

## **301 Employee Benefits**

**Effective 10/1/2019**

Eligible employees at FMC are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, and unemployment insurance) cover all employees in the manner prescribed by law.

Medical, dental and other benefits eligibility is dependent upon a variety of factors, including employee classification and regulations established by the Affordable Care Act (ACA) of 2010. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook.

The following benefit programs are available to eligible employees:

- \* Bereavement Leave
- \* Health, Vision and Dental Insurance
- \* Holidays
- \* Jury Duty Leave
- \* Life Insurance
- \* Paid Time Off (PTO)
- \* 401K Retirement Plan

Some benefit programs require contributions from the employee.

## **303 Paid Time Off**

**Effective 08/01/2022**

Paid Time Off (PTO) is available to eligible employees to provide opportunities for rest, relaxation, illness, and personal pursuits. To request PTO, an employee must submit a written request (via a P-3) to their immediate supervisor. The Area or District Manager will review the notice and forward the request to Human Resources for processing and approval. Human Resources will review the request and approve or deny based on this policy, staffing requirements and current business needs. PTO may not be taken unless the employee has received written approval from Human Resources.

Requests for PTO must be submitted in a timely manner. This is considered to be:

- \*30-days in advance for PTO of 3 days or greater
- \*14 days in advance for PTO of 2 days or fewer

Exemptions to this policy may be granted for verifiable personal or medical emergencies.

If an employee is unable to work their regularly scheduled hours due to illness or family emergency, the employee must call their supervisor to notify them that they will not be able to work and relay any operational needs that the supervisor needs to be made aware of during their absence. (Texting and/or emailing is not considered an acceptable form of notifying a supervisor of an illness related absence.) The supervisor will notify Human Resources of the absence and submit a P-3 in a timely manner to document the PTO used.

## **Flynn Management Corporation Employee Handbook**

Employees in the following employment classification(s) are eligible to earn and use PTO as described in this policy:

- \* Regular full-time employees (over 30 hours per week)
- \* Regular part-time employees (22-30 hours per week)

The amount of PTO an employee receives each year is based on the number of hours an employee is regularly scheduled to work. The amount of PTO allocated to an employee on their anniversary date increases with the length of their employment as shown in the following schedule:

\*After 1 year of eligible service the employee is entitled to two weeks' worth of PTO.

\*\*After 5 years of eligible service the employee is entitled to three weeks' worth of PTO.

\*\*\*Regular full-time employees also receive an additional 3 days (based on number of regularly scheduled hours) of PTO.

Example 1 – Dale is part-time and is regularly scheduled to work 8-12 Monday, Wednesday, and Friday (12 hours per week). Dale does not receive PTO because he is scheduled to work fewer than 22 hours on a weekly basis.

Example 2 – Brennan is part-time and is regularly scheduled to work 9-2 M-F (25 hours per week). Brennan will receive two weeks (50 hours) of PTO on his first-year anniversary.

Example 3 - Nancy is regularly scheduled to work M-Th 8-12 & 1-5 (32 hours per week). Nancy will receive two weeks (64 hours) plus three days (24 hours) for a total of 88 hours after her first-year anniversary.

Example 4 - Robert works five days a week eight hours a day for a total of 40 hours per week. Robert will receive two weeks (80 hours) plus three days (24 hours) for a total of 104 hours of PTO on her first anniversary.

Some employees have schedules that are not consistent each day. For example, Bruce works 8 hours per day M-Th and 4 hours on Friday. Therefore, Bruce's weekly hours are 36 per week. If Bruce takes off on a M, Tu, W or Thu he will use 8 hours of PTO. If Bruce takes off on a Friday, he will use 4 hours of PTO because that is what he is regularly scheduled to work on a Friday.

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the employee starts to earn PTO. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.) This extension would include any paid time off that was included in the significant leave of absence.

## **Flynn Management Corporation Employee Handbook**

Once employees enter an eligible employment classification, they become eligible to earn PTO according to the schedule.

During the initial eligible employment period, employees will receive one day of PTO at their 90-day anniversary, and one additional day after 180 days.

It is against company policy for PTO to be granted to District Managers, Area Managers and Site Personnel during the first and last week of a month. First week of the month is the first through the seventh and the last week of the month is the last seven calendar days of the month. This is to ensure that adequate on-site and field staff is available to handle move-outs and rent collections.

Employees may not take PTO or be absent from the property or their office in excess of seven consecutive calendar days (one calendar week) at one time including holidays.

PTO may be used for December 24<sup>th</sup> and December 31<sup>st</sup> only if business and staffing needs are adequately satisfied as determined by Human Resources. As a reminder, an employee may not be absent longer than seven consecutive calendar days.

**PTO can be used in minimum increments of one day. And for full-time employees, PTO can be used in ½ day increments on four (4) separate occasions.**

PTO is paid at the employee's base pay rate at the time it is used. PTO is paid based on the employee's scheduled hours at the time it is taken. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

As stated above, employees are encouraged to use available PTO for rest, relaxation, and personal pursuits. In the event available PTO is not used by the end of the benefit year, employees will forfeit the unused time.

**To be eligible for PTO, employees must work the full schedule of their last scheduled day immediately preceding and the first scheduled day immediately following the PTO time.**

Upon termination of employment, employees will NOT be paid for unused PTO.

Once an employee has submitted a Notice of Resignation, they will no longer be permitted to utilize PTO.

Employees must use all available PTO, prior to taking time off as unpaid.

### **305 Holidays**

**Effective 9/18/2020**

FMC will grant holiday time off to all employees on the holidays listed below:

- \* New Year's Day (January 1)
- \* Memorial Day (last Monday in May)

## **Flynn Management Corporation Employee Handbook**

- \* Independence Day (July 4)
- \* Labor Day (first Monday in September)
- \* Thanksgiving (fourth Thursday in November)
- \* Christmas (December 25)

**Christmas Eve and New Year's Eve are not paid holidays. If Christmas Eve falls on a Monday through Saturday, the Leasing Office will close at 12:00 PM. If Christmas falls on Sunday, the Leasing Office will be closed. If New Year's Eve falls on a Monday through Saturday, the leasing office will close at 4:00 PM. If New Year's Eve falls on a Sunday, the Leasing Office will be closed. Hourly employees will be paid for time actually worked.**

FMC will grant paid holiday time off to all eligible employees who have completed 30 calendar days of service in an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would have regularly worked on that day.

Eligible employee classification(s):

- \* Regular full-time employees (over 30 hours per week)
- \* Regular part-time employees (22-30 hours per week)

To be eligible for holiday pay, employees must work the full schedule of their last scheduled day immediately preceding and the first scheduled day immediately following the holiday. (The only exception to this is for employees with pre-approved PTO)

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's **scheduled** absence (e.g., PTO), the employee will be eligible for holiday pay but will not be paid or charged for PTO.

If eligible nonexempt employees work on a recognized holiday, they will receive holiday pay plus wages at their straight-time rate for the hours worked on the holiday.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

### **306 Worker's Compensation Insurance**

**Effective 6/15/2021**

FMC provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

***Employees who sustain work-related injuries or illnesses should contact their immediate supervisor or Human Resources. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.***

Neither FMC nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by FMC. **Employees may be sent for a drug screen depending upon the details and investigation of a job related incident.**

### **307 Intentionally Left Blank**

### **308 Time Off to Vote**

**Effective 9/1/1998**

FMC encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their nonworking hours, FMC will grant up to 1 hour of unpaid time off to vote.

Employees should request time off to vote from their supervisor at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

Employees must submit a voter's receipt on the first working day following the election to qualify for time off.

### **309 Bereavement Leave**

**Effective 2/1/2010**

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately.

Up to 3 consecutive days of paid bereavement leave will be provided to eligible employees after they have completed their 90 day probationary period in the following classification(s):

- \* Regular full-time employees
- \* Regular part-time employees

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

## **Flynn Management Corporation Employee Handbook**

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their supervisors' approval, use any available paid leave for additional time off as necessary.

FMC defines "immediate family" as the employee's current spouse, child, parent, brother, sister, grandparent, grandchild, son-in-law, daughter-in-law, brother-in-law, sister-in-law, mother-in-law or father-in-law.

**FMC reserves the right to require documentation of the death (e.g., death certificate, obituary, documentation from funeral home).**

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### **311 Jury Duty**

**Effective 9/1/1998**

FMC encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees who have completed a minimum of 180 calendar days of service in an eligible classification may request up to 1 week of paid jury duty leave over any 2 year period.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Employee classifications that qualify for paid jury duty leave are:

- \* Regular full-time employees
- \* Regular part-time employees

If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use any available Paid Time Off or may request an unpaid jury duty leave of absence.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

Either FMC or the employee may request an excuse from jury duty if, in FMC's judgment, the employee's absence would create serious operational difficulties.

FMC will continue to provide health insurance benefits until the end of the month in which the unpaid jury duty leave begins. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from jury duty, benefits will again be provided by FMC according to the applicable plans.

Benefit accruals PTO, or holiday benefits will be suspended during unpaid jury duty leave and will resume upon return to active employment.

## **Flynn Management Corporation Employee Handbook**

### **312 Witness Duty**

**Effective 9/1/1998**

FMC encourages employees to appear in court for witness duty when subpoenaed to do so.

If employees have been subpoenaed or otherwise requested to testify as witnesses by FMC, they will receive paid time off for the entire period of witness duty.

Employees will be granted unpaid time off to appear in court as a witness when requested by a party other than FMC. Employees are free to use any available paid leave benefit to receive compensation for the period of this absence.

The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

### **313 Benefits Continuation (COBRA)**

**Effective 2/1/2010**

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under FMC's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

FMC provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under FMC's health insurance plan. The notice contains important information about the employee's rights and obligations.

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### **316 Health Insurance**

**Effective 2/1/2010**

FMC's health insurance plan provides employees and their dependents access to medical, vision and dental insurance benefits. Employees in the following employment classifications are eligible to participate in the health insurance plan:

- \* Regular full-time employees
- \* Regular part-time employees

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between FMC and the insurance carrier.

**Flynn Management Corporation  
Employee Handbook**

A Health Benefit Package including cost of coverage will be provided in advance of enrollment to eligible employees.

**320 401(k) Savings Plan**

**Effective Date 2/1/2010**

Employees eligible to participate in the 401K Retirement Plan can request a copy of the Summary Plan Description and Guide to Investing from Human Resources.