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

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.

Minnesota: 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 and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, familial status, military service and veteran status, physical or mental disability, genetic information, public assistance, local human rights commission activity, 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.

NMC, Inc. will endeavor to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual’s: physical or mental disability; sincerely held religious beliefs and practices; and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon NMC, Inc.'s business operations. Any applicant or employee who needs an accommodation in order to perform the essential functions of the job should contact HR Manager to request such an accommodation. The individual should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. NMC, Inc. then will review and analyze the request, including engaging in an interactive process with the individual, to identify if such an accommodation can be made. NMC, Inc. will evaluate requested accommodations, and as appropriate identify other possible accommodations, if any. The individual will be notified of NMC, Inc.'s decision regarding the request within a reasonable period. NMC, Inc. treats all medical information submitted as part of the accommodation process in a confidential manner.

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 individuals 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.

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.

Minnesota: Right to Review Personnel Records

Under Minnesota law, active employees have the right to review their personnel record once every six (6) months. Employees who leave NMC, Inc. may review their personnel record once every year as long as NMC, Inc. maintains the personnel record.

To review their personnel record, employees must make a good faith request in writing to HR Generalist. Employees may also request a copy of the record at the time they review it. The copy will be made available to the employee at no cost.

NMC, Inc. will provide employees an opportunity to review their personnel record within seven (7) working days of the written request or within 14 working days of the written request if the personnel record is physically located outside of Minnesota.

What is contained in the personnel record is carefully defined under Minnesota law. The law does not require employee access to information that is not contained in the personnel record.

If employees dispute information contained in their personnel record, they may request that it be removed from the record. However, if NMC, Inc. does not agree the information should be removed, the employee may submit a written response to the denial (not to exceed five (5) pages).

No action can be taken against employees who appropriately ask to review their personnel records.

If employees are improperly denied their rights as provided by this law, the law provides certain remedies.

This notice only describes some of the employee's rights under the law. For more information, the Minnesota statutes detailing employee rights can be found at Minnesota Statutes. § 181.960 through Minnesota Statutes §181.965. These laws can be found on the internet at https://www.revisor.mn.gov/pubs/ or in public libraries throughout the state.

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.

Minnesota: Wage Disclosure Protections

Under Minnesota law, an employer may not:

1. require nondisclosure by employees of their wages as a condition of employment;
2. require employees to sign a waiver or other document which purports to deny them the right to disclose their wages; or
3. take any adverse employment action against employees for disclosing their own wages or discussing another employee's wages which have been disclosed voluntarily.

Nonetheless, this policy should not be construed to:

1. create an obligation on NMC, Inc. or on employees to disclose wages;
2. permit employees, without the written consent of NMC, Inc., to disclose proprietary information, trade secret information or information that is otherwise subject to legal privilege or protected by law;
3. diminish any existing rights under the National Labor Relations Act; or
4. permit employees to disclose wage information of other employees to a competitor of NMC, Inc..

An employer may not retaliate against the employee for asserting rights or remedies set forth in this policy.

Employees may bring a civil action against NMC, Inc. for a violation of this policy. If a court finds that NMC, Inc. has violated this policy, the court may order reinstatement, back pay, restoration of lost service credits, if appropriate, and the expungement of any related adverse records of the employee who was the subject of the violation.

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.

Minnesota: Earned Sick and Safe Time

Eligibility

NMC, Inc. provides earned sick and safe time (ESST) to employees who are anticipated to perform work within Minnesota for at least 80 hours in a year. For employees who work in Minnesota and are eligible for sick leave under the general policy, this policy applies solely to the extent it provides greater benefits/rights on any specific issues.

Accrual

Employees begin to accrue ESST at the start of employment. Employees accrue one (1) hour for every 30 hours worked, up to a maximum annual accrual of 48 hours each year. Additionally, employees' total ESST accrual balance may not exceed 80 hours at any time ("overall accrual cap"). Exempt employees will be presumed to work 40 hours in each workweek for accrual purposes unless their normal workweek is less than 40 hours, in which case accrual will be based on that normal workweek. For purposes of this policy, the year is the 12-month period beginning January 1 and ending on December 31.

Usage

Employees can begin to use granted or accrued ESST immediately. ESST may be used in the same increment of time for which employees are paid, but no less than 15-minute increments nor more than four- (4-) hour increments.

Employees may use ESST for the following reasons:

1. The employee's mental or physical illness; injury; health condition; need for medical diagnosis; care, including prenatal care; treatment of a mental or physical illness, injury, or health condition; need for preventive medical or health care; or the employee's need to make arrangements for or attend funeral services or a memorial or address financial or legal matters that arise after the death of a family member.
2. Care of a family member with a mental or physical illness, injury, or health condition who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition or care for a family member who needs preventive medical care;
3. Absences due to domestic violence, sexual assault, or stalking of the employee or employee's family member, provided the absence is to:
    a. Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;
    b. Obtain services from a victim services organization;
    c. Obtain psychological or other counseling; to relocate due to domestic violence or take steps to secure an existing home, sexual assault, or stalking; or
    d. Seek legal advice or take legal action, including preparing for or participating in any civil or criminal proceedings related to or resulting from domestic violence, sexual assault, or stalking;
4. The closure of the employee's place of business due to weather or other public emergency;
5. To accommodate the employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency;
6. The employee's inability to work or telework because the employee is:
    a. Prohibited from working by NMC, Inc. due to health concerns related to the potential transmission of a communicable illness related to a public emergency; or
    b. Seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and such employee has been exposed to a communicable disease or NMC, Inc. has requested a test or diagnosis; and

7. When it has been determined by the health authorities having jurisdiction or by a health care professional that the presence of the employee or family member of the employee in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

For purposes of this policy, "family member" means a child (including child-in-law), spouse or registered domestic partner, sibling (including a sibling-in-law), parent, grandchild, grandparent, a child of a sibling, a sibling of the parents of the employee or the employee's spouse or registered domestic partner, any other individual related by blood or whose close association with the employee is the equivalent of a family relationship, or one (1) individual annually designated by the employee. The family members listed above are not limited to biological family members, but also include step-, foster, adoptive, and half-relations; those who stand in loco parentis; and legal guardians.

Unless the employee advises NMC, Inc. otherwise, NMC, Inc. will assume, subject to applicable law, that employees want to use available ESST for absences for reasons set forth above, and employees will be paid for such absences to the extent they have ESST available.

Employees will be provided with ESST balance and usage information at the end of each pay period.

Notice and Documentation

When the need to use ESST is foreseeable, employees must provide seven (7) days advance notice to their supervisor and/or HR Manager. When the need to use ESST is not foreseeable, employees must provide notice to their supervisor and/or HR Manager as soon as practicable. For ESST of more than two (2) consecutive workdays, employees may also be required to provide reasonable documentation that ESST was taken for a covered reason. For example, for ESST used for reasons (1), (2), (6), or (7) above, documentation signed by a licensed health care provider indicating the need for the amount of ESST taken and that ESST was used for a covered reason under this policy and/or applicable law will be considered reasonable documentation, and such documentation need not specify the nature of the employee's or the employee's family member's injury, illness, or condition, except as required by law. Supporting documentation will not be required for the above purposes if it would result in an unreasonable expense on the employee or where the employee did not receive services from a health care professional. In this event, reasonable documentation may include a written statement from the employee. For example, for ESST used for reason (3) above, documentation signed by an employee or volunteer of a victim services organization, an attorney, a police officer, or an antiviolence counselor will be considered reasonable documentation, and such documentation need not specify the details of the domestic abuse, sexual assault, or stalking.

Payment

ESST is paid at the same base rate as the employee's rate of pay for the hours the employee was scheduled to work during the time ESST is used, unless otherwise required by applicable law. Use of ESST is not considered hours worked for purposes of calculating overtime.

Accrued, unused ESST will not be paid upon separation.

Enforcement and Retaliation

Employees may be subject to discipline for using ESST for a reason other than the covered reasons above, to the maximum extent permitted by applicable law. Retaliation against employees who request or use ESST is prohibited.

Employees have the right to file a complaint with the Minnesota Department of Labor and Industry or bring a civil action if they believe they have been denied ESST, retaliated against, or that their rights to ESST has been otherwise interfered with or restrained.

Employees with questions regarding this policy can contact HR Manager.

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.

Minnesota: Minneapolis Sick and Safe Time

Eligibility

NMC, Inc. provides earned sick and safe time (ESST) to employees who are anticipated to perform work within the City of Minneapolis for at least 80 hours in a year. For employees who work in Minneapolis who are eligible for sick time under the general Sick Days policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees begin to accrue ESST at the start of employment. Employees accrue one (1) hour of ESST for every 30 hours worked, up to a maximum annual accrual of 48 hours each year. Additionally, the employee's total ESST accrual balance may not exceed 80 hours at any time ("overall accrual cap"). Exempt employees will be presumed to work 40 hours in each workweek for accrual purposes unless their normal workweek is less than 40 hours, in which case accrual will be based on that normal workweek. For purposes of this policy, the year is the 12-month period January 1st and ending on December 31st.

Usage

Employees can begin to use accrued ESST immediately. ESST may be used in the same increment of time for which employees are paid, but no less than 15-minute increments nor more than four- (4-) hour increments.

The employee may use ESST for the following reasons:

1. The employee's mental or physical illness; injury; health condition; need for medical diagnosis; care, including prenatal care; treatment of a mental or physical illness, injury, or health condition; need for preventive medical or health care; or the employee's need to make arrangements for or attend funeral services or a memorial, or address financial or legal matters that arise after the death of a family member.
2. Care of a family member with a mental or physical illness, injury, or health condition, who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition or who needs preventive medical care;
3. Absences due to domestic violence, sexual assault, or stalking of the employee or employee's family member, provided the absence is to:
    1. Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;

2. Obtain services from a victim services organization; to obtain psychological or other counseling;
3. Relocate or take steps to secure an existing home due to domestic violence, sexual assault, or stalking; or
4. Take legal action, including preparing for or participating in any civil or criminal proceedings related to or resulting from domestic violence, sexual assault, or stalking;

4. The closure of the employee's place of business due to weather or other public emergency or the employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency;
5. The employee's inability to work or telework because the employee is:
    1. Prohibited from working by the NMC, Inc. due to health concerns related to the potential transmission of a communicable illness related to a public emergency; or
    2. Seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of a communicable disease related to a public emergency, and such employee has been exposed to a communicable disease or the NMC, Inc. has requested a test or diagnosis; or
6. When it has been determined by the health authorities having jurisdiction or by a health care professional that the presence of the employee or family member of the employee in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

For purposes of this policy, "family member" means a child (including child-in-law), spouse or registered domestic partner, sibling (including a sibling-in-law), parent (including a parent-in-law), grandchild, grandparent, a child of a sibling, a sibling of the parents of the employee or the employee's spouse of registered domestic partner, guardian, ward, or a person who currently resides in the employee's home, any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; or one (1) individual annually designated by the employee. The family members listed above are not limited to biological family members but also include step, foster, adoptive, half-relations, those who stand in loco parentis and legal guardians, and any of the family members listed of a spouse or registered domestic partner.

Unless advised otherwise by the employee, NMC, Inc. will assume, subject to applicable law, that employees want to use available ESST for absences for reasons set forth above and employees will be paid for such absences to the extent they have ESST available.

Employees will be provided information, in writing or electronically, with ESST balance and usage information at the end of each pay period.

Notice and Documentation

When the need to use ESST is foreseeable, employees must provide seven (7) days advance notice to their Supervisor and/or HR Manager. When the need to use ESST is not foreseeable, employees must provide notice to their Supervisor and/or HR Manager as soon as practicable.

For ESST of more than two (2) consecutive work days, employees also may be required to provide reasonable documentation that ESST was taken for a covered reason. For example, for ESST used for reasons (1), (2), (5), or (6) above, documentation signed by a licensed health care professional indicating the need for the use of ESST will be considered reasonable documentation, and such documentation need not specify the nature of the employee's or the employee's family member's injury, illness, or condition, except as required by law. However, if the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee is using or used ESST for a qualifying purpose.

For example, for ESST used for reason (3) above, documentation signed by an employee or volunteer of a victim services organization, an attorney, a police officer, or an antiviolence counselor will be considered reasonable documentation, and such documentation need not specify the details of the domestic abuse, sexual assault, or stalking. If documentation cannot be obtained in a reasonable time or without added expense, then reasonable documentation for reason (3) above may include a written statement from the employee indicating that the employee is using or used ESST for a qualifying purpose covered under reason (3) above. For example, for ESST used for reason (4) above, a written statement from the employee indicating that the employee is using or used ESST for a qualifying purpose will be considered reasonable documentation.

Payment

ESST is paid at the same hourly rate with the same benefits as employee's base rate for the hours the employee was scheduled to work during the time ESST is used, unless otherwise required by applicable law. Use of ESST is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Accrued, unused ESST may be carried over, but as indicated above, there is an overall accrual cap of 80 hours. Once the overall accrual cap is reached, ESST will stop accruing until some ESST is used.

Accrued, unused ESST will not be paid upon separation.

Enforcement and Retaliation

Retaliation against employees who request or use ESST is prohibited. Employees have the right to file a complaint with the City of Minneapolis Labor Standards Enforcement Division if they believe they have been denied ESST, retaliated against, or that their rights to ESST have been otherwise interfered with or restrained. Employees also have the right to file a complaint with the Minnesota Department of Labor and Industry or bring a civil action if they believe they have been denied ESST, retaliated against, or that their rights to ESST has been otherwise interfered with or restrained.

Employees with questions regarding this policy can contact HR Generalist.

Minnesota: St. Paul Earned Sick and Safe Time

Eligibility

NMC, Inc. provides earned sick and safe time (ESST) to employees who are anticipated to perform work within the City of St. Paul for at least 80 hours in a year. For employees who work in St. Paul who are eligible for sick time under the general Sick Days policy and/or any other applicable

sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees begin to accrue ESST at the start of employment. Employees accrue one (1) hour of ESST for every 30 hours worked, up to a maximum annual accrual of 48 hours. Additionally, the employee's total ESST accrual balance may not exceed 80 hours at any time ("overall accrual cap"). Exempt employees will be presumed to work 40 hours in each workweek for accrual purposes unless their normal workweek is less than 40 hours, in which case accrual will be based on that normal workweek. For purposes of this policy, the year is the 12-month period beginning January 1 and ending on December 31.

Usage

Employees can begin to use accrued ESST immediately. ESST may be used in the same increment of time for which employees are paid, but no less than 15-minute increments nor more than four- (4-) hour increments.

The employee may use ESST for the following reasons:

1. The employee's mental or physical illness; injury; health condition; need for medical diagnosis; care, including prenatal care; treatment of a mental or physical illness, injury, or health condition; need for preventive medical or health care; or the employee's need to make arrangements for or attend funeral services or a memorial, or address financial or legal matters that arise after the death of a family member.
2. Care of a family member with a mental or physical illness, injury, or health condition, who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition or who needs preventive medical care;
3. Absences due to domestic violence, sexual assault, harassment, or stalking of the employee or employee's family member, provided the absence is to:
    a. Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, harassment, or stalking;
    b. Obtain services from a victim services organization; to obtain psychological or other counseling;
    c. Relocate or take steps to secure an existing home due to domestic violence, sexual assault, harassment, or stalking; or
    d. Take legal action, including preparing for or participating in any civil or criminal proceedings related to or resulting from domestic violence, sexual assault, harassment, or stalking;
4. The closure of the employee's place of business due to weather or other public emergency;
5. To accommodate the employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency;
6. The employee's inability to work or telework because the employee is:
    a. Prohibited from working by NMC, Inc. due to health concerns related to the potential transmission of a communicable illness related to a public emergency; or
    b. Seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of a communicable disease related to a public emergency, and such employee has been exposed to a communicable disease or NMC, Inc. has requested a test or diagnosis; or
7. When it has been determined by the health authorities having jurisdiction or by a health care professional that the presence of the employee or family member of the employee in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

For purposes of this policy, family member means a child (including child-in-law), spouse or registered domestic partner, sibling (including a sibling-in-law), parent, grandchild, grandparent, a child of a sibling, a sibling of the parents of the employee or the employee's spouse of registered domestic partner, guardian, ward, or a person who currently resides in the employee's home; any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; or one (1) individual annually designated by the employee. The family members listed above are not limited to biological family members but also include step-, foster, adoptive, and half-relations; those who stand in loco parentis; and legal guardians.

Unless the employee advises NMC, Inc. otherwise, NMC, Inc. will assume, subject to applicable law, that employees want to use available ESST for absences for reasons set forth above and employees will be paid for such absences to the extent they have ESST available.

Upon request of the employee and at the end of each pay period, NMC, Inc. will provide information (in writing or electronically) regarding both the employee's accrued and available ESST and used ESST.

Notice and Documentation

When the need to use ESST is foreseeable, employees must provide seven (7) days advance notice to the employee's supervisor and/or HR Manager. When the need to use ESST is not foreseeable, employees must provide notice to the employee's supervisor and/or HR Manager as soon as practicable.

For ESST of more than two (2) consecutive work days, employees may be required to provide reasonable documentation that ESST was taken for a covered reason. For example, for ESST used for reasons (1), (6), or (7) above, documentation signed by a licensed health care provider indicating the need for the amount of ESST taken and that ESST was used for a covered reason under this policy and/or applicable law will be considered reasonable documentation, and such documentation need not specify the nature of the employee's or the employee's family member's injury, illness, or condition, except as required by law.

Supporting documentation will not be required for the above purposes if it would result in an unreasonable expense on the employee or where the employee did not receive services from a health care professional. In this event, reasonable documentation may include a written statement from the employee. For example, for ESST used for reason (3) above, documentation signed by an employee or volunteer of a victim services organization, an attorney, a police officer, or an antiviolence counselor will be considered reasonable documentation, and such documentation need not specify the details of the domestic abuse, sexual assault, harassment, or stalking.

Payment

ESST is paid at the same base rate as the employee's regular rate of pay for the hours the employee was scheduled to work during the time ESST is used, unless otherwise required by applicable law. Use of ESST is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Accrued, unused ESST may be carried over, but as indicated above, there is an overall accrual cap of 80 hours. Once the overall accrual cap is reached, ESST will stop accruing until some ESST is used.

Accrued, unused ESST will not be paid upon separation.

Enforcement and Retaliation

Employees may be subject to discipline for using ESST under this policy for purposes other than those provided under this policy, to the maximum extent permitted by applicable law. Retaliation against employees who request or use ESST is prohibited. Employees have the right to file a complaint with the City of St. Paul Department of Human Rights and Equal Economic Opportunity if they believe they have been denied ESST, retaliated against, or that their rights to ESST have been otherwise interfered with or restrained; or may bring a civil action in the event of retaliation.

Employees also have the right to file a complaint with the Minnesota Department of Labor and Industry or bring a civil action if they believe they have been denied ESST, retaliated against, or that their rights to ESST have been otherwise interfered with or restrained.

Employees with questions regarding this policy can contact HR Generalist.

Minnesota: Nursing Mothers, Lactating Employees, and Pregnancy Accommodations

Minnesota's Nursing Mothers, Lactating Employees, and Pregnancy Accommodations law, Minn. Stat. § 181.939, gives pregnant and lactating employees certain legal rights.

Pregnancy Accommodations

Pregnant employees have the right to request and receive reasonable accommodations in the workplace. An employer must provide the following accommodations to a pregnant employee upon request, **without** asking for or requiring medical documentation such as a doctor's note:

- Limits on lifting 20 pounds;
- Access to seating; and
- More frequent or extended breaks to use the restroom and eat or drink water.

Pregnant employees have the right to request and receive additional reasonable accommodations which may include, but are not limited to:

- More frequent or longer breaks;

- Seating;
- Limits to heavy lifting;
- Temporary transfer to another position;
- Temporary leave of absence; or
- Modification in work schedule or tasks.

NMC, Inc. will not require employees to take a leave or accept an accommodation.

Lactation Breaks and Space

Lactating employees have the right to reasonable paid break times to express milk at work unless they are expressing milk during a break that is not usually paid, such as a meal break. NMC, Inc. will provide a clean, private, and secure room that is not a bathroom near the work area that includes access to an electrical outlet for employees to express milk.

NMC, Inc. will not retaliate or take negative action against a pregnant or lactating employee for exercising their rights under this law.

Retaliation Prohibited

Employees who believe their rights have been violated under this law can contact the Minnesota Department of Labor and Industry's Labor Standards Division at dli.laborstandards@state.mn.us or 651-284-5075 for help. Employees also have the right to file a civil lawsuit for relief. For more information about this law, Employees should visit dli.mn.gov/newparents.

Minnesota: Paid Leave

The Minnesota Paid Leave Law is a mandatory statewide program administered by the Minnesota Employment and Economic Security Paid Leave Division (PLD). Employees may be eligible for Paid Family or Medical Leave (PFML) beginning on January 1, 2026.

Eligibility Requirements

Employees are eligible for PFML if they: (1) earned at least 5.3 percent of the state's average annual wage over their base period (typically the four (4) most recent completed quarters before the effective date of their application with the PLD) and (2) work 50 percent or more in Minnesota or work less than 50 percent in Minnesota but live in Minnesota and do not work 50 percent or more in any one (1) state.

Entitlement

Employees are eligible for up to 12 weeks of PFML for certain covered family or medical leave reasons during the course of a benefit year, or a combined total of up to 20 weeks if the employee needs leave for both covered medical leave and family leave in the same benefit year. The benefit year is generally the 52-week period beginning the effective date of the leave.

PFML may be taken for any one (1), or a combination, of the following reasons:

- *Up to* 12 weeks of family leave:
    1. To care for a family member with a serious health condition or who is a military member (family care leave);
    2. To bond with the employee's child after the child's birth, adoption, or placement (bonding leave);
    3. To respond to certain issues related to domestic violence, sexual assault, or stalking of the employee or a family member (safety leave); or
    4. For a qualifying exigency arising out of a family member's active duty service or notice of an impending call or order to active duty in the Armed Forces.

- *Up to* 12 weeks of medical leave for the employee's own serious health condition or medical care related to pregnancy, including prenatal care or incapacity due to pregnancy or recovery from childbirth, stillbirth, miscarriage, or related health conditions.

A "covered family member" includes the employee's spouse or domestic partner, child, parent or legal guardian, sibling, grandchild, son-in-law or daughter-in-law, the employee or employee's spouse's parent or grandparent, an individual who has a personal relationship with the employee that creates an expectation and reliance that the employee care for the individual without compensation, whether or not the employee and the individual reside together, as defined by applicable law.

A "serious health condition" is a physical or mental illness, injury, impairment, condition, or substance use disorder that involves inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment or supervision by a health care provider.

"Safety leave" includes leave from work because of domestic abuse, sexual assault, or stalking of the employee or employee's family member, provided the leave is to:

1. Seek medical attention related to the physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;
2. Obtain services from a victim services organization;
3. Obtain psychological or other counseling;
4. Seek relocation due to the domestic abuse, sexual assault, or stalking; or seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to, or resulting from, the domestic abuse, sexual assault, or stalking.

"Qualifying exigencies" may include providing for the care or other needs of the military member's child or other dependent, making financial or legal arrangements for the military member, attending counseling, attending military events or ceremonies, spending time with the military member during a rest and recuperation leave or following return from deployment, or making arrangements following the death of the military member.

A "covered military member" includes a current or former member of the United States armed forces, including a member of the National Guard or reserves, who, except for a deceased military member, is a resident of the state and is a family member of the applicant taking leave related to the qualifying exigency.

Except for a claim for benefits for bonding leave, any claim for benefits must be based on a single qualifying event of at least seven (7) calendar days. Bonding leave must be taken within one (1) year of the birth or placement of the employee's child.

Benefits are financed through employer and employee contributions to the PFML program. The total premium is an annually established percentage of gross wages, up to the Social Security cap. Employers can either pay the full premium or withhold a portion of the premium from their employees. Employers who choose to withhold premiums from their employees may withhold up to 50 percent of the total premium. The employer is responsible for paying the remainder. Employers with fewer than 30 Minnesota employees and whose average employee wage is less than 150 percent of the statewide average weekly wage are eligible for a reduced premium rate. NMC, Inc. will calculate and withhold premiums from employees' paychecks and send both NMC, Inc.'s share and the employees' shares, if applicable, to the PLD on a quarterly basis. The PLD is **solely** responsible for determining whether any employee is eligible for benefits and the amount of any benefits payable.

While on PFML, employees are entitled to partial wage replacement at a portion of their average weekly pay. The PLD calculates weekly benefits as a sum of the following:

1. The portion of the employee's average weekly wage that is equal to or less than 50 percent of the state average weekly wage shall be replaced at a rate of 90 percent;
2. The portion of the employee's average weekly wage that is more than 50 percent of the state average weekly wage but does not exceed 100 percent shall be replaced at a rate of 66 percent; and
3. The portion of the employee's average weekly wage that exceeds 100 percent % of the state average weekly wage shall be replaced at a rate of 55 percent up to the applicable weekly benefit limits.

The PLD pays benefits directly to employees.

Except for bonding leave, the first seven (7) days of a consecutive leave or seven (7) consecutive or nonconsecutive or a combination thereof for intermittent leave is considered the "initial paid week period" and is retroactively paid after the employee meets the seven- (7-) day qualifying event. The retroactive payment will be included in the employee's first benefit payment.

Any employee is not eligible for PFML benefits for any portion of a typical workweek in which they worked for pay, were incarcerated, or received or is receiving unemployment insurance benefits. Additionally, the employee is not eligible to receive benefits for any portion of a week in which the employee is receiving or received workers' compensation benefits for loss of wages equal to or in excess of the employee's PFML benefit. Employees who collect social security disability benefits may be eligible for PFML benefits in certain circumstances.

Usage

Employees do not need to use this PFML entitlement in one (1) block. PFML can be taken intermittently in increments of 1 hour.

Please note that the PLD only permits employees to apply for payment of benefits associated with intermittent leave once they have eight (8) hours of accumulated leave time, except where more than 30 calendar days has lapsed since the employee initially took such leave. Employees requesting an intermittent leave must make a reasonable effort to schedule the intermittent leave so as not to disrupt unduly the operations of NMC, Inc..

NMC, Inc. is not required, but may elect, to provide more than 480 hours of intermittent leave in any 12-month period. If NMC, Inc. limits hours of intermittent leave, the employee is entitled to take their remaining leave continuously.

Notice

Employees must provide their supervisor and/or HR Manager at least 30 days' notice before PFML is to begin if the need for PFML is foreseeable. Employees must provide NMC, Inc. notice as soon as is practicable when 30 days' notice is not practicable, such as because of a lack of knowledge of approximately when PFML will be required to begin, a change in circumstances, or a medical emergency. The notice must contain at least the anticipated timing and duration of the PFML.

Whether PFML is to be continuous or is to be taken intermittently, notice need only be given one (1) time, but the employee must inform NMC, Inc. as soon as is practicable if dates of the scheduled PFML change are extended or were initially unknown.

Employees must provide NMC, Inc. with a copy of the certification submitted to the PLD to substantiate their need for leave as soon as practicable.

Employee Application to the PLD

After providing notice to NMC, Inc., employees should apply directly to the PLD (online or over the phone through the PLD's contact center) for leave and benefits. Employees are required to use the forms provided by the PLD and their application for benefits may not be processed unless the application for benefits includes all information necessary for the PLD's review and processing. Employees will need to provide the PLD with the following information:

- Information about themself and their job;
- The reason and the type of leave they are applying for;
- The expected length of leave; and
- Certification from a medical professional, service provider, or other supporting documentation about the reason for their leave.

It is the employee's responsibility to provide the PLD with timely, complete, and sufficient information, certifications, or other documents supporting the need for leave. Any time the employee applies for PFML benefits, the application must be supported by documentation or certification as required by applicable law.

The PLD is solely responsible for determining if any employee is eligible for benefits.

Supplemental Benefits During PFML

NMC, Inc. does not offer supplemental benefits to employees who are receiving PFML.

Job Benefits and Protection

During PFML leave, NMC, Inc. will maintain coverage under any group insurance policy, subscriber contract, or health care plan for the employee and any dependents as if the employee had continued to work. If NMC, Inc.-provided benefits are used as an offset to the PFML benefits or to supplement the PFML benefits, NMC, Inc. will deduct the employee's portion of any applicable insurance plan premium as a regular payroll deduction. If the employee is not receiving any NMC, Inc. benefits during the leave, the employee must make arrangements with HR Generalist prior to taking leave to pay their portion of any applicable insurance premiums each month.

Unless otherwise provided by applicable law, employees returning from PFML leave will be restored to their previous or equivalent position with equivalent status, pay, benefits, and other terms and conditions of employment as of the date of the leave.

Interaction with Other Leave Policies

Leave taken pursuant to PFML will run concurrently with leave taken under the federal Family and Medical Leave Act and the Minnesota Pregnancy and Parenting Leave Act, when the leave is for a covered reason under those laws.

Questions and/or Complaints about PFML

Employees with questions regarding this PFML policy should contact HR Generalist. For questions about determinations by the PLD on leave eligibility, entitlement, and/or benefits, employees should contact the PLD directly. The PFML makes it unlawful for employers to discriminate, retaliate, threaten to retaliate, or interfere with the exercise of any rights under the PFML. NMC, Inc. is committed to complying with the PFML and, whenever necessary, shall interpret and apply this policy in a manner consistent with the PFML.

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.

Minnesota: Breaks and Meal Periods (for Non-Exempt Employees)

Rest Breaks

Non-exempt employees are authorized and allowed a paid rest break of 15 minutes or enough time to use the nearest convenient restroom, whichever is longer, within each four (4) consecutive hours of work.

Employees do not need to obtain approval from or notify their supervisor when taking a rest break. Employees are encouraged to take their rest breaks; they are not expected to and should not work during their rest breaks. Employees are paid for all rest break periods and do not need to clock out when taking a rest break.

Rest breaks may not be combined with each other or with a meal period. In addition, rest breaks may not be taken at the beginning or end of the workday to arrive late or leave early. Each rest break should be a separate break, meeting the requirements described above.

Meal Periods

Non-exempt employees who work six (6) or more consecutive hours in a workday are provided an unpaid, off-duty, and uninterrupted meal period of at least 30 minutes.

Employees are responsible for scheduling their own meal period but should confirm them with their supervisor. When scheduling meal periods, employees should try to anticipate their workflow and deadlines. During a meal period, employees are relieved of all duties and should not work during this time. When taking a meal period, employees should completely stop working for at least 30 minutes. Employees are prohibited from working “off the clock” during their meal period.

Those employees who use a time clock must clock out for their meal periods. Employees are required to clock back in and promptly return to work at the end of any meal period. Employees who record their time manually must accurately record their meal periods by recording the beginning and end of each work period. Unless otherwise directed by their supervisor in writing, employees are not required to get approval from or notify their supervisor when taking a meal period. Employees are to immediately notify their supervisor and/or HR Manager if they believe that they are prevented by the nature of their work from taking a timely and/or complete meal period.

Meal and Rest Period Waiver

Non-exempt employees may voluntarily waive their rest and/or meal periods in writing. Employees should contact HR Manager to obtain this waiver form.

No Working During Rest Breaks and Meal Periods

Non-exempt employees are completely relieved of all work duties and responsibilities during their rest breaks and meal periods. All rest breaks and meal periods must be taken outside employees’ work areas, such as in a break room. Employees should not visit or socialize with employees who are working while taking their rest break or meal period. Employees are required to notify HR Manager immediately if they believe they are being pressured or coerced by any manager, supervisor, or other employee to forego any portion of a provided rest break or meal period. Additionally, employees are required to notify their supervisor and/or HR Manager immediately if they believe their workload, schedule, deadline, or other quota make rest break or meal periods infeasible.

Minnesota: Crime Victims Leave

Employees who are victims of a violent crime and are subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony may be granted reasonable time off from work without pay to attend criminal proceedings related to the victim's case. Employees who are a victim's spouse or immediate family member may be granted reasonable time off from work without pay to attend criminal proceedings related to the victim's case.

Employees must give 48 hours' advance notice of the request for time off pursuant to this policy, unless impracticable or an emergency prevents the employee from doing so.

Upon request, the employee must provide verification that supports the employee's reason for being absent from the workplace. All information related to the employee's leave pursuant to this section shall be kept confidential by NMC, Inc..

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.

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.

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.

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.

Minnesota: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in a state general or primary election, vote in an election to fill a vacancy in the federal or state Senate or House of Representatives, vote in a presidential primary or serve as an election judge, employees may take off working time to vote or serve as an election judge. Time for voting should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed voting leave on Election Day without loss of pay or retaliation. Where possible, supervisors should be notified of the need for leave to vote in advance of Election Day.

Time for serving as an election judge is allowed on Election Day without loss of pay, except that pay may be reduced by any amount the employee is paid for serving as an election judge by the appointing authority during the time the employee was absent from the place of employment. Employees must give at least 20 days written notice to take time to serve as an election judge. The written notice must be accompanied by a certification from the appointing authority, stating the hourly compensation to be paid the employee for service as an election judge and the hours during which the employee will serve. The Company may restrict the number of individuals who may be absent from work for the purpose of serving as an election judge to no more than 20% of the total workforce at any single worksite.

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.

Minnesota: Family Military Leave

Any employee who is the grandparent, parent, legal guardian, sibling, child, grandchild, spouse, fiance or fiancee of a member of the United States armed forces who has been ordered into active service in support of a war or other national emergency ("mobilized service member") is eligible for an

unpaid leave of absence of up to one (1) day per calendar year in order to attend a send-off or homecoming ceremony for the mobilized service member. Employees are asked to give NMC, Inc. as much notice of their intent to take this leave as is practicable under the circumstances.

Additionally, any employee who is the parent, child, grandparent, sibling or spouse of a member of the United States armed forces who has been injured or killed while engaged in active service is eligible for an unpaid leave of absence for up to 10 days. The employee must give NMC, Inc. as much notice of intent to take this leave as is practicable. Any accrued paid time off which is used during this period will run concurrently with leave under this policy and will not extend the length of leave.

Minnesota: Family and Medical Leave for Employers Covered by the FMLA

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA), 29 U.S.C. ch. 28, and/or the Minnesota Pregnancy & Parental Leave Act (MPPLA), Minn. Rev. Stat. § 181.941. This policy provides employees with information concerning FMLA and/or MPPLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA and/or MPPLA leave, they should contact HR Generalist.

I. Eligibility

FMLA leave is available to "FMLA-eligible employees." To be an "FMLA-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.

All employees who work in Minnesota are "MPPLA-eligible employees."

II. Entitlements

The FMLA and MPPLA provide eligible employees with a right to leave, health insurance benefits, and, with some limited exceptions, job restoration.

A. Basic FMLA and MPPLA 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. The MPPLA provides eligible employees up to 12 workweeks of unpaid leave for:

1. The birth or placement for adoption of a child; or
2. For any female employee's prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions.

MPPLA leave for the birth or adoption of a child may begin not more than 12 months after the birth or adoption, except that where the child must remain in the hospital longer than the childbearing parent, the leave may not begin more than 12 months after the child leaves the hospital. It is NMC, Inc.'s policy to provide the greater leave benefit provided under the FMLA or MPPLA and to run leave concurrently under the FMLA and MPPLA whenever possible. Leave may be taken for any one (1), or for a combination, of the following reasons:

- To care for the employee's child after birth or placement for adoption (or foster care—FMLA only);
- To care for the employee's spouse, son, daughter, or parent (but not in-law) who has a serious health condition (FMLA only);

- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care, childbirth, or related health condition) that makes the employee unable to perform one (1) or more of the essential functions of the employee's job (FMLA only, except under the MPPLA, for a employee's own prenatal care or incapacity due to pregnancy, childbirth, or related health conditions); and/or
- Because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, 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 Reserve component of the Armed Forces for deployment to a foreign country in support of contingency operations or Regular Armed Forces for deployment to a foreign country (FMLA only).

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 the employee from performing the functions of the employee's 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, 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.

The length of MPPLA leave will not be reduced by any period of paid or unpaid leave provided by NMC, Inc. policy or other applicable law taken for prenatal care medical appointments.

B. Additional Military Family Leave Entitlement (Injured Servicemember Leave) (FMLA Only)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, 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 service under conditions other than dishonorable at any time during the five- (5-) year period preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is 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 usually will be taken for a period of consecutive days, weeks, or months. However, 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. Leave due to qualifying exigencies may also be taken on an intermittent or reduced schedule basis.

D. No Work While on Leave

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

E. Protection of Group Health Insurance Benefits

During FMLA/MPPLA 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/MPPLA leave, subject to some exceptions, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits, and other employment terms. Under the FMLA only, reinstatement also may be denied where job restoration of "key employees" will cause NMC, Inc. substantial and grievous economic injury. 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/MPPLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA/MPPLA 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/MPPLA Leave Obligations

A. Provide Notice of the Need for Leave

Employees who wish to take FMLA/MPPLA leave must timely notify NMC, Inc. of their need for FMLA/MPPLA 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.

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.

For MPPLA, the notice of the need for leave should include the date the leave will commence and the estimated duration of the leave.

2. Timing of Employee Notice

Employees must provide 30 days' advance notice of the need to take FMLA/MPPLA 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.

Employees returning from MPPLA leave longer than one (1) month also must provide notice of their return from leave to HR Generalist at least two (2) weeks in advance.

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 reasons 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 the 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 servicemember. If employees can 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. 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 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 and MPPLA Leave

Employees must use any accrued paid time while taking unpaid FMLA and/or MPPLA leave.

The substitution of paid time for unpaid FMLA and/or MPPLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with the employee's FMLA/MPPLA entitlement, except for use related to prenatal care medical appointments which will not reduce the employee’s MPPLA entitlement.

Receipt of disability leave benefits, workers' compensation benefits, or other monetary benefits does not extend the maximum amount of leave time to which the employee is eligible under the FMLA and/or MPPLA, except for use related to prenatal care medical appointments, which will not reduce the employee’s MPPLA entitlement.

F. Pay Employee's Share of Health Insurance Premiums

During FMLA/MPPLA 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/MPPLA leave, NMC, Inc. will deduct the employee's 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/MPPLA 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. Coordination of FMLA/MPPLA Leave with Other Leave Policies

The FMLA and MPPLA do not affect any federal, state, or local law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights. However, whenever permissible by law, FMLA leave will run concurrently with MPPLA and any other leave provided under state or local law. For additional information concerning leave entitlements and obligations that might arise when FMLA/MPPLA leave is either not available or exhausted, please consult NMC, Inc.'s other leave policies in this manual or contact HR Generalist.

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

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

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 against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. 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 U.S. Department of Labor or may bring private lawsuits alleging FMLA violations.

Minnesota: Domestic Abuse or Harassment Leave

Employees are entitled to reasonable unpaid time off to obtain or attempt to obtain an order of protection and/or other relief from a court related to domestic abuse or harassment.

The employee who is absent from the workplace shall give 48 hours' advance notice to NMC, Inc. except in cases of imminent danger to the health or safety of the employee or the employee's child, or unless impracticable.

Upon request, the employee must provide verification that supports the employee's reason for being absent from the workplace. All information related to the employee's leave pursuant to this section shall be kept confidential by NMC, Inc..

Minnesota: School Conference and Activities Leave

NMC, Inc. will provide employees with up to 16 hours of leave during any 12-month period to attend school conferences or school-related activities related to the employee’s child (including conferences related to a pre-kindergarten program or child care services), provided the conferences or school-related activities cannot be scheduled during nonwork hours. When leave cannot be scheduled during non-work hours and the need for leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to unduly disrupt NMC, Inc.'s operations. Leave under this policy is unpaid. However, the employee may substitute accrued paid time off for leave under this policy.

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.