



**KENTUCKY 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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TABLE OF CONTENTS

GENERAL INFORMATION	1
About This Kentucky Supplement.....	1
COMMITMENT TO DIVERSITY.....	1
Equal Employment Opportunity	1
Pregnancy and Lactation Accommodation	1
PAY PRACTICES.....	2
Overtime	2
Meal and Rest Breaks	2
Meal and Rest Breaks for Minors	2
TIME OFF AND LEAVES OF ABSENCE	3
Adoption Leave.....	3
Jury Duty Leave.....	3
Court Attendance Leave	3
Time Off to Vote	4
Election Official Leave	4
Military Leave	4
Emergency Responder Leave	5
SAFETY AND SECURITY.....	5
Cell Phone Use / Texting While Driving.....	5
Weapons in the Workplace.....	5

GENERAL INFORMATION

About This Kentucky Supplement

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

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

The Kentucky 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 Kentucky law, which prohibits discrimination and harassment against any employees or applicants for employment based on race, color, religion, national origin, sex (including pregnancy, childbirth or related medical conditions), age (40 and over), disability, HIV or AIDS, status as a smoker, nonsmoker or tobacco user, Kentucky National Guard or militia status. 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 and Lactation Accommodation

The Company will provide a reasonable accommodation for limitations related to pregnancy, childbirth or a related medical condition, including lactation or the need to express breast milk, unless doing so would impose an undue hardship on the Company’s business. Reasonable accommodations may include, but are not limited to:

more frequent or longer breaks; time off to recover from childbirth; acquisition or modification of equipment; appropriate seating; temporary transfer to a less strenuous or less hazardous position; job restructuring; light duty; modified work schedule; or private space (other than a bathroom) for the purpose of expressing breast milk.

When an employee requests an accommodation under this policy, the employee and the Company will engage in a timely, good faith interactive process to determine what accommodation, if any, may be effective.

Employees with questions or concerns regarding this policy or who would like to request an accommodation should contact their DAHL representative.

PAY PRACTICES

Overtime

Employees who are not exempt from overtime requirements will be paid overtime in compliance with federal and state law. In addition to the overtime pay provisions set forth in the National Handbook, Kentucky employees who are nonexempt, work more than 40 hours in a week and work every day during a seven-day workweek will be paid one and one-half times their regular rate of pay for all time worked on the seventh day.

This policy does not apply to any officer, foreman or supervisor whose duties are principally limited to directing or supervising other employees.

Meal and Rest Breaks

Employees are entitled to a reasonable meal break, scheduled as close as possible to the middle of their scheduled shift. Employees will not be required to take their meal break sooner than three hours or later than five hours after the start of their shift.

During the meal break, employees will be relieved of all duties. An uninterrupted 30-minute meal break will be unpaid for nonexempt employees.

Employees are also entitled to a 10 minute paid rest break for every four hours of work.

Any employee who is unable to take all of the meal or rest 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.

Meal and Rest Breaks for Minors

Employees under the age of 18 who work five or more continuous hours are required to take an uninterrupted 30-minute meal break. For purposes of determining whether the employee has worked five continuous hours, breaks lasting less than 30 minutes will be counted as time worked.

During the break, employees will be relieved of all duties. An uninterrupted 30-minute meal break will be unpaid for nonexempt employees.

Employees are also entitled to a 10 minute paid rest break for every four hours of work.

Any employee who is unable to take all of the meal 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.

TIME OFF AND LEAVES OF ABSENCE

Adoption Leave

Employees who adopt a child under the age of ten may take a reasonable amount of time off, not to exceed six weeks to receive the adopted child. Employees wishing to take leave under this policy must submit a written request to their DAHL representative as far in advance as possible. Leave under this policy will be unpaid.

Where they overlap, leave taken under this policy will run concurrently with leave taken under the federal Family and Medical Leave Act (FMLA).

This policy does not apply to adoption by fictive kin (i.e., kinship based upon a social agreement), stepparents, stepsiblings or blood relatives (including relatives of half-blood, first cousins, aunts, uncles, nephews, nieces, grandparents and great-grandparents), or when a foster parent adopts a foster child already in their care.

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 and a copy of the court or administrative certificate within a reasonable time after receipt and before their appearance is 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.

Court Attendance Leave

Employees will be allowed time off from work for a required appearance in court or an administrative tribunal or hearing, so long as they provide advance notice of the need

for leave. Employees seeking leave under this policy must notify their DAHL representative and provide a copy of the court or administrative certificate regarding the employee's required appearance.

Time off under this policy will be without pay except that exempt employees will not incur any reduction in pay for a partial week's absence for leave to appear as a witness.

Time Off to Vote

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

Employees that do not have sufficient time to vote outside of working hours will be provided at least four hours of time off for the purpose of voting on Election Day, or to request an application for, or execute, an absentee ballot during the office of the clerk's normal business hours. Time off will be without pay for nonexempt employees. The Company may specify the hours during which the employee can be absent.

Employees must provide notice of the need for time off under this policy at least one day before leave will be taken. Employees who take time off under this policy but do not vote or request an application for an absentee ballot may be subject to disciplinary action.

Election Official Leave

Employees will be granted a full-day leave of absence when serving or training to serve as an election official. Employees wishing to take leave under this policy should notify their DAHL representative in advance. Employees will not be terminated or otherwise penalized or discriminated against for taking leave under this policy. Leave under this policy will be unpaid, except that exempt employees may be compensated for partial day absences, as required by applicable law.

The Company may specify the hours during which the employee can be absent from work.

Military Leave

In addition to the military leave rights set forth in the National Handbook, Kentucky employees who are members of the National Guard (including the Army National Guard and Air National Guard) of Kentucky or of any other state are entitled to an unpaid leave of absence for the period required to perform active duty or training. Upon release from a period of active duty or training, returning employees will be reinstated to their former position of employment with the seniority, status, pay and other rights and benefits they would have had if they had not been absent.

Emergency Responder Leave

The Company will not terminate employees who are absent or tardy from work due to their service as a volunteer emergency responder when responding to an emergency prior to the time they were supposed to report to work. The Company also will not terminate an employee who serves as a volunteer emergency responder and is absent for a period of no more than 12 months because of injuries incurred in the line of duty.

For purposes of this policy, “volunteer emergency responder” means an individual who is a volunteer firefighter, rescue squad member, emergency medical technician, peace officer or a member of an emergency management agency.

The Company may require employees who are absent or late to work under this policy to provide a written statement from the supervisor or acting supervisor of the volunteer fire department, rescue squad, emergency medical services agency, law enforcement agency or the director of the emergency management agency stating that the employee responded to an emergency and listing the time and date of the emergency. For employees who are absent due to an injury suffered while serving as a volunteer emergency responder, the Company may require a written statement: (1) from the supervisor, acting supervisor or director of the volunteer fire department, rescue squad or agency under whose command the employee was serving setting forth when the employee’s injury occurred; and (2) from at least one licensed and practicing physician stating that the employee is injured and a date that the employee will return to work.

Leave under this policy will be unpaid, except that exempt employees may receive pay, as required by law.

SAFETY AND SECURITY

Cell Phone Use / Texting While Driving

As is 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 on a highway is a violation of Kentucky law, in addition to being a violation of Company policy.

Weapons in the Workplace

In the interest of maintaining a workplace that is safe and free of violence, and in accordance with the policy set forth in the National Handbook, the Company generally prohibits the presence or use of firearms and other weapons on the Company’s property, regardless of whether or not the person is licensed to carry the weapon. In compliance with Kentucky law, the Company permits those who lawfully possess a firearm to store a firearm, part of a firearm, ammunition or ammunition component inside a personal vehicle on Company property. Such lawfully possessed firearms and

ammunition may not be removed from the employees' personal vehicle or displayed to others for any reason other than lawful defensive purposes.