

DAHL

IT'S THE PEOPLE.

**MAINE SUPPLEMENT
2023**

Littler Mendelson, P.C.

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 Maine Supplement.....	1
COMMITMENT TO DIVERSITY.....	1
Equal Employment Opportunity	1
Sexual and Other Unlawful Harassment.....	2
GENERAL EMPLOYMENT PRACTICES.....	2
Access to Personnel Files	2
Whistleblower Protections	3
PAY PRACTICES.....	4
Lactation Accommodation	4
Meal Breaks.....	4
Discussion of Wages	4
TIME OFF AND LEAVES OF ABSENCE	5
Family and Medical Leave of Absence	5
Use of Paid Leave to Care for Family Members	7
Military Leave	9
Family Military Leave.....	10
Veterans Medical Appointment Leave	11
Leave for Extreme Public Health Emergency	12
Jury Duty Leave.....	13
Leave for Victims of Violence, Assault, Sexual Assault and Stalking	13
Legislative Leave.....	14
Emergency Responder Leave	14
Search and Rescue Volunteer Leave	15

SAFETY AND SECURITY.....	16
Smoke-Free Workplace.....	16
Cell Phone Use / Texting While Driving.....	16
Weapons in the Workplace.....	17

GENERAL INFORMATION

About This Maine Supplement

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

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

The Maine 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 comply with Maine law, which prohibits discrimination and harassment against any employees or applicants for employment based on their actual or perceived race (including traits associated with race, such as hair texture, Afro hairstyles and protective hairstyles (e.g., braids, locks and twists), color, sex (including pregnancy and related medical conditions), sexual orientation, gender identity, familial status, physical or mental disability, religion, ancestry, national origin, age, HIV/AIDS status, genetic information, membership in the National Guard or U.S. reserves or because they sought and received a protection from abuse order or filed a claim or asserted a right under Maine’s Workers’ Compensation Act or Whistleblowers’ Protection Act. The Company will not tolerate discrimination or harassment based on these protected categories, an employee or applicant’s known relationship or association with a member of a protected category, or any other characteristic protected by applicable federal, state or local law.

Sexual and Other Unlawful Harassment

The Company is committed to providing a work environment free of harassment. Sexual harassment and harassment based on race, color, sex (including pregnancy and related medical conditions), sexual orientation (including gender identity or expression), physical or mental disability, religion, ancestry, national origin, age, HIV/AIDS status, genetic information, membership in the National Guard or U.S. reserves or because the employee filed a claim or asserted a right under Maine's Workers' Compensation Act or Whistleblowers' Protection Act are unlawful in the workplace. The Company will not tolerate discrimination or harassment based on these characteristics or any other characteristic protected by applicable federal, state or local law.

All employees are expected to comply with the Company's Sexual and Other Unlawful Harassment policy as set forth in the National Handbook. While the Sexual and Other Unlawful Harassment policy sets forth the Company's goals of promoting a workplace that is free of harassment, the policy is not designed or intended to limit the Company's authority to discipline or take remedial action for workplace conduct that we deem unacceptable, regardless of whether that conduct satisfies the definition of unlawful harassment.

Any employee who is found to have engaged in discriminatory or harassing conduct will be subject to appropriate disciplinary action, up to and including termination. Retaliation against anyone reporting acts of harassment or discrimination or anyone participating in an investigation into such a report will not be tolerated.

In addition to the complaint procedures set forth in the National Handbook, any employee who believes they have been harassed or discriminated against, or who is aware of harassment or discrimination against others, should immediately provide a written or verbal report to their DAHL representative.

Employees who believe they have been harassed or discriminated against may also file a formal complaint with The Maine Human Rights Commission (MHRC). The MHRC may be reached at 51 State House Station, Augusta, ME 04333-0051 or by telephone at (207) 624-6290 or fax at (207) 624-8729.

GENERAL EMPLOYMENT PRACTICES

Access to Personnel Files

Upon written request, current and former employees (or their authorized representative) may review and copy their personnel files. Employees should submit a written request to their DAHL representative. The Company will typically provide access to the file within ten days of receiving the request. The file must be inspected at the location where the files are maintained, during normal office hours. At the Company's discretion, a more convenient time and location for the employee may be arranged. If the Company maintains personnel files in any form other than paper, it will make available the equipment necessary to review and copy the personnel file.

Each calendar year, current and former employees may request one free copy of the employee's entire personnel file and, subsequently, one free copy of all of the material added to the personnel file after that initial copy was provided. Requesting current and former employees will be required to pay for any additional copies.

Whistleblower Protections

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

- The employee, acting in good faith, or a person acting on behalf of the employee, reports orally or in writing to the Company or a public body what the employee reasonably believes to be a violation of federal, state or local law;
- The employee, acting in good faith, or a person acting on behalf of the employee, reports to the Company or a public body, orally or in writing, what the employee reasonably believes to be a condition or practice that jeopardize the employee's health or safety or the health or safety of others;
- The employee is requested to participate in an investigation, hearing or inquiry held by a public body or in a court action;
- The employee, acting in good faith, has refused to carry out a directive to engage in activity that would be a violation of federal, state or local law or that would expose the employee or others to a condition that would result in serious injury or death. This provision applies only if the employee sought from the Company and was unable to obtain correction of the illegal activity or dangerous condition.
- The employee complies with legal requirements regarding the disclosure of known or reasonably suspected abuse, neglect or exploitation of a child or an incapacitated or dependent adult.

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

Under the Maine Whistleblower's Protection Act, employees are protected from retaliation for disclosures made to a public body only if they first bring the alleged violation, condition or practice to the attention of a person having supervisory authority within the Company and allow the Company a reasonable opportunity to correct the violation, condition or practice. There is an exception, however, to this internal disclosure requirement if the employee has specific reason to believe that reports to the Company will not result in promptly correcting the violation, condition or practice.

PAY PRACTICES

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 three years following the birth of a child. If possible, nursing mothers should take time to express breast milk during their regular rest and/or meal breaks. If the break time cannot run concurrently with rest and/or meal breaks already provided to the employee, the break time will be unpaid for nonexempt employees. Where these 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, for the employee to express milk. 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 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.

Meal Breaks

Nonexempt employees who work six or more continuous hours will be provided at least a 30-minute break. Employees must not perform any work during the break. This break can be used as a meal time.

An uninterrupted 30-minute meal break will be unpaid.

Employees who are 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 a DAHL representative.

Maine's meal break law contains an exception for places of employment where fewer than three employees are on duty at one time, and the nature of the work done by employees allows them frequent breaks during their work day.

Discussion of Wages

No employee is prohibited from disclosing their own wages or inquiring about those of another employee, if the purpose of the disclosure or inquiry is to enforce the rights granted by state or federal law. Employees are not required to disclose their wages to anyone.

TIME OFF AND LEAVES OF ABSENCE

Family and Medical Leave of Absence

We recognize that an employee may need to be absent from work for an extended period of time for family and/or medical reasons. Accordingly, the Company will grant time off to employees in accordance with the requirements of the federal Family and Medical Leave Act (FMLA) and the Maine Family and Medical Leave Act (MFMLA). When both the federal FMLA and MFMLA apply, the leave provided by each will count against the employee's entitlement under both laws and must be taken concurrently. An employee who is eligible for leave under only one of these laws will receive benefits according to that law only.

The following policy addresses employee rights under the MFMLA. Employees should refer to the National Employee Handbook for additional detail regarding the FMLA. All questions concerning this policy should be directed to their DAHL representative.

Employee Eligibility

Employees are eligible for family and medical leave under MFMLA if they have been employed for 12 consecutive months.

Purpose of Leave

MFMLA Leave can be taken for the following reasons:

- the birth of a child of the employee or the employee's domestic partner;
- placement of a child 16 years or younger for adoption by the employee or the employee's domestic partner;
- serious health condition of the employee;
- serious health condition of an employee's child, domestic partner's child, grandchild, domestic partner's grandchild, parent, domestic partner, sibling, or spouse;
- donation of organ by the employee for human transplant; or
- the death or serious health condition of the employee's spouse, domestic partner, parent, sibling, or child if the death or serious health condition occurs while on active duty in the state military forces or in the U.S. Armed Forces.

For purposes of this policy, a "sibling" is a sibling of an employee who is jointly responsible with the employee for each other's common welfare as evidenced by joint living arrangements and joint financial arrangements.

For purposes of this policy, a “serious health condition” is an illness, injury, impairment or physical or mental condition that involves: (a) inpatient care in a hospital, hospice or residential medical care facility; or (b) continuing treatment by a healthcare provider.

Length of Leave

Under MFLMA employees are entitled to a maximum of 10 workweeks of leave in any two years. The two year leave period begins to run on the first day the employee takes leave. Employees may be required to provide certification from a physician or other accredited practitioner to verify the amount of leave time requested.

Employees may take leave intermittently or on a reduced leave schedule (a schedule that reduces the usual number of hours per workweek or hours per workday), subject to the following limitations:

Leave for childbirth or adoption-related reasons may not be taken intermittently or on a reduced leave schedule unless the employee and the employer agree otherwise;

Leave for a serious health condition of the employee, of a child, domestic partner’s child, parent, sibling, or spouse of the employee, or for the donation of an organ of that employee for a human organ transplant, may be taken intermittently or on a reduced leave schedule when medically necessary;

The taking of leave intermittently or on a reduced leave schedule will not result in a reduction of the total 10 work weeks of leave to which the employee is entitled beyond the amount of leave actually taken; and

If an employee requests intermittent leave, or leave on a reduced leave schedule for qualifying reasons that are foreseeable based on planned medical treatment, the Company may require that the employee transfer temporarily to an available alternative position for which the employee is qualified and that: (1) has equivalent pay and benefits; and (2) better accommodates recurring periods of leave than the employee’s regular employment position.

Required Notice

An employee must provide at least a 30-days’ notice of the intended date upon which leave will begin and end, unless prevented by medical emergency from giving such notice.

Compensation and Benefits During Leave

MFMLA leave is unpaid.

Employees will be permitted to continue employment benefits, including any group life insurance, health insurance, disability insurance and pensions, during the leave at their own expense.

Return from Leave

Upon return from leave, employees will be restored to their prior position or to a comparable position with equivalent pay, benefits, seniority and other terms and conditions of employment. Exceptions may apply when an employee cannot be reinstated for reasons unrelated to the use of rights under the MFMLA. The Company will not take an adverse employment action (e.g., termination, demotion, etc.) or otherwise discriminate or retaliate against employees for exercising their rights under this policy.

Use of Paid Leave to Care for Family Members

Employees may use accrued paid leave (e.g., vacation, sick leave) otherwise provided by the Company to care for an ill immediate family member. For purposes of this policy, an “immediate family member” means the employee’s child, spouse or parent. This policy does not entitle employees to leave that has not otherwise been earned in accordance with existing Company policy.

The Company will not discriminate or retaliate against employees for exercising their rights under this policy.

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

Earned Paid Leave

The Company provides earned paid leave to eligible employees in compliance with the requirements of Maine’s Earned Paid Leave Law (EPLL).

Eligibility

All employees (including full-time, part-time and per diem employees) who work in Maine and are covered under Maine’s unemployment insurance law are generally eligible to accrue earned paid leave. There is an exception for certain seasonal employees.

Accrual of Earned Paid Leave

Eligible employees begin to accrue earned paid leave on January 1, 2021, or upon their first day of employment, whichever is later. Eligible employees accrue one hour of

earned paid leave for every 40 hours worked, up to a maximum of 40 hours of earned paid leave in a year of employment. For purposes of this policy, “year of employment” means a period of 365 (366 in a leap year) consecutive days beginning with the employee’s first day of employment and any subsequent 365-day (or 366 in a leap year) period beginning on either:

- The anniversary date of the employee’s start of employment; or
- A different date selected by the Company that results in at least the same amount of earned paid leave as the anniversary date.

Eligible employees who have worked for the Company for at least 120 days prior to January 1, 2021, can use earned paid leave as it accrues. All other eligible employees may begin using earned paid leave once they have been employed by the Company for 120 days during a one-year period.

An employee’s use of earned paid leave is limited to 40 hours per anniversary year thereafter. Paid Leave can be used in increments of one hour.

Requesting Paid Leave

When the need for leave is reasonably foreseeable, employees must provide at least 1 week of advance notice. When the need for leave is not reasonably foreseeable (i.e., in the case of an emergency, illness or other sudden necessity), employees must make a good faith effort to provide as much notice as is feasible under the circumstances. To provide notice of the need to use earned paid leave, employees should contact their DAHL representative and specify that they are using earned paid leave.

Employees should make reasonable efforts to schedule foreseeable earned paid leave in a manner that does not impose an undue hardship on Company operations.

Rate of Pay

Earned paid leave is paid based on the employee’s regular rate of pay during the week immediately prior to the leave taken.

Leave Carryover

Any unused, accrued, earned paid leave, up to a maximum of 40 hours, may be carried over from one year of employment to the next year of employment, but with an overall cap of 40 hours of earned paid leave per year of employment. Therefore, once an employee has a bank of 40 hours of earned paid leave in a year of employment, no additional leave will accrue in that year.

The Company does not offer pay in lieu of actual paid leave.

Effect on Other Rights and Policies

The Company may provide other forms of leave for employees. In certain situations, leave under this policy may run at the same time as leave available under another federal or state 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 or state leave rights.

Separation from Employment

Compensation for accrued and unused earned paid leave is not provided upon separation from employment for any reason. If an employee is rehired within one year of separation, any previously unused earned paid leave hours will be reinstated.

Retaliation

The Company will not deny an employee the right to use available earned paid leave in accordance with the ESLL and will not retaliate or tolerate retaliation against any employee because the employee uses earned paid leave in accordance with this policy.

Military Leave

In addition to the rights set forth in the National Handbook, employees who are members of the National Guard or U.S. reserves will be allowed an unpaid military leave of absence to respond to federal or state orders.

Employees must provide reasonable advance notice of the need for leave under this policy, if possible under the military circumstances. The Company may require that employees provide a confirmation from their Adjutant General or applicable reserve component headquarters of the anticipated military duty and satisfactory completion of the military duties.

Upon return from military duty, employees will be reinstated at the same pay, seniority, benefits, status and other incidences of advantages of employment as if they had remained continuously employed, so long as they are still qualified to perform the duties of the position. Employees must notify the Company of their intent to return to employment following military service in accordance with the following timing requirements:

For individuals whose period of service was less than four days, not later than 24 hours following the completion of the period of service and safe transport to the individual's residence;

For individuals whose period of service was more than three days, but not more than 15 days, not later than 48 hours following the completion of the period of service and safe transport to the individual's residence;

For individuals whose period of service was more than 15 days, but not more than 30 days, not later than 72 hours following the completion of the period of service and safe transport to the individual's residence;

For individuals whose period of service was more than 30 but less than 181 days, not later than 14 days following the completion of the period of service and safe transport to the individual's residence;

For individuals whose period of service in the uniformed service was for more than 180 days, not later than 90 days after the completion of the period of service and safe transport to the individual's residence;

For individuals hospitalized for, or convalescing from, an illness or injury incurred in or aggravated during the period of military service, not later than the end of the period necessary to recover (generally not to exceed two years).

Employees who incur a disability during military service and who, after reasonable efforts by the Company to accommodate the disability, are not qualified for the position they would have been in but for the military leave, will be reinstated to another position without loss of seniority, benefits, status, and other advantages of employment. The position will be one with equal pay, seniority, benefits, and status for which the employee is qualified or could become qualified with reasonable Company efforts, unless otherwise required under applicable law.

For the first 30 days of a Maine National Guard member's absence for active duty, the Company will continue to provide health insurance under the same terms and conditions, including continuing payment of any company contributions toward insurance premiums and cost-sharing. For a covered absence lasting longer than 30 days, the servicemember can continue health insurance benefits, with the state of Maine assuming responsibility for payment of the Company's share of the premiums and cost-sharing.

Family Military Leave

Eligible employees will be allowed up to 15 days of unpaid family military leave per deployment of a family member. For purposes of this policy, "family member" means a child, spouse, or domestic partner who is a resident of Maine and is ordered to active duty by the governor or president for a period of 180 days or longer to a duty assignment that is in a combat theater or an area where armed conflict is taking place. Leave may be taken during the 15 days immediately prior to deployment, the 15 days immediately following deployment, and/or during periods when the person is on leave during active duty.

The Company may require verification of an employee's eligibility from the proper military authority.

Eligibility Requirements

Eligible employees are those who have been employed by the Company for at least 12 months and have been employed for at least 1,250 hours during the 12-month period immediately preceding the leave.

Notice Requirement

An employee must provide at least 14 days' notice of a leave lasting five or more consecutive work days. For a shorter leave, the employee must provide as much advance notice as is practicable. The employee must consult with the Company in an effort to schedule the leave in a manner that will not unduly disrupt Company operations.

Compensation and Benefits During Leave

Leave under this policy will be without pay. Employees will be permitted to continue employment benefits, including any group life insurance, health insurance, disability insurance and pensions, during the leave at their own expense.

Return from Leave

Upon return from leave, employees will be restored to their prior position or to a comparable position with equivalent pay, benefits, seniority and other terms and conditions of employment. Exceptions may apply when an employee cannot be reinstated for reasons unrelated to the exercise of rights under this policy.

The Company will not take an adverse employment action (e.g., termination, demotion, etc.) or otherwise discriminate or retaliate against employees for exercising their military family leave rights or opposing an unlawful family medical leave practice.

Veterans Medical Appointment Leave

The Company will allow employees who are veterans to take time off from work to attend a scheduled medical appointment at a medical facility operated by the United States Department of Veterans Affairs. For purposes of this policy, a "veteran" is someone who has served on active duty in the United States Armed Forces or has served in the national guard of any state or the Reserves of the United States Armed Forces and was discharged or released with an honorable discharge.

Employees must provide notice of the appointment as soon as reasonably possible.

Time off under this policy will be without pay, except that exempt employees will receive pay when required by applicable law. Additionally, employees will be allowed to use any accrued available paid time off, including sick time.

Leave for Extreme Public Health Emergency

The Company will provide leave for caregivers and persons affected by an extreme public health emergency. For purposes of this policy, an extreme public health emergency is the occurrence or imminent threat of widespread exposure to a highly infectious or toxic agent that poses an imminent threat of substantial harm to the population of the state.

The Company will grant reasonable and necessary leave from work when an employee is unable to work because he or she:

Is under individual public health investigation, supervision or treatment related to an extreme public health emergency;

Is acting in accordance with a public health emergency order;

Is in quarantine or isolation or subject to a control measure in accordance with extreme public health emergency information or direction issued to the public, a part of the public, or one or more individuals;

Has been asked by the Company not to expose other individuals in the workplace to the extreme public health emergency threat; or

Is needed to provide care or assistance to one or more of the following individuals: the employee's spouse or domestic partner, parent, child or child for whom the employee is the legal guardian.

Leave may not be granted if:

The Company would sustain undue hardship from the employee's absence, including the need to downsize for legitimate reasons related to the impact of the extreme public health emergency on the operation of the business; or

The request for leave is not communicated to the Company within a reasonable time under the circumstances.

Leave will be granted for the duration of an extreme public health emergency and for a reasonable and necessary time period following the termination of the extreme public health emergency for diseases or conditions that are contracted or exposures that occurred during the extreme public health emergency.

Upon the employee's return to work, the Company has the right to request and receive written documentation from a physician or public health official supporting the employee's leave.

Employees who take leave for an extreme public health emergency will not lose any benefits accrued before the date on which the leave began nor will their health insurance benefits be affected. For any leave that extends beyond the time period of the public health emergency, the Company will allow an employee to continue benefits at the employee's expense.

Jury Duty Leave

The Company encourages all employees to fulfill their civic responsibilities and to respond to jury service summon 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 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. 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.

Leave for Victims of Violence, Assault, Sexual Assault and Stalking

Eligible employees may take reasonable and necessary leave from work for the following reasons:

To prepare for and attend court proceedings;

To receive medical treatment;

To attend to medical treatment for a victim who is the employee's daughter, son, parent, or spouse; or

To obtain necessary services to remedy a crisis caused by domestic violence, sexual assault, or stalking.

Eligible employees are those who are the victim, or who have a daughter, son, parent or spouse who is a victim, of violence, assault, sexual assault, stalking or any act that would support an order for protection under Maine law.

Employees must submit a request for leave under this policy as soon as possible after learning of the need and must promptly provide the information needed by the Company to make an informed decision regarding the request. The Company may require documentation verifying the family relationship.

The Company may seek a modification or deny a request for leave if:

The Company would sustain undue hardship from the employee's absence;

The request for leave is not communicated to the Company within a reasonable time under the circumstances; or

The request for leave is impractical, unreasonable or unnecessary based on the facts then made known to the Company.

Leave under this policy is without pay except that employees may elect to use accrued paid time off that is otherwise applicable to the leave requested.

The Company will not discipline or otherwise discriminate or retaliate against an employee for requesting or taking leave under this policy.

Legislative Leave

The Company will grant a leave of absence for a regular full-time or part-time (i.e., non-temporary) employee to serve as a state legislator, limited to one legislative term of two years. Time off under this policy will be unpaid. The Company may deny the request for leave if granting the leave will cause unreasonable hardship for the business.

An employee who intends to seek election to the state legislature must notify the Company in writing within 10 days of taking action to place his or her name on the ballot. An employee who fails to provide this notice will waive his or her rights under this policy.

Upon return to employment, an employee will be reinstated to his or her original position, or to a similar position with the same status, pay and seniority, so long as the employee is still qualified to perform the duties of the position.

Emergency Responder Leave

The Company will not discharge or otherwise discriminate against an employee who fails to report to work at the beginning of regular working hours because the employee was responding to an emergency as a municipal firefighter, volunteer firefighter or emergency medical services person and reported for work as soon as reasonably possible after being released from the emergency. For purposes of this policy, "responding to an emergency" means responding to, working at the scene of, or returning from a fire or emergency medical services call, a hazardous or toxic materials spill and cleanup, or any other situation to which the fire department or emergency medical services provider has been dispatched.

An employee responding to an emergency must make every effort to immediately notify the Company they may be late arriving to work or absent from work as a result of

responding to an emergency prior to or during the employee's regular work hours. Notification can be provided by the employee, the employee's designee or the fire department or emergency medical services provider. The Company may request a statement from the chief of the volunteer or municipal fire department or emergency medical services provider or the chief's designee, verifying that the employee was responding to an emergency and specifying the date, time and duration of the response.

Employees must notify the Company of their status as a firefighter or emergency medical services person within 30 days of employment and must provide a copy of a written policy from the chief of the fire department or emergency medical services provider that specifies the circumstances under which firefighters or emergency medical services persons are needed to respond to an emergency and affirms that they will be released as soon as practicable. Employees must notify the Company of any change to their status as a firefighter or emergency medical services person within 30 days of the change.

If the Company has designated an employee as essential in a writing that is signed by the employee and a Company representative, or if the employee's regular employment is as a law enforcement officer, a utility worker, or medical personnel and the services of that person are essential to protect public health or safety, then the Company reserves the right to deny emergency responder leave for that employee.

Time off under this policy will be unpaid, except that employees may be required to use available accrued paid time off. Additionally, exempt employees will receive pay when required by applicable law.

Search and Rescue Volunteer Leave

The Company will not discharge or otherwise discriminate against an employee who fails to report to work at the beginning of regular working hours or is absent during regular working hours because the employee was responding as a search and rescue volunteer to a search and rescue operation requested by a law enforcement agency. For purposes of this policy a "search and rescue volunteer" means a person who is certified in search and rescue practices and procedures by a recognized organization. The employee must report to work as soon as reasonably possible after being released from the search and rescue operation.

An employee responding as a search and rescue volunteer must make every effort to immediately notify the Company they may be late arriving to work or absent from work as a result of responding to a search and rescue operation. Notification can be provided by the employee, the employee's designee or the search and rescue operation supervisor. The Company may request a statement from the official in charge of the recognized organization, the official's designee, or a law enforcement official responsible for the search and rescue operation verifying that the employee was responding to a search and rescue operation and specifying the date and time of release from the operation.

Employees must notify the Company of their status as a search and rescue volunteer within 30 days of employment and must provide a copy of a written policy from the recognized organization in charge of calling out search and rescue volunteers that specifies the circumstances under which search and rescue volunteers will be ordered to remain at a search and rescue operation and affirms that they will be released as soon as practicable. Employees must notify the Company of any change to their status as a search and rescue volunteer, including termination of that status, within 30 days of the change.

The Company reserves the right to deny search and rescue volunteer leave for employees designated as essential. The Company will designate any essential employees in a writing that is signed by the employee and a Company representative.

Time off under this policy will be unpaid, except that employees may be required to use available accrued paid time off. Additionally, exempt employees will receive pay when required by applicable law.

SAFETY AND SECURITY

Smoke-Free Workplace

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

The Company prohibits smoking cigarettes (including e-cigarettes) in the workplace and within 20 feet of any window, ventilation intake or entrance to the workplace. Employees wishing to smoke cigarettes (including e-cigarettes) 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 marijuana or any other substance that is illegal under federal law or Maine law on Company premises, or smoking cigarettes (including e-cigarettes) 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 federal law, Maine 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, for any reason while driving for work-related purposes and while driving a company-owned vehicle. Employees should also be aware that reading or manually composing text messages while driving is a violation of Maine law, in addition to being a violation of company policy.

It is also a violation of Maine law for a person who has been issued a learner's permit to operate a motor vehicle while using a handheld electronic device or mobile telephone.

Maine law also prohibits commercial drivers from texting or using a handheld mobile telephone while driving a commercial motor vehicle.

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 Employee 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. However, in compliance with Maine law, the Company does not prohibit employees with a valid concealed firearms permit from storing their firearms inside their locked, privately-owned vehicles in the Company's parking lots or other parking areas provided by the Company, so long as the firearm is not visible. Such lawfully possessed firearms and ammunition may not be removed from the employees' personal vehicle or displayed to others.