

SOP Subject	Attendance & Leave Benefits	Authorized By	Ken Fong
Category	Human Resources	Status	Draft
Version	1.0	Effective Date	
Date Prepared	January 29, 2007		

Introduction	
Purpose	Provide standard policies relating to employee attendance and leave
Personnel Concerned	All ResQSoft employees
Directives Cancelled	None
Distribution	Email and SharePoint
Originator	ResQSoft Office of Human Resources

Revision History	
1.0	

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1.0 Standard Operating Procedure Summary: Attendance & Leave Benefits

- ResQSoft makes all efforts to provide employees with flexibility in work schedules so long as assigned work is completed in a timely manner and consistent with job requirements.
- True and accurate time records (timesheets) shall be maintained by employees (and consultants, as appropriate and directed) and submitted to accounting@resqsoft.com by email with "timesheet" in the subject line no later than the 1st and 16th days of each calendar month.
- ResQSoft offers annual, sick, military and administrative leave to employees, and personal time off to consultants / subcontractors.
- Employees and consultants/ subcontractors shall request leave in accordance with these policies; granting a leave request is a consideration, not an entitlement.

2.0 Standard Procedures

2.1 Work Schedules

2.1.1 Normal and Special Work Schedules

Employees and consultants / subcontractors is expected to work regularly scheduled hours established by ResQSoft and the employee's supervisor. Each employee is normally assigned a maximum of 40 hours per week unless otherwise approved by the ResQSoft Management Team. A work week is defined as from 12:01am Sunday through 12:00pm the following Saturday.

ResQSoft's normal business hours are from 9:00am to 5:00pm EST, Monday through Friday; however, ResQSoft encourages employees to use best judgment and discretion and offers flexibility in work schedules so long as assigned tasks are completed in a timely manner.

2.1.2 Breaks or Rest Periods

ResQSoft encourages employees to use best judgment and discretion when taking breaks and meals, particularly when working at client sites. In general, an employee may take breaks and rest periods as needed and as working conditions permit so long as the employee completes tasks as assigned. When working at client sites, ResQSoft requires that employees follow the client's policy for breaks, meals and rest periods.

2.1.3 Overtime Work Assignments

If the position classification occupied is non-exempt under the provisions of the Fair Labor Standards Act, an employee will be paid overtime pay at the rate of one and one-half the regular hourly rate of pay for all hours worked over 40 within a seven day work week. In lieu of cash payment for overtime worked, ResQSoft, at the employee's option, may award compensatory time at time and one-half rate. In any event, ResQSoft shall follow the requirements of the Fair Labor Standards Act, as amended from time to time.



No supervisor is authorized to permit a non-exempt employee to earn overtime pay or compensatory time without the prior approval of the ResQSoft Project Management Office. The request for overtime pay or compensatory time must be made in writing, specifically stating the need for a non-exempt employee to work overtime and the number of hours involved. In case of an emergency, a verbal request and approval may take place but should be followed by a written request and approval before the end of the next business day.

Sick leave and annual leave will not be considered as hours worked in the computation of overtime or compensatory time. Company holidays will not be considered in the computation of overtime or compensatory time unless the employee is required to work on the holiday.

2.1.4 Compensatory Time Off

The following policy and guidelines are established for governing the use of compensatory time:

1. Exempt employees do not earn compensatory time off or extra compensation worked in excess of 40 hours per week. However, ResQSoft, at its sole and absolute discretion, may offer compensatory time off or extra compensation on a case-by-case basis to otherwise exempt employees.
2. Accumulated compensatory time may not exceed 240 hours of overtime. At 240 hours, a non-exempt employee must be given compensatory time or be paid for the time.
3. A copy of the letter or email of approval for compensatory time must be attached to the time record for the period in which the compensatory time was taken. All earned compensatory time must be reported on the time record report for the period.

2.1.5 Accommodating the Work Schedule for Religious Observances

ResQSoft and its employees will not discriminate on the basis of an employee's religious beliefs. When an employee seeks accommodations for a religious belief, ResQSoft will attempt to satisfy the employee's wishes, provided no undue hardship is created for ResQSoft and its employees and the accommodations do not affect the safety and health of other ResQSoft employees.

2.1.6 Emergency Closings and Call Backs

Employee safety is a primary concern of ResQSoft. For employees not granted approval to work on a remote basis, should adverse weather conditions or other emergency situations arise that prevent employees from performing normal duties or jeopardize their safety, the ResQSoft Management Team may close ResQSoft and require employees to either leave or not report to work. Such closings will be announced either by email or notice in the Company News and Announcements section of the ResQSoft Internal Portal. In such cases, employees will not suffer any loss in pay. ResQSoft provides laptop computers to many of its employees, and employees are still expected to complete their assignments it at all possible. If a day off is what is desired, leave should be requested in the normal fashion.



Any full-time, non-exempt employee who is called back to work after a regular full day of work shall receive a minimum of 2 hours pay at the regular rate of pay, provided the employee does not exceed 40 hours of work within that work week. Any full-time, non-exempt employee who is called in to work during weekends and/or holidays shall receive a minimum of two hours of pay at the time and one-half rate of pay.

2.2 Attendance and Timekeeping

It is ResQSoft's policy to allow employees maximum flexibility in work environment, including working remotely (including tele-work/commuting) and working flexible schedules so long as assigned tasks are completed in a timely manner and with quality, consistency and professionalism.

If the work is to be performed at a client site, each employee is expected to be on-time daily and remain on the job throughout the regularly scheduled work day in accordance with the client's attendance policy. An employee having an urgent reason for leaving work must obtain permission from his/her supervisor prior to leaving the designated duty station.

Any employee absent from duty without prior approval should give notice to the supervisor no later than one hour after duty begins, but preferably before the beginning of the work day so that duties may be reassigned.

Non-exempt employees are neither permitted nor allowed to work for pay before or after their scheduled time. Any deviation from this policy must be in accordance with overtime and compensatory time procedures set forth in these policies.

Each employee (and consultant, as appropriate) shall complete accurate and complete time records daily using ResQSoft's approved time record template, which is attached hereto and also available on the ResQSoft Internal Portal's Human Resources section. Time records must be submitted by email by the 1st and 16th of each month to ResQSoft Finance (accounting@resqsoft.com) with the word "timesheet" in the subject line. Late submission of time records may delay payroll.



Timesheet Form

Unless otherwise directed by the employee's supervisor, time shall be kept in 30 minute increments.

2.3 Holidays

2.3.1 General Policy for Holidays

Normal business operations of ResQSoft will be suspended in observation of regular holidays and other holidays as determined by the ResQSoft Management Team and announced through Human Resources. Regular, non-exempt employees who are not required to work will be excused on such days without being charged leave or losing pay.



In the event exempt employees are required to work on a holiday, they will be granted another holiday or be paid in accordance with ResQSoft's overtime policy.

2.3.2 Regular Holidays

ResQSoft follows the Federal Holiday schedule as amended from time to time by the U.S. Office of Personnel Management:

1. New Year's Day
2. Birthday of Martin Luther King, Jr.
3. Washington's Birthday
4. Memorial Day
5. Independence Day
6. Labor Day
7. Columbus Day
8. Veterans Day
9. Thanksgiving Day
10. Christmas Day

Because the dates of holidays vary from year to year, Human Resources will post the yearly schedule of holidays in the Human Resources Section of the ResQSoft Internal Portal (<http://www.resqsoft.net:83/Human%20Resources/default.aspx>).

2.3.3 Eligibility for Holiday Pay

Full-time, non-exempt employees receive holiday pay at their regular rates unless otherwise required by applicable law in an individual employee's case. Part-time employees will receive holiday pay prorated on the basis for their full-time equivalency. Employees must be present at work or be on previously approved leave on the work day before and after a holiday period in order to be eligible for holiday pay.

2.3.4 Annual Leave During Holidays

Employees who are on annual leave during declared holidays shall receive holiday time in lieu of annual leave on a day-for-day basis. These days shall be reported as holidays and not charged against annual leave.

2.3.5 Sick Leave During Holidays

Employees who are on authorized sick leave when a holiday occurs shall be granted holiday pay in lieu of sick leave on a day-for-day basis. Sick leave will not be charged on holidays.

2.4 Annual Leave

2.4.1 General Policy for Annual Leave

Employees are entitled to time off with pay for vacation or other personal reasons. It is the intent of this policy to provide eligible employees with sufficient time each year for



rest and relaxation, as well as for conducting personal business, whenever such absences are approved by the employees' supervisors.

2.4.2 Accrual and Amount of Leave

Each employee accrues annual leave at the amount of 7 3/11 hours per full month worked up to a maximum of 80 hours per year.

2.4.3 Maximum Accruals

Employees may accrue reimbursable Annual Leave up to a maximum of 240 hours. Once the 240 hours have been accumulated, the employee may continue to accrue non-reimbursable Annual Leave that will be lost if not taken during the fiscal year of accumulation.

2.4.4 Reimbursement for Leave on Termination

Any employee who terminates his/her employment will be reimbursed for unused Annual Leave up to 30 work days (240 hours).

2.4.5 Scheduling and Approval of Annual Leave

Department heads and supervisors are responsible for scheduling and approving Annual Leave of their employees prior to actual absences. Employees should request annual leave at least two weeks in advance to ensure their absence will not interfere with the work of the department. While it is ResQSoft's policy to grant leave to employees when requested, employees should exercise judgment in making any such leave request, and leave should not be requested, generally speaking, during periods (i) immediately preceding project start or completion, (ii) when deadlines or other milestone deliverables are due, or (iii) when a project is otherwise in-trouble or behind schedule. If an employee is responsible for critical project tasks (e.g., project management, technical lead tasks, key developer tasks) and performing those tasks conflicts with the employee's desire for vacation, vacation will not be granted and unauthorized leave may be grounds for disciplinary action including termination of employment.

Requests for leave must be submitted on the Human Resources section of ResQSoft Internal Portal (<http://www.resqsoft.net:83/Human%20Resources/Lists/Annual%20Leave%20Requests%201/AllItems.aspx>). The minimum time that shall be charged as Annual Leave is 8 hours.

2.5 Sick Leave

2.5.1 General Policy on Sick Leave

Employees are granted protection from loss of pay because of absences as a result of personal illness or injury, or serious illness within the immediate family, through the accumulation of Sick Leave. ResQSoft defines the immediate family to include spouse or domestic partner, children, parent, corresponding in-laws and siblings. Employees must



report to their supervisors prior to an absence related to sickness or injury, or at their earliest opportunity, giving the reason for the absence and the expected date of return.

Failure to communicate with the supervisor for 3 consecutive days of absence may be considered job abandonment, in which case the position may then be considered vacant and action initiated to recruit a replacement.

2.5.2 Accrual and Amount of Sick Leave

Full-time employees accumulate Sick Leave at the rate of 8 hours per full month worked, up to a maximum of 40 hours per year. Earned sick leave may be carried over from year to year until the maximum of 720 hours is reached. Part-time employees are entitled to accrue Sick Leave prorated on the basis of their full-time equivalency. Sick Leave entitlements accrue during all periods of paid leave.

2.5.3 Use of Sick Leave

Eligible employees may be granted Sick Leave when they are unable to perform their duties because of personal illness or injury, or illness within their immediate family, or because they must be absent from work for the purpose of obtaining health-related professional services that cannot be obtained after regular working hours. Sick Leave is a privilege, as opposed to an earned right, and must be accrued before it can be used.

2.5.4 Recording of Sick Leave

Departments will maintain a record of Sick Leave accrued by each employee. Absences resulting from Sick Leave should be documented in the employee's time record and the minimum time to be recorded for part of any work day charged as Sick Leave is 30 minutes.

Sick Leave should be requested (prior to taking the absence unless such leave involves emergency circumstances) in the same manner as Annual Leave in the Human Resources section of the ResQSoft Internal Portal.

2.5.5 Abuse of Sick Leave

Supervisors who have reason to believe that Sick Leave is being abused or claimed under false pretenses may require evidence of illness or injury in the form of medical certificates or statements from a physician. In such cases, the supervisor has the option to grant tentative approval of Sick Leave pending receipt of evidence or to enter "Leave Without Pay" on the time record until satisfied that the absence was due to illness or injury. Evidence of abuse of Sick Leave is grounds for disciplinary action, including dismissal.

2.6 Family Leave (Extended Leave)

ResQSoft recognizes that employees may need, on occasion, to be absent for personal reasons for extended periods, such as for birth or adoption of a child or serious personal illness of the employee or his/her immediate family as defined in Section 2.5 of this



document. ResQSoft considers requests for Family Leave on a case-by-case basis using the following as general guidelines:

1. Requests for Family Leave should be made no less than 30 days in advance if the event is reasonably foreseeable.
2. To be eligible for Family Leave, the employee must be full-time and have worked at least 1250 hours over the previous 12 month period and must have been employed for 12 months.
3. Employees must use available Sick Leave and Annual Leave before being granted Family Leave. In the event an employee's illness is a result of an on-the-job injury, the employee will not be charged Sick or Annual Leave during the period of Absence for Family Leave.
4. Unless otherwise approved in writing, Family Leave is considered Leave without Pay. ResQSoft will continue to subsidize health insurance during the unpaid leave to the extent that it subsidizes active employees. ResQSoft shall have the right to recover amounts paid for health insurance if the employee does not return from Family Leave, unless the employee cannot return to work because of continued illness or the continued illness of a family member or other circumstances beyond the control of the employee.
5. After the expiration of the Family Leave, ResQSoft guarantees the reinstatement of the employee to the same job or an equivalent position with equivalent pay and benefits.
6. Employees must continue payment for health insurance coverage while on Family Leave using the procedures for remitting payment under the Consolidated Omnibus Budget Reconciliation Act (COBRA), as amended from time to time.
7. Sick and Annual Leave will not accrue while an employee is on Family Leave.
8. Because Family Leave is given in the interest of the employee, ResQSoft expects that the employee will use such leave only for purposes for which it is granted.
9. Any employee who fails to return from Family Leave within 3 days of the scheduled return, or fails to explain the absence to the satisfaction of ResQSoft management, will be considered as having voluntarily terminated his or her employment.

Family Leave must be requested through the Leave Request form on the Human Resources Section of the ResQSoft Internal Portal.

2.7 Military Leave

2.7.1 General Policy on Military Leave

All full-time employees are entitled to Military Leave when ordered to active duty for training as members of any component of the U.S. Armed Forces for up to 21 days in a calendar year. Employees who volunteer, are drafted, or ordered to extend active duty with any component of the U.S. Armed Forces shall be entitled to reinstatement to their former or comparable positions upon return. Employees placed on extended Military Leave will not receive pay from ResQSoft or accrue Sick or Annual Leave.

2.7.2 Military Leave for Training

Employees who are required to attend annual summer training or special active duty for training shall not suffer any loss of their regular salary or pay during the first 21 days of



absence in any calendar year. Employees who are ordered to attend such annual or special active duty training will provide a copy of their orders to their supervisors and complete a Leave Request in the Human Resources section of the ResQSoft Internal Portal.

Employees on Military Leave will not suffer loss of Annual or Sick Leave.

2.7.3 Military Call-Up

The policies and procedures set forth in Sections 2.7.1 and 2.7.2 will also apply for National Guardsmen or members of the reserve components of any of the U.S. Armed Forces when they are called to serve during local, state and national emergencies or general mobilization.

2.7.4 Reinstatement to Positions After Extended Military Leave

Employees on Extended Military Leave are entitled to reinstatement to their former or comparable positions upon their return under the following circumstances:

1. The employee must not have remained on active duty beyond their first opportunity for honorable discharge.
2. The employee must report to claim reinstatement within 90 days of completion of military service.

2.8 Administrative Leave

2.8.1 General Policy on Administrative Leave

Full-time employees will be placed on Administrative Leave and excused without loss of pay under the circumstances listed in this Section.

2.8.2 Jury Duty

Employees who are selected for terms as jury members will be given Administrative Leave. Prospective jurors must furnish to their supervisors the official statement from the court assigning such jury duty stating the day(s) of service. Payments received for services as jury members are the property of the employees serving on juries. The regular pay of employees assigned to jury duty will not be affected while they are on Administrative Leave.

2.8.3 Witness Summons and Subpoenas

Employees who are subpoenaed as witnesses in court cases may be granted Administrative Leave upon presentation of a copy of the subpoena to their supervisors. Employees who appear in court as witnesses on their own behalf, either as plaintiffs or defendants, are not entitled to Administrative Leave and must request Annual Leave for this purpose.



2.8.4 Voting

Employees may be granted up to 2 hours of Administrative Leave if conditions are such that it will create hardship for an employee to vote before or after normal working hours. Permission to use Administrative Leave for this purpose must be given by supervisors.

2.8.5 Emergency Closing

If prolonged power or utility failure or other emergency condition should adversely impact the performance of regular duties, employees may be granted Administrative Leave by supervisors.

2.8.6 Inclement Weather

In the event ResQSoft closes due to severe weather conditions, Administrative Leave will be granted for staff not working remotely. If, however, it is in the judgment of ResQSoft to remain open, employees will be expected to report to work as usual. When ResQSoft remains open for business, an employee who has an extreme problem reporting to work (e.g., road closure) may request Administrative Leave, which will be considered by supervisors on a case-by-case basis.

2.9 Bereavement Leave

Upon Leave Request submitted through the Human Resources section of the ResQSoft Internal Portal, employees will be granted up to 3 days of Bereavement Leave per calendar year for death of a spouse or domestic partner, child, sibling, parent, grandparent, parent-in-law, grandparent-in-law, children-in-law, aunts, uncles, nieces, nephews and first and second cousins. Other relationships are excluded absent a guardian relationship. Such leave does not accumulate and additional days must be requested as either Sick or Annual Leave accompanied with an explanation of extenuating circumstances.

3.0 Questions and Comments Relating to Attendance & Leave Benefits

Any questions or comments relating to this SOP should be directed to the employee's or consultant's immediate supervisor. Any deviations from policy must be requested and approved in writing by the [ResQSoft PMO](#).

PMO Use Only

Status	Active SOP
Next Action	Quarterly Progress Review
Next Action Date	April 1, 2007

