



COLORADO SUPPLEMENT
2023

ComplianceHR

Note: This Employee Handbook is not intended to apply to any particular employer or to provide legal advice or opinion. Such advice may only be given when related to specific handbooks and specific fact situations. In no circumstances should any employee handbook be adopted and issued to employees before the final draft has been approved by Littler Mendelson attorneys or other experienced labor counsel. Littler's employee handbook templates generally include policies prompted by federal and state laws in the employee policy context, as well as leave of absence and scheduling policies intended to comply with local laws in major municipalities (i.e., those with 100,000 residents or more). The handbook templates do not include the following: social media policies; drug-testing policies; policies related to municipal laws other than those specified above; or policies specific to government contractors or certain industries. Generally, the templates do not address industry-specific requirements, except where indicated.

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GENERAL INFORMATION

About This Colorado Supplement

Dahl Consulting (“The Company”) is committed to workplace policies and practices that comply with federal, state and local laws. For this reason, Colorado employees will receive the Company’s national handbook (“National Handbook”) and the Colorado Supplement to the National Handbook (“Colorado Supplement”) (together, the “Employee Handbook”).

The Colorado Supplement applies only to Colorado employees. It is intended as a resource containing specific provisions derived under Colorado law that apply to the employee’s employment. It should be read together with the National Handbook and, to the extent that the policies in the Colorado Supplement are different from, or more generous than those in the National Handbook, the policies in the Colorado Supplement will apply.

The Colorado Supplement is not intended to create a contract of continued employment or alter the at-will employment relationship. **Only the President/Owner of the Company or that person’s authorized representative has the authority to enter into an agreement that alters the at-will employment relationship and any such agreement must be in writing signed by the President/Owner of the Company or an authorized representative.**

If employees have any questions about these policies, they should contact their DAHL representative.

COMMITMENT TO DIVERSITY

Equal Employment Opportunity

As set forth in the National Handbook, the Company is committed to equal employment opportunity and to compliance with federal antidiscrimination laws. We also comply with Colorado law, which prohibits discrimination and harassment against any employees or applicants for employment based on race (including hair texture, hair type or protective hairstyles commonly or historically associated with race (e.g., braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros and headwraps)), color, creed, sex (including pregnancy, married women and unmarried mothers), religion, disability, age (over 40), national origin, sexual orientation (including actual or perceived orientation), gender identity, gender expression, ancestry, religion, membership in the state National Guard, civil air patrol status and lawful activities during nonworking hours. The Company also does not discriminate against qualified applicants because they did not apply through a private employment agency and does not discriminate against employees who inquire about, disclose, compare or otherwise discuss their wages. The Company generally does not discriminate against employees or applicants for employment solely because they are married to a co-worker, though exceptions exist where, for example, one employee exercises supervisory authority over, audits or has access to the employer’s

confidential information about the other. The Company will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law.

Pregnancy Accommodation

Employees and applicants for employment may request a reasonable accommodation for pregnancy, physical recovery from childbirth or related health conditions. A reasonable accommodation that would enable the employee or applicant to perform the essential functions of their job will be provided unless the accommodation would impose an undue hardship on the company's business operations.

Reasonable accommodations may include but are not limited to: more frequent or longer breaks; more frequent restroom, food or water breaks; acquisition or modification of equipment or seating; limitations on lifting; temporary transfer to a less strenuous or hazardous position, if available, with return to the current position following pregnancy; job restructuring; light duty, if available; assistance with manual labor; or a modified work schedule.

The Company may require that employees provide a certification from a licensed health care provider regarding the medical necessity of a reasonable accommodation.

Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact their DAHL representative.

GENERAL EMPLOYMENT PRACTICES

Access to Personnel Files

Upon request, employees will be allowed to inspect their personnel files at least one time per year. Employees who wish to review their personnel files should contact their DAHL representative. The review will take place in the presence of a Company representative at a time that is convenient for both the employee and the Company. Employees are permitted to obtain a copy of their personnel files, but may be required to pay reasonable costs for the duplication of the documents.

Following separation from employment, former employees may inspect and/or obtain a copy of their personnel files one time. The former employee may be required to pay reasonable costs for duplication of the documents.

For purposes of this policy, a personnel file does not include documents required by law to be placed in a separate file or records relating to: confidential reports from previous employers of the employee; an active criminal investigation; an active disciplinary investigation by the Company; an active investigation by a regulatory agency or and information that identifies an individual who made a confidential accusation against the employee.

PAY PRACTICES

Meal and Rest Breaks

Nonexempt employees who work five or more consecutive hours will be provided at least one 30-minute meal break. During the break employees will be relieved of all duties. An uninterrupted 30-minute meal break will be unpaid. If the nature of an employee's job or circumstances makes an uninterrupted meal break impracticable, the employee will be allowed an on-duty meal break without any loss of time or compensation.

Nonexempt employees will also be permitted a 10-minute rest break for every four hours of work, in accordance with the schedule below:

Duration of Shift In Hours	# of 10-Minute Rest Breaks	Comments
0 to < 2	0	Employees who work less than two hours in a workday are not required or permitted to take a rest break.
2 to < 6	1	Employees who work at least two hours in a workday but less than six hours in a workday are allowed one 10-minute rest break.
6.0 to < 10.0	2	Employees who work at least six hours in a workday but less than 10 hours in a workday are allowed two 10-minute rest breaks.
10.0 to < 14.0	3	Employees who work at least 10 hours in a workday but less than 14 hours in a workday are allowed three 10-minute rest breaks.

To the extent practical, rest periods will be provided in the middle of each four-hour work period. Employees who are unable to take all of the meal or rest breaks to which they are entitled in accordance with this policy, or who have been prevented or discouraged from taking a break to which they are entitled under this policy, should immediately notify their DAHL representative. The Company will not threaten, coerce, discriminate or otherwise retaliate against any employee who reports a violation of this policy or files a claim or participates in an investigation, hearing or other process or proceeding related to an alleged violation of federal or state wage and hour laws.

Additional Information

A *Colorado Overtime and Minimum Pay Standards Order (COMPS Order #38) Poster* is attached to this handbook.

Overtime

Employees will be paid one and one-half times their regular rate of pay for any work in excess of: (1) 40 hours per week; (2) 12 hours per workday; or (3) 12 consecutive hours without regard to the starting and ending time of the workday (excluding duty-free meal breaks), whichever calculation results in the greatest payment of wages.

For additional information, a *Colorado Overtime and Minimum Pay Standards Order (COMPS Order #38) Poster* is attached to this handbook.

Lactation Accommodation

The Company will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's child. The Company will provide this break time for up to two years following the birth of a child.

Nursing mothers can elect to take time to express breast milk during their regularly scheduled meal and rest breaks. If the break time cannot run concurrently with the meal and/or rest breaks already provided to the employee, the break time will be unpaid for nonexempt employees. Where additional breaks are required, employees should work with their supervisor regarding scheduling.

The Company will make reasonable efforts to provide employees with the use of a private location, other than a toilet stall, in close proximity to the employee's work area, for the employee to express milk.

Employees should provide reasonable notice to the Company that they intend to take breaks for expressing breast milk upon returning to work. Employees should discuss with their DAHL representative the location to express their breast milk and for storage of expressed milk and to make any other arrangements under this policy.

The Company reserves the right to not provide additional break time or a private location for expressing breast milk if doing so would substantially disrupt the Company's operations.

The Company will not demote, terminate or otherwise take adverse action against an employee who requests or makes use of the accommodations and break time described in this policy.

Discussion of Wages

No employee is prohibited from inquiring about, disclosing, comparing or otherwise discussing their wages. The Company will not terminate, discipline, coerce or otherwise discriminate against employees because they make such inquiries, disclosures, comparisons or otherwise engage in such discussions of their wages.

TIME OFF AND LEAVES OF ABSENCE

Paid Sick and Safe Leave and Public Health Emergency Leave

The Company provides eligible employees with paid sick and safe leave (“PSSL”) and public health emergency leave (“PHEL”) in accordance with the requirements of Colorado’s Healthy Families and Workplaces Act (“HFWA”).

Eligibility

Colorado employees are eligible to accrue PSSL and may receive additional leave for use during a public health emergency (as defined further below).

Accrual and Use of Paid Sick and Safe Leave (“PSSL”)

Eligible employees will begin to accrue PSSL on January 1, 2021, or their date of hire, whichever occurs later. PSSL accrues at a rate of one hour for every 30 hours worked, up to a maximum accrual of 48 hours in a single year running from employee’s anniversary date of employment (the “Benefit Year”). Exempt employees accrue PSSL based on their normal hours worked, up to a maximum of 40 hours per week.

PSSL can be used as it is accrued. However, the Company may verify employee hours within the month after work is performed and adjust PSSL accrual amounts to correct any inaccuracy. The Company will notify employees in writing of any such change in accrued PSSL amounts.

PSSL may be used in one hour increments. Eligible employees may use up to 48 hours of PSSL in any Benefit Year.

Failure to use PSSL in good faith and for the reasons specified in this policy can result in discipline.

Reasons PSSL May be Used

Eligible employees may use PSSL for the following reasons:

- When a mental or physical illness, injury or health condition prevents the employee from working;
- To care for a family member who has a mental or physical illness, injury or health condition;
- To obtain a medical diagnosis, care or treatment of a mental or physical illness, injury or health condition of the employee or employee’s family member;
- To obtain preventive medical care for the employee or employee’s family member;

- If the employee or a family member is the victim of domestic abuse, sexual assault or harassment and needs leave to:
 - Seek medical attention to recover from a mental or physical illness, injury or health condition caused by the domestic abuse, sexual assault or harassment;
 - Obtain services from a victim services organization;
 - Obtain mental health or other counseling;
 - Seek relocation due to the domestic abuse, sexual assault or harassment; or
 - Seek legal services, including preparing for or participating in a civil or criminal proceeding relating to or resulting from the domestic abuse, sexual assault or harassment.
- When, due to a public health emergency (as defined below), a public official has ordered the closure of:
 - The employee's place of business; or
 - The school or place of care of the employee's child and the employee needs to be absent from work to care for their child.

For purposes of this policy, a "family member" means:

- An employee's immediate family member (i.e., a person related by blood, marriage, civil union or adoption);
- A child to whom the employee stands in loco parentis;
- A person who stood in loco parentis to the employee when the employee was a minor; or
- A person for whom the employee is responsible for providing or arranging health-or safety-related care.

Requesting PSSL

The Company will allow use of PSSL for a covered use upon request. Requests can be made orally or in writing (including electronically). When possible, employees should include the expected duration of the absence in their request for leave.

When the need for PSSL is foreseeable, employees must make a good faith effort to provide advance notice of the need for leave and a reasonable effort to schedule the leave in a manner that does not unduly disrupt the Company's operations. To provide this advance notice of the foreseeable need to use PSSL, employees should contact their DAHL representative.

Employees are not required to search for or find a replacement worker to cover the hours during which they are using PSSSL. The Company will not count employees' use of PSSSL in compliance with this policy as an absence when evaluating absenteeism. Therefore, any such use of PSSSL will not lead to or result in discipline, demotion, suspension or termination.

Documentation of PSSSL

If PSSSL is for four or more consecutive work days (meaning at least four consecutive days that the employee would ordinarily have worked), the Company may request that employees provide reasonable documentation that the PSSSL is being used for a permissible purpose. If the documentation submitted by the employee is not sufficient, the Company will notify the employee of the deficiency. The employee will then have seven days to provide adequate documentation.

In accordance with the HWFA, the Company does not require the disclosure of details regarding an employee's or employee's family member's health information or the domestic violence, sexual assault, or stalking that is the basis for the request for leave.

Carryover of PSSSL

Employees can carry over up to 48 hours of accrued but unused PSSSL from one Benefit Year to the next. However, employees may not use more than 48 hours of PSSSL in a Benefit Year.

The Company does not offer pay in lieu of actual PSSSL.

Public Health Emergency Leave

In addition to the PSSSL described above, the Company will provide employees with PHEL in accordance with the terms below.

For purposes of this policy, a "public health emergency" is:

- An act of bioterrorism, a pandemic influenza or an epidemic caused by a novel and highly fatal infectious agent, for which:
 - An emergency is declared by a federal, state or local public health emergency; or
 - A disaster emergency is declared by the governor; or
- A highly infectious illness or agent with epidemic or pandemic potential for which a disaster emergency is declared by the Governor.

On the day a public health emergency is declared, employees will immediately be able to access a one-time supplement of PHEL in addition to whatever amount of PSSSL employees have accrued prior to the declaration of the public health emergency. Employees who normally work forty or more hours in a week will have access to up to 80 hours of total paid leave. Employees who normally work fewer than 40 hours per week will have access to paid leave equaling the greater of: (1) the amount of time the

employee is scheduled for work or paid leave in the 14-day period after the leave request; or (2) the amount of time the employee actually worked in the 14-day period prior to the declaration of the public health emergency or the leave request, whichever is later.

From the declaration of a public health emergency until four weeks after the official termination or suspension of the emergency declaration, PHEL can be used for any of the following reasons:

- To self-isolate and care for oneself or a family member who is self-isolating because the employee or family member is diagnosed with, or experiencing symptoms of, a communicable illness that is the cause of a public health emergency;
- To seek or obtain for oneself or care for family member who needs a medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- To seek for oneself or a family member preventive care concerning a communicable illness that is the cause of a public health emergency;
- An employee is unable to work because the employee has a health condition that may increase susceptibility to or risk of communicable illness that is the cause of the public health emergency;
- Either the Company or a public health authority with appropriate jurisdiction determines that an employee's presence on the job or in the community would jeopardize the health of others because of the individual's exposure to a communicable illness that is the cause of a public health emergency or because the individual is exhibiting symptoms of such a communicable illness, regardless of whether the individual has been diagnosed with the illness;
- To care for a family member after either the family member's employer or a public health authority with appropriate authority determines that the family member's presence on the job or in the community would jeopardize the health of others because of the family member's exposure to a communicable illness that is the cause of a public health emergency or because the family member is exhibiting symptoms of such a communicable illness, regardless of whether the family member has been diagnosed with the illness;
- To care for a child or other family member when their child care provider is unavailable due to a public health emergency or their school or place of care has been closed due to a public health emergency (including when the school or place of care is physically closed but providing instruction remotely).

PHEL will become available on the date a public health emergency is declared and will remain available until four weeks after the official termination or suspension of the public health emergency. Employees are only eligible for these amounts of PHEL one time during the entirety of a public health emergency (even if the public health emergency is extended, amended, restated or prolonged).

During a public health emergency, employees will continue to accrue PSSSL in accordance with this policy. Any accrued, unused PSSSL will be counted in determining the amount of PHEL available.

When the need for PHEL is foreseeable and the workplace has not been closed, employees must notify the Company of the need for PHEL as soon as practicable. To provide notice of the need to use PHEL, employees should contact their DAHL representative.

Rate of Pay

PSSSL and PHEL are paid at the same hourly rate or salary (not including overtime, bonuses or holiday pay) and with the same benefits, including health care benefits, as the employee normally earns during hours worked. Leave will be paid on the same schedule as regular wages.

Employee Records Requests

Upon an employee's request, the Company will provide (in writing or electronically) documentation indicating the current amount of PSSSL and/or PHEL available for use and the amount of such leave already used during the current year (i.e employee's anniversary date of employment.) Employees will be allowed to make one such request per month, except they may make an additional request when any need for PSSSL or PHEL arises.

Effect on Other Rights and Policies

The Company may provide other forms of leave for employees to care for medical conditions or for issues related to public health emergencies or domestic abuse, sexual assault or harassment under certain federal, state and local laws. In certain situations leave under this policy may run at the same time as leave available under another federal, state or local law, provided eligibility requirements for that law are met. The Company is committed to complying with all applicable laws. Employees should contact their DAHL representative for information about other federal, state and local medical, victim, public health emergency or family leave rights.

Confidentiality

The Company will keep confidential the health or safety information of an employee or employee's family member. Such information will not be disclosed except to the affected employee, with the written permission of the affected employee or as otherwise required by law.

Separation from Employment

Compensation for accrued and unused PSSSL or available PHEL is not provided upon separation from employment for any reason. If an employee is rehired by the Company

within six months of separation from employment, previously accrued but unused PSSSL will be immediately reinstated.

Retaliation

Employees have the right to request and use PSSSL and PHEL in a manner consistent with the HWFA. The Company will not discriminate or retaliate, or tolerate discrimination or retaliation, against any employee who: seeks or obtains leave in accordance with this policy; files a complaint regarding an alleged violation of the HWFA; participates in an investigation, hearing or proceeding or cooperates in or assists with an investigation related to an alleged violation of the HWFA; informs any person of their potential rights under the HWFA; or otherwise exercises their rights under the HWFA.

Vacation/Paid Time Off (PTO)

The Company will pay employees for any earned or accrued but unused paid time off (PTO) at termination of employment.

Adoption Leave

Employees who are adoptive parents will be permitted to take leave under the same terms as leave provided to biological parents for the adoption of a child. Requests for additional leave due to the adoption of an ill child or child with a disability will be considered on the same basis as comparable cases of complications accompanying the birth of a child.

This policy does not apply to adoption by the spouse of a custodial parent or to second-parent adoption.

For further information or to request leave under this policy, contact a their DAHL representative.

Family Care Act Leave

Employees who are eligible for leave under the federal Family and Medical Leave Act (FMLA) and who are in registered domestic partnerships or civil unions may take leave in accordance with the FMLA to care for their domestic or civil union partners with a serious health condition. A serious health condition has the same meaning as reflected in the Company's FMLA policy.

Employees seeking leave under this policy must comply with the eligibility, notice, certification and other requirements set forth in the FMLA policy contained in the National Handbook and will be required to provide reasonable documentation of a family relationship.

Where applicable, Family Care Act Leave and FMLA leave will run concurrently.

For further information or to request leave under this policy, contact their DAHL representative.

Jury Duty Leave

The Company encourages all employees to fulfill their civic responsibilities and to respond to jury service summons or subpoenas, attend court for prospective jury service or serve as a juror. Under no circumstances will employees be deprived of any benefits of employment, terminated, threatened, harassed, or coerced because they request or take leave in accordance with this policy.

Employees will receive their regular compensation up to \$50 per day, unless otherwise agreed to by the Company, during the first three days of jury service. This includes part-time, casual and temporary employees, so long as their employment hours can be determined by a schedule, custom or practice established during the three-month period preceding jury service. Any additional time off under this policy will be without pay, except that exempt employees will not incur any reduction in pay for a partial week absence due to jury duty.

Employees seeking compensation for jury duty leave must provide a juror service certificate from the court as soon as practical. The Company will compensate the employee in accordance with this policy within 30 days of receiving the service certificate.

Employees should provide their supervisor with notice of any jury summons or subpoena within a reasonable amount of time after receipt and before their appearance is required.

Crime Victim Leave

Employees may take time off from work for the purpose of responding to a subpoena to testify in a criminal proceeding or to participate in the preparation of a criminal proceeding, if:

- The employee is a victim of the crime at issue in the proceeding;
- The employee is the crime victim's spouse, child by birth or adoption, stepchild, parent, stepparent, sibling, legal guardian or significant other (i.e., someone in a family-type living arrangement, who would constitute the spouse or partner of the victim if they were married); or
- The victim is deceased or incapacitated and the employee is the victim's spouse, partner, parent, child, sibling, grandparent, significant other or other lawful representative.

Employees, who are in custody for the crime, accused of the crime or otherwise accountable for the crime, are not eligible for time off under this policy.

Leave under this policy will be unpaid except that exempt employees will not incur any reduction in pay for a partial week absence due to witness duty.

Domestic Violence Victim Leave

Employees who are victims of domestic violence, including sexual abuse, stalking, sexual assault or any other crime including an act found by a court to be domestic violence, may take up to three working days of unpaid leave time within a 12-month period. Only employees employed with the Company for 12 or more months are eligible for this leave.

Employees may use leave available under this policy to:

- Seek a civil protection order to prevent domestic abuse;
- Obtain medical care and/or medical health counseling for the employee or the employee's children to address physical or psychological injuries resulting from the act of domestic abuse, stalking, sexual assault or other crime involving domestic violence;
- Make the employee's home secure from the perpetrator of the crime or seek new housing to escape the perpetrator; or
- Seek legal assistance to address issues arising from the crime and attend and prepare for court-related proceedings arising from the act or crime.

Except in a case of imminent danger, an employee seeking leave from work under this policy must provide the Company with advance notice of the leave. In addition, the Company may require the employee to provide documentation verifying the need for the leave.

Confidentiality of the situation will be maintained to the extent possible.

The Company will not retaliate or tolerate retaliation against any employee who seeks or obtains leave under this policy.

Time Off to Vote

The Company encourages all employees to fulfill their civic responsibilities and to vote in all public elections. Most employees' schedules provide sufficient time to vote either before or after working hours.

Employees who have less than three consecutive hours outside of work during which the polls are open will be allowed up to two hours of time off to vote, without loss of pay. Upon request, the Company will schedule the leave at the beginning or end of the employee's shift. The Company will otherwise specify when the leave may be taken.

Employees must provide notice of the need for time off prior to Election Day.

Military Leave

In addition to the military leave rights set forth in the National Handbook, regular full-time and part-time employees who are members of the Colorado National Guard are entitled to an unpaid leave of absence to perform active state service.

Additionally, regular full-time and part-time employees who are members of the Colorado National Guard or United States armed forces reserves may take up to 15 days of unpaid leave per calendar year for military training with the United States armed forces.

Upon return from active state service or military training, employees will be reinstated to their former position or to a position of like seniority, status and pay, so long as they:

- Had a nontemporary job before taking leave;
- Provide evidence that training or service was satisfactorily completed; and
- Are still qualified to do the job.

Absence for military service or training will not affect an employee's rights to receive normal vacation, sick leave, bonuses, advancement or other advantages of employment that would otherwise be expected for the employee's particular job.

Civil Air Patrol Leave

Regular full-time and part-time employees who are members of the Civil Air Patrol are entitled to an unpaid leave of absence, not to exceed 15 work days in any calendar year, when called to serve on a Civil Air Patrol mission.

Upon return from the leave, employees will be reinstated to their former position or to a similar position, so long as they:

- Had a nontemporary job before taking leave;
- Return as soon as practicable to their position after being relieved from service for the mission;
- Provide evidence that the service was satisfactorily completed; and
- Are still qualified to do the job.

Absence for Civil Air Patrol service will not affect employee rights to receive normal vacation, sick leave, bonuses, advancement or other advantages of employment that would otherwise be expected for the employee's particular job.

Volunteer Firefighters Leave

Employees who serve as volunteer firefighters may take time off to respond to an emergency summons that occurred prior to the time the employee is scheduled to report to work.

Employees who serve as volunteer firefighters will also be allowed time off to respond to an emergency summons after the employee has begun work, if:

- The Company does not consider the employee to be essential to the daily operations of the employer's daily enterprise;
- The employee previously provided written verification of volunteer status from the fire chief; and
- The emergency is within the response area of the employee's fire department and is of such magnitude that all firefighters must respond.

Employees must provide written verification from the fire chief of the time, date and duration of the employee's response to the emergency.

Time off under this policy will be unpaid except that exempt employees may be paid, as required by law.

Qualified Volunteers Leave

Regular full-time and part-time (i.e., nontemporary) employees who are qualified volunteers will be allowed time off if called into service by a volunteer organization during a disaster, so long as they provide proof of their status as a qualified volunteer. For purposes of this policy, employees will be considered a qualified volunteer if the:

- Employee is a member of a volunteer organization that enters into a memorandum of understanding with a county sheriff, local government, local emergency planning committee or state agency;
- Volunteer organization is included on the qualified volunteer organization list created and maintained by the Department of Local Affairs;
- Employee is called to service through the volunteer organization under the authority of the county sheriff, local government, local emergency planning committee, or state agency to volunteer in a disaster; and
- Employee receives the appropriate verification from the Colorado Department of Local Affairs that: (a) indicates the volunteer was called to service by a volunteer organization for the purpose of assisting in a disaster; (b) verifies the volunteer reported for service and performed the activities required by the volunteer

organization; and (c) includes the number of days of service that the volunteer provided.

Leave under this policy will not exceed 15 work days in any calendar year and will be unpaid.

Employees will, upon completion of the volunteer emergency service and return to work, be restored to the same or similar position as they held prior to the leave. Taking leave under this policy will not affect an employee's rights to vacation, sick leave, bonus, advancement or other employment benefits or advantages relating to and normally to be expected for the employee's particular employment.

Employees must return to their employment position as soon as practicable after being relieved from service.

Leave may be denied if more than 20 percent of the Company's employees on any work day request such leave. Leave may also not be available for essential employees, defined as those employees the Company deems essential to the operation of the Company's daily enterprise, whose absence would likely cause the Company to suffer economic injury, or whose duties including assisting in disaster recovery for the Company.

SAFETY AND SECURITY

Smoke-Free Workplace

The Company prohibits smoking marijuana or any other substance that is illegal under federal law or Colorado law anywhere on its premises.

The Company prohibits smoking in the workplace and within 15 feet of any window, ventilation intake or entrance to the workplace. For purposes of this policy, smoking includes the use of electronic smoking devices (e.g., e-cigarettes or vaping). Employees wishing to smoke must do so outside of company's facilities, in locations where smoke does not migrate back into the workplace, during scheduled work breaks.

Employees that observe other individuals smoking in the workplace have a right to object and should report the violation to their DAHL representative. Employees will not be disciplined or retaliated against for reporting smoking that violates Colorado law or this policy.

Employees that violate this policy may be subject to disciplinary action up to and including termination.

Cell Phone Use / Texting While Driving

As set forth in the National Handbook, the Company prohibits employees from using cellular phones for business reasons while driving or for any reason while driving for work-related purposes or driving a company-owned vehicle. Employees should also be aware that texting while driving is a violation of Colorado law, in addition to being a violation of company policy. It is also a violation of Colorado law to use earphones while driving, unless the earphone is built into protective headgear or is a device that only covers one ear and is connected to a wireless, handheld telephone.

It is also a violation of Colorado law for an individual under 18 years of age to use cell phones while operating a vehicle.