: Statutory Short-Term Disability Benefits

NMC, Inc. also provides statutory short-term disability insurance.

This is solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the Leave of Absence sections of this manual for more information.

## Retirement Plan

Eligible employees are able to participate in NMC, Inc.'s retirement plan. Plan participants may make pre-tax contributions to a retirement account.

Upon becoming eligible to participate in this plan, employees will receive an SPD describing the plan in greater detail. Please refer to the SPD for detailed plan information. Of course, feel free to speak to HR Generalist if there are any further questions.

## Long-Term Disability Benefits

Full-time employees are eligible to participate in the Long-Term Disability plan, subject to all terms and conditions of the agreement between NMC, Inc. and the insurance carrier.

This is solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the Leave of Absence sections of this manual for more information.

## Salary Continuation

NMC, Inc. provides enhanced monetary short-term disability benefits to full-time employees. These enhanced monetary benefits are inclusive of any monetary workers' compensation or statutory short-term disability benefits.

This is not a leave of absence provision. Employees who will be out of work must request a leave of absence. See the Leave of Absence sections of this manual for more information. Employees will be required to submit medical certification as requested by NMC, Inc.. Required medical certification under this policy may differ from the medical certification required for any leave of absence requested.

## Transportation Reimbursement Program

NMC, Inc. provides a Transportation Reimbursement Program which allows all employees to pay for eligible transportation expenses with pre-tax income. Employees may participate on the first of the month after one (1) month of employment. The program works similarly to a Flexible Benefits Program, in which employees elect to have a portion of pre-tax income transferred to an account for future reimbursement for transportation expenses. The amount of contributions is subject to IRS limits which generally change every year. Upon becoming eligible to participate in this plan, employees will receive a Summary Plan Document (SPD) describing the benefit in greater detail. Employees should refer to the SPD for detailed plan information. Of course, employees also should feel free to speak to HR Generalist if they have any further questions.

## Employee Assistance Program

NMC, Inc. recognizes that a wide range of problems - such as marital or family distress, alcoholism, and drug abuse - not directly associated with an individual's job function can nonetheless be detrimental to an employee's performance on the job. Consequently, we believe it is in the interest of employees and NMC, Inc. to provide an effective program to assist employees and their families in resolving problems such as these as the need arises. To this end, NMC, Inc. provides an Employee Assistance Program (EAP) for employees and their eligible family members. The EAP is designed to provide voluntary, private, confidential, and professional counseling outside the workplace for any type of personal problem. The EAP provides consultation services for referrals to local community treatment sources. All employees are eligible to use this program and are encouraged to do so. Employee visits to the EAP are held in confidence to the maximum possible extent.

Participation in the EAP does not excuse employees from otherwise complying with NMC, Inc. policies or from meeting normal job requirements during or after receiving assistance. Nor will participation in our employee assistance program prevent NMC, Inc. from taking disciplinary action against any employee for performance problems that occur before, during, or after the employee seeks assistance through the program.

Section 4 - Leaves of Absence

## Personal Leave

If employees are ineligible for any other NMC, Inc. leave of absence, NMC, Inc., under certain circumstances, may grant a personal leave of absence without pay. A written request for a personal leave should be presented to management at least two (2) weeks before the anticipated start of the leave. If the leave is requested for medical reasons and employees are not eligible for leave under the federal Family and Medical Leave Act (FMLA) or any state leave law, medical certification also must be submitted. The request will be considered on the basis of staffing requirements and the reasons for the requested leave, as well as performance and attendance records. Normally, a leave of absence will be granted for a period of up to eight (8) weeks. However, a personal leave may be extended if, prior to the end of leave, employees submit a written request for an extension to management and the request is granted. During the leave, employees will not earn vacation, personal days, or sick days. Health insurance coverage is subject to the terms of the plan documents.

When the employee anticipates returning to work, he or she should notify management of the expected return date. This notification should be made at least one week before the end of the leave.

Upon completion of the personal leave of absence, NMC, Inc. will attempt to return employees to their original job or a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed.

Failure to advise management of availability to return to work, failure to return to work when notified or a continued absence from work beyond the time approved by NMC, Inc. will be considered a voluntary resignation of employment.

Personal leave runs concurrently with any NMC, Inc.-provided Short-Term Disability Leave of Absence.

## Military Leave

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide management with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask management for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give management as much advance notice of their need for military leave as possible so that NMC, Inc. can maintain proper coverage while employees are away.

## Family and Medical Leave

**The Leave Policy**

Employees may be entitled to a job-protected leave of absence under the Family and Medical Leave Act (FMLA). The U.S. Department of Labor’s Wage and Hour Division (WHD) enforces the FMLA. This policy provides employees information concerning FMLA entitlements and obligations

employees may have during such leaves. If employees have any questions concerning FMLA leave, they should contact HR Generalist.

**I. Eligibility**

FMLA leave is available to "eligible employees." To be an "eligible employee," the employee must:

1. Have been employed by NMC, Inc. for at least 12 months (which need not be consecutive);
2. Have been employed by NMC, Inc. for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and
3. Be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

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

**II. Entitlements**

As described below, the FMLA provides eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration.

**A. Basic FMLA Leave Entitlement**

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on the calendar year. Leave may be taken for any one (1), or for a combination, of the following reasons:

- The birth, adoption, or foster care placement of a child with the employee and to care for the employee's child after birth or placement for adoption or foster care;
- To care for the employee's spouse, child, or parent (but not in-law) who has a serious health condition;
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one (1) or more of the essential functions of the employee's job; and/or
- Because of any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserves component of the Armed Forces for deployment to a foreign country in support of contingency operation or Regular Armed Forces for deployment to a foreign country.

A "serious health condition" is an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents employees from performing the functions of their job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

"Qualifying exigencies" may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

**B. Additional Military Family Leave Entitlement (Injured Servicemember Leave)**

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, child, parent, or next of kin of a covered servicemember is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember shall only be available during a single-12 month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A "covered servicemember" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." "Covered servicemembers" also include a veteran who is discharged or released from military services under condition other than dishonorable at any time during the five (5) years preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

The FMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

**C. Intermittent Leave and Reduced Leave Schedules**

FMLA leave may be taken for a period of consecutive days, weeks, or months. Additionally, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember. Qualifying exigency leave also may be taken on an intermittent basis.

**D. No Work While on Leave**

The taking of another job while on FMLA leave or any other authorized leave of absence is grounds for immediate discharge, to the extent permitted by law.

**E. Protection of Group Health Insurance Benefits**

During FMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

**F. Restoration of Employment and Benefits**

At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause NMC, Inc. substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. NMC, Inc. will notify employees if they qualify as "key employees," if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

**G. Notice of Eligibility for, and Designation of, FMLA Leave**

Employees requesting FMLA leave are entitled to receive written notice from NMC, Inc. telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of:

1. Their rights and responsibilities in connection with such leave;
2. NMC, Inc.'s designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and
3. The amount of leave, if known, that will be counted against the employee's leave entitlement.

NMC, Inc. may retroactively designate leave as FMLA leave with appropriate written notice to employees provided NMC, Inc.'s failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, NMC, Inc. and employee can mutually agree that leave be retroactively designated as FMLA leave.

**III. Employee FMLA Leave Obligations**

**A. Provide Notice of the Need for Leave**

Employees who take FMLA leave must timely notify NMC, Inc. of their need for FMLA leave. The following describes the content and timing of such employee notices.

**1. Content of Employee Notice**

To trigger FMLA leave protections, employees must inform HR Generalist of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow NMC, Inc. to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- A medical condition renders them unable to perform the functions of their job;
- They are pregnant or have been hospitalized overnight;
- They or a covered family member are under the continuing care of a health care provider;
- The leave is due to a qualifying exigency caused by a military member being on covered active-duty or called to covered active duty status to a foreign country; or
- If the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to NMC, Inc.'s questions to determine if absences are potentially FMLA-qualifying. Employees do not have to share a medical diagnosis.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which NMC, Inc. has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

**2. Timing of Employee Notice**

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide NMC, Inc. notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

**B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules**

When planning medical treatment, employees must consult with NMC, Inc. and make a reasonable effort to schedule treatment so as not to unduly disrupt NMC, Inc.'s operations, subject to the approval of the employee's health care provider. Employees must consult with NMC, Inc. prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both NMC, Inc. and the employees, subject to the approval of the employee's health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, NMC, Inc. may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, NMC, Inc. may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise NMC, Inc. of the reason why such leave is medically necessary. In such instances, NMC, Inc. and employee shall attempt to

work out a leave schedule that meets the employee's needs without unduly disrupting NMC, Inc.'s operations, subject to the approval of the employee's health care provider.

**C. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)**

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three (3) types of FMLA medical certifications: an initial certification, a recertification, and a return-to-work/fitness-for-duty certification.

It is the employee's responsibility to provide NMC, Inc. with timely, complete and sufficient medical certifications. Whenever NMC, Inc. requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after NMC, Inc.'s request, unless it is not practicable to do so despite the employee's diligent, good faith efforts. NMC, Inc. will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven (7) calendar days to cure deficiencies. NMC, Inc. will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, NMC, Inc. (through individuals other than the employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide NMC, Inc. with authorization allowing it to clarify or authenticate certifications with health care providers, NMC, Inc. may deny FMLA leave if certifications are unclear.

Whenever NMC, Inc. deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

**1. Initial Medical Certifications**

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If NMC, Inc. has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at NMC, Inc.'s expense. If the opinions of the initial and second health care providers differ, NMC, Inc. may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by NMC, Inc. and the employee.

**2. Medical Recertifications**

Depending on the circumstances and duration of FMLA leave, NMC, Inc. may require employees to provide recertification of medical conditions giving rise to the need for leave. NMC, Inc. will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

**3. Return-to-Work/Fitness-for-Duty Medical Certifications**

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide NMC, Inc. with medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. NMC, Inc. may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

**D. Submit Certifications Supporting Need for Military Family Leave**

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active-duty or call-to-covered active-duty status of a military member, NMC, Inc. may require employees to provide:

1. A copy of the military member's active-duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to covered active duty status and the dates of the military member's covered active duty service; and

2. A certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to covered active-duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, NMC, Inc. may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, NMC, Inc. may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

**E. Substitute Paid Leave for Unpaid FMLA Leave**

Employees must, to the maximum extent permitted by applicable law, use any accrued paid time while taking unpaid FMLA leave.

The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with the employee's FMLA entitlement.

Upon written request, NMC, Inc. will allow employees to use accrued paid time to supplement any paid disability benefits, workers' compensation, or other monetary benefits.

Leaves of absence taken in connection with a disability leave plan, or workers' compensation injury/illness, or other monetary benefits shall run concurrently with any FMLA leave entitlement.

**F. Pay Employee's Share of Health Insurance Premiums**

During FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless NMC, Inc. notifies employees of other arrangements, whenever employees are receiving pay from NMC, Inc. during FMLA leave, NMC, Inc. will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If FMLA leave is unpaid, employees must pay their portion of the group health premium through a method determined by the NMC, Inc. upon leave. NMC, Inc.'s obligation to maintain health care coverage ceases if the employee's premium payment is more than 30 days late. If the employee's payment is more than 15 days late, NMC, Inc. will send a letter notifying the employees that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse NMC, Inc. for the cost of the premiums NMC, Inc. paid for maintaining coverage during their unpaid FMLA leave.

**IV. Exemption for Highly Compensated Employees**

NMC, Inc. may choose not to return highly compensated employees (highest paid 10% of employees at a worksite or within 75 miles of that worksite) to their former or equivalent positions following a leave if restoration of employment will cause substantial economic injury to NMC, Inc.. (This fact-specific determination will be made by NMC, Inc. on a case-by-case basis.) NMC, Inc. will notify employees if they qualify as a "highly compensated", if NMC, Inc. intends to deny reinstatement, and of the employee's rights in such instances.

**V. Questions and/or Complaints about FMLA Leave**

If you have questions regarding this FMLA policy, please contact HR Generalist. NMC, Inc. is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain, or deny the exercise of any right provided under FMLA; or 2) discharge, or discriminate, threaten, punish, or otherwise retaliate against any person for exercising their rights under the law including requesting FMLA leave,

opposing any practice made unlawful by FMLA or for involvement in any investigation or proceeding under or relating to FMLA including cooperating with a WHD investigation. If employees believe their FMLA rights have been violated, they should contact HR Generalist immediately. NMC, Inc. will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the WHD or may bring private lawsuits alleging FMLA violations.

**VI. Coordination of FMLA Leave with Other Leave Policies**

The FMLA does not affect any federal, state, or local law prohibiting discrimination, or supersede any state or local law that provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult NMC, Inc.'s other leave policies in this manual or contact HR Generalist.

## Hawaii: Leave for Victims of Domestic or Sexual Violence

If employees or their minor child are victims of domestic or sexual abuse, the employee may be eligible for an unpaid leave of absence of up to 30 days per calendar year. The employee must have worked for NMC, Inc. for at least six (6) consecutive months to be eligible for leave under this policy and must have provided reasonable advance notice, if possible. For purposes of this policy, "minor child" includes a biological, adopted, foster, or stepchild or any legal ward of the employee under the age of majority.

Leave under this policy is authorized to those who:

- seek medical attention for oneself or one's minor child to recover from physical or psychological injury or disability caused by domestic or sexual violence;
- obtain services from a victim services organization or victim advocacy organization, including:
    - any nonprofit organization providing assistance to or serving as advocates of victims of domestic or sexual violence;
    - any organization operating a shelter or providing professional counseling services for victims of domestic or sexual violence; or
    - any organization providing legal assistance to victims of domestic or sexual violence.
- obtain psychological or other counseling;
- temporarily or permanently relocate; or
- take legal action relating to or resulting from the domestic or sexual violence, or related legal action to enhance the health/safety of oneself, one's minor child, or those who associate or work with the employee (e.g. to obtain restraining or injunctions).

The employee must use any other paid or unpaid leave that is applicable and available before taking leave under this policy; however, only 30 days of leave may be taken in total.

NMC, Inc. will keep confidential the basis for any requests for leave under this policy as required by law.

If the purpose of the leave is to seek medical attention to recover from physical or psychological injury or disability caused by domestic or sexual violence, when providing notice of leave, the employee also should provide medical certification from a health care provider estimating the number of leave days necessary and the estimated commencement and termination dates of leave required by the employee.

If the purpose of the leave is for non-medical reasons of not more than five (5) calendar days, when providing notice of leave, the employee should provide written, signed certification that they or their minor child is a victim of domestic or sexual violence and the leave is for one (1) of the non-medical purposes provided in the policy. If the employee needs a non-medical leave in excess of five (5) days in a calendar year, they must provide certification in one (1) of the following manners:

- certified or exemplified restraining orders, injunctions against harassment, and documents from criminal cases;

- documentation from a victim services organization or domestic or sexual violence program, agency, or facility, including a shelter or safe house for victims of domestic or sexual violence; or
- documentation from a medical professional, mental health care provider, attorney, advocate, social worker, or member of the clergy from whom the employee or the employee's minor child has sought assistance in relation to the domestic or sexual violence.

Employees returning from leave under this policy will be reinstated to the same job or to a position of comparable status and pay.

**Section 5 - General Standards of Conduct**

## Workplace Conduct

NMC, Inc. endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense, and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge, in NMC, Inc.'s sole discretion. The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Stealing, removing, or defacing NMC, Inc. property or a co-worker's property, and/or disclosure of confidential information.
3. Completing another employee's time records.
4. Violation of safety rules and policies.
5. Violation of NMC, Inc.'s Drug and Alcohol-Free Workplace Policy.
6. Fighting, threatening, or disrupting the work of others or other violations of NMC, Inc.'s Workplace Violence Policy.
7. Failure to follow lawful instructions of a supervisor.
8. Failure to perform assigned job duties.
9. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness, or unexcused absences.
10. Gambling on NMC, Inc. property.
11. Willful or careless destruction or damage to NMC, Inc. assets or to the equipment or possessions of another employee.
12. Wasting work materials.
13. Performing work of a personal nature during working time.
14. Violation of the Solicitation and Distribution Policy.
15. Violation of NMC, Inc.'s Harassment or Equal Employment Opportunity Policies.
16. Violation of the Communication and Computer Systems Policy.
17. Unsatisfactory job performance.
18. Any other violation of NMC, Inc. policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and NMC, Inc. reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. NMC, Inc. will deal with each situation individually and nothing in this manual should be construed as a promise of specific treatment in a given situation. However, NMC, Inc. will endeavor to utilize progressive discipline but reserves the right in its sole discretion to terminate the employee at any time for any reason.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

## Punctuality and Attendance

Employees are hired to perform important functions at NMC, Inc.. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive and disruptive and place

an unfair burden on fellow employees and supervisors. NMC, Inc. expects excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

NMC, Inc. does recognize, however, that there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify supervisors as early as possible, but no later than the start of the workday. Asking another employee, friend, or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the absence and its expected duration, every day of absenteeism.

Unreported absences of three (3) consecutive workdays generally will be considered a voluntary resignation of employment with NMC, Inc..

## Use of Communications and Computer Systems

NMC, Inc.'s communication and computer systems are intended primarily for business purposes; however limited personal usage is permitted if it does not hinder performance of job duties or violate any other NMC, Inc. policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of NMC, Inc. systems.

NMC, Inc. may access the voice mail and e-mail systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when NMC, Inc. deems it appropriate to do so. The reasons for which NMC, Inc. may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that NMC, Inc. operations continue appropriately during the employee's absence.

Further, NMC, Inc. may review Internet usage to ensure that such use with NMC, Inc. property, or communications sent via the Internet with NMC, Inc. property, are appropriate. The reasons for which NMC, Inc. may review employees' use of the Internet with NMC, Inc. property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that NMC, Inc. operations continue appropriately during the employee's absence.

NMC, Inc. may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

NMC, Inc.'s policies prohibiting harassment, in their entirety, apply to the use of NMC, Inc.'s communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Further, since NMC, Inc.'s communication and computer systems are intended for business use, all employees, upon request, must inform management of any private access codes or passwords.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited.

No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including discharge.

## Use of Social Media

NMC, Inc. respects the right of any employee to maintain a blog or web page or to participate in a social networking, X (formerly Twitter), or similar site, including but not limited to Facebook and LinkedIn. However, to protect NMC, Inc. interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not post on a blog or web page or participate on a social networking platform, such as X (formerly Twitter) or similar site, during work time or at any time with NMC, Inc. equipment or property.

All rules regarding confidential and proprietary business information apply in full to blogs, web pages, and social networking platforms, such as X (formerly Twitter), Facebook, LinkedIn, or similar sites. Any information that cannot be disclosed through a conversation, a note, or an e-mail also cannot be disclosed in a blog, web page, or social networking site.

Whether the employees are posting something on their own blog, web page, social networking, X (formerly Twitter), or similar site or on someone else's, if the employee mentions NMC, Inc. and also expresses either a political opinion or an opinion regarding NMC, Inc.'s actions that could pose an actual or potential conflict of interest with NMC, Inc., the poster must include a disclaimer. The poster should specifically state that the opinion expressed is a personal opinion and not NMC, Inc.'s position. This is necessary to preserve NMC, Inc.'s good will in the marketplace.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking, X (formerly Twitter), or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous, or violent is forbidden. NMC, Inc. policies apply equally to employee social media usage.

NMC, Inc. encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page, and/or social networking site is received and often misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their manager. Failure to follow these guidelines may result in discipline, up to and including discharge.

## Personal and Company-Provided Portable Communication Devices

NMC, Inc.-provided portable communication devices (PCDs), including cell phones and personal digital assistants, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes, as permitted, the right to monitor personal communications as necessary.

Some employees may be authorized to use their own PCD for business purposes. These employees should work with the IT department to configure their PCD for business use. Communications sent via a personal PCD also may subject to monitoring if sent through NMC, Inc.'s networks and the PCD must be provided for inspection and review upon request.

All conversations, text messages and e-mails must be professional. When sending a text message or using a PCD for business purposes, whether it is a NMC, Inc.-provided or personal device, employees must comply with applicable NMC, Inc. guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles. Using a NMC, Inc.-issued PCD to send or receive personal text messages is prohibited at all times and personal use during working hours should be limited to emergency situations.

If employees who use a personal PCD for business resign or are discharged, they will be required to submit the device to the IT department for resetting on or before their last day of work. At that time, the IT department will reset and remove all information from the device, including but not limited to, NMC, Inc. information and personal data (such as contacts, e-mails and photographs). The IT department will make efforts to provide

employees with the personal data in another form (e.g., on a disk) to the extent practicable; however, the employee may lose some or all personal data saved on the device.

Employees may not use their personal PCD for business unless they agree to submit the device to the IT department on or before their last day of work for resetting and removal of NMC, Inc. information. This is the only way currently possible to ensure that all NMC, Inc. information is removed from the device at the time of termination. The removal of NMC, Inc. information is crucial to ensure compliance with NMC, Inc.'s confidentiality and proprietary information policies and objectives.

Please note that whether employees use their personal PCD or a NMC, Inc.-issued device, NMC, Inc.'s electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect.

**Portable Communication Device Use While Driving**

Employees who drive on NMC, Inc. business must abide by all state or local laws prohibiting or limiting PCD (cell phone or personal digital assistant) use while driving. Further, even if usage is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while driving, and permitted by law, employees must use a hands-free option and advise the caller that they are unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a cell phone while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

## Inspections

To the maximum extent permitted by applicable law, NMC, Inc. reserves the right to require employees while on NMC, Inc. property, or on client property, to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on NMC, Inc. or client property, and work areas. This includes lockers, vehicles, desks, cabinets, work stations, packages, handbags, briefcases and other personal possessions or places of concealment, as well as personal mail sent to NMC, Inc. or to its clients. Employees are expected to cooperate in the conduct of any search or inspection.

## Smoking

Smoking, including the use of e-cigarettes, is prohibited on NMC, Inc. premises and in all NMC, Inc. vehicles.

## Personal Visits and Telephone Calls

Disruptions during work time can lead to errors and delays. Therefore, personal telephone calls must be kept to a minimum, and only be made or received after working time, or during lunch or break time.

For safety and security reasons, employees are prohibited from having personal guests visit or accompanying them anywhere in NMC, Inc. facilities other than the reception areas.

## Solicitation and Distribution

To avoid distractions, solicitation by the employee of another employee is prohibited while either employee is on work time. "Work time" is defined as the time the employee is engaged, or should be engaged, in performing their work tasks for NMC, Inc.. Solicitation of any kind by non-employees on NMC, Inc. premises is prohibited at all times.

Distribution of advertising material, handbills, printed or written literature of any kind in working areas of NMC, Inc. is prohibited at all times. Distribution of literature by non-employees on NMC, Inc. premises is prohibited at all times.

## Bulletin Boards

Important notices and items of general interest are continually posted on NMC, Inc. bulletin boards. Employees should make it a practice to review bulletin boards frequently. This will assist employees in keeping up with what is current at NMC, Inc.. To avoid confusion, employees should not post or remove any material from the bulletin board.

## Confidential Company Information

During the course of work, employees may become aware of confidential information about NMC, Inc.'s business, including but not limited to information regarding NMC, Inc. finances, pricing, products, and new product development, software, and computer programs, marketing strategies, suppliers, and customers and potential customers. Employees also may become aware of similar confidential information belonging to NMC, Inc.'s clients. It is extremely important that all such information remain confidential, and particularly not be disclosed to NMC, Inc.'s competitors. Any employee who improperly copies, removes (whether physically or electronically), uses, or discloses confidential information to anyone outside of NMC, Inc. may be subject to disciplinary action up to and including termination. Employees may be required to sign an agreement reiterating these obligations.

## Conflict of Interest and Business Ethics

It is NMC, Inc.'s policy that all employees avoid any conflict between their personal interests and those of NMC, Inc.. The purpose of this policy is to ensure that NMC, Inc.'s honesty and integrity, and therefore its reputation, are not compromised. The fundamental principle guiding this policy is

that no employee should have, or appear to have, personal interests or relationships that actually or potentially conflict with the best interests of NMC, Inc..

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, the situations that would constitute a conflict in most cases include but are not limited to:

1. Holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do, business with NMC, Inc., by any employee who is in a position to directly or indirectly influence either NMC, Inc.'s decision to do business, or the terms upon which business would be done with such organization;
2. Holding any interest in an organization that competes with NMC, Inc.;
3. Being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do, business with NMC, Inc. or which competes with NMC, Inc.; and/or
4. Profiting personally, e.g., through commissions, loans, expense reimbursements, or other payments, from any organization seeking to do business with NMC, Inc..

A conflict of interest would also exist when a member of the employee's immediate family is involved in situations such as those above.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

It is the employee's responsibility to report any actual or potential conflict that may exist between the employee (and the employee's immediate family) and NMC, Inc..

## Use of Facilities, Equipment and Property, Including Intellectual Property

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

Employees should notify their supervisor if any equipment, machines, or tools appear to be damaged, defective or in need of repair. Prompt reporting of loss, damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Supervisors can answer any questions about the employees' responsibility for maintenance and care of equipment used on the job.

Employees also are prohibited from any unauthorized use of NMC, Inc.'s intellectual property, such as audio and video tapes, print materials and software.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including discharge.

Further, NMC, Inc. is not responsible for any damage to employees' personal belongings unless the employee's supervisor provided advance approval for the employee to bring the personal property to work.

## Health and Safety

The health and safety of employees and others on NMC, Inc. property are of critical concern to NMC, Inc.. NMC, Inc. intends to comply with all health and safety laws applicable to our business. To this end, NMC, Inc. must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to management immediately, even if the problem

appears to be corrected. Any suspicion of a concealed danger present on NMC, Inc.'s premises, or in a product, facility, piece of equipment, process, or business practice for which NMC, Inc. is responsible should be brought to the attention of management immediately.

Periodically, NMC, Inc. may issue rules and guidelines governing workplace safety and health. NMC, Inc. may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines as strict compliance will be expected.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident.

## Hiring Relatives/Employee Relationships

A familial relationship among employees can create an actual or at least a potential conflict of interest in the employment setting, especially where one relative supervises another relative. To avoid this problem, NMC, Inc. may refuse to hire or place a relative in a position where the potential for favoritism or conflict exists.

In other cases, such as personal relationships where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or discharged from employment, at the discretion of NMC, Inc.. Accordingly, all parties to any type of intimate personal relationship must inform management.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. NMC, Inc. generally will attempt to identify other available positions, but if no alternate position is available, NMC, Inc. retains the right to decide which employee will remain with NMC, Inc..

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

## Employee Dress and Personal Appearance

Employees are expected to report to work well groomed, clean, and dressed according to the requirements of their position. Some employees may be required to wear uniforms or safety equipment/clothing. Employees should contact their supervisor for specific information regarding acceptable attire for their position. If employees report to work dressed or groomed inappropriately, they may be prevented from working until they return to work well groomed and wearing the proper attire.

## Publicity/Statements to the Media

All media inquiries seeking NMC, Inc.'s official position as to any issue of NMC, Inc. must be referred to CEO. Only CEO is authorized to make or approve public statements on behalf of NMC, Inc.. No employees, unless specifically designated by CEO, are authorized to make those statements on behalf of NMC, Inc.. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of NMC, Inc. must first obtain approval from CEO.

## Operation of Vehicles

All employees authorized to drive NMC, Inc.-owned or leased vehicles or personal vehicles in conducting NMC, Inc. business must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to management immediately.

Employees must have a valid driver's license in their possession while operating a vehicle off or on NMC, Inc. property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times.

NMC, Inc.-owned or leased vehicles may be used only as authorized by management.

**Portable Communication Device Use While Driving**

Employees who drive on NMC, Inc. business must abide by all state or local laws prohibiting or limiting portable communication device (PCD) use, including cell phones or personal digital assistants, while driving. Further, even if use is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employees are driving, and permitted by law, they must use a hands-free option and advise the caller that they are unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a PCD while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

## Business Expense Reimbursement

Employees will be reimbursed for reasonable approved expenses incurred in the course of business. These expenses must be approved by the employee's Supervisor, and may include air travel, hotels, motels, meals, cab fare, rental vehicles, or gas and car mileage for personal vehicles. All expenses incurred should be submitted to the employee's Supervisor along with the receipts in a timely manner.

Employees are expected to exercise restraint and good judgment when incurring expenses. Employees should contact their Supervisor in advance if they have any questions about whether an expense will be reimbursed.

## References

NMC, Inc. will respond to reference requests through the Human Resources Department. NMC, Inc. will provide general information concerning the employee such as date of hire, date of discharge, and positions held. Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to the Human Resources Department.

**Only the Human Resources Department may provide references.**

## If You Must Leave Us

Should any employees decide to leave NMC, Inc., we ask that they provide a Supervisor with at least advance notice of departure. Thoughtfulness will be appreciated. All NMC, Inc., property including, but not limited to, keys, security cards, parking passes, laptop computers, fax machines, uniforms, etc., must be returned at separation. Employees also must return all of NMC, Inc.'s Confidential Information upon separation. To the extent permitted by law, employees will be required to repay NMC, Inc. (through payroll deduction, if lawful) for any lost or damaged NMC, Inc. property. As noted previously, all employees are employed at-will and nothing in this manual changes that status.

## Exit Interviews

Employees who resign are requested to participate in an exit interview with the Human Resources Representative, if possible.

## A Few Closing Words

This manual is intended to give employees a broad summary of things they should know about NMC, Inc.. The information in this manual is general in nature and, should questions arise, any member of management should be consulted for complete details. While we intend to continue the policies, rules and benefits described in this manual, NMC, Inc., in its sole discretion, may always amend, add to, delete from or modify the provisions of this manual and/or change its interpretation of any provision set forth in this manual. Employees should not hesitate to speak to management if they have any questions about NMC, Inc. or its personnel policies and practices.

**Section 6 - Acknowledgments**

## General Handbook Acknowledgment

This Employee manual is an important document intended to help employees become acquainted with NMC, Inc.. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because NMC, Inc.'s operations may change, the contents of this manual may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this manual.

**I have received and read a copy of NMC, Inc.'s Employees manual. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of NMC, Inc. at any time.**

**I further understand that my employment is terminable at will, either by myself or NMC, Inc., with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.**

**I understand that no representative of NMC, Inc. other than the CEO may alter "at will" status and any such modification must be in a signed writing.**

**I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of NMC, Inc.'s Employee manual.**

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this acknowledgment should be given to management - it will be filed in your personnel file.

## Acknowledgment and Receipt of Non-Harassment Policy

I have received, read, and understand NMC, Inc.'s Non-Harassment policy. I agree to abide by and be bound by the rules, provisions and standards set forth in NMC, Inc.'s policy. I further acknowledge that NMC, Inc. reserves the right to revise, delete, and add to the provisions of the Discrimination and Non-Harassment (Including Sexual Harassment) policy at any time.

Employee's Printed Name: _____

Employee's Signature: _____

Employee's Position: _____

Date: _____

The signed original copy of this receipt should be given to management. It will be kept in your personnel file.