

ORCA

Ocean Reef Community Association



North Key Largo Utility



ORVFD



EMPLOYEE HANDBOOK
2002

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ORCA Employee Handbook

INTRODUCTION

THE OCEAN REEF COMMUNITY ASSOCIATION (ORCA)

ORCA is the community governmental body for the Ocean Reef complex. All property owners at Ocean Reef are members of ORCA. A large percentage of the property owner members have a second residence and consequently only spend a portion of the year at Ocean Reef. About 10% of the property owners live at Ocean Reef for the full year. It is governed by a nine member Board of Directors. Seven members of the Board are elected by the residential property owners and two members are appointed by the Ocean Reef Club, Inc. The Board of Directors establishes policies and the Community Administrator handles the day to day operations of ORCA including supervising the Public Safety Department, ORCAT, Ocean Reef Cultural Center, Ocean Reef Community Foundation, Ocean Reef Political Action Committee, Public Works, North Key Largo Utility Corp., Architectural Review, and other administrative functions.

ORCA IS YOUR EMPLOYER AND ESTABLISHES EMPLOYMENT POLICIES.

Upon acceptance of your application for employment, you will be employed by ORCA (not the Ocean Reef Club, Inc.) and your conduct as an employee will be governed by the policies established from time to time by its Board of Directors and the Community Administrator.

ORCA is pleased to welcome you as an employee. This employee handbook is intended to provide a summary of the employee benefits, policies, and employee regulations in effect at the time of publication. In the case of insurance, pension and other benefits greater detail is available in the plan documents for such benefits. The information in this handbook should be helpful in familiarizing employees with ORCA. Hopefully, this information will further the congenial environment and harmonious working relationships which we strive to maintain.

This Handbook does not alter the "at-will" nature of your employment. You have the right to terminate your employment at any time, with or without cause, and ORCA has the same right. Your status as an "at-will" employee may not be changed, except in writing, signed by the President or Chairman of ORCA.

It is not possible to anticipate every situation or answer every question about employment. In order to retain necessary flexibility in the administration of policies and procedures, ORCA reserves the right to change or revise policies and procedures described in this handbook whenever ORCA determines that such action is warranted.

We hope that your employment with ORCA is rewarding and satisfying for both you and the Association. We believe that ORCA offers a sound compensation and benefits package along with positive employment opportunities. However, it is not feasible to guarantee or assure employment for any specified period of time. It may be in the best interests of ORCA to terminate employees either on an individual basis with or without reason or notice or on the basis of a reduction in work force.

OCEAN REEF PUBLIC SAFETY DEPARTMENT (ORPSD)

ORPSD is a staff of well qualified individuals organized under the guidance of the Community Administrator to provide public safety services to Ocean Reef property owners, their guests, the Club and employees, and their guests. The focal point of ORPSD is a communications center located in the Public Safety building on Anchor Drive. This center is the receiving station for 911 Emergency calls as well as HELP or assistance calls from members and guests of Ocean Reef. Upon receipt of an emergency or HELP call, qualified personnel and equipment are dispatched in response to the call.

OCEAN REEF VOLUNTEER FIRE DEPT (ORVFD)

The ORVFD is a non-profit Corporation created to provide Fire and EMS services to Monroe County District 7. This Fire District includes all of Ocean Reef, the Angler's Club and the northern portion of CR 905 and Card Sound Road.

ORVFD owns its building and most of the equipment utilized by the Public Safety Department, ORVFD does not have paid employees, however a well trained core of volunteers is available to work with the Public Safety Department to preserve life and property.

THE OCEAN REEF CLUB, INC. (ORC)

The Ocean Reef Club has a membership of approximately 3,500 families from all over the United States, Canada, Europe and South America. Approximately 1,500 of the members are property owners and have residences at Ocean Reef.

Admission to Ocean Reef is limited to Ocean Reef Club members, property owners, guests of members or property owners, guests sponsored by the Club and service people cleared for admission. Ocean Reef is also frequented by vacationers who come for a short stay at the Club's resort or rent facilities from the Club or homeowners.

NORTH KEY LARGO UTILITY CORPORATION (NKLU)

NKLU was organized in 1995 to provide wastewater treatment and irrigation water production for ORC Inc. and the Community. This organization has a Board of Directors and conducts business as a separate organization. ORCA manages its operations and assigns staff to provide necessary services as required. Staff assigned to NKLU are employees of ORCA and may be classified as G & A, or hourly staff.

ORCAT

ORCAT was first organized by community volunteers and leaders in 1985 to assist with managing Feral Cat populations in the Ocean Reef Community. This charitable organization, with assistance from ORCA starting in 1994 has a Board of Directors and conducts business as a separate organization. ORCA manages its operations and assigns staff to provide necessary services as required. Staff assigned to ORCAT are employees of ORCA and may be classified as G & A, or hourly staff.

OCEAN REEF CULTURAL CENTER

The Cultural Center was created in 1999 to bring desired activities to the Community. This charitable organization has a Board of Directors and conducts business as a separate organization. ORCA manages its operations and assigns staff to provide necessary services as required. Staff assigned to the Cultural

Center are employees of ORCA and may be classified as G & A, or hourly staff. From time to time the Cultural Center makes its events available to ORCA staff. ORCA staff attending Cultural Center functions should adhere to all dress code and conduct expectations of the community. Attending Cultural Center events is a privilege that may not extend to every associate or employee.

OCEAN REEF FOUNDATION

The Foundation was created in 1995 to organize and facilitate charitable contributions throughout Ocean Reef much like a United Way. This charitable organization has a Board of Directors and conducts business as a separate organization. The Foundation has demonstrated extraordinary generosity to all the charitable organizations; the Volunteer Fire Department, ORCAT and employees have received support from the Foundation. Key Largo and Homestead have also received gifts through the Foundation. ORCA manages its operations, and assigns staff to provide necessary services as required. Staff assigned to the Community Foundation are employees of ORCA and may be classified as G & A, or hourly staff.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of ORCA to conduct its business in conformance with all applicable State and Federal civil rights laws. ORCA believes in equal employment opportunity and will not illegally discriminate based on any individual's sex, age, race, color, religion, national origin, marital status, disability, or citizenship.

HIRING OF RELATIVES

ORCA's policy is not to hire close relatives of current employees. Close relatives include immediate family such as parents or legal guardians, siblings, spouse and/or children of which an employee is legal guardian.

TRIAL PERIODS

All new and rehired employees will work on a trial basis for a period of 90 days from date of hire. Usually before the end of this time, an employee performance evaluation will be performed by the department supervisor. This "getting acquainted" or "introductory period" gives the supervisor the opportunity to determine the ability with which the employee performs his or her job. It also provides the employee with the opportunity to decide if he or she is satisfied with the position.

The trial period may be extended, with department head approval, if the situation warrants. In such case, the supervisor shall supply notice to the employee including the reasons for extension and the improvement necessary in order to become a regular employee.

Completion of the trial period does not confer an expectation of continuation in employment; continuation is based on the employee's satisfaction of ORCA's performance and conduct standards.

ANNIVERSARY DATE

The date of employment establishes the anniversary date.

If an employee begins employment as a Temporary Employee and is subsequently retained as a Regular Employee with no break in service, the original date of employment will be considered the anniversary date.

Upon successfully completing the trial period, the date of hire will remain the anniversary date.

The anniversary date determines eligibility for vacation, sick pay, and other benefits for qualified employees. Dates for wage increases and performance evaluations begin on the anniversary date a wage is established for an employee as a new hire or the date of a position change/promotion or demotion, whichever is most current.

GROOMING AND APPEARANCE POLICY

It is ORCA's policy that employees are to convey an impression of neatness, competence and good taste in their personal appearance. Cleanliness is of the utmost importance. Below is a list of grooming practices to be followed:

- * Hair must be well groomed, clean and combed.
- * Fingernails are to be clean and trimmed.
- * Clothes are to be clean, neatly pressed and appropriate for work to be performed.
- * Good personal hygiene habits are required.
- * No excessive makeup is permitted.
- * Male employees may not wear earrings. Female employees should wear earrings that show good taste and are appropriate for their department. No employees shall be allowed to wear jewelry that presents a safety hazard to themselves and/or others in the department.
- * Facial hair is limited to mustaches for all Public Safety employees. Other departments are permitted to have beards provided they are neatly trimmed. Partial growth is not appropriate appearance for all employees.

This list is not exhaustive. Employees should follow overall good grooming practices in addition to complying with the above requirements.

Inappropriate working apparel includes, but is not limited to the following: thongs or open sandals, bare feet, surplus military clothing, un-pressed, soiled or un-repaired clothing. Each employee is expected to be appropriately dressed and groomed. Supervisors will offer guidance as to appropriate dress and grooming. Supervisors may also establish special requirements for safety. Failing to observe established standards of dress and grooming can bring disciplinary action.

UNIFORMS

All employees are expected to show pride in their personal appearance, particularly those dealing directly with residents. Uniforms are to be worn only while on duty or while going to and from work. Uniforms furnished by ORCA are ORCA's property and will be returned at the time of termination of employment. The cost of replacement of unreturned ORCA property will be withheld from the employee's final paycheck. Please refer to department S.O.P. manuals for proper uniforms specifications.

PROMOTIONS

It is ORCA's policy to give qualified employees preference over others when filling vacancies within the organization. An employee's past performance, education, potential, and job experience are important factors that are considered in the selection of employees for promotion. For Public Safety employees a promotion is defined as an increase in rank. For example: a change of rank from PSOI to PSOII or PSOIII to Sergeant) qualifies as a promotion.

EVALUATIONS / MERIT RAISE

All employees will be evaluated by their immediate supervisor based on the following schedule:

1. 90 day trial period - evaluations only - no increase.
2. After the first six (6) months of employment.
3. On the first anniversary date.
4. Annually thereafter.

Based on job performance, employees have the opportunity for merit increases from zero to five percent (5%) for the evaluations #2 - 4 above.

Dates for wage increases and performance evaluations begin on the anniversary date a wage is established for an employee as a new hire or the date of a position change/promotion or demotion, whichever is most current. Promotions also restart merit increases and probationary process. Evaluations may be scheduled more frequently for employees as deemed necessary by a supervisor. Additional evaluations do not imply eligibility for a merit raise.

PAYDAY AND PAYCHECKS

All employees are normally paid on a bi-weekly basis by check or direct deposit. The pay period for ORCA employees is a two-week period beginning on Sunday at 12:01 a.m. and ending two weeks later on the following Saturday midnight. Payday is every other Thursday for the previous work period. Paychecks are only available after 8:00 a.m. of the scheduled payday.

Employees are responsible to ensure that their time cards or time sheets are accurate and complete. Falsification of time cards or time sheets or completion of another employee's time card or time sheet can result in immediate termination. All timecards and approved payroll worksheets such as overtime, sick or vacation forms, must be signed and turned in to your supervisor after finishing your last shift for that pay period.

PAYROLL

PUBLIC SAFETY DEPT. PERSONNEL ON SHIFTS OF 24 ON/48 OFF

PSD personnel on shifts of 24 hours on and 48 hours off are non-exempt employees of ORCA, paid bi-weekly for all of the hours worked in each 2 week period. For all hours worked over 40 in a workweek, personnel will receive an hourly rate of one and one-half their regular rate of pay.

Due to the high degree of responsibility and professionalism required to be a Paramedic at Ocean Reef, qualified Paramedics are eligible for a designation as a "Shift Paramedic". A six-month waiting period, approval from an Assignment

Panel, Medical Director, and Community Administrator are required prior to the assignment.

PUBLIC SAFETY DEPT. DISPATCHERS AND FRONT GATE EMPLOYEES

PSD Dispatchers and Front Gate personnel work 12-hour shifts, normally scheduled 3 days one week and 4 days the next. For all hours worked over 40 in a workweek, personnel are paid at an hourly rate of time and one-half their regular rate.

PUBLIC SAFETY DEPT. WELCOME CENTER EMPLOYEES

PSD Welcome Center personnel work eight and one half hour days, scheduled 5 days per week. For all hours worked over 40 in a workweek, personnel are paid at an hourly rate of time and one-half their regular rate.

PUBLIC SAFETY DEPT. ADMINISTRATIVE EMPLOYEES

PSD Administrative personnel work eight-hour days, scheduled 5 days per week. Administrative employees are salaried employees, paid evenly during the bi-weekly pay period. Some positions may qualify as exempt employees under the FLSA.

GENERAL AND ADMINISTRATIVE

All other employees serve as General and Administrative staff. Office hours are determined by ORCA Community Administrator. The ORCA office hours are Monday thru Friday from 8:00 a.m. thru 5:00 p.m. G&A employees may be salaried and paid evenly during the bi-weekly pay period or hourly. The individual position determines if the G & A employees may be classified as an exempt or non-exempt employee and subject to appropriate FLSA guidelines. They are assigned to a work schedule that best meets the needs of the community.

CHANGE OF NAME AND/OR ADDRESS

It is the responsibility of each employee to immediately advise ORCA of any change in his/her name, address, telephone number, number of dependents or marital status.

VACATION BENEFITS

All full-time employees will be entitled to two weeks paid vacation per year earned after the first year. After 5 years of employment, employees will be entitled to three weeks. After 10 years of employment, employees are entitled to four weeks of vacation.

Employees are expected to take their vacations each year (a minimum of 40 hours), and will only be paid in lieu thereof with special authorization by the Community Administrator. Employees will be allowed to accumulate up to two (2) weeks vacation time through December 31. In January, employees having accumulated more than two weeks vacation will receive the amount of time over two weeks in the form of a check. Employees will be notified the amount of their accumulated vacation time at quarterly intervals. Employees who do not leave in good standing forfeit any unused vacation time or any other accumulated time (see Termination Policy).

All employees must schedule their vacation time with their department supervisor no later than thirty days prior to commencing any vacation days.

For purposes of ORCA benefits described in this manual, 2 weeks are defined as follows:

<u>WORK SCHEDULE</u>	<u>EQUALS 2 wks / 3 wks / 4 wks</u>
24 on/48 off -	96 hrs / 144 hrs / 192 hrs
12 hrs per day -	84 hrs / 126 hrs / 168 hrs
8.5 hrs per day -	85 hrs/127.5 hrs / 170 hrs
8 hours per day -	80 hrs / 120 hrs / 160 hrs

SICK LEAVE BENEFITS

Regular full-time employees shall receive sick leave for use during absences for non-industrial personal illness or injury. Sick leave is to be used only when medically necessary. Employees shall be allowed to utilize one paid sick day per calendar year, from accumulated sick leave, for personal physician visits, dental appointments, and other related medical business.

ORCA may require evidence of illness from an employee's medical doctor as a condition of receiving sick leave benefits. Failure to furnish evidence satisfactory to ORCA of a bona fide illness, preventing the employee from performing his/her duties, shall terminate the employee's right to sick leave benefits for that period. Sick leave benefits will be earned at the following rate:

1. Less than six months employment: There are no sick leave benefits during the first six months of employment.
2. More than six months employment: Full time employees with six months or more of employment employees shall be entitled to eight (8) paid sick days per calendar year with accrual beginning at date of employment. A prorated calculation will be applied to individuals working less than a full calendar year.

For purposes of ORCA benefits described in this manual, 8 days are defined as follows:

<u>WORK SCHEDULED</u>	<u>BENEFIT EQUALS</u>
24 on/48 off -	72 hours
12-hour days -	72 hours
8.5-hour days -	68 hours
8-hour days -	64 hours.

Sick leave benefits shall be earned for hours worked, including holidays, earned vacation hours, jury duty, and funeral leave in a twelve-month period.

EXCESSIVE USE OF SICK TIME

Employees using more than half of their allotted sick time in a twelve month period except for Family Medical Leave Act (FMLA) absences, or claiming sick time on a scheduled holiday are subject to one or more the following administrative procedures:

1. Interview with Personnel Director
2. Requirement of a Doctor's note
3. Notation in employee's next evaluation
4. Memo placed in employee's Personnel File

Sick leave benefits will not be paid for absences due to the following:

1. Intentionally self-inflicted injury.
2. Current use of illegal drugs or alcohol unless absence is due to time off for an approved treatment program.
3. Illness or injury, which is the result of misconduct including horseplay.
4. Illness or injury resulting from paid employment of any kind other than the employment of ORCA.
5. Immediately before or following a scheduled vacation or during employees two week notice prior to voluntary termination.

Sick leave benefits will be paid at the employee's regular straight time base pay, exclusive of overtime. One days pay is equivalent to the hours normally scheduled. For example employees scheduled for an 8-hour day would be paid for 8 hours times their regular rate for the paid day off. An employee scheduled for 24-hour shift would be paid 24 hours times their regular rate for the paid day off until sick benefits are exhausted.

Unused sick leave is not payable upon termination.

At the end of each calendar year anyone who has 100% of their sick time left will have 50% of the time converted to vacation time. Anyone with 50% to 99% time left shall have 25% of the unused time converted to vacation time.

Accumulated sick days cannot be used by an employee as part of their two weeks termination notice. Employees leaving the employment of ORCA, regardless of reason will not be entitled to receive any unused sick pay.

FAMILY AND MEDICAL LEAVE POLICY

Eligible employees may take up to 12 weeks of unpaid, job-protected leave each year for specified family and medical reasons.

Employee Eligibility

To be eligible for family or medical leave, you must:

1. Have worked at least 12 months for ORCA.
2. Have worked at least 1,250 hours for ORCA over the previous 12 months;
and,
3. Work at a location where there are at least 50 employees within 75 miles.

Conditions Triggering Leave

Family and medical leave must involve one or more of the following reasons:

1. For the birth of a child, to care for a newborn child, or placement of a child with the employee for adoption or foster care.
2. To care for an immediate family member (spouse, child, or employee's parent) with a serious health condition.

3. Because of the employee's serious health condition which makes the employee unable to perform the functions of the employee's job.

Duration of Leave

Eligible employees may receive up to 12 workweeks of unpaid leave during any "rolling" 12-month period, measured backward from the date of any family or medical leave. Family and medical leave involving the birth or placement of a child for adoption or foster care must be concluded within 12 months of the birth or placement.

You may take family and medical leave intermittently – which means taking leave in blocks of time, or by reducing your normal weekly or daily work schedule – whenever it is medically necessary to care for a seriously ill family member, or because you are seriously ill and unable to work. Intermittent leave is not permitted for birth of a child, to care for a newborn child, or placement of a child for adoption or foster care.

Depending on the purpose of your leave request, you may choose (or the Company may require you) to use accrued paid leave, if available, as a substitute for some or all of the family and medical leave.

Maintenance of Health Benefits

If you and/or your family participate in a group health plan, ORCA will maintain coverage under the plan during your family and medical leave. This coverage will be provided if you or your family were covered under the plan before the leave was taken and on the same terms as if you had continued to work. Where appropriate, you must make arrangements to pay your share of health plan premiums while on leave.

In some instance, ORCA may recover premiums it paid to maintain health coverage for an employee and family.

Job Restoration

Upon returning from a family and medical leave, you will normally be restored to your original job, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. In addition, your use of family and medical leave will not result in the loss of any employment benefit that you earned or were entitled to before using family and medical leave.

Notice and Medical Certification

When seeking family and medical leave, you must provide:

1. Thirty (30) days advance notice of the need to take family and medical leave, if the need is foreseeable.
2. Within 15 calendar days of request by ORCA medical certifications supporting the need for leave due to a serious health condition affecting you

or an immediate family member. Second or third medical opinions and periodic re-certifications at the Company's expense may also be required.

3. Such periodic reports as deemed appropriate during the leave regarding your status and intent to return to work.

4. Medical certification of fitness for duty before returning to work, if the leave was due to your serious health condition.

When leave is needed for a planned medical treatment for your own serious health condition or that of an immediate family member, you must try to schedule treatment so that it will not unduly disrupt the Company's operation. Failure to comply with these requirements may result in delay or denial of leave.

Other Employment

Outside employment during your leave period is prohibited, and may result in disciplinary action, up to and including immediate termination of employment.

Exceeding FMLA Leave

Any employee who exceeds their 12 FMLA entitlement may be subject to termination of employment.

Non-Contractual Nature of this Policy

The duration of leave, availability of benefits, opportunity for job restoration, and other rights and privileges associated with FMLA Leave are limited by the requirements of applicable state and federal law. No express or implied contractual rights should be inferred from this policy. ORCA reserves the right to modify this or any other policy as necessary, in its sole discretion.

PERSONAL DAYS

All full-time employees shall be entitled to 2 days paid personal time per calendar year. A prorated calculation will be applied to individuals working less than a full calendar year. Employees cannot carry over into the next year any unused personal days.

For purposes of ORCA benefits described in this manual, 2 days are defined as follows:

<u>WORK SCHEDULE</u>	<u>EQUALS</u>
24 on/48 off	24 hours
12-hour days	12 hours
8.5-hour days	17 hours
8-hour days	16 hours

HOLIDAY PAY

The ORCA Office is closed on the following days and these days shall be recognized and observed as official holidays:

New Year's Day Independence Day Thanksgiving

Memorial Day

Labor Day

Christmas

The ORCA offices will be open on the following four holidays: Martin Luther King Day, President's Day, Columbus Day, Veteran's Day.

G&A and General & Administrative employees will be given four "Floating Holidays" per year, taken during that calendar year. These "Floating Holidays" must be coordinated with the Community Administrator. Full time G&A, PSD Administrative employees will be paid straight-time for all ten holidays listed above.

All other employees will receive holiday pay for the 6 holidays listed above and paid as follows: Employees working on one of these holidays will receive double time for that day. Employees not scheduled to work one of these holidays will receive one days regular pay for that holiday.

Kelly Days: For every 17 shifts worked, a 24 hours on/ 48 hours off "shift" PSO employee will earn a "Kelly Day" to be paid at your regular "straight time" hourly rate.

LEAVE OF ABSENCE WITHOUT PAY

All regular full-time employees with more than one year of continuous employment are eligible to take personal leaves of absence for up to one month provided such leave will not create operational problems and are approved by the employee's supervisor and the Community Administrator.

Employees in need of a personal leave of absence for medical, family illness or other reasons should notify the Community Administrator in writing as soon as possible.

ORCA will not grant compensation to a person on leave of absence. All employee benefits terminate at the beginning of the leave of absence except eligibility status for those benefits, which may be resumed upon return to work. Group and medical insurance benefits may be reapplied for the employee upon return to work however, reinstatement is at the discretion of the insurance provider.

Employees on leave of absence are expected to return to work no later than the 31st calendar day after the leave begins. If an employee does not return to work within the period, he/she shall be considered to have terminated their employment.

A written request for medical leave of absence must be presented to the Community Administrator with a doctor's statement defining the necessity and approximate length of time needed for full recovery. Medical leaves of absence will be granted only after all accrued sick leave, and vacation leave have been used by the employee.

A doctor's release for work must be presented to the Community Administrator before the individual will be reinstated as an employee. The release will be placed in the employee's personnel file.

ON THE JOB INJURY/ LEAVE OF ABSENCE

Any employee who is injured while performing prescribed duties and is medically and physically unable to work will be placed on medical leave of absence. A doctor's statement must be presented to the Community Administrator stating the injured employee's ability or inability to work.

Benefits. Vacation and sick leave benefits will cease to accrue the first month following the date of disability. Group insurance will continue until employee is released to return to work or three months following the month the injury occurred, whichever comes first. During this time the employee must pay his/her portion of the premium for medical insurance.

Call-In Procedure. Employees on an absence due to an on-the-job injury or illness must call in to their immediate supervisor on their regularly scheduled workday and personally report to the Community Administrator weekly.

Return to Work. When an employee is available to return to work, a doctor's release statement must be presented to the Community Administrator, authorizing the employee to return to work. Every effort will be made by the employee and employer to provide and accept light duty work in any area of ORCA's operations.

Salary. An employee will receive 100% of his/her net salary for 7 days from the date of the accident. In no case will an employee receive more than 100% of the net salary including all compensation from worker's compensation. After 7 days the employee will receive compensation pursuant to Florida Worker's Compensation laws. The compensation will continue for so long as Florida Worker's Compensation laws allow.

DISABILITY

After completing one year of uninterrupted service with ORCA, all regular, full-time employees (salaried or hourly) will be eligible to receive disability payments upon presentation of evidence of long-term disability from a physician and approval by the Community Administrator. The purpose of this benefit is to assist employees in cases of long-term disability. This benefit is not intended for short-term illnesses such as one-week flu, etc.

Long-term disability is defined as follows: Any non-work related injury or long term illness. Pregnancy related conditions are covered on the same basis as any other disability. Disability payments will commence after the employee has been paid for all sick, vacation, and personal days.

Disability will be paid according to the following schedule:

Full-pay for two weeks followed by one-half pay for two weeks followed by one-third pay for four weeks.

If an employee is paid disability pay for eight (8) weeks under the above stated formula, that employee will not be eligible for any further disability payments for a twelve month period from the date of the last disability payment.

JURY DUTY/MILITARY LEAVE

If an employee is required to perform jury or military duty, he/she will be given the necessary time off to perform that service.

For either duty type, ORCA will make up the difference between pay and the employee's regular pay. Under no circumstances will the employee earn less than his/her normal pay for a maximum of thirty (30) days (or 24 hr. shift equivalent) for military leave per calendar year.

When an employee's service on a jury or military leave causes him/her to lose regularly scheduled work, the employee will receive the equivalent to his/her regular pay and benefits, provided that:

He/She presents the summons to serve on a jury or a copy of Military Orders to your Supervisor. He/She furnishes the Community Administrator with evidence of having served for the time claimed. Time spent on either duty will not be counted as hours worked for the purpose of computing overtime pay.

If an employee is excused from jury duty prior to 1:00 p.m., that employee will be expected to return to work on that day.

BEREAVEMENT LEAVE

If there is a death in an employee's immediate family (father, mother, grandparent, husband, wife, brother, sister, son or daughter), he/she will be granted time off with pay to attend the funeral for up to three consecutive working days (one 24 hour shift for 24 on / 48 off employees).

BENEFIT PROGRAMS

Below is a brief summary of four benefit programs offered by ORCA. Each program is very important and it is the employee's responsibility to become acquainted with them. Please contact the ORCA office for more detailed information.

Health Insurance. All full-time employees (those who work at least twenty-five hours per week) are eligible to enroll in the ORCA group insurance plan. The plan covers major medical and life insurance. Maternity benefits are also provided under the plan. The employee share of the premium cost of the group insurance plan premium is borne completely by ORCA for individual coverage. ORCA pays a portion of dependent coverage, with the employee paying the balance through payroll deductions.

Life Insurance. ORCA pays 100% of the cost of life insurance and accidental death and dismemberment insurance for regular full-time employees who have met the 30-day eligibility period. The life insurance amount for employees enrolled with the group health insurance program is \$15,000.

401(k) Deferred Compensation Program. All-full time employees after working with ORCA for 6 months or more are eligible to enroll in the ORCA 401(k) deferred compensation retirement plan. This program allows employees to contribute pre-tax dollars into a retirement fund. If you become a participant, ORCA will match 100% of your contribution up to the first 6%. Employees with over ten years employment may receive up to 8% match. The percent you contribute will be deducted from your bi-weekly paycheck. Employees can enroll on a monthly basis.

Flexible Benefits Program. ORCA provides the opportunity for all employees to participate in a flexible benefits program. This program allows the employee to use pre-tax dollars to fund unreimbursed medical expenses and dependant care. Employees can enroll once a year on January 1st.

GIFTS

Donations and gifts to the Volunteer Fire Department, ORCAT, and other departments are used to offset expenses. In order to maintain a high standard of integrity, employees are not permitted to accept individual gifts or gratuities from customers, visitors, residents and/or vendors. Any gift offered to an employee is to be disclosed to the ORCA office and if accepted is to be shared by the entire organization.

OPEN DOOR POLICY

ORCA believes in an open door policy to promote two-way communication and mutual trust between you and your supervisor. You are welcome to make suggestions or ask questions pertaining to your job or general working conditions at any time. In the case where your immediate supervisor may not be available or your situation makes it uncomfortable to discuss a topic or problem with your supervisor, a supervisor of equal or higher rank may be an appropriate contact. The Community Administrator or designee in charge of Personnel, may be notified by any employee regardless of a chain of command.

DISCIPLINE AND DISCHARGE

Rules outlining acceptable conduct of employees are necessary for the orderly and safe operation of ORCA. Examples of unacceptable conduct that may lead to disciplinary action or discharge are identified below to promote understanding of what is considered unacceptable conduct. However, it is impossible to provide an exhaustive list of all types of conduct that may result in disciplinary action.

The following list, therefore, contains some examples of conduct that may lead to discipline, including possible termination. ORCA reserves the right to solely determine when a discharge is necessary.

1. Embezzlement or theft of:
 - a. ORCA funds or property.
 - b. Other employee's funds or property.
2. Falsification of personnel or ORCA records.
3. Insubordination.
4. Drinking or use of drugs on the job, appearing on the job while under the influence of alcohol or drugs, or the presence in one's system of any amount of illegal drugs or a blood/alcohol level in excess of .04.
5. Abuse of community owned vehicles or reckless driving.
6. Excessive or unauthorized absenteeism.

PROBLEM SOLVING PROCEDURE - GRIEVANCE PROCEDURE

If at any time you feel you are not being treated properly, please report the problem immediately to your supervisor. A number of steps have been set up for you to receive a prompt response.

1. Talk with your supervisor as soon as possible after you become aware of the problem. Your supervisor is the person responsible for what goes on in your immediate work area. He or she will review your problem, keep you informed on the progress, and give you a reply normally within a few days.
2. If you still feel the problem is not resolved to your satisfaction, you can file a written statement concerning the problem through your supervisor to his or her supervisor. You will be given a written reply normally within a few days from the time the written complaint is received.
3. If you still feel the problem is not resolved to your satisfaction, you can file a written statement concerning the problem through your supervisor to the Community Administrator. You will be given a written reply normally within a few days from the time the written complaint is received. The decision reached at this level is final.

TRAINING

ORCA will pay for approved employee training and education provided the employee signs a promissory note stating he will stay in ORCA's employment for a minimum of two years. If the employee fails to stay employed with ORCA for two years, ORCA will recover the cost of the tuition from the employee's last paycheck. Reimbursement will be for tuition only and the employee is responsible for textbooks and housing if required. Employees may utilize vacation, personal time or leave without pay for the time missed because of training or education. The employee and ORCA agreement to reimburse ORCA for tuition costs if the employee separates within two years of the completion of training does not alter the at-will nature of employment between employees who resign or who are terminated for performance or conduct reasons within two years of completion of any training for which tuition is paid by ORCA are subject to payroll deductions for any ORCA-paid tuition costs. Should the employee's final pay be insufficient to cover costs at termination restitution is required at that time.

TERMINATION

An employee will be considered leaving employment in good standing if he gives his employer 2 weeks or more notice of resignation and was not terminated for conduct or performance reasons. If an employee leaves employment in good standing he is entitled to all accumulated unpaid vacation time. Employees who do not leave in good standing forfeit any unused vacation time or any other accumulated time. During the employees two week notice vacation or sick time may not be used.

SEXUAL HARASSMENT POLICY

Sexual harassment is a form of sex discrimination and is an "unlawful employment practice" under Title VII of the 1964 Civil Rights Act. It is illegal when it is part of a manager's or supervisor's decision to hire or fire someone; when it is used to make other employment decisions like pay, promotion, or job assignment; when it

interferes with the employee's work performance; or when it creates an intimidating, hostile or offensive work environment.

Sexual harassment is defined as deliberate or repeated behavior of a sexual nature, which is unwelcome. It can include verbal behaviors such as unwanted comments, suggestions, jokes or pressure for sexual favors; non-verbal behavior such as pats or squeezes or repeatedly brushing against someone's body.

Sexual harassment can negatively affect morale, motivation and general performance. It is inappropriate, offensive and illegal and it will not be tolerated.

Supervisors and managers are responsible to ensure that harassment does not occur in their work areas.

NO-HARASSMENT POLICY

ORCA does not and will not tolerate harassment of any of its employees, applicants, member or guests. Any form of harassment, whether sexual (including 'same sex'), racial, religious, ethnic, age-related, or disability related, is a violation of this policy and will be treated as a disciplinary matter. Harassment includes, but is not limited to, offensive slurs, remarks, jokes, or other verbal, graphic, or physical conduct; sexual advances, requests for sexual favors; promises of advancement in a position or economic reward in exchange for sexual favors; unwelcome or offensive language, touching and other conduct of a sexual nature. Harassment also includes a hostile, intimidating or offensive work environment. Any questions about what constitutes harassment or what conduct is prohibited by this policy should be addressed to the Department Supervisor, the ORCA manger responsible for personnel, or the Community Administrator.

No officer, director, manager, supervisor or employee has the authority to suggest to any employee or applicant that employment, continued employment or future advancement will be affected in any way by the individual's entering into, or refusing to enter into, any form of personal relationship with him/her.

Harassment of an employee in connection with their work by non-employees is strictly forbidden. It is the employee's responsibility to report any acts of harassment to the Department Supervisor, the ORCA manger responsible for personnel, or the Community Administrator so that ORCA may have the opportunity to investigate and deal with the problem immediately. Do not assume that management is aware of the problem. Appropriate action will be taken.

REPORTING PROCEDURE:

Any employee who feels he/she is being harassed should promptly notify the Department Supervisor, ORCA manager responsible for personnel or the Community Administrator. The complaint will be kept as confidential as possible, and the employee will not be penalized in any way for reporting a harassment problem. It is the Associate's responsibility to report any act of harassment to Department Supervisor, ORCA manager responsible for personnel or the Community Administrator so that the ORCA may have an opportunity to investigate and deal with the problem immediately.

DRUG AND ALCOHOL POLICY

ORCA has always had a strong commitment to provide a safe workplace for its employees and to establish programs promoting high standards of employee health. Consistent with that commitment, ORCA has established a Drug and Alcohol Policy. Quite simply, our goal is to establish and maintain a work environment that is free from the many adverse effects of alcohol and drug abuse.

A. PROHIBITED CONDUCT:

The following conduct is prohibited and will subject an employee to disciplinary action, including termination:

1. The buying, selling, transportation, possession or use of intoxicants, any controlled substance within the Ocean Reef Complex or in the ORCA vehicles, or during work hours, including meal and rest periods, is prohibited.
2. Reporting for work with any intoxicant, controlled substance, or mind-altering substance present in the body is prohibited.
3. Refusing to submit to a required test or search.

B. PRESCRIBED MEDICATION:

Employees utilizing any prescribed medication as part of a medical treatment program must immediately report this treatment to their supervisor so a determination may be made regarding the effect of the prescribed medication on the employee's ability to safely and properly perform job assignments. Although the use of medications or controlled substances as part of a prescribed medical treatment program is not grounds for disciplinary action, failure to report the use of such medication will subject an employee to discipline.

- C. **TESTING:** ORCA may require that an employee submit to a field impairment test, blood or urine test. ORCA pays for the cost of any test administered and orders a confirming test whenever the test results are positive.
- D. **SEARCHES:** ORCA reserves the right to conduct searches of ORCA property, vehicles or equipment, at any time or place. ORCA reserves the right to conduct reasonable searches of an employee, his or her vehicle, or personal belongings within the Ocean Reef Complex, where there is cause to believe the employee is in violation of this Drug and Alcohol Policy.
- E. **REHABILITATION:** Employees who have alcohol or drug dependency problems, or feel that they may have such problems, are required to immediately notify ORCA. ORCA may respond by providing appropriate assistance including, but not limited to, rehabilitation assistance.

ORCA may select an approved Employee Assistance Program for the purpose of appropriate employee referral. These programs may be covered under ORCA's health insurance program. All information regarding any employee's treatment in an Employee Assistance Program will be held in confidence, to the extent possible.

Rehabilitation assistance will generally consist of giving the employee an opportunity to take an unpaid leave of absence for up to forty-five (45) days in order to complete an alcohol or drug rehabilitation program approved by ORCA. An employee who enters and satisfactorily completes such a drug or alcohol program will be reinstated to his/her former position, subject to any conditions ORCA may require and job availability. Subsequent violation of ORCA's Drug and Alcohol Policy shall be grounds for immediate discharge. Employees should understand that ORCA recognizes the sensitivity of rehabilitation and will respect employee confidentiality to the extent possible.

SMOKING POLICY

Smoking is prohibited in all ORCA offices, buildings, and vehicles. Smoking is restricted to designated areas, during authorized employee breaks.

VEHICLE ACCIDENTS

ALL VEHICLE ACCIDENTS MUST BE REPORTED. Immediate notification of accidents involving ORCA property must be given to the department supervisor. Failure to report accidents can result in termination of employment. In the event an accident indicates operator negligence resulting in damages to the ORCA vehicle, property or injuries, the driver will be held personally responsible for damages. It is required by ORCA that employees utilize seat belts at all times when operating company vehicles.

ATTENDANCE

Attendance and punctuality are necessary for the efficient operation of any organization or business. Poor attendance and tardiness disrupt productivity and make it difficult to function effectively. On occasion, employees may have reason to be absent from work. Employees are expected to promptly contact their supervisor concerning the absence to indicate the reason and the probable duration of the absence. Excessive absenteeism can result in disciplinary action and possible discharge. (See Sick Leave Benefits)

Any employee who fails to report to work and notify ORCA of their absence for 3 consecutive days is presumed to have resigned.

SAFETY

Every employee is responsible for safety. Safe work practices and safe working conditions should be primary goals and personal objectives of each employee of ORCA.

Report any unsafe or hazardous condition directly to your supervisor. Every effort will be made to remedy problems promptly.

ORCA is committed to safety and has taken steps to protect you from injury on the job.

Your compliance is vital for your own protection. Please observe the following rules at all times:

1. No alcohol or drugs in an employees system is permitted on the job at any time.
2. Report all job accidents the same day the accident happens.

3. Obtain authorization from your supervisor for all non-emergency treatments for accidents.
4. Wear seat belts at all times in ORCA vehicles.
5. Keep the area where you work clean and neat at all times.
6. Do not remove or bypass any guards on any machinery at any time.
7. Ask your supervisor when you need additional equipment or instructions to get the job done safely.
8. Lift with your legs, not your back, and get assistance with loads over 50 lbs.
9. Advise you supervisor of any hazardous conditions.
10. Follow all other written and spoken safety rules.

Where injury is caused by the knowing refusal of the employee to use a safety appliance provided by the employer, and/or substance abuse workers' compensation benefits can be reduced by 25 percent.

NO SOLICITATION/DISTRIBUTION RULE

In order to give our undivided attention to our job of providing service to the Ocean Reef Community, the following rules govern solicitation of support for organizations and circulation or distribution of written material of any kind on all of our properties.

1. Solicitation and distribution of literature by non-employees on our property is prohibited at all times. This does not apply to guests as it relates to their function and who have prior approval from management.
2. Solicitation or distribution of literature by employees in public or guest areas of our property is prohibited at all times.
3. Solicitation by employees in any area during working time is prohibited. Solicitation is prohibited if either the employee doing the soliciting or the employee being solicited is on working time.
4. Distribution of literature by employees in any area is prohibited, during working time.
5. Distribution of literature by employees on our property in working areas or public or guest areas is prohibited at all times.
6. Posting of notices or other written material on our property without prior written approval is prohibited.

Although many groups might be worthy organizations, we believe the foregoing rules best protect the private lives of our employees and our desire to provide the best service to our community.

EMPLOYMENT RELATIONSHIP

Nothing in these personnel policies or any other related document, and no oral representations by anyone other than the Community Administrator alter this basic at-will relationship, and then only in writing, signed by the Community Administrator. References to a probationary or trial period do not infer a subsequent relationship other than at-will. Disciplinary guidelines do not create an entitlement to such procedures and a listing of examples of misconduct do not exclude actions based on other conduct. No statement in this manual is intended to create an obligation on ORCA to demonstrate cause for any negative employment action. Decisions on discipline or discharge are solely at the

discretion of ORCA. Please contact your supervisor or the Personnel Office if you have any questions about this policy.

ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK

This is to acknowledge that I have received a copy of the Ocean Reef Community Association Employee Handbook and understand that it contains important information on ORCA's general personnel policies and rules and on my privileges and obligations as an employee. I will familiarize myself with the material in the handbook and understand that I am governed by its contents. I further understand that ORCA may change, rescind, and add to any policies, benefits or practices described in the handbook from time to time at its sole discretion.

I understand that employees of the Ocean Reef Community Association are employed on an "at-will" basis. That is, either the employee or the employer can terminate the employment relationship at any time and for any or no reason. Nothing in these personnel policies or any other related document, and no oral representations by anyone other than the Community Administrator alter this basic at-will relationship, and then only in writing, signed by the Community Administrator. References to a probationary or trial period do not infer a subsequent relationship other than at-will. Disciplinary guidelines do not create an entitlement to such procedures and a listing of examples of misconduct do not exclude actions based on other conduct. No statement in this manual is intended to create an obligation on ORCA to demonstrate cause for any negative employment. Decisions on discipline or discharge are solely at the discretion of ORCA. No expression of employment for a specified period or any contractual alteration of the at-will relationship is valid unless clearly and expressly created and contained in a written employment contract signed by the Community Administrator. This Employee Handbook is not an employment contract.

Employee's Signature

Date

Employee's Name (Type or Print)