	<b>Human Resource Policy Employment &amp; Hiring Practices</b>	<b>No. HR.EHP.11<sup>1</sup></b>
	<b>Title:</b>  <b>REHIRE AND REINSTATEMENT</b>	<b>Page:</b> 1 of 4
		<b>Effective Date:</b> 07-31-14
		<b>Retires Policy Dated:</b> 09-27-11
		<b>Previous Versions Dated:</b> 08-01-10; 01-01-06; 11-01-05; 02-15-03; 01-01-93

## I. SCOPE:

This policy applies to (1) Tenet Healthcare Corporation and its wholly-owned subsidiaries and affiliates (each, an “Affiliate”); (2) any other entity or organization in which Tenet Healthcare Corporation or an Affiliate owns a direct or indirect equity interest greater than 50%; and (3) any hospital or healthcare facility in which an Affiliate either manages or controls the day-to-day operations of the facility (each, a “Tenet Facility”) (collectively, “Tenet”).


## II. PURPOSE:

The purpose of this policy is to provide supervisors/leaders with appropriate directions regarding rehiring or reinstating individuals who previously were employed by Tenet.

## III. DEFINITIONS:

- A. “**Rehire**” means the rehiring of a former employee to a position in a Tenet Facility with a new date of hire and no years or service reflected from the employee’s prior employment with Tenet. The only years of service exception in the case of a rehire may occur in the area of Tenet’s retirement plan as dictated by applicable laws. Rehired employees are treated as new employees.
- B. “**Reinstatement**” means reinstating a former employee to a position in a Tenet Facility with his/her original date of hire and years of service. This policy addresses the impact reinstatement has on Health & Welfare benefits, Paid Time Off (PTO) and, where applicable, Extended Illness.
- C. “**Eligibility**” means ability to be considered for rehire or reinstatement.
1. Employees who left Tenet, have been away from Tenet for no more than one (1) year and who had at least one (1) year of continuous service prior to leaving Tenet, may be eligible for **reinstatement**.
  2. Employees who have been away from Tenet for more than one (1) year and/or did not have at least (1) year of continuous service prior to leaving Tenet, may be eligible for **rehire**, however, would not be eligible for reinstatement.
  3. Employees who left as a part of a performance management or corrective action plan, or were otherwise involuntarily discharged are not eligible for rehire or reinstatement.

<sup>1</sup>Prior to June 3, 2013, the policy number was HR-210.

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#### IV. POLICY:

Tenet relies on the work of competent and dedicated employees to deliver care to our patients and services to our customers. Tenet recognizes that former employees have the familiarity with Tenet's values, goals, policies and operations, which can accelerate their success with the company. Tenet welcomes people who previously have been employed by Tenet, to the extent they departed in good standing, meet the requirements of roles for which they apply, and are the most qualified for the role for which they are selected. Tenet considers former employees for rehire or reinstatement based on their qualifications for the role, with considerations for eligibility defined above.

#### V. PROCEDURE:

##### A. Reinstated Employees – Effect on Benefits

##### 1. Health & Welfare Benefits

Reinstated employees will be reinstated with their original date of hire.

Reinstated employees who were eligible for benefits at the time of their previous departure, will not be subject to a 30-day waiting period for health & welfare benefits; therefore, benefits are effective on the date of their reinstatement.


Benefit eligible employees returning to a benefits eligible position who did not satisfy the 30-day waiting period must do so prior to becoming benefit eligible. Credit will be given for days worked during the prior employment period toward satisfying the 30-day waiting period. As it relates to non-benefit eligible employees returning to a benefit eligible position, the employee must satisfy the 30-day waiting period for benefits.

***Please note any claims incurred during the time rehired or reinstated employees were not employed by Tenet are not eligible to be paid under the plan unless COBRA was elected. COBRA premiums will not be refunded.***

Dental and Income Replacement will begin on the employee's first day of reinstatement, however, credit for past service will not count toward satisfying all applicable pre-existing limitations.

##### 2. Paid Time Off and Extended Illness

Paid Time Off will not accrue during the time not employed by Tenet. Paid Time Off will begin accruing as of the 1st day of reinstatement at a percent based on original date of hire.

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Extended Illness balances are forfeited at the prior departure and will not be restored upon reinstatement.

### 3. Deferred Compensation Plan

Reinstatement in the Deferred Compensation Plan (DCP) depends on whether the employee's position is eligible under the DCP. Eligible DCP Participants are: (1) employees eligible for the company's Annual Incentive Plan, and (2) employed physicians. DCP deferrals are always 100% vested, so amounts payable do not depend on dates in the system. Here are the different scenarios that must be reviewed:

- a. Eligible position at termination and rehired in eligible position: If reinstatement is within the same calendar year, the employee's prior election will be the same as previous election. If reinstatement is in a different calendar year, the employee should be given a new enrollment package and has 30 days to re-enroll in the plan with the Tenet record keeper. Tenet's Executive Compensation team is responsible for disbursing enrollment material to all eligible employees.
  - b. Eligible position at termination but rehired in non-eligible position: If reinstated within the same calendar year, prior elections are deleted from the payroll record.
  - c. Non-eligible position at termination but rehired in eligible position: The employee will be given enrollment materials from Tenet's Executive Compensation department upon reinstatement. Once notified, the employee has 30 days to enroll in the plan with Tenet's record keeper.
- B. Rehired Employees – Effect on Benefits. Unless otherwise agreed, employees rehired to Tenet will not receive any previously provided benefits; rather will be treated as a “new employee” for these purposes.
  - C. Rehire or Reinstatement as a Part of Transaction or Business Decision – eligibility for former employees who rejoin Tenet as a part of an acquisition, insourcing or other transaction will be determined in the terms and conditions of the transaction, or management decision in the case of a business action.
  - D. Supervisors/Leaders

Supervisors must contact the Facility/Division Human Resources Department prior to rehiring or reinstating a former employee. If a retention incentive is seen

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as necessary, convey recommendations concerning retention incentives to Human Resources.

E. Facility/Division Human Resources

1. Review request to rehire or reinstate a former employee.
2. Confirm with supervisor on whether rehire or reinstatement is appropriate
3. Complete a background check on a rehired and/or reinstated employee if the last background screen was completed longer than six months prior to the rehire or reinstatement. See Human Resource policy HR.EHP.12 Background Screening.
4. Require the employee to complete a drug screen before being rehired or reinstated. See Human Resource policy HR.EHP.18 Drug Free Workplace and Drug Testing.
5. Ensure employee complies with any other Facility/Division requirements such as E-verify and Occupational Health requirements. See Human Resources policies HR.EHP.02 Immigration Law Compliance and HR.ERW.23 Post Offer Occupational Assessments.

F. Enforcement

All employees whose responsibilities are affected by this policy are expected to be familiar with the basic procedures and responsibilities created by this policy. Failure to comply with this policy will be subject to appropriate performance management pursuant to all applicable policies and procedures, up to and including termination. Such performance management may also include modification of compensation, including any merit or discretionary compensation awards, as allowed by applicable law.

**VI. REFERENCES:**

- Human Resource policy HR.EHP.12 Background Screening
- Human Resource policy HR.EHP.18 Drug-Free Workplace and Drug Testing
- Human Resources policy HR.EHP.02 Immigration Law Compliance
- Human Resources policy HR.ERW.23 Post Offer Occupational Assessments