



**DELAWARE 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 experienced labor counsel. These 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 Delaware Supplement

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

The Delaware Supplement, however, applies only to Delaware employees. It is intended as a resource containing specific provisions derived under Delaware 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 Delaware Supplement are different from, or more generous than those in the National Handbook, the policies in the Delaware Supplement will apply.

The Delaware 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 Delaware law, which prohibits discrimination and harassment against employees or applicants for employment based on race (including traits historically associated with race, such as hair texture and a protective hairstyle), marital status, genetic information, color, age (40 and over), religion, sex (including pregnancy, childbirth and related conditions), family responsibilities, reproductive health decisions, sexual orientation, gender identity, national origin, disability, membership in a volunteer emergency responder organization and status as a victim of domestic violence, sexual assault or stalking. 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, with needs related to pregnancy, childbirth or related conditions (including lactation), may request a reasonable accommodation to enable them to perform their job. A reasonable accommodation may include, but is not limited to, the following: (1) providing suitable equipment for sitting; (2) more frequent or longer breaks or periodic rest periods; (3) assistance with manual labor; (4) job restructuring; (5) light duty assignments; (6) modified work schedules; (7) temporary transfers to less strenuous or hazardous work; (8) time off to recover from childbirth; or (9) break time and appropriate facilities for expressing breast milk. The Company will provide a reasonable accommodation for needs related to pregnancy, childbirth or a related medical condition so long as the requested accommodation does not impose an undue hardship on the company's business operations.

The Company will not deny employment opportunities or take adverse employment action against otherwise qualified applicants or employees based on the need to make such reasonable accommodations, nor will the Company retaliate against any employee who requests an accommodation.

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

Accommodation for Victims of Domestic Violence, a Sexual Offense or Stalking

The Company will provide reasonable accommodations to employees who are victims of domestic or sexual violence, unless providing the accommodation would impose an undue hardship on the Company's business operations.

Reasonable accommodations may include reasonable changes in an employee's schedule or job duties that would enable the employee to satisfactorily perform the essential duties of his or her position. The use of accrued leave to address domestic abuse, sexual offense or stalking is also a reasonable accommodation.

The Company may require verification that the employee is a victim of domestic violence, a sexual offense or stalking.

Employees who wish to request an accommodation under this policy should contact their DAHL representative.

The Company will not discriminate against any employee because the employee is a victim of domestic violence, a sexual offense or stalking.

Workplace Conduct

Whistleblower Protections (Delaware Whistleblowers Protection Act)

Employees have the right to complain about any of our workplace practices or policies that they believe to be in violation of law, against public policy and/or fraudulent or

unethical. The Company will not take any adverse employment action against any employee, or otherwise retaliate against any employee, because:

The employee, or a person acting on behalf of the employee, reports or is about to report to a public body a violation that the employee knows or reasonably believes has occurred or is about to occur, unless the employee knows that the report is false or acts with reckless disregard for its truth or falsity;

The employee participates in, or is requested by a public body to participate in an investigation, hearing or inquiry held by the public body, or a court action, in connection with a violation;

The employee refuses to commit or assist in the commission of a violation; or

The employee reports to the Company a violation that the employee knows or reasonably believes has occurred or is about to occur, unless the employee knows that the report is false or acts with reckless disregard for its truth or falsity.

For purposes of this policy, a “violation” is any act or omission by the Company that is materially inconsistent with, and a serious deviation from: 1) standards implemented in accordance with a law or regulation to protect employees or others from health, safety or environmental hazards; or 2) financial management or accounting standards implemented under a rule or regulation created by the Company or a law, rule or regulation designed to protect any person from fraud, deceit or misappropriation of public or private funds or assets under the control of the Company.

Employees who wish to report such violations should contact their DAHL representative. Employees should also consult the Whistleblowing Policy set forth in the National Handbook for further information about reporting potential misconduct and protections from retaliation.

GENERAL EMPLOYMENT PRACTICES

Access to Personnel Files

Upon request, employees may inspect their own personnel files in the presence of a company representative during regular business hours.

Records subject to inspection include the following to the extent maintained by the Company:

Applications for employment; wage or salary information; notices of commendation, warning or discipline;

Authorizations for deductions or withholding of pay; fringe benefit information; leave records; and

Information relative to the employee’s employment history with the Company (including salary information, job titles, dates of changes, retirement records, attendance records, performance evaluations, and medical records).

Some records are not subject to inspection including:

Records relating to the investigation of a possible criminal offense;

Letters of reference;
Documents developed or prepared for use in civil, criminal, or grievance procedures;
Materials used by the Company to plan for future operations; and
Information available to the employee under the federal Fair Credit Reporting Act.
Employees wishing to inspect their personnel file should submit a written request to their DAHL representative. To assist the Company in providing employees with the correct records, the written request should indicate the purpose for which the inspection is requested or the particular records the employee wishes to inspect.

Employees may take notes during an inspection but are not allowed to remove documents from their personnel file unless the Company and the employee agree to the removal or a correction of the information.

Any employees who disagree with any of the information contained in their file should notify their DAHL representative. If the employee and the Company cannot agree to remove or correct the specified information, the employee can submit a written statement explaining his or her position regarding the disputed information. This statement will be maintained as part of the employee's personnel file as long as the disputed information is maintained in the file, and will accompany any transmittal or disclosure of the files to a third party.

PAY PRACTICES

Meal Breaks

Employees who work at least seven and a half hours are entitled to a 30-minute meal break. Such breaks will be scheduled after the first two hours, but before the last two hours, of the employee's shift.

During the meal break, employees will be relieved of all duties. Employees are free to leave the workplace and must not perform any work during the break. Employees are expected to return to work promptly at the end of their break.

An uninterrupted 30-minute meal break will be unpaid for nonexempt employees. Any employee who is unable to take all of the meal breaks to which they are entitled in accordance with this policy, or who has been prevented or discouraged from taking a break to which they are entitled under this policy, should immediately notify their DAHL representative.

All nonexempt employees must record their meal periods.

Meal Breaks for Minors

Employees under the age of 18 who work five or more consecutive hours are entitled to a 30-minute meal break. During the meal break, employees will be relieved of all duties. An uninterrupted 30-minute meal break will be unpaid for nonexempt employees.

Any employee who is unable to take all of the meal breaks to which they are entitled in accordance with this policy, or who has been prevented or discouraged from taking a break to which they are entitled under this policy, should immediately notify their DAHL representative.

Discussion of Wages

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

This policy does not require disclosure of wages.

TIME OFF AND LEAVES OF ABSENCE

Military Leave

In addition to the military leave rights set forth in the National Handbook, Delaware employees who are members of the National Guard or reservists and who are called to state active duty will have the same rights, privileges, and protections with respect to employment and reinstatement that employees have when called for military training under the federal law protecting reservists and National Guard members. For more information, please contact their DAHL representative.

Volunteer Emergency Responder Leave

Any employee who is a volunteer emergency responder will be provided up to seven consecutive days off from work, without pay, while responding to a governor-declared state of emergency, or up to 14 consecutive days off from work, without pay, while responding to a President-declared national emergency.

Any employee who is a volunteer emergency responder will also be allowed unpaid days off from work when the absence is due to an injury sustained by the employee when acting as a voluntary emergency responder.

Where applicable, time taken under this policy due to an injury will run concurrently with leave taken under the federal Family and Medical Leave Act (FMLA).

For purposes of this policy, “volunteer emergency responder” means a person who is a volunteer firefighter, member of a ladies’ auxiliary of a volunteer fire company, volunteer emergency medical technician, and/or a volunteer fire police officer. Members of the armed forces or National Guard are not included under this policy.

Employees must make every effort to notify their DAHL representative each time they will be late or absent from work to respond to an emergency or disaster. The Company may require employees to provide a written statement verifying that they responded to

an emergency, including the date and time of the emergency and the date and time when they completed their volunteer services. Such verification should be signed either by the person in charge of the volunteer department or by an individual authorized to act on that person's behalf, and should be provided within seven days of the Company's request for verification.

In the case of employees taking leave for an injury sustained during a volunteer emergency response, the Company may request a signed statement from the responsible medical professional indicating that the employee was seen by the medical professional, the date when the employee was seen and the estimated period of partial or total incapacity to perform the employee's job. This statement should be provided within five days of the Company's request.

The Company will not discriminate, or tolerate discrimination, against any employee because the employee takes time off in accordance with this policy.

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 terminated, threatened, coerced, or penalized because they request or take leave in accordance with this policy.

Employees must provide their supervisor with notice of any jury summons or subpoena within a reasonable time after receipt and before their appearance is required. Verification from the court clerk of having served may also be required.

Time spent engaged in attending court for prospective jury service or for serving as a juror is not compensable except that exempt employees will not incur any reduction in pay for a partial week's absence due to jury duty.

Crime Victim Leave

Employees who are the victim of a crime may take time off from work to participate in preparing for a criminal justice proceeding at the prosecutor's request; attend any proceeding relating to the crime if the attendance is reasonably necessary to protect the interests of the victim provided the employee has the right to appear; or attend a criminal justice proceeding in response to a subpoena.

Employees will be eligible for leave under this policy if the employee is:

The victim of the crime at issue in the proceedings;
The parent, guardian, or custodian of a victim who is unable to meaningfully understand or participate in the legal process due to physical, psychological, or mental impairment;
The spouse, adult child or stepchild, parent, or sibling of the victim if the victim is deceased; or

The legal representative of the victim (i.e., a member of the victim's family or an individual designated by the victim or by the court).
Any employee who is a defendant, codefendant, or co-conspirator with respect to the crime is not eligible for time off under this policy.

Time off under this policy will be without pay except that exempt employees may receive pay, as required by applicable law. Employees may elect to use accrued vacation or paid time off (PTO) while attending such proceedings or meetings.

Before employees may take time off from work under this policy, the employee must provide their supervisor with a copy of the notice of proceeding. If advance notice is not feasible, the employee must provide appropriate documentation within a reasonable time after the absence.

The Company will not discriminate, or tolerate discrimination, against any employee because the employee takes time off in accordance with this policy.

Employment Protection During Quarantine

The Company will not terminate an employee because the person is isolated or quarantined by the public safety authority, unless the person is quarantined as a result of refusing to comply with an examination, treatment or vaccination program or the person's conduct caused the state of emergency that necessitated the isolation or quarantine.

SAFETY AND SECURITY

Smoke-Free Workplace

The Company prohibits smoking in the workplace and in company-owned vehicles occupied by more than one person. For purposes of this policy, "smoking" includes the use of an electronic smoking device (e.g., an e-cigarette, e-cigar, e-pipe, e-hookah or vape pen) that creates an aerosol or vapor, in any manner or in any form. Employees wishing to smoke must do so outside company facilities during scheduled work breaks.

Employees that observe other individuals smoking in the workplace in violation of this policy 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 Delaware law or this policy.

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

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, for any reason while driving for work-

related purposes and while driving a company-owned vehicle. Employees should also be aware that using an electronic communication device (e.g., cell phone, laptop computer or Smartphone) without hands free equipment while driving is a violation of Delaware law, in addition to being a violation of company policy.