

SECTION 06

APPENDICES

APPENDIX 01

DEFINITIONS, DIAGRAMS & DESCRIPTIONS

Actual Work

- When an employee is engaged to perform services on behalf of PAW Health Network, Inc.

All Employees

- Both exempt and non-exempt employees, both part time and full-time dedications, at all levels of employment.

Basic Training

- Outlined and defined in **Section 02**.

Calendar Week

- A calendar week or a regular reoccurring period of 168 hours in the form of seven (7) consecutive twenty-four (24)-hour periods.
- A standard week spanning Sunday at 00:00 through Saturday at 23:59.

Calendar Month

- A standard month spanning from the 1st of a month at 00:00 through the last day of the month at 23:59.

Calendar Year

- A standard year spanning from January 1st at 00:00 through December 31st at 23:59:59.

Code of Federal Regulations (CFR)

- **CFR** is an abbreviation used in reference codes for federal statutes/regulations, such as *29 CFR 778.114*.

Employee Handbook

- All the sections and related documents of this reference text, taken together as a whole.

Employee Hourly Audit (EHA)

- An assessment of an employee's total accumulative hours.

Employee-Owned Patient

- An animal that lives with the employee, in the employee's home, and the employee is that pet's primary caretaker.
- If an employee is proven to have sought a discount for a pet that does not fit this definition, the actions will be considered as theft. This will result in the removal of all employee pet discounts and may be grounds for immediate termination.

Employment Contract / Employment Agreement

- A written and executed agreement for **Full-Time Employment** or **Salaried Full-Time Employment** between an employee and *PAW Health Network, Inc.*

Employment Year

- A 365-day year starting the date of a new employee's hire date.
- A 365-day year starting the date of a re-hire employee's re-hire date.

Exempt Employee

- An employee described within Federal 29 CFR 541, see *Appendix 3* for statute.
- Examples include veterinarians, qualifying administrators, and board of directors

Fiscal Quarter

- One-fourth of a Calendar Year starting January 1st:
 - Quarter 1 - (Q1) - January, February, March
 - Quarter 2 - (Q2) - April, May, June

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- Quarter 3 - (Q3) - July, August, September
- Quarter 4 - (Q4) - October, November, December

Fluctuating Workweek

- Refers to an employee compensated as described in *Appendix 3 - Fixed Salary for Fluctuating Hours*.

Full-Time Employment (FTE)

- Any employee working greater than or equal to an average of thirty-five (35) hours per week.
- Full time status is determined following an **Employee Hourly Audit**.
 - Employees will lose full time status if the employee works less than thirty-five (35) hours per week for two (2) consecutive **Employee Hourly Audits**.

Holiday

- The actual calendar day of a holiday.
- Observed Holidays: Easter Day, Memorial Day, 4th of July Day, Labor Day, Thanksgiving Day, Christmas, New Year's Day.

Holiday Span

- The entire span of time associated with a particular **Holiday**, including the date of the Holiday.
- Annually, administration will determine the duration of **Holiday Spans** for purposes of scheduling and compensation.

Hourly Employees

- Exempt and non-exempt employees paid on an hourly basis which may or may not include fee-based employees.

Immediate Family

- Any employee's spouse, parents (including stepparents, in-laws, and persons who stood *in loco parentis* to the employee), domestic partner, sibling(s), child/children (natural or adopted).

Leadership Team

- A team which includes the Chiefs, Directors, and Senior Accountability Officer, as noted on the Org Chart.

Medical Insurance

- The combined benefits of health, dental, and vision insurance.

Net Holiday Span Surcharge

- A percentage of the **Holiday Span Surcharge**, at the sole discretion of administration, subject to change without notice.

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Non-Exempt Employee

- All employees not classified as **exempt employees**.

Non-Patient Care Employee(s)

- All employees with job descriptions or role descriptions that do NOT include responsibilities in direct handling patient care.
- Positions include, but are not limited to, those under direction of the *Chief Brand Officer, Chief Operations Officer, and Chief Financial Officer*.
 - Reference the current Organizational Chart for clarification.
- No expectation in maintaining traditional five (5)-day work week to obtain full time status.
 - Position(s) provide flexibility to individually manage weekly hours.
- These employees have the opportunity to utilize an entire seven (7)-day work week.
 - Six (6) days available during weeks that include **observed corporate holidays**.
 - No expectation of work during **observed corporate holiday**, excluding **holiday span**.
 - No compensation structure in place for **holidays** as there is no expectation of work.

Offer for Employment

- A written document highlighting employee's position, wage, and/or benefit structure when applicable.

On-Call Employee

- Any **non-exempt hourly employee** who is required to be available for direct communication with PAW Health, either on-site or off-site, to perform work on behalf of PAW Health.

ORG CHART

- PAW Health Network, Inc.'s Organizational Structure.

Part-Time Employment (PTE)

- Any employee working less than an average of thirty-five (35) hours per week.
- Status is established following an **Employee Hourly Audit**.

Patient Care Employee(s)

- All employees with job descriptions or role descriptions that include responsibilities in patient care.
- Positions include, but are not limited to, veterinarians, certified veterinary technicians, medical support staff, and caregiver support staff.

Qualifying Employee / All Qualifying Employees

- At its sole discretion, administration may determine whether or not an employee is a **Qualifying Employee** and/or falls within the usage of **All Qualifying Employees** provision(s).

SAO

- Abbreviation for **Senior Accountability Officer**.

Salary

- A regularly paid amount of money, constituting all or part of an employee's wages, paid on a weekly or less frequent basis, that is not subject to reduction due to the quality or quantity of work performed. This is the general definition in federal law (29 CFR § 541.602). Since Wisconsin's overtime law does not define Salary, and since Wisconsin's overtime exemptions are interpreted in a manner consistent with federal interpretation, this is the applicable definition for the State of Wisconsin.

Shift Premiums

- A temporary pay scale increase granted to **hourly employees** under certain circumstances.

Standard Hourly Rate

- Standard base pay of any employee.

Standard Rotating Schedule

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- Any regular rotation and/or applicable shift coverage which may include, but not limited to, day-time hours, nights, weekends, holidays and/or holiday spans.

Supporting Role Member (SRM)

- Individuals labeled with a cyan blue hexagon on PAW's Organizational Structure.

Total Man Hours

- A calculation of all hours worked by **all employees** during a defined time interval, as defined by administration.

Trainee

- Any employee receiving direct oversight by a **Trainer**.

Trainer

- Any employee providing direct oversight to a **Trainee**.

Training Shift

- A shift where the **SAO** has specifically designated a **Trainee** and a **Trainer**.

Workday

- A calendar day or a period of twenty-four (24) consecutive hours, starts at 07:45 AM, and ends at the following day's 07:44 AM.

Workweek

- A calendar week or a regular reoccurring period of 168 hours in the form of seven (7) consecutive twenty-four (24)-hour periods.
- Each Work Week starts Sunday at 07:45 AM and ends the following Sunday at 07:44 AM.
- Eligibility for overtime hours for eligible employees is calculated on **Workweek**, not by **Calendar Week**.

APPENDIX 02

STANDARDS & BENEFITS

APPENDIX 03

STATUTES & REGULATIONS

WISCONSIN

Wisconsin 89.05 (2) (d)

(2) No veterinary license or temporary permit is required for the following activities or persons:

[. . .]

(d) Certified veterinary technicians while working under the direct supervision of a veterinarian.

Wisconsin 95.21 (2) - Rabies vaccination required for dogs.

(2) Rabies vaccination required for dogs.

- (a) Requirement for vaccination. Except as provided in s. 174.054 or sub. (9) (d), the owner of a dog shall have the dog vaccinated against rabies by a veterinarian or, if a veterinarian is physically present at the location the vaccine is administered, by a veterinary technician, pursuant to s. 89.05 (2) (d), at no later than 5 months of age and revaccinated within one year after the initial vaccination. If the owner obtains the dog or brings the dog into this state after the dog has reached 5 months of age, the owner shall have the dog vaccinated against rabies within 30 days after the dog is obtained or brought into the state unless the dog has been vaccinated as evidenced by a current certificate of rabies vaccination from this state or another state. The owner of a dog shall have the dog revaccinated against rabies by a veterinarian or, if a veterinarian is physically present at the location the vaccine is administered, by a veterinary technician, pursuant to s. 89.05 (2) (d), before the date that the immunization expires as stated on the certificate of vaccination or, if no date is specified, within 3 years after the previous vaccination.
- (b) Issuance of certificate of rabies vaccination. The person who administers the vaccine under par. (a) shall complete and issue to the owner a certificate of rabies vaccination bearing a serial number and in the form approved by the department stating the owner's name and address, the name, sex, spayed or unspayed, neutered or unneutered, breed and color of the dog, the date of the vaccination, the type of rabies vaccine administered and the manufacturer's serial number, the date that the immunization expires as specified for that type of vaccine by the center for disease control of the U.S. department of health and human services and the city, village or town where the dog is required to be licensed.
- (c) Copies of certificate. The veterinarian shall keep a copy of each certificate of rabies vaccination in a file maintained for this purpose until the date that the immunization expires or until the dog is revaccinated whichever occurs first.
- (e) Rabies vaccination tag. After issuing the certificate of rabies vaccination, the person who administers the vaccine under par. (a) shall deliver to the owner a rabies vaccination tag of durable material bearing the same serial number as the certificate, the year the vaccination was given and the name, address and telephone number of the supervising veterinarian.
- (f) Tag to be attached. The owner shall attach the rabies vaccination tag or a substitute tag to a collar and a collar with the tag attached shall be kept on the dog at all times but this requirement does not apply to a dog during competition or training, to a dog while hunting, to a dog securely confined indoors, to a dog securely confined in a fenced area or to a dog while actively involved in herding or controlling livestock if the dog is under the control of its owner. The substitute tag shall be of a durable material and contain the same information as the rabies vaccination tag. The requirements of this paragraph do not apply to a dog which is not required to be vaccinated under sub. (2) (a).
- (g) Duplicate tag. The person who administers the vaccine under par. (a) may furnish a new rabies vaccination tag with a new serial number to an owner in place of the original tag upon presentation of the certificate of rabies vaccination. The person who administers the vaccine under par. (a) shall then indicate the new tag number on the certificate and keep a record in the file.
- (h) Cost. The owner shall pay the cost of the rabies vaccination and the cost associated with the issuance of a certificate of rabies vaccination and the delivery of a rabies vaccination tag.

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Wisconsin 95.21 (9) (d)

A city, village, or town may exempt the owner of a dog from the requirement to have the dog vaccinated against rabies for a year based on a letter from a veterinarian stating that vaccination is inadvisable because of a reaction to a previous vaccination, a physical condition, or a regimen of therapy that the dog is undergoing. The city, village, or town shall require the owner to provide a new letter for each year in which the owner seeks an exemption under this paragraph.

Wisconsin 173.13(2)

(2) Delivery of animal by veterinarian.

- (a) A humane officer or law enforcement officer or a person contracting under s. 173.15 (1) may accept an animal delivered by a veterinarian, or his or her employee, if the animal has not been picked up by its owner and all of the following apply:
1. The veterinarian notified the owner of the animal by certified mail, return receipt requested, that the animal was ready to be picked up and that the animal would be delivered to a humane officer if not picked up within 7 days.
 2. The veterinarian retained the animal for 7 days after the day on which the return receipt was signed or until the letter was returned to the veterinarian as undeliverable.
 3. The veterinarian certifies in writing to the humane officer or law enforcement officer that subds. 1. and 2. apply.
- (b) If an animal is accepted under par. (a), the veterinarian shall provide the person accepting the animal with any requested records concerning the animal's ownership, health or licensure.

Wisconsin 174.054

[Section 95.21(2)(a) does] not apply to a person who owns dogs that are kept only for educational or scientific purposes.

Wisconsin 951.15

Abandoning animals. No person may abandon any animal.

FEDERAL

29 CFR § 778.114 (2021) – *Fluctuating Workweek Method of Computing Overtime*

- (a) An employer may use the fluctuating workweek method to properly compute overtime compensation based on the regular rate for a nonexempt employee under the following circumstances:
- (1) The employee works hours that fluctuate from week to week;
 - (2) The employee receives a fixed salary that does not vary with the number of hours worked in the workweek, whether few or many;
 - (3) The amount of the employee's fixed salary is sufficient to provide compensation to the employee at a rate not less than the applicable minimum wage rate for every hour worked in those Workweeks in which the number of hours the employee works is greatest;
 - (4) The employee and the employer have a clear and mutual understanding that the fixed salary is compensation (apart from overtime premiums and any bonuses, premium payments, commissions, hazard pay, or other additional pay of any kind not excludable from the regular rate under section 7(e)(1) through (8) of the Act) for the total hours worked each workweek regardless of the number of hours, although the clear and mutual understanding does not need to extend to the specific method used to calculate overtime pay; and
 - (5) The employee receives overtime compensation, in addition to such fixed salary and any bonuses, premium payments, commissions, hazard pay, and additional pay of any kind, for all overtime hours worked at a rate of not less than one-half (1/2) the employee's regular rate of pay for that workweek. Since the salary is fixed, the regular rate of the employee will vary from week to week and is determined by dividing the amount of the salary and any non-excludable additional pay received each workweek by the number of hours worked in the workweek. Payment for overtime hours at not less than one-half (1/2) such rate satisfies the overtime pay requirement because such hours have already been compensated at the straight time rate by payment of the fixed salary and non-excludable additional pay. Payment of any bonuses, premium payments, commissions, hazard pay, and additional pay of any kind is compatible with the fluctuating workweek method of overtime payment, and such payments must be included in the calculation of the regular rate unless excludable under section 7(e)(1) through (8) of the Act.
- (b) The application of the principles stated above may be illustrated by the case of an employee whose hours of work do not customarily follow a regular schedule but vary from week to week, whose work hours never exceed fifty (50) hours in a Workweek, and whose salary of \$600 a week is paid with the understanding that it constitutes the employee's compensation (apart from overtime premiums and any bonuses, premium payments, commissions, hazard pay, or other additional pay of any kind not excludable from the regular rate under section 7(e)(1) through (8)) for all hours worked in the Workweek.
- (1) Example. If during the course of four (4) weeks this employee receives no additional compensation and works 37.5, 44, 50, and 48 hours, the regular rate of pay in each of these weeks is \$16, \$13.64, \$12, and \$12.50, respectively. Since the employee has already received straight time compensation for all hours worked in these weeks, only additional half-time pay is due for overtime hours. For the first week the employee is owed

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\$600 (fixed salary of \$600, with no overtime hours); for the second week \$627.28 (fixed salary of \$600, and 4 hours of overtime pay at one-half times the regular rate of \$13.64 for a total overtime payment of \$27.28); for the third week \$660 (fixed salary of \$600, and 10 hours of overtime pay at one-half times the regular rate of \$12 for a total overtime payment of \$60); for the fourth week \$650 (fixed salary of \$600, and 8 overtime hours at one-half times the regular rate of \$12.50 for a total overtime payment of \$50).

- (2) Example. If during the course of 2 weeks this employee works 37.5 and 48 hours and 4 of the hours the employee worked each week were nightshift hours compensated at a premium rate of an extra \$5 per hour, the employee's total straight time earnings would be \$620 (fixed salary of \$600 plus \$20 of premium pay for the 4 nightshift hours). In this case, the regular rate of pay in each of these weeks is \$16.53 and \$12.92, respectively, and the employee's total compensation would be calculated as follows: For the 37.5 hour week the employee is owed \$620 (fixed salary of \$600 plus \$20 of non-overtime premium pay, with no overtime hours); and for the 48 hour week \$671.68 (fixed salary of \$600 plus \$20 of non-overtime premium pay, and 8 hours of overtime at one-half times the regular rate of \$12.92 for a total overtime payment of \$51.68). This principle applies in the same manner regardless of the reason for the hourly premium rate (e.g., weekend hours).
- (3) Example. If during the course of 2 weeks this employee works 37.5 and 48 hours and the employee received a \$100 productivity bonus each week, the employee's total straight time earnings would be \$700 (fixed salary of \$600 plus \$100 productivity bonus). In this case, the regular rate of pay in each of these weeks is \$18.67 and \$14.58, respectively, and the employee's total compensation would be calculated as follows: For the 37.5 hour week the employee is owed \$700 (fixed salary of \$600 plus \$100 productivity bonus, with no overtime hours); and for the 48 hour week \$758.32 (fixed salary of \$600 plus \$100 productivity bonus, and 8 hours of overtime at one-half times the regular rate of \$14.58 for a total overtime payment of \$58.32).
- (c) Typically, such fixed salaries are paid to employees who do not customarily work a regular schedule of hours and are in amounts agreed on by the parties as adequate compensation for long workweeks as well as short ones, under the circumstances of the employment as a whole. Where the conditions for the use of the fluctuating workweek method of overtime payment are present, the Act, in requiring that "not less than" the prescribed premium of fifty percent (50%) for overtime hours worked be paid, does not prohibit paying more. On the other hand, where all the facts indicate that an employee is being paid for overtime hours at a rate no greater than that which the employee receives for non-overtime hours, compliance with the Act cannot be rested on any application of the fluctuating workweek overtime formula.
- (d) The fixed salary described in paragraph (a) of this section does not vary with the number of hours worked in the workweek, whether few or many. However, employers using the fluctuating workweek method of overtime payment may take occasional disciplinary deductions from the employee's salary for willful absences or tardiness or for infractions of major work rules, provided that the deductions do not cut into the minimum wage or overtime pay required by the Act.

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29 CFR 541- Wage & Hour Exemption (Summarized)

Summary: The federal government created the Fair Labor Standards Act (FLSA) to establish criteria to determine when employees are subject to or exempt from federal hourly wage and overtime pay requirements. The FLSA requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at 1.5x the regular rate of pay for all hours worked over forty (40) hours in a workweek. The following provides information on these exemptions from minimum wage and overtime pay provided by Section 13(a)(1) of the Fair Labor Standards Act as defined by 29 CFR § 541.602, as amended.

Primary Duty refers to the principal, main, major or most important duty that the employee performs. This determination is based on all the facts in each particular case, with the major emphasis on the character of the employee's job as a whole.

ADMINISTRATIVE EXEMPTIONS

- The employee is compensated on a salary or fee basis for no less than \$684 per week, exclusive of board, lodging, or other facilities;
- The employee's Primary Duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
- The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

PROFESSIONAL EXEMPTIONS

- The employee is compensated on a salary or fee basis for no less than \$684 per week, exclusive of board, lodging, or other facilities; and
- The employee's Primary Duty must be the performance of Work:
 - Requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized instruction; or
 - Requiring invention, imagination, originality, or talent in a recognized field of artistic or creative endeavor.

HEALTH INSURANCE PORTABILITY & ACCOUNTABILITY ACT (HIPAA) OF 1996

HIPAA was signed into law on 8/21/96. HIPAA's provisions limit exclusions for preexisting conditions; prohibit discrimination against employees and dependents based on their health status; guarantee renewability and availability of health coverage to certain employees and individuals; and protect many workers who lose health coverage by providing better access to individual health insurance. Your Insurance Carrier will handle most of HIPAA's rules and regulations.

HIPAA Special Enrollment (45 CFR § 155.420)

The special enrollment rights apply without regard to the dates on which an individual would otherwise be able to enroll under the plan. Special Enrollment periods apply to you and/or your spouse and/or your child/ren if you have a new dependent as a result of marriage, birth, adoption, or the placement for adoption. Under these rules, a group health plan is required to provide a special enrollment period for these individuals should they request enrollment within 30 days after a special event has occurred.

HIPAA Special Enrollment for Declining Enrollment

If you are declining enrollment for yourself or your dependents (including your spouse) and you state in writing that you and/or your dependents have coverage under another group health plan or health insurance coverage as the reason for declining to enroll, then special enrollment rules may apply to you and/or your spouse and/or your child/ren in the event you and/or your dependents lose coverage due to the loss of eligibility.

HIPAA Annual Open Enrollment

Your plan may offer an Annual Enrollment giving you the opportunity to enroll yourself and/or your dependents if you have previously declined/waived coverage for you and/or dependents.

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FORMS & CHECKLISTS

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MEETING MINUTES

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POLICY & PROCEDURE UPDATES