

California/Massachusetts Manager's Time Off Plan

Business Applicability

- Conifer Corporate Hospital Revenue Cycle
 Physician Revenue Cycle Value-Based Care Patient Communications & Engagement

Conifer Policy

Policy Name: California/Massachusetts Manager's Time Off Plan

Policy Number: HRS.06.03

Review Cycle: Annual Triennial

Date of Inception: 11/6/2009

Previous Effective Date: 6/19/2014

Current Approval Date: 8/22/2018

Effective Date: 8/23/2018

- New Policy
 Non-Substantive
 Substantive

Policy Approvals

Policy Governance Committee:

Approval on File: YES

Date: 8/22/2018

Policy Owner(s): Carla Lancon

Approval on File: YES

Date: 8/22/2018

I. Scope

This policy applies to (1) Conifer Health Solutions, LLC, Conifer Holdings, Inc., and its affiliated and/or related entities; and (2) any other entity or organization in which Conifer or an Affiliate owns a direct or indirect equity interest of 50% or more (collectively, “Conifer”).

II. Purpose

The California/Massachusetts Manager’s Time Off (MTO) Plan allows paid time off from work due to vacation, personal or sick time for Team Members who are participants in the MTO plan. Participants are not eligible to participate in Conifer’s Paid Time Off (PTO) or Extended Illness Programs.

III. Definitions

Team Member: Includes only employees of Conifer.

IV. Policy Statement

A. Eligibility To Be A Participant

Team Members who are managers and above, who work in California or Massachusetts, are automatically participants in the California/Massachusetts MTO Plan. Additional Team Members may be designated exclusively in writing as participants at the sole discretion of Conifer Human Resources. Generally, management Team Members who regularly attend management meetings and have supervisory or budgetary responsibilities will be considered for written designation as participants.

B. MTO Accrual

Participants will accrue MTO time at a rate per pay period equal to 20 days per 12-month period (6.16 hours per pay period). There is no waiting period for accruals to begin. The maximum number of MTO days that participants may accrue in his/her MTO bank at any time is 20 days. Participants will cease to accrue MTO once he/she have accrued 20 days in his/her MTO bank and will not begin to accrue MTO time until his/her MTO bank has dropped below 20 days.

C. Time Off

Participants are salaried exempt Team Members who are compensated not for the amount of time spent at work, but rather for the general value of services they perform. Nevertheless, Conifer recognizes the value and need for participants’ taking time off from work for rest, relaxation and other purposes and accordingly, participants are encouraged to take time off during the year.

Policy & Standards

A participant may take time off away from work, up to the amount of MTO accrued not to exceed 20 days per calendar year, without loss of salary with the prior approval from his/her immediate supervisor. The time off actually taken by any participant, however, may vary from year to year based upon the individual participant's workload, responsibilities and duties, and Conifer's operating needs and staffing requirements. Efforts will be made to accommodate a participant's time off request in the amount and at the time requested. However, no request for time off can be guaranteed even after initial approval has been made. Participants may only take time off in whole day increments not to exceed the number of days in their MTO bank.

Participants will need to submit either an email or the California/Massachusetts Manager's Time-Off Request form for requests for time off to his/her supervisor for approval. Participants should then send the approved document to Payroll for processing in order for his/her MTO bank to properly reflect the time that he/she takes away from work.

If the participant takes time off during a regular work day and has worked any portion of that day, the participant will be paid as if he/she had worked a full day and MTO will not apply. There will be no loss of wages.

If the participant takes an entire regular work day off (does not work any portion) he/she will not be paid regular pay for the day, and will be required to use his/her MTO. If he/she has exhausted his/her MTO the time will be unpaid when permitted by law.

Management reserves the right to request a physician's certification to validate a Team Member's illness and or limitations. Leadership will coordinate such requests with Conifer Human Resources.

Participants may qualify for a federal or state protected leave of absence. Only the amount accrued in his/her MTO bank would be paid under the California/Massachusetts MTO Plan. During any pay period in which a Team Member is on a Leave of Absence, paid or unpaid, and has no Scheduled Hours, he or she will not accrue MTO hours.

Team Members on the California/Massachusetts MTO plan should consult with Conifer Human Resources regarding how time on an approved federal or state protected intermittent or reduced schedule leave will be counted towards the Team Members leave entitlement and the utilization of MTO.

D. Conifer Holidays

In addition to time off under the California/Massachusetts MTO Plan, participants are provided paid holidays. The MTO bank will not be reduced for holiday time. The standard holidays observed by Conifer are posted on ICON each year.

E. California Kin Care

In accordance with California law, on an annual calendar basis, Team Members working in California are eligible to use one-half of his/her annual accrued MTO. Unused days will not be carried over to

the following year. Kin Care permits Team Members to take time off to care for their sick child, parent, spouse, registered domestic partner, or the child of a registered domestic partner. The individual does not have to have a serious health condition nor is a physician's note required. This includes but is not limited to illness or injury, doctor appointments or other medical needs. FMLA and Kin Care run concurrently. Team Members must request Kin Care within one day following the absence by submitting a California Request for Kin Care form to his/her supervisor. A form will need to be provided for each day that is applied to Kin Care, unless they are consecutive days. Time off must be in full day increments.

G. Team Members Transferring From MTO (Non-California/Massachusetts Plan) to California/Massachusetts MTO Plan

Team Members who are working at a location not located in California or Massachusetts, who are participants in the MTO Plan and transfer to a location covered under the California/Massachusetts MTO Plan, will be credited with a beginning California/Massachusetts MTO Plan balance equal to one year of the Team Member's current MTO allowance at the time of transfer.

H. Team Members Transferring From California/Massachusetts MTO Plan to MTO (Non-California/Massachusetts Plan)

Team Members who are participating in the California/Massachusetts MTO Plan and transfer to a location not covered under the California/Massachusetts MTO Plan will be paid out their MTO bank balance at the time of transfer. Time off after the date of transfer will be based on the provisions under the MTO plan of the non-California/Massachusetts location.

I. Team Members Transferring From a MTO Eligible Position to a Non-Eligible MTO Position

Team Members who are no longer eligible for participation in the California/Massachusetts MTO Plan, due to a change in position, will have MTO hours converted to PTO hours

J. Team Members Transferring From a PTO Eligible Position to a MTO Eligible Position

Team Members who become eligible to be a participant in the California/Massachusetts MTO Plan will have any previously accrued PTO time converted into MTO time up to a maximum of four weeks 20 days. Any balance in PTO in excess of 20 days for such participants will be cashed out at 100% of its value less withholding of applicable payroll taxes.

Any Conifer extended illness hours earned prior to the participant becoming eligible to participate in the California/Massachusetts MTO Plan will be moved into old extended illness. The old extended illness hours may be used only in the event that a MTO participant ceases participation in the California/Massachusetts MTO Plan and subsequently becomes eligible for participation under the guidelines in the Extended Illness Plan.

The Team Member's MTO time off schedule is based on the Team Member's date of hire.

K. Termination

When a participant separates from employment with Conifer, all accrued California/Massachusetts MTO hours are paid to the participant at full value less withholding of applicable payroll taxes. Participants who receive severance will cease MTO accruals and receive a lump sum pay out of their accrued MTO balance as of the pay period in which his/her severance begins.

L. Administration and Review

The Plan administrator shall be Tenet's vice president of Human Resources or his or her designee. The Plan administrator shall have the sole discretionary authority to determine eligibility or to construe the terms of this Plan and to decide any question arising in the administration, interpretation and application of this Plan.

V. Procedure

A. Team Member

1. Submit California/Massachusetts Manager's Time-Off Request form or equivalent to request for time off to his/her supervisor for approval.
2. Submit approved time off request documentation to payroll for processing.
3. For eligible California participants, submit California Request Kin Care form within one day of their return to work.

B. Leadership

1. Review and approve request for time off in a timely manner while maintaining appropriate staffing levels and coverage.
2. If time off request cannot be approved, consult with Conifer Human Resources prior to the denial.
3. Ensure Team Member's MTO time is submitted to payroll.

C. Conifer Human Resources

Provide support and guidance to management in administering this policy.

VI. Enforcement

All Team Members whose responsibilities are affected by this policy are expected to be familiar with the basic procedures and responsibilities created by this policy. Failure to comply with this policy will subject Team Members to appropriate performance management pursuant to all applicable policies and procedures, up to and including termination. Such performance management may also include modification of compensation, including any merit or discretionary compensation awards, as allowed by applicable law.