EXECUTIVE ORDER NO. 12-017

To: Employees of the Benevolent and Protective Order of Elks of the USA

Pursuant to the authority of Article IV, Section 12, Constitution of the Benevolent and Protective Order of Elks of the USA, the Laws of the Order, and acting under the recommendation of the BPO Elks of the USA Advisory Committee, I do hereby order that the Revised Employee Handbook Policy Manual, as it pertains to employees of the BPO Elks of the USA, be immediately implemented.

The Revised Employee Handbook will remain in effect, be confirmed by the employees of the BPO Elks of the USA Offices, and be fully enforced until such time that it may be amended, revised or rescinded by an Executive Order from the Grand Exalted Ruler.

Executed this 3rd day of August, 2012 in the City of San Jose, County of Santa Clara, State of California.

Thomas S. Brazier
Grand Exalted Ruler

cc: Advisory Committee
Bryan R. Klatt, Grand Secretary
Board of Grand Trustees
Grand Forum
Committee on Judiciary
Welcome from the Grand Secretary

Welcome to the Benevolent and Protective Order of Elks of the USA!

On behalf of your colleagues, I welcome you to the Benevolent and Protective Order of Elks of the USA (BPO Elks of the USA) and wish you every success.

We believe each employee contributes directly to our growth and success and we hope you will take pride in being a member of our team.

The information in this employee handbook is important. It helps to define specific expectations of you as a BPO Elks of the USA employee as well as outlines the programs and benefits available to eligible employees. Please read it carefully and direct any questions to your supervisor.

If at any time any provision of this handbook conflicts with any governing law, e.g., statute, ordinance, or regulation, the law shall control over the provision in this handbook.

Again, welcome! We hope your experience here will be challenging, enjoyable and rewarding.

Sincerely,

[Signature]

Bryan R. Klatt
Grand Secretary & Chief Operating Officer
Employee Acknowledgement

The employee handbook describes important information about my employment with the Benevolent and Protective Order of Elks, and I understand I should consult the Department Director regarding any questions not answered in the handbook.

Since the information, policies and benefits described are necessarily subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that revised information will supersede, modify, or eliminate existing policies.

I have entered into my employment relationship with BPO Elks of the USA of the Benevolent and Protective Order of Elks voluntarily and acknowledge that there is no specified length of employment. Accordingly, either BPO Elks of the USA or I can terminate the relationship at will, with or without cause, at any time.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

__________________________________
Employee Name – Please Print

__________________________________
Employee Signature

_____ / _____ / __________
Date Signed
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GENERAL INFORMATION

In this employee handbook, the term “BPO Elks” refers to the Benevolent and Protective Order of the Elks of the United States of America and the Elks National Foundation, Inc.

CODE OF EMPLOYER-EMPLOYEE RELATIONS

It is the policy of BPO Elks of the USA to implement fair and effective personnel policies and to require all employees to support the organization’s best interests.

BPO Elks of the USA is committed to a mutually rewarding and direct relationship with its employees without the intervention of outside groups. Thus, BPO Elks of the USA attempts:

a) To provide equal employment opportunity and treatment in accordance with the requirements of applicable laws.
b) To provide compensation and benefits commensurate with the work performed;
c) To establish reasonable hours of work based on BPO Elks of the USA’s production and service needs;
d) To monitor and comply with applicable federal, state and local laws and regulations concerning employee safety;
e) To offer training opportunities for those whose talents or needs justify the training;
f) To be receptive to constructive suggestions about the job, working conditions, or personnel policies; and
g) To establish appropriate means for employees to discuss matters of concern with their immediate supervisor or department head.

BPO Elks of the USA, as part of its commitment to providing its members with excellent services, expects all employees:

a) To deal with members and suppliers in a professional manner;
b) To perform assigned tasks in an efficient manner;
c) To be on time;
d) Follow our Time-Keeping Procedures: Proper completion of work records, such as time cards or exception reports, is essential to assure that labor hours are accurately maintained;
e) Be a Regular Attendee;
f) Keep Your Work Area Clean and Orderly;
g) Observe the Tobacco-Free Workplace Regulations;
h) Report all Injuries;
i) Support a Drug and Alcohol-Free Workplace;
j) Refrain from conduct which endangers the Company, your co-workers or yourself.
k) To demonstrate a considerate; friendly, and constructive attitude toward fellow employees; and
l) To follow the policies adopted by BPO Elks of the USA.

BPO Elks of the USA retains the sole discretion to exercise all managerial functions, including the rights:

a) To dismiss, assign, supervise, and discipline employees;
b) To determine and change starting times, quitting times, and shifts;
c) To transfer employees within the departments or into other departments and other classifications;
d) To determine and change size and qualifications of the work force;
e) To determine and change methods by which its operations are to be carried out; and
f) To assign duties to employees in accordance with BPO Elks of the USA’s needs and requirements and to carry out all ordinary administrative and management functions.

Employment is on an at-will basis, so that either BPO Elks of the USA or the employees may end the relationship at any time and without cause or prior notice. Nothing in this Manual changes the employment-at-will relationship or creates an express or implied contract or promise concerning BPO Elks of the USA’s policies or practices, including policies or practices it will implement in the future.
Accordingly, BPO Elks of the USA retains the right to establish, change, and abolish its policies, practices, rules and regulations at will and as it sees fit.

All applications of policies, procedures, or benefits are subject to the laws of the state in which the employee works.

ABOUT THE ELKS

Brief History of the Elks
- Founded in 1868 in New York City by Charles Algernon Sidney Vivian, a comic singer and dancer.
- The original name of the organization was the Jolly Corks.
- After the death of one of their members, the Jolly Corks decided that in addition to fellowship, they want to have a more enduring organization to serve those in need. On February 16, 1868, the Benevolent and Protective Order of Elks was established.
- BPO Elks is committed to the ideals of charity and patriotism.

“Elks Care–Elks Share”
- The Elks give away more than $200 million each year in cash, goods and services to the nation’s youth, its veterans, the disadvantaged, persons with disabilities, and in support of patriotic and civic programs.
- The Elks donate more than $8 million in scholarships each year and are ranked as one of the largest private providers of scholarships in the U.S.
- More than 100 million children have competed in the Elks Hoop Shoot Free Throw Contest. Past national champions include charter Dream Teamer Chris Mullin and 2011 World Series star Chris Carpenter.
- The Army of Hope program assists the families of those serving overseas in the armed forces.
- The Benevolent and Protective Order of Elks has helped the victims of major disasters since 1871. In times of greatest need—from the Great Chicago Fire to the recent hurricanes and tornados—the B.P.O. Elks of the U.S.A. has been there to lend a helping hand to ease the burden of disaster victims. In this way the Elks live up to their motto, “Elks Care-Elks Share.”

Other Elk Facts & Information
- The BPO Elks national headquarters is based in Chicago. The Chicago campus is also the site of the Elks Veterans Memorial Building; the home of the Elks National Foundation, the Order’s charitable trust; the Elks National Veterans Service Commission; and the Elks Magazine.
- There are approximately 65 employees working in the headquarters offices.
- There are more than 850,000 BPO Elks members in more than 2,000 lodges nationwide.
- Originally founded as men’s organization, membership today is open to all US citizens who are 21 or over and believe in God.
- The elected leadership positions of the BPO Elks are unpaid.
- The Elks started Flag Day. In 1907 Elks members adopted a resolution designating June 14th as Flag Day. In 1911 it was mandated that all Elks Lodges observe Flag Day. On August 3, 1949, President Harry S. Truman permanently designated June 14th as Flag Day by signing an act of Congress.
- Famous Elks Include: Presidents Franklin D. Roosevelt, Harry S. Truman and John F. Kennedy; former Yankees Mickey Mantle and Whitey Ford; and actor Clint Eastwood.

ETHICAL STANDARDS

BPO Elks of the USA expects its employees to observe the highest standards of business ethics. No employee should take any action on behalf of the Company that they know, or reasonably should know, violates any applicable law or regulation. This obviously includes such activities as bribery, kickbacks, falsehoods, and misrepresentations.

BPO Elks of the USA prohibits all employees from accepting gifts, gratuities, or entertainment from individuals and firms with whom BPO Elks of the USA does business. It is also a violation to give gifts to individuals or firms with whom BPO Elks of the USA does business. Excluded from this prohibition is the exchange of normal business courtesies such as luncheons or dinners, when they are proper and
consistent with regular business practice. Also excluded are advertising or promotional materials and holiday or other gifts, which are of nominal value (less than $50.00).

**EQUAL EMPLOYMENT OPPORTUNITY**

It is the policy of BPO Elks of the USA to provide equal opportunity in employment to all employees and applicants for employment. No person will be discriminated against in employment because of race, religion, color, sex, age, national origin, disability, ancestry, marital status, sexual orientation, genetic information, order of protection status or unfavorable discharge from the military (except dishonorable), all in accordance with applicable law. Such action shall include, but is not limited to: initial consideration for employment; job placement and assignment of responsibilities; performance evaluation; promotion and advancement; compensation and fringe benefits; training and professional development opportunities; formulation and application of human resource policies and rules; facility and service accessibility; and discipline and termination.

BPO ELKS is an equal employment opportunity employer and will not discriminate against any employee or applicant for employment in a manner that violates applicable state and local laws governing nondiscrimination in employment in every location in which BPO ELKS has employees.

Any employee who believes this policy has been violated should report the situation to a BPO ELKS supervisor or the Human Resources Manager. All such matters will be held in confidence, thoroughly investigated and rectified if a policy violation is identified. Please refer to the policy governing sexual and other types of harassment for more detailed information concerning BPO ELKS’ investigative procedures.

BPO ELKS strongly encourages use of this policy if necessary and assures its employees that they need fear no reprisals for bringing forth a good faith claim, regardless of the results of any investigation.

**PRODUCTIVE WORK ENVIRONMENT**

It is the policy of BPO Elks of the USA to promote a productive work environment and not to tolerate verbal or physical conduct by any employee that harasses, disrupts, or interferes with another’s work performance or that creates an intimidating, offensive, or hostile environment.

**CONFLICT OF INTEREST**

In order to safeguard the activities and assets of the Benevolent and Protective Order of the Elks of the USA (BPO Elks of the USA), employees of BPO Elks of the USA should not have interests in outside businesses which conflict or appear to conflict with their ability to act and make independent decisions in the best interest of BPO Elks of the USA.

An employee is considered to have an interest in an outside business if the employee or any member of his/her immediate family holds any ownership in the business or its property; furnishes goods or services to the business; is a creditor, employee, agent, officer, director, or consultant of the business. Outside businesses include any person, firm, corporation, or government agency that sells or provides a service to, purchases from, or competes with BPO Elks of the USA. *(Excluded are investments in the securities of a bank, public utilities, and transportation companies subject to regulations by government authority or a mutual fund or investment company registered under the Investment Company Act. Also are securities listed on a national securities exchange or customarily bought and sold at least once a week in the over-the-counter market or in which the employee and/or his or her family have less than $20,000 invested, at cost or market value, or hold less than one percent of such outstanding securities.)*

All employees are expected to exercise good judgment and discretion in evaluating a particular activity so as to avoid any actual, or apparent, conflict of interest. If there is a doubt, the employee should discuss it with his/her supervisor and/or Human Resources.
OPEN DOOR COMMUNICATIONS
The BPO Elks of the USA strives to maintain an “open door” policy of communications, whereby employees are free to ask questions and voice concerns to each other, or to any level of management. The BPO Elks of the USA encourages open and candid feedback.

Employees with a problem or question should first discuss it with their supervisor, who has primary responsibility for resolving employee concerns. Employees who wish to discuss a matter further, or have a particular question that they are not comfortable discussing with their supervisor, are free to discuss the issue with another member of management. Employee questions or problems will always receive immediate attention and be resolved as soon as possible.

REASONABLE ACCOMMODATIONS
The BPO Elks of the USA supports the Americans with Disabilities Act of 1990 as amended and will attempt to provide reasonable accommodations for people with disabilities in the workplace unless such accommodations would present an undue hardship for the company.

Reasonable accommodations apply to all employees and include hiring practices, job placement, training, pay practices, promotion and demotion policies and layoff and termination procedures.

A qualified person with a disability is any individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job the individual has or wants, and does not pose a direct threat to the health or safety of himself/herself or other individuals in the workplace.

Contact Human Resources for further clarification regarding the BPO Elks of the USA’s policy on reasonable accommodation or to request a reasonable accommodation in the workplace.

WHISTLEBLOWER COMPLIANCE
BPO Elks prides itself on its adherence to all federal, state, and local laws/regulations, including business ethics policies. Therefore, the organization asks that any violation of federal, state, or local law or regulation, including any financial wrongdoing witnessed or learned of by an employee of the organization be reported immediately to Human Resources to allow the organization to investigate and, if applicable, correct the situation or condition.

If Human Resources is involved or believed to be involved in the matter being reported, employees may, in the alternative, make a report to the Grand Secretary/COO. The organization will conduct an investigation and take appropriate action within a reasonable period of time. Such complaints will be held in confidence to the extent the needs of the investigation permit.

“Financial wrongdoing” may include, but is not limited to:
- Questionable accounting practices;
- Fraud or deliberate error in financial statements or recordkeeping;
- Deficiencies of internal accounting controls;
- Misrepresentations to company officers or the accounting department (including deviation from full reporting of financial conditions).

If any employee reports in good faith what the employee believes to be a violation of the law and/or financial wrongdoing to the organization or to a federal, state, or local agency or assists in an investigation concerning financial wrongdoing, it is the organization’s policy that there will be no retaliation taken against the employee, including but not limited to discharge, harassment, or disciplinary action, by the organization or any of its employees. Retaliation against an employee who makes a good-faith report pursuant to this policy is grounds for discipline up to and including termination.

DISCIPLINARY STEPS
Should your performance, work habits, conduct or demeanor become unsatisfactory in the judgment of the BPO Elks of the USA, based on violations either of the above or of any other of the BPO Elks of the
USA’s policies, rules or regulations, you may be subject to disciplinary actions as follows:

- First Offense  Verbal Warning
- Second Offense  Written Warning
- Third Offense  Disciplinary Suspension
- Fourth Offense  Discharge

The BPO Elks of the USA is not necessarily required to go through the entire disciplinary action process. Discipline may begin at any step, including immediate discharge, (especially during the early stages of employment), dependent upon the severity of the incident. The progressive disciplinary steps and the failure to follow the steps in every situation do not in any way create a contractual right to continued employment.

Sometimes it may be necessary to investigate the infraction for which an employee may face discharge. In this case, the BPO Elks of the USA may suspend the employee, with or without pay, pending the investigation. The objective of this suspension will be to determine if discharge is the proper decision. Following the investigation, if the employee is not discharged, the employee may be reinstated with or without back pay, depending on the circumstances.
GUIDE TO EMPLOYEE CONDUCT:
Company Policies & Employee Responsibilities

GUIDE TO EMPLOYEE CONDUCT
To assure orderly operations and provide the best possible work environment, BPO Elks of the USA expects employees to follow rules of conduct to protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. Be aware that this list is not intended to be “all inclusive,” and that other behaviors may, at the BPO Elks of the USA’s discretion; also result in disciplinary action up to and including termination. Establishment of these standards of conduct does not alter the employment-at-will relationship. Employees should seek further clarification from the Human Resources Department on issues related to conduct.

The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of BPO Elks of the USA property.
- Falsification of timekeeping records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace
- Negligence or improper conduct endangering the health of employees or visitors leading to damage of employer-owned property
- Insubordination or other disrespectful conduct
- Violation of safety or health rules
- Smoking in prohibited areas
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Excessive absenteeism or any absences without notice
- Unauthorized absence from work station during the workday
- Unauthorized disclosure of business or confidential information
- Violation of personnel policies
- Unsatisfactory performance or conduct
- Unauthorized installation, removal, or modification of computers, or other company owned, leased, rented or licensed equipment or software
- Theft or inappropriate removal or possession of rented property, leased property or property licensed to BPO Elks of the USA
- Unauthorized or illegal use of copyrighted materials
- Use of BPO Elks of the USA resources to publicly express personal opinions
- Unauthorized public statements while representing BPO Elks of the USA in an official capacity
- Unauthorized or inappropriate access of off-site internet services/resources
- Unauthorized or inappropriate access of BPO Elks of the USA computer files/resources

CONFIDENTIAL NATURE OF COMPANY AFFAIRS
It is the policy of BPO Elks of the USA that the internal business affairs of the organization, particularly confidential information and trade secrets, represent BPO Elks of the USA assets that each employee has a continuing obligation to protect.

Information designated as confidential may not be discussed with anyone outside the organization and may be discussed within the organization on a “need to know” basis. In addition, employees have a responsibility to avoid unnecessary disclosure of non-confidential internal information about BPO Elks of
the USA. However, this employee responsibility to safeguard internal company affairs is not intended to impede normal business communications and relationships.

Employees authorized to have access to confidential information may be required to sign special nondisclosure agreements and must treat the information as proprietary BPO Elks of the USA property for which they are personally responsible. Employees are prohibited from attempting to obtain confidential information for which they have not received authorization. Employees violating this policy may be subject to discipline, up to and including termination, and may be subject to legal action.

Department directors are responsible for coordinating the security and control of company information and for approving any exceptions to this policy. Department directors are responsible for identifying information that should be classified as confidential and should develop procedures to secure and control the information. Information that is designated as confidential should be clearly identified and properly secured. A list of employees authorized to have access to the information should be prepared, and all access should be recorded.

All media inquires and other inquires of a general nature should be referred to the Chairman of the Advisory Committee. In addition, all press releases, publications, speeches, or other official declarations must be approved in advance by the Chairman of the Advisory Committee. Questions about employee references or other information concerning current or former employees should be referred to the designated person.

To the extent allowed by law, the BPO Elks of the USA reserves the right to (1) review information on any computer owned or leased by the BPO Elks of the USA including e-mail messages or other communications, and (2) listen and record telephone and other conversations involving employees during working hours. Accordingly, employees should not conduct their personal affairs during working periods and employees should not conduct their personal affairs on BPO Elks of the USA equipment.

SEXUAL AND OTHER FORMS OF HARASSMENT POLICY

Statement of Philosophy: The BPO Elks of the USA is proud of its tradition of maintaining a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in an atmosphere which promotes equal opportunities and prohibits discriminatory practices, including sexual harassment. Sexual or other forms of harassment by anyone, including any supervisor, co-worker, vendor, client, contractor, customer or other regular visitor of the BPO Elks of the USA is unacceptable and will not be tolerated by the BPO Elks of the USA.

Definition of Harassment: Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person’s protected status, such as sex, color, race, ancestry, national origin, age, disability, sexual orientation or other legally protected group status. The BPO Elks of the USA will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual’s work performance, or that creates an intimidating, hostile or offensive working environment. The conduct forbidden by this policy specifically includes, but is not limited to: (a) epithets, slurs, negative stereotyping, or intimidating acts that are based on a person’s protected status; and (b) written or graphic material circulated within or posted within the workplace that show hostility toward a person or persons because of their protected status.

Definition of Sexual Harassment: Sexual harassment deserves special mention. For purposes of this policy, sexual harassment is defined as unwelcome or unwanted conduct of a sexual nature, requests for sexual favors, and other such conduct (verbal, visual or physical) when: (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission or rejection of this conduct by an individual is used as a factor in an employment decision such as hiring, evaluation, promotion or other aspects of employment; (2) this conduct has the purpose or effect of unreasonably interfering with an individual’s employment or work performance or creates an intimidating, hostile or offensive work environment.

Examples of sexual harassment include but are not limited to: Threatening adverse employment actions if sexual favors are not granted; promising preferential treatment in return for sexual favors; unwanted and unnecessary physical contact; offensive remarks, including unwelcome comments about appearance, obscene jokes or other inappropriate use of sexual explicit or offensive language; the display
in the workplace of sexually suggestive objects or pictures; and unwelcome sexual advances by visitors to the offices when such advances are condoned, either explicitly or implicitly by personnel of the BPO Elks of the USA.

**Persons Covered:** This policy covers all employees of the BPO Elks of the USA except those employed at the Elks National home in Bedford, Virginia, for whom a separate policy statement has been prepared. All employees are responsible to help assure that harassment is avoided.

**Enforcement of Policy:** An employee who believes that he or she has been subjected to sexual or other types of harassment or who has witnessed harassment should immediately submit a complaint to Human Resources to allow the organization to investigate and, if applicable, correct the situation or condition.

If Human Resources is involved or believed to be involved in the matter being reported, employees may, in the alternative, make a report to the Grand Secretary/COO. The organization will conduct an investigation and take appropriate action within a reasonable period of time. Such complaints will be held in confidence to the extent the needs of the investigation permit.

Retaliation in any form against a complainant who exercises his or her right to make a complaint under this policy or who assists in making a harassment complaint or cooperates in a harassment investigation is strictly prohibited and will itself be cause for appropriate disciplinary action.

**DRUG AND ALCOHOL ABUSE POLICY**

**Statement of Philosophy:** The BPO Elks of the USA is proud of its tradition of maintaining a work environment in which all individuals are treated with respect and dignity. Additionally, each individual has the right to work in an atmosphere free of drugs and alcohol. Therefore, whenever employees are working, operating Company vehicles or present on Company premises, they are prohibited from:

- using, possessing, buying, selling, manufacturing or dispensing illegal drugs;
- being under the influence of alcohol or illegal drugs; and
- possessing or consuming alcohol.

Employees should note that an exception may be made to this policy to allow for the moderate consumption of alcoholic beverages during approved social events and/or during BPO Elks social gatherings. However, employees who abuse and/or violate the moderate consumption rule, in the sole discretion of BPO Elks, may lose this privilege at future events in addition to being disciplined up to and including termination of employment.

This Policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees are responsible for consulting with their doctors about a medications’ effect on their ability to work safely, and promptly disclose any restrictions to their supervisor. (Employees should not, however, disclose underlying medical conditions unless specifically directed to so.)

Employees are subject to testing if a supervisor reasonably suspects them of using or being under the influence of alcohol or drugs while they are working or operating BPO Elks of the USA vehicles. Employees who refuse to cooperate in required tests, test positive for illegal drugs, or use, possess, buy, sell, manufacture or dispense illegal drugs, or test positive for alcohol or possess, consume or are under the influence of alcohol, in violation of this policy will be disciplined up to and including termination.

**Persons Covered:** This policy covers all employees of the BPO Elks of the USA. The BPO Elks of the USA will not tolerate, condone or allow drugs or alcohol usage while on the job whether engaged in by fellow employees, supervisors, and director or by others who have contact with the BPO Elks of the USA.

**Enforcement of Policy:** The Grand Secretary/COO shall enforce the provisions of this policy. Any allegation or violation of this drug/alcohol abuse policy that is brought to the attention of the GS/COO may result in an immediate, confidential drug testing. It is intended that the privacy of the persons involved will be protected. All reports of drug and/or alcohol abuse shall be kept in confidence, except as is necessary to investigate the complaint and to respond to any legal and/or administrative proceedings arising out of or relating to the drug/alcohol abuse report.
Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided the medical review officer shall be kept confidential and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers and supervisors on a need to know basis and may be disclosed where relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

All employees are required to notify a member of management if they have been convicted of a criminal drug offense occurring in the workplace. Such notification must take place within five (5) working days after the conviction.

Definitions
“Illegal Drugs” means substances whose use or possession is controlled by federal law, but which are not being used or possessed under the supervision of a licensed health care professional.

“Refuse to Cooperate” means to obstruct the collection process, to submit an altered, adulterated or substitute sample, or to fail to promptly provide specimen(s) for testing when directed.

“Under the Influence of Alcohol” means an alcohol concentration of .02 or more, or actions, appearance, speech or bodily odors which reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.

“Under the Influence of Drugs” means a confirmed positive test result for illegal drug use.

SOFTWARE PROTECTION/COMPUTER SECURITY POLICY
It is the policy of the BPO Elks to provide or contract for the communication services and equipment necessary to promote the efficient conduct of business. All business equipment, electronic and telephone communications systems, and all communications and stored information transmitted, received, or contained in the Company's information systems are the Company's property and are to be used primarily for job-related purposes. To ensure the proper use of communications systems and business equipment, the Company may monitor the use of these systems and equipment from time to time.

The Company requires that employees primarily use its software and business equipment, including, but not limited to: facsimiles, computers, and copy machines for job-related business. Employees also are prohibited from using codes, accessing files, or retrieving any stored communication without prior clearance from an authorized Company representative. No employee may use a pass code unknown to the Company.

Employees who violate this policy are subject to disciplinary action, up to and including termination.

1. Electronic systems are owned/leased and maintained by BPO Elks of the USA and electronic communications are the sole property of the Company. Personal use of electronic systems is limited to occasional and incidental use in the discretion of the Company. Personal software or messages shall not be installed or stored on Company electronic equipment.

2. The Company will, or reserves the right to, monitor the use of electronic systems and to review or inspect all material stored therein. No communications are guaranteed to be private or confidential.

3. Authorized users are responsible for the security of their passwords and accounts. The use of personal passwords, assigned to the employee, is not grounds for an employee to claim privacy rights in the electronic or communications systems. The Company reserves the right to override personal passwords. Employees may be required to disclose passwords or codes to the Company to allow access to the systems.

4. The Company's prohibition against sexual, racial, and other forms of harassment are extended to include the use of electronic and telecommunications systems. Offensive, harassing, vulgar, obscene, or threatening communications are strictly prohibited, as are sexually
oriented messages or images. Communications that may defame or disparage the Company, employees, customers, vendors, or competitors are also prohibited from general publication on any electronic systems. Employees who receive e-mails or other information on their computers which they believe violate this policy should immediately report this activity to their supervisor.

5. Privileged or confidential material, such as, but not limited to, trade secrets, attorney-client communications, credit card numbers, identifiable personal data (such as full name, address, date of birth, address, social security number), etc. should not be exchanged haphazardly by e-mail, facsimiles, etc. All privileged or confidential material must be stored in secured/locked drawers or cabinets when not in use. To prevent access to confidential or privileged data, all computer screens should be locked anytime an employee leaves his or her desk. All portable laptops and devices containing company information should be secured with a password-protected screensaver when device is unattended for more than 10 minutes, or by logging-off when the device will be unattended.

6. Employees are prohibited from disseminating, printing, or copying copyrighted materials or in any other way violating copyright laws. The electronic posting of copyrighted information is also prohibited, unless the Company or the employee has created the information or owns the rights to it.

7. Outsiders or non-employees are prohibited from using electronic communications to communicate with Company employees or the Company for any purpose unrelated to Company business.

8. Employees must be aware of the possibility that electronic messages that are believed to have been erased or deleted can frequently be retrieved by systems experts and can be used against an employee or the Company. Therefore, employees should be cautious and use the systems only in the appropriate manner and consult with systems experts to guarantee that information to be deleted is truly eliminated from the system.

9. Employees should exercise care so that no personal correspondence appears to be an official communication of the Company. Personalized Company stationery and business cards may only be issued by the Company. Employees may not use the Company's address for receiving personal mail or utilize Company stationery or postage for personal letters. All postings made from Elks e-mail addresses to newsgroups, etc. should contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of the Elks, unless the posting is in the course of business.

10. Employees are not permitted to save company data to personal laptops, home computers, removable storage devices, etc. without the approval of their supervisor.

11. Authorized offsite use of company data is not permitted on personal computers or devices that are part of a peer to peer (P2P) network. Files downloaded from P2P networks may contain viruses, worms, or hostile code. P2P, in the context of this policy, is defined as direct data communication between two or more network capable devices over the Internet or other network, usually for the purpose of sharing any data file (including, but not limited to: music, pictures, video, software, and documents).

12. Authorized offsite use of company data is only permitted on computers and devices that continuously execute approved virus scanning software with a current virus database.

13. All employees will be required to go through PCI training annually. Employees who work directly with PCI, as well as the IS Department staff, will be also be required to complete a test or exam.
The BPO Elks purchases software and receives software licenses. The software has usually been copyrighted by various outside companies. Unless authorized by the software developer, BPO Elks does not have the right to reproduce it. With regard to use on local area networks or multiple machines, BPO Elks employees shall use the software only in accordance with the license agreement. BPO Elks employees learning of any misuse of software or related documentation within the company shall notify their Department Manager, Supervisor or the Director of Headquarters Information Systems.

According to U.S. copyright Law, illegal reproduction of software can be subject to civil damages of as much as $100,000 per copyright violated and criminal penalties including fines and imprisonment. BPO Elks employees who make, acquire or use unauthorized copies of software may be disciplined as appropriate under the circumstances. Such discipline may include termination. BPO Elks does not condone the illegal duplication of software.

SOCIAL MEDIA USE POLICY
Social Media is defined as: blogs, other types of self-published online journals, and collaborative Web-based discussion forums including, but not limited to, LinkedIn, Facebook, MySpace and Twitter.

Rules and Guidelines

I. General Rules and Guidelines

The following rules and guidelines apply to the use of social media, whether such use is for the BPO ELKS on company time, for personal use during nonwork time, outside the workplace or during working time while using Company owned equipment. (Using Company equipment to access social media sites for personal use is also governed by the Software Protection/Computer Security Policy. Employees should also refer to this policy before accessing such sites via the Company’s equipment). These rules and guidelines apply to all employees.

1. Employees are prohibited from discussing confidential, company matters through the use of social media such as BPO ELKS’ trade secrets, marketing lists, member/donor account information, strategic business plans, member/donor lists, financial information, business contracts, and other proprietary and nonpublic company information.

2. Employees cannot use social media to harass, threaten, libel or slander, bully, defame, or discriminate against co-workers, managers, customers, clients, vendors or suppliers, any organizations associated or doing business with the BPO Elks, or any members of the public, including Web site visitors who post comments. The BPO Elks’ anti-harassment and EEO policies apply to use of social media in the workplace.

3. This policy is not intended, nor shall it be applied, to restrict employees from discussing their wages, hours and working conditions with co-workers.

II. Employer-Sponsored Social Media

The BPO ELKS-sponsored social media is used to: convey information the BPO Elks; provide updates; obtain feedback, exchange ideas or trade insights about industry trends; reach out to potential new members; provide sales and marketing support to raise awareness of the BPO ELKS’ brand; issue or respond to breaking news, or respond to negative publicity; brainstorm with employees; and discuss corporate-, business unit-, and department-specific activities and events.

As such the BPO ELKS-related social media is subject to the following rules and guidelines, in addition to rules and guidelines set forth above:

1. Only employees designated and authorized by the BPO ELKS can prepare content for or delete edit, or otherwise modify content on employer-sponsored social media.
2. Employees cannot post any copyrighted information where written reprint permission is not obtained in advance.

3. Designated employees are responsible for ensuring that the employer-sponsored social media conform to all applicable company rules and guidelines. These employees are authorized to remove immediately and without advance warning any content, including offensive content such as pornography, obscenities, profanity, and/or material that violates employer’s EEO and/or anti-harassment policies.

4. Employees who want to post comments in response to content must identify themselves as employees.

III. Personal Use of Social Media

The following rules and guidelines, in addition to the rules and guidelines set forth in section 1 above, apply to employee use of social media on the employee's personal time.

1. Employees should abide by the BPO ELKS’ Software Protection/Computer Security Policy concerning personal use of the BPO ELKS’ computer and related equipment.

2. Employees who utilize social media and choose to identify themselves as employees of the BPO Elks may not represent themselves as a spokesperson for the BPO Elks. Accordingly, employees are strongly encouraged to state explicitly, clearly, and in a prominent place on the site that their views are their own and not those of the BPO Elks or of any person or organization affiliated or doing business with the BPO Elks.

3. Employees should respect all copyright and other intellectual property laws. For the BPO Elks’ protection, as well as your own, it is critical that you show proper respect for all the laws governing copyright, fair use of copyrighted material owned by others, trademarks and other intellectual property, including the BPO Elks’ own copyrights, trademarks, and brands.

4. Employees may not advertise or sell company products or services through social media.

IV. Employer Monitoring

The BPO ELKS reserves the right to monitor employees’ public use of social media including but not limited to statements/comments posted on the Internet, in blogs and other types of openly accessible forums, diaries, blogs and personal and business discussion forums.

Employees should have no expectation of privacy while using company equipment and facilities for any purpose, including the use of social media. The BPO ELKS reserves the right to monitor, review, and block content that violates the BPO ELKS’ rules and guidelines.

V. Violations

The BPO ELKS will investigate and respond to all reports of violations of the BPO ELKS’ rules and guidelines or related company policies or rules. Employees are urged to report any violations of this policy to Human Resources. A violation of this policy may result in discipline up to and including termination of employment.

OUTSIDE EMPLOYMENT

It is the policy of BPO Elks of the USA to allow its employees to engage in outside work or hold other jobs, subject to certain restrictions as outlined below.

BPO Elks of the USA requires that employees’ activities and conduct away from the job must not compete or conflict with or compromise its interest, or adversely affect job performance and the ability to
fulfill all responsibilities to BPO Elks of the USA. This prohibition extends to the unauthorized use of any BPO Elks of the USA tools or equipment and the unauthorized use or application of any confidential trade information or techniques. In addition, employees are not to solicit or conduct any outside business during paid working times.

Employees are cautioned to consider carefully the demands that additional work activity will create before they seek or accept outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity causes or contributes to job-related problems, it must be discontinued. Normal disciplinary procedures will be followed to deal with the specific problems.

Employees who have accepted outside employment may not use paid sick or personal absence time to work on the outside job. Fraudulent use of sick or personal absences may result in disciplinary action.

**SMOKING**

It is the policy of BPO Elks of the USA to comply with all applicable federal, state, and local regulations regarding smoking in the workplace and to provide a work environment that promotes productivity and the well-being of its employees.

BPO Elks of the USA recognizes the acknowledged hazards arising from exposure to environmental tobacco smoke therefore; it shall be the policy of BPO Elks of the USA to provide a smoke-free environment for all employees and visitors. This policy covers the smoking of any tobacco product and the use of smokeless tobacco and applies to both employees and non employee visitors of BPO Elks of the USA.

**Definition:**

- There will be no smoking of tobacco products or use of smokeless tobacco within the facilities at any time.
- The decision to provide or not provide designated smoking areas outside of the building will be at the discretion of management.

The designated smoking area(s) will be located at least 20 feet from the building and from any entrance, exit, window, ventilation intake office or work area, restroom, conference or classroom, break room or cafeteria and/or other common area.

- All materials used for smoking, including cigarette butts and matches, will be extinguished and disposed of in appropriate containers. If the designated smoking area(s) are not properly maintained (for example, if cigarette butts are found on the ground), the designated smoking area(s) can be eliminated at the discretion on management.
- There will be no smoking in any company vehicle at any time.
- There will be no tobacco use in personal vehicles when transporting persons on Elks-authorized business.

**Procedure:**

- Employees will be informed of this policy through signs posted in the BPO Elks of the USA buildings, the policy manual, new employee orientation, and training provided by supervisors.
- Visitors will be informed of this policy through signs, and it will be explained by their host.
- BPO Elks of the USA will assist employees who wish to quit smoking through a smoking cessation reimbursement program.
- Any violations of this policy will be handled through the standard disciplinary procedure.
TRAVEL POLICY

Expectations: The employee should expect BPO Elks of the USA, Chicago Campus to:

• Put the employee's health and safety above considerations of cost.
• Provide a valued travel product
• Allow reasonable flexibility in travel options.
• Reimburse reasonable business related expenses.

BPO Elks of the USA, Chicago Campus expects the employee to:

• Become a steward of the organization's assets, using sound business judgment as to the nature and level of travel related expenditures.
• Conduct business travel solely for the benefit of the organization.
• Adhere to the practices and travel guidelines set forth in this Travel Policy.
• Bear the cost of all items of a personal nature.

Notices:

• This Travel Policy applies to all employees, of BPO Elks of the USA, Chicago Campus unless otherwise stated.
• This Travel Policy may be modified from time to time, and every employee should review this policy periodically to ensure that he/she is familiar with its contents.
• This policy is effective immediately and supersedes all previously existing statements of policy regarding business travel. As to all other matters, nothing in this policy is intended, or shall operate, to supersede, modify or in any way change any official statement of BPO Elks of the USA Chicago Campus policy.
• Above all, the guidelines set forth in this policy shall in all instances be deemed secondary to the health and safety of the employee. All employees should always consider their personal safety first and should never compromise that safety in attempting to adhere to this policy.

Guidelines: Convention Travel Only

I. Compensated attendance (duration):
   a. Travel time, Per Diem and approved working hours
   b. Voluntary function(s) attendance is not compensable

II. Allowable (compensated) travel time for non-exempt employees:
   a. Weekday: Means employees devote the entire 7.5-hour workday for travel to and from the destination. Employees should travel between 8:30am - 4:30pm.
   b. Weekend: employees whose schedule does not permit them to travel during their regular workweek must obtain their Director's approval to travel on the weekend. However, travel should be completed during the employee’s regular work hours of 8:30am – 4:30pm.

III. Scheduled event working hours:
   a. Exempt/Non-Exempt Employees: Scheduled by Grand Secretary or as needed.
   b. Holiday compensation (see pages 22-23 of the Employee Handbook.)

IV. Nonexempt Employee Schedule Adjustments: The employer may adjust the employee’s work schedule in order to reduce or eliminate overtime. Schedule adjustments must be done within the same workweek. For example if an employee works 7.5 hours on Sunday, Monday, Tuesday, Wednesday, and Thursday, the employee may be scheduled to be off on Friday and Saturday even though Friday is part of the employee’s normal workweek.

V. Overtime compensation (see pages 30-31 of the Employee Handbook)

VI. Authority to approve travel: Grand Secretary (GS) - Convention related travel

VII. Per Diem Definition (inclusive items):
   a. Travel: $25 each way for incidentals, food, etc.
   b. Attendance: $100 each night of accommodation during convention, including food and gratuities. Exceptions may be made for Directors with a spouse in attendance. Please contact GS for more information.

VIII. Reimbursable Expenses:
a. **Public Conveyance**: Employees will be reimbursed for actual costs as approved by the Grand Secretary; receipts required.
b. **Business required transportation**
c. **Incidental Business Expense**: Employees are reimbursed for copies, faxes, printing, etc.
d. **Telephone calls**: Employees are reimbursed for business calls.
e. **Other business related expenses**

**IX. Travel Arrangements**: Provided through approved BPO Elks of the USA Travel Agent.

**X. Auto Rental**: Corporate Account - approved in advance through BPO Elks of the USA, Convention Department.

**XI. Travel Time – Definition of compensable hours for non-exempt employees**:

a. All in one day:
   i. Normal commuting time is not hours worked (home-to-work and work-to-home).
   ii. Travel time to a distant out of town location is hours worked for drivers and passengers (all forms of travel). Normal commuting time or the time to get from the employee’s home to the airport (train station, bus station) may be deducted.
   iii. Travel between work locations is hours worked.

b. Out of town/overnight:
   i. Travel during normal work hours for all seven days is hours worked.
   ii. Travel outside normal work hours, as a passenger is not hours worked, unless the passenger actually performs work during that time (e.g. reviewing files, checking email, preparing a presentation, etc.)
   iii. Travel time as a driver, other than normal commuting, is hours worked.

c. **Commuting in Company vehicle**: The use of the employer’s company vehicle for travel by an employee which is incidental to the use of such vehicle is for commuting and shall not be considered part of the employee’s principle activities if the use of the employer’s vehicle is subject to an agreement on the part of the employer and the employee or representative of such employee under the Employee Commuting Flexibility Act of 1996.

**XII. Mileage Reimbursement as defined by Board of Grand Trustees.**

**Guidelines: Elk Related Business Travel**

I. **Compensated attendance (duration)**:
   a. Travel time and approved working hours
   b. Voluntary attendance is not compensable

II. **Allowable (compensated) travel time for non-exempt employees**:
   a. **Weekday**: Means employees devote the entire 7.5-hour workday for travel to and from the destination. Employees should travel between 8:30a.m - 4:30p.m.
   b. **Weekend**: Employees whose schedule does not permit them to travel during their regular workweek must obtain their Director’s approval to travel on the weekend. However, travel should be completed during the employee’s regular work hours of 8:30a.m – 4:30p.m.

III. **Nonexempt Employee Schedule Adjustments**: The employer may adjust the employee’s work schedule in order to reduce or eliminate overtime. Schedule adjustments must be done within the same workweek. For example if an employee works 7.5 hours on Sunday, Monday, Tuesday, Wednesday, and Thursday, the employee may be scheduled to be off on Friday and Saturday even though Friday is part of the employee’s normal workweek.

IV. **Overtime compensation** (see pages 30-31 of the Employee Handbook)

V. **Authority to approve travel**: Department Director

VI. **Reimbursable Expenses**:
   a. **Public Conveyance**: Employees will be reimbursed for actual costs as approved by the Grand Secretary; receipts required.
   b. **Gratuities**: Employees are reimbursed for tips paid out to porters, maid and business services.
   c. **Business required transportation**
   d. **Accommodations at actual cost**
e. **Incidental Business Expense:** Employees are reimbursed for copies, faxes, printing, etc.
f. **Telephone calls:** Employees are reimbursed for business calls.
g. **Meals:** Employees are reimbursed for actual meal expenses; receipts required.
h. **Other business related expenses**

VII. **Travel Arrangements:** Provided through approved BPO Elks of the USA Travel Agent.

VIII. **Auto Rental:** Corporate Account - approved in advance through BPO Elks of the USA, Convention Department.

IX. **Transportation type:**
   a. **Within Metro Area:** Reimbursable mileage rate or cost of mode of transportation.
   b. **Travel outside Metro Area:**
      i. Car rental recommended for one-way travel of 50-200 miles.
      ii. Common Carrier required (where accessible) for travel of more than 200 miles one-way.

X. **Travel time – Definition of Compensable Hours:**
   a. **All in one day:**
      i. Normal commuting time is not hours worked (home-to-work and work-to-home).
      ii. Travel time to a distant out of town location is hours worked for drivers and passengers (all forms of travel). Normal commuting time or the time to get from the employee's home to the airport (train station, bus station) may be deducted.
      iii. Travel between work locations is hours worked.
   b. **Out of town/overnight:**
      i. Travel during normal work hours for all seven days is hours worked.
      ii. Travel outside normal work hours as a passenger is not hours worked, unless the passenger actually performs work during that time (e.g., reviewing files, checking email, preparing a presentation, etc.)
      iii. Travel time as a driver, other than normal commuting, is hours worked.
   c. **Commuting in Company vehicle:** The use of the employer's company vehicle for travel by an employee and activities performed by an employee which are incidental to the use of such vehicle for commuting shall not be considered part of the employee's principle activities if the use of the employer's vehicle is subject to an agreement on the part of the employer and the employee or representative of such employee under the Employee Commuting Flexibility Act of 1996.

XI. **Mileage Reimbursement as defined by Board of Grand Trustees.** The number of miles is defined as: office to business location and return to office.

Tax consequences (if any) as a result of company reimbursement or Per Diem under the travel policy are the sole responsibility of the employee.

**CELLULAR PHONES**
This policy outlines the use of personal cell phones at work and the safe use of cell phones by employees while driving.

1. **Personal cellular phones:**
   While at work, employees are to exercise the same discretion in using personal cellular phones as they do for company phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. The BPO Elks of the USA encourages a reasonable standard of limiting personal calls during work time to no more than one per day as needed. Employees are therefore asked to make any other personal calls on non-work time where possible and to ensure that friends and family members are aware of this policy. Flexibility will be provided in circumstances demanding immediate attention.

The company will not be liable for the loss of personal cellular phones brought into the workplace.

2. **Safety issues for cellular phone use.**
   Employees whose job responsibilities include regular or occasional driving are expected to refrain from using their phone while driving. Safety must come before all other concerns. Regardless of the
circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options if available, refrain from discussion of complicated or emotional issues and keep their eyes on the road. Do not compose, send or read electronic messages while operating a motor vehicle.

Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area. It is imperative that employees refrain from using cellular phones while operating a motor vehicle in a school speed zone or in a construction/maintenance speed zone absent an emergency situation or the use of voice-activated equipment.

Employees whose job responsibilities do not specifically include driving as an essential function are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

Violations of this policy will be subject to the highest forms of discipline, including termination.

**PERSONAL INFORMATION**
Employees are required to keep their files current by reporting any change of address, telephone number, emergency notification data, information on dependents and other personal information that will help keep their file accurate and complete.

**USE OF PHONE AND MAIL SYSTEMS**
Personal use of telephones for outgoing local calls is discouraged. Personal use of telephone for long distance and toll calls is prohibited except in case of emergency and with permission of the employee’s supervisor. Employees may be reprimanded or discharged and/or required to reimburse BPO Elks of the USA for any charges resulting from their personal use of the telephone.

All incoming personal calls must be kept brief.

The use of BPO Elks of the USA postage, overnight mail carriers and messenger services for personal correspondence is not permitted.

The facsimile (fax) system, voice-mail system and all internet based communications, e.g., e-mail, chat, discussion groups, list-servers, etc., may only be used for official business of BPO Elks of the USA.

**PERSONAL APPEARANCE**
BPO Elks of the USA’s standard of dress is business casual. It is important that we convey the image of a neat, clean and orderly company to our visitors and other employees.

Every employee’s personal appearance is an important part of that image. For these reasons, we ask that you keep your personal appearance and dress habits consistent with portraying a professional environment. Departures from generally accepted business dress and grooming styles create an unfavorable image.

**ATTENDANCE AND PUNCTUALITY**
Consistent attendance and punctuality contribute to the success of the BPO Elks of the USA’s business operations. Attendance problems disrupt operations, lower productivity and create a burden for other employees. All employees of the BPO Elks of the USA are expected to assume responsibility for their attendance and promptness. Poor attendance will be reflected in an employee’s performance review, and is subject to disciplinary action.

Employees who are unable to report to work as scheduled must contact their immediate supervisor and the switchboard as soon as possible before their starting time, providing the reason for the absence and
the estimated time of return. Employees who are absent for three or more days without calling are considered as having voluntarily quit.

COMPANY EQUIPMENT AND SUPPLIES
BPO Elks of the USA tries to provide the best equipment available, facilities and working materials needed to do your job. We ask that you do everything possible to use the equipment and supplies carefully. If you are not sure of the proper and efficient use of the equipment or material, please seek the advice of your supervisor. Personal use of the fax, copiers, or other equipment is discouraged.

SOLICITATION
In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions, or solicit for any other cause during working time. Employees who are not on working time (e.g., those on lunch hour or breaks) may not solicit employees who are on working time for any cause or distribute literature or printed material of any kind in working areas at any time.

Non-employees are likewise prohibited from distributing material or soliciting employees on the BPO Elks of the USA premises at any time.
THE EMPLOYMENT PROCESS

JOB POSTING
Open jobs are posted on bulletin boards and on the company intranet except where there is a business reason to not post an opening. Employees who meet the eligibility requirements and minimum qualifications are eligible to apply for posted jobs. The BPO Elks always reserves the right to seek outside candidates for vacant positions.

REFERRAL AND EMPLOYMENT OF FRIENDS AND RELATIVES
The BPO Elks of the USA does not discourage the referral of friends and relatives for employment providing there is a vacancy for which they may be qualified. However,

a. Except for an occasional temporary employee, no person will be employed to work in the same department with another employee who is a member of his/her immediate family; nor will any employee transfer or be transferred into the same department with another employee who is a member of his/her immediate family. If two (s) BPO Elks of the USA employees who work in the same department marry subsequent to their employment, one (1) of the employees who marries will be required to transfer to another department (if a position is available) or leave the employ of the BPO Elks of the USA if their marriage results in a supervisory relationship.

b. An individual who is a member of the immediate family of a BPO Elks of the USA Officer may not be hired for a Scheduled Position. The term immediate family includes spouses, former spouses, father, mother, son, daughter, step-son, step-daughter, brother, sister, uncle, aunt, cousin, niece, nephew, grandmother, grandfather, son-in-law, daughter-in-law, father-in-law, mother-in-law, sister-in-law or brother-in-law.

Where a situation of relatives working for the same supervisor or in the same department exists due to past practice, the situation will be allowed to continue until an employment change occurs. The BPO Elks of the USA does not intend to change any such situation which has existed successfully without the occurrence of any “conflicts of interest.” However, the BPO Elks of the USA cannot permit a situation to continue if the employment of relatives leads to personal favoritism, the interference of departmental performance, or the disregard of personnel policies affecting the treatment of the Grand Secretary (COO) or his/her designee.

EMPLOYMENT RECORDS
BPO Elks of the USA maintains a personnel file on each employee. The personnel file includes such information as the employee’s job application, resume, records of training, documentation of performance appraisals and salary increases and other employment records.

Personnel files are the property of BPO Elks of the USA, and access to the information they contain is restricted. Generally, only supervisors and management personnel of BPO Elks of the USA who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact their Supervisor. With reasonable advance notice, employee may review their own personnel file in the presence of an individual appointed by BPO Elks of the USA to maintain the files. The employee is not permitted to remove contents of the files. The employee may, however, add a statement to the file if the employee is in disagreement or a discrepancy is found.

Where applicable, the Laws of the State of Illinois will prevail.

EMPLOYMENT CATEGORIES
It is the intent of BPO Elks of the USA to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will with or without cause, at any time is retained by both the employee and BPO Elks of the USA.
Each employee is designated as either non-exempt or exempt from federal and state wage and hour laws. Non-exempt employees are entitled to overtime pay under the specific provisions of federal and state laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws.

In addition to the above categories, each employee will belong to one other employment category:

**REGULAR FULL-TIME employees** are those who are not in a temporary status and who are regularly scheduled to work a full-time schedule of at least 37 ½ hours per week. Generally, they are eligible for BPO Elks of the USA benefit package, subject to the terms, conditions and limitations of each benefit program.

**PART-TIME employees** are those who are not assigned to a temporary status and who are scheduled to work less than 37 ½ hours per week. While they do receive all legally mandated benefits (such as Social Security and workers’ compensation insurance), they are ineligible for all other benefit programs.

**TEMPORARY employees** are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration not normally exceeding 1,000 hours. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally-mandated benefits (such as worker’s compensation insurance and Social Security), they are ineligible for all other benefit programs.

**SPECIAL ASSIGNMENT EMPLOYEES** are hired specifically to provide support to the Grand Exalted Ruler during his/her term in office, which is a period of twelve months. Employment is only temporary and is not intended to be ongoing in nature. Special assignment employment is limited to a specific time period, not to exceed fifteen months, with no expectation of employment beyond the period specified. Employment beyond any initially stated period does not in any way imply a change in employment status. Special assignment employees retain this status unless and until notified of a change. While special assignment employees receive all legally-mandated benefits (such as worker’s compensation and Social Security), they are ineligible for the following benefit programs: health and welfare benefits (including medical, dental, life and accidental death and dismemberment insurance, short-term disability, long-term disability), vacation days, sick days, etc.

**LEASED EMPLOYEES** are workers who perform services for BPO Elks pursuant to a contract with an employee leasing firm. Although leased workers are assigned to work at BPO Elks offices, they are employees of the leasing firm and not BPO Elks. Leased workers differ from temporary workers in that they normally are employed for extended periods of time—usually a year or longer—as opposed to brief periods.

The leasing company is responsible for hiring, training, assigning, disciplining, and firing leased employees. Leased employees take direction primarily from a supervisor employed by the leasing firm. The supervisor at the leasing firm is responsible for monitoring the performance of the leased staff and taking any necessary disciplinary or corrective action.

Because leased employees are employees of the leasing firm, they are not eligible for BPO Elks-provided employee benefits or services. Leased employees with questions about their employment terms or conditions should consult with their supervisor at the employee leasing firm.

**EMPLOYMENT AGREEMENTS**

It is the policy of BPO Elks of the USA that it may execute, at its sole discretion, written employment agreements with certain of its employees. Employees who do not have a written employment contract containing a specified term of employment are considered at-will employees. Only the Grand Secretary is authorized to enter into employment agreements on behalf of BPO Elks of the USA.
BENEFITS AND OTHER EMPLOYEE PROGRAMS

EMPLOYEE BENEFITS OVERVIEW
Eligible employees are provided a wide range of benefits. A number of the programs such as Social Security, worker’s compensation, state disability and unemployment insurance, cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor or Human Resources can identify the programs for which you are eligible. Some benefit programs may require contributions from the employee, but many are fully paid by BPO Elks of the USA.

Most benefit programs are available to the employee based on a “BENEFIT YEAR.” The Benefit Year is defined as a full year of employment. An employee’s Benefit Year may be adjusted due to an extended absence except for military leave of absence.

A summary plan description (SPD) which explains some of the benefits in greater detail is available from Human Resources. The actual plan documents, which are available by making a written request to Human Resources, are the final authority in all matters relating to benefits described in this guide or in the SPD and will govern in the event of any conflict. Additionally, the BPO Elks of the USA reserves the right to change or eliminate any benefits at any time in accordance with applicable law.

COBRA (Benefit Continuation at Termination)
The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under BPO Elks of the USA 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.

Under COBRA, the employee or beneficiary pays the full cost of coverage at BPO Elks of the USA group rates plus an administration fee as allowed by law.

Each eligible employee is provided with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the health insurance plan. The notice contains important information about the employee’s rights and obligations. See also the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

PARKING
Eligibility: Parking at either of the Elks’ parking facilities is a privilege. Full-time employees desiring daily parking (5 days per week), must request their name to be put on a waiting list for on site parking. Only official visitors, vendors and consultants are permitted to use spaces designated as handicapped or visitor spaces.

Where to Park: Park only in the space assigned by Property Management. If a vehicle occupies your assigned space, leave your vehicle in a designated visitors spot temporarily and inform Security. Security will advise you when the offending vehicle is removed, so your auto may be relocated to its proper space. Overhead or gate openers will be provided.

When to Park: Parking shall only be permitted 7:30 AM to 5:30 PM Monday through Friday except for holidays. Special permission must be obtained to park at other times. Towing arrangements will be in force at all times. All unauthorized vehicles will be towed without notice, at Violators expense.

What to do When You Don’t Need to Park: Notify Property Management if you do not require a parking space on a given day so it may be added to the visitors parking pool. Parking spaces may not be loaned to co-workers or non-employees.

Return of Property to BPO Elks: The door/gate opener remains the property of B.P.O. Elks and must be returned to Property Management when space is surrendered or revoked. Any deposits held, will be returned if material is in good working order.
Security, Damage & Insurance: The Parking Lots are not patrolled. We urge you to lock your doors; do not leave valuables in your car. Carry the proper insurance to cover your car and possessions. Company insurance does not cover loss or damage to your auto or your personal possessions. Parking is at your own risk and the BPO Elks is unable to cover any damage or loss that occurs to your car as a result of theft, accident or other unidentified events.

Driving A Loaner Car: You must register the car with Property Management. This only applies to employees authorized to park at the Headquarters’ lot.

Property Management reserves the right to amend the regulations at its sole discretion and may suspend day-to-day parking in the lot/garage as needed to maintain the facility – adequate notice will be given. Management also reserves the right to revoke parking privileges temporarily or permanently if the rules are not followed.

Employees must report the loss or theft of a door/gate opener to Property Management immediately. The Employee is responsible for the replacement cost of door/gate openers. Failure to promptly report the loss or theft of company property will be considered an act of negligence – in such a situation the Employee failing to report the incident, so that locks can be changed, could be held accountable for unauthorized access to company property.

TUITION REIMBURSEMENT
BPO Elks supports undergraduate and graduate level courses that are relevant to the duties you perform as a BPO Elks employee; BPO Elks supports job related seminars that may or may not lead to a professional certificates.

Consideration will be given to employees required to participate in education related to their duties and responsibilities while employed by the BPO Elks. Reimbursement will be granted if the course relates directly to the duties required as listed on the employee’s job description and the course content must be pre-approved by the Department Manager/Director, HR, and the Grand Secretary/COO. Recommendations for training should originate at the supervisory level.

The BPO Elks will reimburse tuition when the employee completes and presents proof of completion in the form of the final grade report. The employee will also submit a tuition bill showing the cost of the class along with a receipt for any applicable lab fees and books. The BPO Elks agrees to reimburse its employee for costs, minus any grants or scholarships received by employee, according to the following:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Reimbursement Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A or Equivalent (Pass)</td>
<td>85% of tuition and published lab fees and books only</td>
</tr>
<tr>
<td>B or Equivalent (Pass)</td>
<td>75% of tuition and published lab fees and books only</td>
</tr>
<tr>
<td>C or Equivalent (Pass)</td>
<td>50% of tuition and published lab fees and books only</td>
</tr>
<tr>
<td>Lower Grades</td>
<td>Not eligible for reimbursement</td>
</tr>
</tbody>
</table>

Specialized seminars required for the performance of the job description will be reimbursed at 100%.

The employee must be employed by the BPO Elks at the completion of the course to be eligible for tuition reimbursement.

In the event that the employee resigns or is terminated within twelve (12) months after reimbursement is received, the employee must agree to repay BPO Elks in full.

Employees may be required to sign individual agreements in order to receive reimbursement under this policy.

Tax consequences (if any) as a result of company reimbursement under this plan are the sole responsibility of the employee.

SOCIAL ACTIVITIES
The Company may choose to sponsor social events for employees during each year. These events are open to employees. Your participation is welcomed.
FLOWERS
The Company may send flowers to employees when they or their spouse have a baby, adopt a child, when the employee is confined to the hospital for an extended period of time, or when there is a death of an employee or member of the immediate family. Please contact Human Resources when you become aware of such instances.

LOST & FOUND
Lost and found items should be reported to Human Resources or Security.

SEVERANCE PAY
It is the policy of BPO Elks of the USA that severance pay may be granted to severed employees under certain limited circumstances in the discretion of the BPO Elks of the USA. BPO Elks of the USA retains the right to not provide severance pay to any severed employee.
TIME AWAY FROM WORK

BREAKS AND MEAL PERIODS
Nonexempt employees scheduled to work a minimum of 7.5 hours on a given workday are provided with rest periods of 15 minutes during the first segment of the workday and 15 minutes during the second segment.

All employees are provided with one meal period each workday. The meal break is 30 minutes. Supervisors will schedule meal periods to accommodate operating requirements and require that employees take their meal breaks as required by State law. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time. The employee may arrange with the supervisor for an additional unpaid meal break on the workdays that exceed 8 hours.

With prior supervisor approval, employees may also combine one or more of their 15 minute breaks with their 30 minute meal period. Employees are NOT permitted to forgo their breaks or their meal period in order to arrive late or leave early.

Rest breaks and lunch periods will be coordinated by the department directors in order to cause the least amount of disruption to work load. Employees will be relieved of all active responsibilities during these periods.

FLEXIBLE SCHEDULING
The Company’s core business hours are 8:30am-4:30pm. Flexible hours may be scheduled according to company guidelines and department needs. In general employees have the freedom to flex up to a maximum of four hours per week subject to supervisor approval. Flexible schedules may be used to accommodate doctor’s appointments or other personal business. Flexible scheduling does not change the number of hours worked in a week. Departments must continue to operate during core business hours, e.g. everyone in a department may not “flex off” on the same day.

Guidelines: When an employee works a flexible schedule, the employee works one additional hour each of four work days. The employee then has the opportunity to “flex off” four hours on the remaining day. Employees may start work up to one hour prior to the Company’s core business start time of 8:30am or end work up to one hour past the Company’s core business end time of 4:30pm. See the examples below.

<table>
<thead>
<tr>
<th>Week</th>
<th>M</th>
<th>T</th>
<th>W</th>
<th>TH</th>
<th>F</th>
<th>Total Hours Worked</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Start: 8:30am&lt;br&gt;End: 5:30pm</td>
<td>Start: 8:30am&lt;br&gt;End: 5:30pm</td>
<td>Start: 8:30am&lt;br&gt;End: 12pm</td>
<td>Start: 8:30am&lt;br&gt;End: 5:30pm</td>
<td>Start: 8:30am&lt;br&gt;End: 5:30pm</td>
<td>37.5</td>
</tr>
<tr>
<td>2</td>
<td>Start: 7:30am&lt;br&gt;End: 4:30pm</td>
<td>Start: 7:30am&lt;br&gt;End: 4:30pm</td>
<td>Start: 7:30am&lt;br&gt;End: 4:30pm</td>
<td>Start: 7:30am&lt;br&gt;End: 4:30pm</td>
<td>Start: 1:00pm&lt;br&gt;End: 4:30pm</td>
<td>37.5</td>
</tr>
<tr>
<td>3</td>
<td>Start: 8:00am&lt;br&gt;End: 11:30am</td>
<td>Start: 8:00am&lt;br&gt;End: 5:00pm</td>
<td>Start: 8:00am&lt;br&gt;End: 5:00pm</td>
<td>Start: 8:00am&lt;br&gt;End: 5:00pm</td>
<td>Start: 8:00am&lt;br&gt;End: 5:00pm</td>
<td>37.5</td>
</tr>
</tbody>
</table>

VACATION BENEFITS
Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation and personal pursuits. Regular full-time employees are eligible to earn and use vacation time as described in this policy.

Employees will accrue vacation time each pay period based on length of service with the company as described below. Vacation accrual for new hires will begin after 30 days of employment.

(Management-level employees will begin accruing vacation at the rate of 15 days per year. Management-level employees will follow the vacation earning schedule described below once they reach 15 years of service. The Grand Secretary will accrue vacation at the rate of 25 days per year.)
Vacation Earning Schedule

<table>
<thead>
<tr>
<th>Number of Years of Service</th>
<th>Days of Vacation Accrued Per Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 through 5 years</td>
<td>10 days (2 weeks)</td>
</tr>
<tr>
<td>5 years and one day through 15 years</td>
<td>15 days (3 weeks)</td>
</tr>
<tr>
<td>15 years and one day +</td>
<td>20 days (4 weeks)</td>
</tr>
</tbody>
</table>

The length of eligible service is calculated on the basis of a “benefit year.” (see Employee Benefits)

Paid vacation time may be used in full-day (7.5 hours) or half-day (3.75 hours) increments. To take vacation, employees must request approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. Employees should not use more than two weeks of vacation at a time.

Vacation time off is paid at the employee’s base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses or shift differentials.

Unused vacation benefits may be allowed to accumulate until the employee has accrued the maximum number of vacation days equal to the number of days earned in two years. When the employee’s benefits reach this maximum, further accrual of vacation benefits will be suspended until the employee has reduced the balance below the limit.

Upon termination of employment, employees will be paid for unused vacation time that has been accumulated through the last day of work, not to exceed the maximum accrual. Otherwise, no payment in lieu of vacations will be made under any circumstances.

HOLIDAYS

BPO Elks of the USA will grant holiday time off to all eligible employees on the holidays listed below.

- New Year’s Day (January 1)
- Presidents’ Day (third Monday in February)
- Good Friday (Friday before Easter)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Veteran’s Day (November 11)
- Thanksgiving (fourth Thursday in November)
- Day after Thanksgiving
- Christmas (December 25)

Other paid holidays may be designated at the exclusive discretion of BPO Elks of the USA.

BPO Elks of the USA will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay for non-exempt employees 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 otherwise have worked on that day.

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

If an eligible employee works on a recognized holiday, he or she will receive wages at one and one-half times his or her straight-time rate for the hours worked on the holiday. Such employee may request the supervisor to schedule an alternate paid day off in lieu of the paid holiday. The supervisor will determine if business conditions permit the request to be honored.

**Holiday Pay Clarification:**

If a full-time employee works on a scheduled BPO Elks of the USA paid holiday the employee will be eligible for one of the following:
1. The employee will be paid one and one-half times his or her straight-time rate for the hours worked on the holiday or;
2. The employee may request an alternate paid day off in lieu of the scheduled paid holiday. The alternate paid day off must be pre-approved by his or her supervisor and the alternate paid day off must be taken within the same pay period.

**Holiday Pay Example:**

<table>
<thead>
<tr>
<th>S</th>
<th>M</th>
<th>T</th>
<th>W</th>
<th>TH</th>
<th>F</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Pay</td>
<td>Period</td>
<td>Begin</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>HOLIDAY</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
</tr>
</tbody>
</table>

**Example Option 1**: Fulltime employee works on the Holiday. Employee will be paid one and one-half times his/her straight-time rate for the hours worked on the holiday.

**Example Option 2**: Employee requests to take Friday, the 6th off as a “holiday.” Employee works on Monday, the 9th and is paid his/her regular rate of pay. Employee is paid holiday pay at his/her regular rate of pay for 6th as well.

If a part-time employee works on a scheduled BPO Elks of the USA paid holiday the employee will be paid one and one-half times his or her straight-time rate for the hours worked on the holiday. (Part-time employees will NOT be paid for holidays that fall during their regular work schedule unless they work on the holiday.)

**SICK-LEAVE BENEFITS**

Paid sick-leave is available to all employees for periods of temporary absence due to illnesses or injuries.

Eligible employees will accrue sick-leave benefits each pay period as discussed below. Sick-leave benefits are calculated on the basis of a “benefit year.” (See Employee Benefits)

**Sick-Leave Earning Schedule**

<table>
<thead>
<tr>
<th>Employment Category</th>
<th>Days of Vacation Accrued Per Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Exempt</td>
<td>6 days per year (.50 of a day for every full month of service.)</td>
</tr>
<tr>
<td>Exempt</td>
<td>12 days per year (1 day for every full month of service.)</td>
</tr>
</tbody>
</table>

Paid sick-leave can be used in one hour increments. Eligible employees may use sick-leave benefits for an absence due to their own illness or injury or for the illness or injury of a spouse, child, or parent. Eligible employees may also use sick leave benefits for medically related appointments including doctor’s appointments, dentist appointments, physical therapy, medical tests, etc. for themselves, their spouse, their child, or their parents.

Employees who are unable to report to work due to illness or injury must notify their supervisor before the scheduled start of their workday if possible. The supervisor must be notified for each additional day of absence.

Sick-leave benefits will be calculated based on the employee’s base pay rate at the time of absence and will not include any special forms of compensation such as incentive, commissions, bonuses or shift differentials.

As an additional condition of eligibility for sick-leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as worker’s compensation or short-term
disability. Sick-leave benefits will be used to supplement any payments that an employee is eligible to receive from state disability insurance, worker’s compensation or BPO Elks of the USA-provided disability insurance programs. The combination of any such disability payments and sick-leave benefits cannot exceed the employee’s normal weekly earnings.

Unused sick-leave benefits will be allowed to accumulate for a two-year period (12 days of sick leave benefits). If the employee’s benefits reach this maximum, further accrual of sick-leave benefits will be suspended until the employee has reduced the balance below the limit.

Sick-leave benefits are intended solely to provide income protection in the event of illness or injury and may not be used for any other absence. Unused sick-leave benefits will not be paid to employees while they are employed or upon termination of employment.

BPO Elks of the USA reserves the right to require the employee to obtain a doctor’s report explaining the condition and doctor’s restriction that the employee not work. Ordinarily, any absence due to illness over three consecutive days requires a report from the attending doctor. Where deemed appropriate, the BPO Elks of the USA may delay its decision as to the employee’s physical fitness to return to work until a doctor’s report is submitted to the BPO Elks of the USA.

Family and medical leave benefits, as they relate to the Federal Act of 1993, are found in a separate section of this manual.

BEREAVEMENT LEAVE
Three days of absence with pay shall be granted in the event of a death in the immediate family of any employee. Immediate family for the purpose of this policy is defined as any of the following: parent, step-parent, brother, sister, wife, husband, child, mother/father in-law, daughter/son in-law, foster child, grandchild, grandparent or any relative residing with the employee. One day of absence with pay shall be granted in the event of a death in the employee’s extended family. In unusual circumstances additional days may be granted at the discretion of the Company.

JURY DUTY
BPO Elks of the USA encourages employees to fulfill their civic responsibilities by serving jury duty when required.

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. Jury duty is evidenced by payment from the court for days served. Such payment must be relinquished to the BPO Elks of the USA Accounting Department except for those amounts for travel reimbursement.

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. Employees are expected to report to work whenever the court schedule permits.

Either BPO Elks of the USA or the employee may request an excuse from jury duty if the employee’s absence would create serious operational difficulties.

BPO Elks of the USA will continue to provide benefits for the full term of jury duty absence.

WITNESS SERVICE
BPO Elks of the USA encourages employees to appear in court for witness service when subpoenaed to do so.

If employees have been subpoenaed as witnesses by BPO Elks of the USA, they will receive paid time off for the entire period of witness service.

Employees will be granted paid time off to appear in court as a witness at the request of a party other than BPO Elks of the USA. Employees will be paid at their base rate.
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.

Witness fees, if any, received by the employee must be relinquished to the BPO Elks of the USA Accounting Department except for those amounts received as travel reimbursements.

**FAMILY AND MEDICAL LEAVE (FMLA)**
This policy contains information consistent with and addition to the information contained in the “Employee Rights and Responsibilities” (see appendix A) and is meant to provide additional information about the Employer’s specific policies and procedures under the Family and Medical Leave Act. In the event of any conflict between the “Employee Rights and Responsibilities” and this policy, the “Employee Rights and Responsibilities” will prevail.

**Basic Leave Entitlement:** Employees may be eligible to take up to 12 weeks of unpaid family/medical leave within a 12 month period and be restored to the same or an equivalent position upon return provided that the employee has worked for the BPO Elks of the USA for at least 12 months AND worked at least 1250 hours in the last 12 months AND is employed at a worksite that has 50 or more employees within a 75 mile radius. The “12 month period” means a rolling 12 month period measured backward from the date leave is taken and continues with each additional leave day taken.

**Reasons for Leave:** If an employee is eligible, the employee may take family/medical leave for any of the following reasons: (1) the birth of a child and in order to care for such child; (2) the placement of a child with the employee for adoption or foster care; (3) to care for a spouse, son, daughter or parent (“covered family member”) with a serious health condition; or (4) because of the employee’s own serious health condition which renders the employee unable to perform the functions of the employee’s position. Leave because of reasons one and two above must be completed within the 12 month period beginning on the date of birth or placement. In addition, spouses employed by the BPO Elks of the USA who request leave because of reasons one or two or to care for an ill parent may only take a combined aggregate total of 12 weeks leave for such purposes during any 12 month period.

**Military Family Leave Entitlement:** If an employee is eligible, the employee may use the 12-week FML entitlement to take military family leave. This leave may be used to address certain qualifying exigencies related to the covered active duty or call to covered active duty of a spouse, son, daughter or parent. Qualifying exigencies may include (1) attending certain military events; (2) arranging for alternative childcare; (3) addressing certain financial and legal arrangements; (4) attending certain counseling sessions; (5) addressing issues related to short-notice deployment; (6) spending time with a covered family member who is resting and recuperating; and (7) attending post-deployment briefings; and (8) for certain activities relating to the care of the military member’s parent who is incapable of self-care where those activities arise from the military member’s covered active duty.

An employee may also be eligible for up to 26 weeks of leave to care for a covered servicemember during a single 12 month period. *This single 12 month period begins with the first day the employee takes the leave.* A covered servicemember includes: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy or is in outpatient status; (2) is on the temporary disability retired list; or (3) a covered veteran, meaning one who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and: “(i) was a member of the Armed Forces (including a member of the National Guard or Reserves); (ii) was discharged or released under conditions other than dishonorable; and (iii) was discharged within the five-year period before the eligible employee first takes FMLA military caregiver leave to care for the veteran.”

Employees may not be granted an FMLA leave to gain employment or work elsewhere, including self-employment. If an employee misrepresents facts in order to be granted an FMLA leave, the employee may be subject to immediate termination.
**Notice of Leave:** If the FMLA leave is foreseeable, the employee must give the BPO Elks of the USA at least 30 days prior written notice. Leave requests should be directed to Human Resources. E-mail requests are acceptable. Failure to provide such notice may be grounds for delay of the leave. Where the need for leave is not foreseeable, the employee is expected to notify the BPO Elks of the USA as soon as practicable, and, absent unusual circumstances, in accordance with the BPO Elks’s general call-in procedures. The general call-in procedure for the BPO Elks of the USA is if an employee is unexpectedly unable to report to work, he or she must notify his or her supervisor as soon as possible each working day that he or she is unable to work, but in any event prior to the start of his or her normal work day. The employee must leave a phone number where he or she can be reached.

**Medical Certification Leave for Employee’s Own or a Covered Family Member’s Serious Health Condition:** If the employee is requesting leave because of the employee’s own or a family member’s serious health condition, the employee and the relevant health care provider must supply appropriate medical certification. The medical certification must be provided within 15 days after it is requested, or as soon as reasonably possible under the circumstances. Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided. The BPO Elks of the USA, at its expense, may require an examination by a second health care provider designated by the BPO Elks of the USA, if it reasonably doubts the medical certification you initially provide. If the second health care provider’s opinion conflicts with the original medical certification, the BPO Elks of the USA, at its expense, may require a third, mutually agreeable health care provider to conduct an examination and provide a final and binding opinion. The BPO Elks of the USA may also require medical recertification periodically during the leave and employees may be required to present a fitness for duty verification upon their return to work following a leave for the employee’s own illness specifying that the employee is fit to perform the essential functions of the job.

**Certification for a Qualifying Exigency:** If the employee is requesting leave because of a qualifying exigency arising out of a covered family member’s active duty or call to active duty status, the employee must supply a copy of the covered military family member’s active duty orders or other documentation issued by the military indicating that the covered military member is on active duty or call to active duty (including the dates of the active duty service). The Employer may also request additional information pertaining to the leave.

**Certification for Servicemember Family Leave:** If an employee is requesting leave because of the need to care for a covered servicemember with a serious injury or illness, the Employer may require the employee to supply certification completed by an authorized health care provider of the covered servicemember. In addition, the Employer may also request additional information pertaining to the leave.

**Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave:** If an employee is requesting leave because of the need to care for a covered veteran with a serious injury or illness, the Employer may require the employee to supply certification completed by an authorized health care provider of the covered veteran. In addition, the Employer may request additional information pertaining to the leave.

**Substitution of Paid Leave:** FML is unpaid leave. If you request leave for any FML covered reason, you may be required to exhaust any remaining applicable paid time. The exhaustion of this paid leave does not extend the leave period. In addition, if you are eligible for any additional paid leaves, such as short term/long term disability or worker’s compensation, these leaves will also run concurrently with FML (where appropriate) and will not extend the leave period. When using paid leave in conjunction with FML, employees must comply with the requirements of the applicable paid leave policy.

**Communication During Leave:** If the employee takes leave because of the employee’s own or a family member’s serious health condition, the employee may be required to contact the BPO Elks of the USA on a regular basis regarding the status of the condition and the employee’s intention to return to work. For leaves of other purposes, the employee may periodically be required to report on status and intent to return to work.

**Exhaustion of Paid Leave:** FMLA is unpaid leave. If you request leave for any FMLA covered reason, you can choose to exhaust any accrued paid vacation time. If you request leave for your own, or a family
member’s serious health condition, or to care for a covered servicemember, you may choose to exhaust any paid sick time. The exhaustion of these paid leaves does not extend the 12 or 26 week leave period, as applicable. In addition, if you are eligible for any additional paid leaves, such as short term/long term disability or worker’s compensation, these leaves will also run concurrently with FMLA (where appropriate) and will not extend the 12 week leave period.

Benefits During Leave: During an approved FMLA leave, the BPO Elks of the USA will maintain the employee’s health benefits as if the employee continued to remain actively employed. Other benefit accruals, such as vacation pay, sick pay, etc, will cease once the employee’s leave of absence exceeds two consecutive weeks and will resume once the employee returns to active employment.

Intermittent Leave: Leave because of a serious health condition, to care for a servicemember with a serious injury or illness or because of a qualifying exigency may be taken intermittently (in separate blocks of time due to a single covered health condition) or on a reduced leave schedule (reducing the usual number of hours an employee works per workweek or workday) if medically necessary. If leave is unpaid, the BPO Elks of the USA will reduce the employee’s salary based on the amount of time actually worked. In addition, while the employee is on an intermittent or reduced schedule, the BPO Elks of the USA may temporarily transfer the employee to an available alternate position which better accommodates the recurring leave and which has equivalent pay and benefits. A fitness for duty certification may be required to return from an intermittent absence if reasonable safety concerns exist concerning the employee’s ability to perform job duties.

Job Restoration: If the employee wishes to return to work at the expiration of the leave, the employee is entitled to return to the same position or to an equivalent position with equal pay, benefits and other terms and conditions of employment. If the employee takes leave because of the employee’s own serious health condition, the employee is required to provide medical certification that the employee is fit to perform the essential functions of the job. Employees failing to provide the certification will not be permitted to resume work until it is provided.

PERSONAL LEAVE
BPO Elks of the USA provides leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations.

Eligible employees may request personal leave only after completing three months of service. As soon as eligible employees become aware of the need for a personal leave of absence, they should request a leave from their supervisor. This request should be in writing and should contain the reasons and expected length of the proposed leave.

Personal leave may be granted for a period of up to 30 calendar days every one year. With the supervisor’s approval, an employee may take any available sick-leave or vacation leave as part of the approved period of leave. Leave may be extended at the Company’s discretion.

Request for personal leave will be evaluated based on a number of factors, including anticipated work load requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will be provided until the 30 day period in which the approved personal 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 personal leave, benefits will again be provided according to the applicable plans.

Benefit accruals, such as vacation, sick leave or holiday benefits, will be suspended during a leave that exceeds two weeks and will resume upon return to active employment.

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar position for which the employee is qualified. However, BPO Elks of the USA cannot guarantee reinstatement in all cases.

If an employee fails to report to work promptly at the expiration of the approved leave period, it will be assumed the employee has resigned.
MILITARY LEAVE
BPO Elks of the USA policy is to comply with all applicable laws that afford protection rights to employees serving duty with the military, military reserve and National Guard.

Members of a military reserve or National Guard unit may have an annual training period. When an employee receives orders for such training, he or she should promptly notify the supervisor, detailing duration of the required service. Regular pay minus military pay received for regularly scheduled workdays will provided for up to two weeks.

If an employee so desires, he or she may use vacation time for military service. Any additional time needed for military service will be a leave of absence without pay. Should an employee be required to take an extended leave without pay to fulfill his or her military duty, eligibility for reinstatement after military duty or training is completed is determined in accordance with applicable federal and state laws.

VICTIMS’ ECONOMIC SECURITY AND SAFETY ACT
Statement Of Policy Eligible employees may use unpaid victims’ economic and security and safety leave for up to 12 weeks per 12-month period for any one or more of the following reasons:

A. Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee’s family or household member; or
B. Obtaining services from a victim services organization for the employee or the employee’s family or household member; or
C. Obtaining psychological or other counseling for the employee or the employee’s family or household member; or
D. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee’s family or household member from future domestic or sexual violence or ensuring economic security; or
E. Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee’s family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

Definitions
A. “12-Month Period” - means a rolling 12-month period measured forward from the date leave is taken.
B. “Family or Household Member” – means a spouse, parent, son, daughter, other person related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter, and persons jointly residing in the same household;
C. “Parent”- means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.
D. “Son or Daughter” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age, or is 18 years of age or older and incapable of self-care because of a mental or physical disability.
E. “Domestic or Sexual Violence” - means domestic violence, sexual assault, or stalking.

Coverage and Eligibility
Both full and part-time employees are eligible to apply for this leave.

Intermittent or Reduced Leave
An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule.

Substitution of Paid Time Off/Family/Medical Leave
An employee may elect to substitute accrued paid vacation, sick or personal time for any part of victims’ economic security and safety leave. Such substitution will not extend the 12-week period.

Notice Requirement
An employee is required to give 48 hours notice to the Company in the event of a foreseeable leave. In unexpected or unforeseeable situations, an employee should provide as much notice as is practicable, usually verbal notice within one or two business days of when the need for leave becomes known.

Certification
A. For leaves taken pursuant to this policy, the employee may be required to submit a certification demonstrating the need for the leave. The certification must be provided by the employee as soon as reasonably possible, but in most cases, within 15 days after requested.
B. The certification requirement may be satisfied by the submission of a sworn statement from the employee and one of the following:
   • Documentation from a victim services organization, attorney, clergy, or medical or other professional from whom the employee or the family/household member has sought assistance from in addressing domestic or sexual violence and/or its effects;
   • A police or court record; or
   • Other corroborating evidence.
C. All documentation related to the employee’s need for the leave pursuant to this policy will be held in strict confidence and will only be disclosed as required/permitted by law.

Effect on Benefits
During an approved VESSA leave, the Company will maintain your health benefits, as if you continued to be actively employed. If paid leave is substituted for unpaid VESSA leave, the Company will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is unpaid, you must pay your portion of the premium during the leave. Your group health care coverage may cease if your premium payment is more than 30 days late. If you do not return to work at the end of the leave period, you may be required to reimburse the Company for the cost of the premiums paid by the Company for maintaining coverage during your unpaid leave, unless you cannot return to work because of the continuation, recurrence, or onset of domestic or sexual violence or other circumstances beyond your control.

Job Protection
If you wish to return to work at the expiration of your VESSA leave, you are entitled to return to your same position or to an equivalent position with equal pay, benefits and other terms and conditions of employment. If you take leave because of your own medical condition, you are required to provide medical certification that you are fit to resume work. You may obtain return to Work Medical Certification forms from the Director of Human Resources Department. Employees failing to provide the Return to Work Medical Certification Form will not be permitted to resume work until it is provided.

Reasonable Accommodations
The Company supports the Victims’ Economic Security and Safety Act and will attempt to provide reasonable accommodations for people who are entitled to protection under this Act, unless such accommodations would present an undue hardship for the Company.

Reasonable accommodation applies to applicants and employees and may include adjustment to a job structure, workplace facility, or work requirement, transfer, reassignment, or modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, or implementation of a safety procedure or assistance in documenting domestic or sexual violence that occurs at the workplace or in work-related settings, in response to actual or threatened domestic or sexual violence.

A qualified individual is an individual who, but for being a victim of domestic or sexual violence or with a family or household member who is a victim of domestic or sexual violence, can perform the essential functions of the employment position that such individual holds or desires.
Should you wish to request a reasonable accommodation pursuant to this policy, you should contact Human Resources.

**FAMILY MILITARY LEAVE**

**Statement of Policy**

Eligible employees may use unpaid family military leave for up to 30 days during the time that a family member’s federal or state deployment orders are in effect.

**Definitions**

A. “Eligible Employee” – means an employee or independent contractor who has been employed for at least 12 months and who has worked at least 1250 hours during the 12 months preceding the commencement of the leave.

B. “Family Member” – means the employee’s spouse or child who has been called to military service lasting longer than 30 days with the state or the United States pursuant to the orders of the Governor or the President of the United States.

**Notice Requirement**

An employee is required to give 14 days notice to the Company in the event that the request for leave consists of five or more consecutive work days. Where possible, the employee should attempt to schedule such a leave so as not to unduly disrupt business operations. If the employee’s request for leave consists of less than five consecutive work days, the employee should provide as much notice as is practicable.

**Verification**

For leaves taken pursuant to this policy, the employee may be required to submit verification from the proper military authority demonstrating the employee’s eligibility for the leave.

**Effect on Benefits**

During an approved family military leave, the employee may maintain health benefits at the employee’s expenses. The taking of leave under this policy will not result in the loss of an employment benefit accrued before the date on which leave commenced.

**Job Protection**

Upon returning from an approved family military leave, the employee is entitled to return to the same position or to an equivalent position with equal pay, benefits and other terms and conditions of employment unless restoration is inappropriate for reasons unrelated to the employee’s family military leave.

**ELKS CARE, ELKS SHARE VOLUNTEER POLICY**

Volunteerism is the willingness of people to work on behalf of others without the expectation of pay or other tangible gain. As a key part of our mission, we are committed to giving back to the community through our employees.

The Company will grant up to seven and one half (7.5) paid hours per calendar year for the purpose of participating in volunteer activities. Employees must apply as far in advance as possible for volunteer leave and the leave must be approved by the employee’s supervisor. Supervisors have the discretion to deny approval depending on the business needs of the department.

Employees must provide written evidence of the leave in order to receive the appropriate leave credit. Failure to provide the appropriate documentation will result in the leave being credited as “vacation.” The written evidence document should be on the official letterhead of the organization, dated and signed by the person in authority overseeing/supervising the volunteer activity. Supervisors who approve requests for leave will maintain a record for each employee under his/her supervision and forward a copy of the document along with the timesheet to Human Resources for the respective pay period in which the leave is to be credited. Employees will reflect the appropriate leave code on their timesheet (VLTR).
Leave that is not taken will be forfeited at the conclusion of each calendar year and will not be carried over. Employees will not be paid for the unused leave upon separation from employment.

**OTHER LEGALLY MANDATED TIME AWAY**
There may be times and locations where other times away from work may be allowable and/or mandated by law (e.g. voting time). It is the intention of BPO Elks of the USA to comply with these laws. Please contact Human Resources with any questions or concerns.
TIMEKEEPING & PAY

WORK WEEK
The regular work week for non-exempt employees is 7.5 hours per day, five days per week, excluding lunch breaks.

The different departments of BPO Elks of the USA have varying schedules due to work load and time demands. To this degree, department directors will specify work schedules in order to best meet department requirements.

PAYDAYS
You will be paid every two weeks or 26 times a year. Payday is every other Friday and you are paid through the preceding Friday. The weekly pay period begins on Sunday and ends on Saturday as shown in the example below. The Company is required by law to make some standard deductions from each employee's checks, e.g. FICA, Federal Income tax and State Income tax. If you have any questions about your paycheck, you should feel free to ask your supervisor or Human Resources.

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AUTOMATIC “DIRECT” DEPOSIT
Automatic deposit is an electronic transfer of your paycheck each payday to your personal bank account. This feature is available to any employee who wishes to participate. Please contact Human Resources for more information.

TIMEKEEPING
Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require BPO Elks of the USA to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Nonexempt employees should accurately record the time they begin and end their work. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

If corrections or modifications are made to the time record, the supervisor must verify the accuracy of the changes and report them to the payroll office.

OVERTIME
When operating requirements or other needs cannot be met during regular working hours, employees will be given the opportunity to volunteer for overtime work assignments. All overtime work must receive the supervisor’s prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.
Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour laws. As required by law, overtime pay is based on actual hours worked in excess of the scheduled work week or as required by law, whichever is less. Time off on sick-leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible termination of employment.

**DEDUCTIONS FROM PAY**

It is the policy of the BPO Elks of the USA not to take any improper pay deductions that would be in violation of the Fair Labor Standards Act, its regulations (specifically Section 541.602(a)), or relevant state law or local ordinance.

Employees who believe their pay has been improperly deducted should report such improper deduction immediately to Human Resources. The complaint will be promptly investigated and the results of the investigation will be reported to the complaining employee. If the employee is unsatisfied with the findings of the investigation, the employee may appeal the decision to The Grand Secretary/COO.

Any employee whose pay is improperly deducted shall be reimbursed for such improper deduction no later than the next pay period after the improper deduction is communicated to management.
SAFETY/SECURITY

PERSONAL SAFETY
Establishment and maintenance of a safe work environment are shared responsibilities of BPO Elks of the USA and employees from all levels of the organization. BPO Elks of the USA will attempt to do everything within its control to assure a safe environment and compliance with federal, state, and local safety regulations. Employees are expected to obey safety rules and to exercise caution in all their work activities. Disregard for safety rules or procedures will result in disciplinary action up to and including discharge.

Employees have an absolute obligation to immediately report any unsafe conditions to their supervisor. Not only supervisors, but employees at all levels of the organization are expected to correct unsafe conditions as promptly as possible. BPO Elks of the USA will not take reprisals against an employee who comes forth with a safety recommendation or refuses to operate any equipment or work in an area he/she reasonably feels is unsafe.

All accidents, especially those that result in injury, must be reported immediately to the nearest available supervisor, regardless of how insignificant they may appear. Such reports are necessary to comply with federal and state laws and initiate insurance and workers' compensation procedures. Failure to immediately report an accident may result in discipline, up to and including discharge.

If you are disabled or would need special assistance during an emergency, please inform Human Resources.

WORKPLACE SECURITY
To safeguard the property of our employees, our customers, and the BPO Elks of the USA, and to help prevent the possession, sale, and use of illegal drugs on company premises, in keeping with the spirit and intent of the company's drug-free workplace policy, the company reserves the right to question employees and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunchboxes, or any other possessions or articles carried to and from the company's property. In addition, the company reserves the right to search any employee's office, desk, files, locker, or any other area or article on our premises. In this connection, it should be noted that all offices, desks, files, lockers, and so forth, are the property of the company and are issued for the use of employees only during their employment with the company. Inspections may be conducted at any time at the discretion of the company.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy will not be permitted to enter the premises. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property or illegal drugs, will be subject to disciplinary action up to and including discharge if on investigation they are found to be in violation of the company's security procedures or any other rule and regulation.
APPENDIX A

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement
FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or childbirth;
- to care for the employee’s child after birth, or placement for adoption or foster care;
- to care for the employee’s spouse, son, daughter, or parent, who has a serious health condition;
- for a serious health condition that makes the employee unable to perform the employee’s job.

Military Family Leave Entitlements
Eligible employees whose spouse, son, daughter or parent on covered active duty or called to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, such as welcoming home ceremonies, addressing certain financial and legal arrangements, attending counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is:

1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy,
2. Otherwise in an outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness,
3. A veteran who was discharged or released from active duty, or whose condition arose out of service, at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered service member, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness.

The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition.”

Benefits and Protections
During FMLA leave, the employer must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employers must restore their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave cannot result in the loss of employment benefits that accrued prior to the start of the employee’s leave.

Eligibility Requirements
Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months, and at least 50 employees are employed by the employer within 75 miles.

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

Definition of Serious Health Condition
A serious health condition is an illness, injury, impairment, or physical or mental condition that involves 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 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave
An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave to avoid disruptive the employee’s operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave
Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave, employees must comply with the employer’s normal paid leave policies.

Employee Responsibilities
Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employer must provide notice as soon as practicable and generally must comply with an employer’s normal call-in procedures.

Employees may provide sufficient information for the employer to determine if the leave may be qualified for FMLA protection and the anticipated start and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the employee is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees who are required to inform the employer that the leave is for a reason for which FMLA leave is previously taken or certified may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities
Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave granted against the employee’s leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers
FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA;
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement
An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not effect any Federal or State laws prohibiting discrimination, which provides greater family or medical leave rights.

FMLA section 1909 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.

For additional information:
WWW.WAGEOURDOL.GOV

WHD Publication 1420 (Revised February 2013)

Effective 8/1/2012; Updated 2/12/2013 ~ 38 ~