

## **II. EMPLOYMENT POLICIES**

### **1. AT-WILL EMPLOYMENT**

RMY considers the freedom of RMY and its employees to terminate the employment relationship to be a valuable and important right. All employees of RMY are employed at will. This means that all employees of RMY are free to leave RMY at any time, for any reason or for no reason. Similarly, RMY may terminate any employee at any time, for any reason, with or without cause or notice.

No supervisor, manager, or representative of RMY other than the executive director of Rocky Mountain Youth MNC, Inc. or the president of Rocky Mountain Youth Medical Providers, P.C., as applicable, has the authority to enter into an agreement with you for employment for any specified period or to make any promises or commitments contrary to RMY's policy of at-will employment. Further, any employment agreement entered into by the executive director of Rocky Mountain Youth MNC, Inc. or the president of Rocky Mountain Youth Medical Providers, P.C., as applicable, shall not be enforceable unless it is in writing and is signed by the executive director of Rocky Mountain Youth MNC, Inc. or the president of Rocky Mountain Youth Medical Providers, P.C., as applicable.

All RMY-provided benefits will expire upon an employee's employment termination date. Employees who cease working for RMY may elect to continue insurance at their own expense under COBRA Continuing Group Health Coverage.

### **2. EQUAL EMPLOYMENT OPPORTUNITY**

RMY provides equal employment opportunities to all qualified employees and applicants for employment without regard to race, creed, color, sex, religion, national origin, age, ancestry, veteran status, marital status, sexual orientation or disability, in accordance with applicable federal, state and local laws. This policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, termination, lay-off, transfer, leaves of absence, compensation and training. Applicants will be hired on the basis of qualifications.

#### **A. Harassment**

RMY expressly prohibits any form of unlawful harassment or discrimination of employees based on race, creed, color, religion, sex, national origin, age, ancestry, veteran status, sexual orientation, disability or status in any group protected by federal, state or local law. Interference with the ability of an employee to perform the employee's job duties resulting from unlawful harassment or discrimination will not be tolerated.

#### **B. Sexual Harassment**

With respect to sexual harassment, RMY prohibits:

Offensive sexually-oriented comments, jokes, innuendos, unwelcome sexual advances, requests for sexual favors, and all other verbal or physical conduct of a sexual nature, especially where: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or (3) such

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

All employees of RMY are responsible for assuring that the work place is free from unlawful discrimination and harassment, sexual or otherwise. All employees should endeavor to respect the rights of their co-workers.

If you experience any job-related harassment based on your sex, race, or another factor, or believe you have been treated in an unlawful or discriminatory manner, promptly report the incident to your supervisor unless your complaint involves your supervisor. In that event, report your complaint to the executive director of Rocky Mountain Youth MNC, Inc. or the president of Rocky Mountain Youth Medical Providers, P.C., as applicable.

All complaints will be promptly and thoroughly investigated by RMY and will be kept confidential to the extent possible.

If RMY determines that an employee has unlawfully harassed or discriminated against another employee, RMY will take appropriate disciplinary action against the offending employee. RMY prohibits any form of retaliation against any employee for the filing of a bona fide complaint under this policy or for assisting in the investigation of a complaint of harassment or discrimination.

### **3. NON-DISCRIMINATION AGAINST AND ACCOMMODATION OF PEOPLE WITH DISABILITIES**

RMY complies with the Americans with Disabilities Act and applicable state and local laws providing for non-discrimination in employment against qualified individuals with disabilities. RMY also provides reasonable accommodation for such individuals in accordance with these laws. It is RMY's policy to:

- A. Ensure that qualified individuals with disabilities are treated in a nondiscriminatory manner in the pre-employment process and that after employment; employees with disabilities are treated in a nondiscriminatory manner in all terms, conditions, and privileges of employment.
- B. Administer medical examinations to employees only when job-related and justified by business necessity.
- C. Keep all medical-related information confidential.
- D. Upon request by an applicant or employee, provide qualified applicants and employees with disabilities with reasonable accommodation, except where such an accommodation would create an undue hardship on RMY.
- E. Notify individuals with disabilities that RMY provides reasonable accommodation to qualified individuals. Notice will be given by this policy and by posting an Equal Opportunity Commission poster stating that RMY does not discriminate against individuals with disabilities and other protected groups at RMY's facilities.

Qualified individuals with disabilities may make requests for reasonable accommodation to the executive director of Rocky Mountain Youth MNC, Inc. or the president of Rocky Mountain Youth Medical Providers, P.C., as applicable. On receipt of an accommodation request, the executive director of Rocky Mountain Youth MNC, Inc. or the president of Rocky Mountain Youth Medical Providers, P.C., as applicable, will meet with the requesting individual to discuss and identify the precise limitations resulting from the disability and the potential accommodation that RMY might make to help overcome those limitations.

RMY will then determine the feasibility of the requested accommodation, considering various factors, including, but not limited to, the nature and cost of the accommodation, the availability of tax credits and deductions, outside funding, the facility's overall financial resources and organization, and the accommodation's impact on the operation of the facility, including its impact on the ability of other employees to perform their duties and on the facility's ability to conduct business.

RMY will inform the employee of RMY's decision on the feasibility and reasonableness of the accommodation request, or may ask the employee making the accommodation request for specific suggestions on how to make the accommodation. RMY's decision concerning any accommodation will be final.

#### **4. REFERENCE INQUIRIES**

It is the policy of RMY to release employment information only upon receipt of a specific written request from a properly identified individual who has a legitimate right to know the information being released. In the absence of employee consent or other legal requirements, in response to such inquiries, it is RMY's policy to disclose only employment dates, position held, and ending salary. All requests for employment references must be directed to the executive director of Rocky Mountain Youth MNC, Inc. or the president of Rocky Mountain Youth Medical Providers, P.C., as applicable, or his or her designee.

#### **5. ORIENTATION PROCEDURES**

Orientation is given informally during the first week of employment. Employee benefits and organizational policies are discussed, and new employees have an opportunity to ask questions. Employees are required to sign a statement indicating receipt and understanding of this Handbook. In addition, employees are required to complete all necessary new hire forms.

#### **6. OUTSIDE CONSULTING**

Full-time employees may perform personal consulting services with the written consent of RMY provided such services, as well as all activities related to planning and carrying out approved services, are performed on employee's personal time (weekends, scheduled vacations, etc.) and do not interfere with employee's regular duties at RMY.