



**MICHIGAN 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 Michigan Supplement

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

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

The Michigan 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 compliance with federal antidiscrimination laws. We also comply with Michigan law, which prohibits discrimination and harassment against any employees or applicants for employment based on disability, religion, race, color, national origin and ancestry, age, sex (including pregnancy, childbirth or related medical conditions), height, weight, familial status, marital status, genetic information, civil air patrol membership and membership in the military or naval forces of Michigan or of any other state. The Company will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law.

Disability Accommodation

Employees who require an accommodation in order to perform the essential functions of their jobs should contact their DAHL representative in accordance with the procedures identified in the National Handbook. Under Michigan law, any employees or applicants

for employment with a disability who are in need of accommodation must notify the Company in writing of their need for accommodation within 182 days after the date they knew or reasonably should have known that an accommodation was needed.

GENERAL EMPLOYMENT PRACTICES

Access to Personnel Files

Employees may inspect their personnel file at reasonable intervals, generally not more than two times per calendar year, within a reasonable time after making a written request to their DAHL representative. The inspection will take place in the presence of a company representative, reasonably near the employee's place of employment and during regular office hours. If a review during normal office hours would require the employee to take time off from work, the Company will provide another reasonable time for review. .

Employees may request copies of all or part of their personnel files, but will be required to pay the cost of duplication.

For purposes of this policy, "personnel file" means a record identifying an employee that is used, has been used, or may influence, a determination of the employee's qualifications for employment, promotion, additional compensation, transfer or disciplinary action.

Certain information, such as letters of reference and records of certain information, is not included in the personnel file and therefore not subject to inspection. Health and medical records are also not included in the personnel file. These records are confidential. The Company will safeguard such records from disclosure and will divulge such information only:

- As allowed by law;
- To the employee's personal physician upon written request or permission of the employee; or
- As required for workers' compensation cases.

Employees who disagree with any of the information contained in their file should notify their DAHL representative. If an employee and the Company cannot agree to remove or correct the specified information, the employee can submit a written statement explaining their 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. Disclosure to third parties of records relating to disciplinary action will be made only as permitted by law.

Social Security Number Privacy

Employees must provide the Company with their social security number in order for the Company to satisfy payroll, state and federal tax and insurance coverage requirements. Consistent with Michigan law, the Company takes reasonable steps to maintain the confidentiality of social security numbers.

All documents and records containing social security numbers and information are kept in a secure environment. Only authorized personnel with a legitimate business need may access records and documents (both internal and external) that contain an employee's social security number and identification information.

In addition to the Company's policy protecting against the disclosure of confidential information, employees are prohibited from accessing, viewing or using other employee's social security information maintained by the Company.

When necessary, documents containing employee social security numbers will be properly destroyed through shredding or other means before disposal.

Any employee who accesses social security data without authorization and/or for unlawful purposes will be disciplined up to and including termination of employment, and may be referred to authorities for possible prosecution.

Political Opinions

The Company will not discharge or threaten to discharge an employee for the purpose of influencing the employee's vote in an election.

PAY PRACTICES

Discussion of Wages

No employee is prohibited from disclosing the amount of their own wages. The Company will not terminate, discipline or otherwise discriminate against any employee because the employee makes such a disclosure.

Meal Breaks for Minors

Employees who are under the age of 18 and work more than five hours continuously will be provided an uninterrupted 30-minute meal and rest period. During the break, employees will be relieved of all duties. An uninterrupted 30-minute meal break will be unpaid for nonexempt employees.

All nonexempt employees must record their meal breaks.

Any employee who is unable to take all the 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.

TIME OFF AND LEAVES OF ABSENCE

Paid Sick and Safe Leave

The Company provides eligible employees with paid sick and safe leave in accordance with the requirements of Michigan's Paid Medical Leave Act (PMLA).

Eligibility

Certain non-exempt employees whose primary work location is in Michigan are eligible to accrue paid sick and safe leave.

Eligible employees do not include those who worked, on average, fewer than 25 hours per week during the immediately preceding calendar year or any of the following:

- Individuals who are exempt from overtime requirements under the federal law 29 U.S.C. § 213(a)(1), including those who are employed in a bona fide executive, administrative or professional capacity or in the capacity of an outside salesman;
- Individuals employed for 25 or fewer weeks in a calendar year in a job that is scheduled to last 25 or fewer weeks;
- Variable hour employees as defined by the Affordable Care Act regulations, i.e., based on the facts and circumstances at the start of employment, the employer cannot determine whether the employee is reasonably expected to be employed on average at least 30 hours per week because hours are variable or otherwise uncertain;
- Individuals employed by a temporary help firm (i.e., an employer whose primary business is to provide a client with the temporary services of one or more individuals under contract with the employer).

Reasons Sick and Safe Leave May be Used

Employees may use paid sick and safe leave for the following reasons:

- The employee's or the employee's family member's mental or physical illness, injury or health condition;
- For the diagnosis, care or treatment of the employee's or the employee's family member's mental or physical illness, injury or health condition;
- For preventive medical care for the employee or the employee's family member;
- The employee or the employee's family member is a victim of domestic violence or sexual assault and needs to:

- Seek medical care or psychological counseling for physical or psychological injury or disability;
 - Obtain services from a victim services organization;
 - Relocate due to the domestic violence or sexual assault;
 - Obtain legal services; or
 - Participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
- The employee's primary workplace or the employee's child's school or place of care is closed by order of a public official due to a public health emergency;
 - Health authorities with jurisdiction or a health care provider have determined that the presence of the employee or the employee's family member in the community would jeopardize the health of others because of exposure to a communicable disease (even if the employee or family member have not actually contracted the disease).

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

- Child (including a biological, adopted, foster or stepchild, a legal ward or a child for whom the employee stands in loco parentis);
- Parent (including a biological, adoptive, foster or stepparent, parent-in-law, legal guardian or a person who stood in loco parentis to the employee when the employee was a minor child);
- Spouse (i.e., an individual to whom the employee is legally married);
- Sibling (including a biological adopted or foster sibling);
- Grandparent; or
- Grandchild;

Accrual and Use of Sick and Safe Leave

Eligible employees begin to accrue paid sick and safe leave on March 29, 2019, or the employee's first day of work, whichever is later. Sick and safe leave accrues at a rate of one hour of paid sick and safe leave for every 35 hours worked. Eligible employees accrue paid sick and safe leave on all hours worked, including overtime hours.

Employees may not use accrued paid sick and safe leave until their 90th calendar day after the start of employment. Employees can use up to 40 hours of leave in a single consecutive 12-month period of time used by the company to calculate employee benefits employment or anniversary year. Paid sick and safe leave may be used in increments of one hour,

Paid Sick and Safe Leave Carryover

Employees who have accrued paid sick and safe leave remaining at the end of the consecutive 12-month period of time used by the Company to calculate employee benefits (employment or anniversary year) may carry over up to 40 hours of the accrued and unused time to the next year. The Company does not offer pay in lieu of actual sick and safe leave.

Requesting Sick and Safe Leave and Documentation

If the need for paid sick and safe leave is foreseeable, employees must provide notice seven days before the leave would begin, unless they learn of the need to use leave within a shorter period. If the need for paid sick and safe leave is unforeseeable, employees should provide notice as soon as practicable after the need for leave arises. To provide notice of the need to use paid sick and safe leave, employees should email their DAHL representative.

The Company may require that employees provide documentation verifying that paid sick and safe leave was used for a covered purpose. Employees are required to provide the requested documentation within three days of the request.

For paid sick and safe leave that is needed because of domestic violence or sexual assault, satisfactory documentation includes:

- A police report indicating that the employee or a family member was a victim of domestic violence or sexual assault;
- A court document indicating that the employee or a family member is involved in legal action related to domestic violence or sexual assault; or
- A signed statement of a victim and witness advocate affirming that the employee or a family member is receiving services from a victim services organization.

The documentation need not explain the details of the violence or medical condition.

Failure to comply with these notice and documentation requirements may result in discipline.

Confidentiality

Health information and information pertaining to domestic violence or sexual assault related to an employee or the employee's family member will be treated as confidential and not disclosed except to the affected employee or with that employee's permission, unless otherwise required by applicable law.

Rate of Pay

Paid sick and safe leave is compensated at a pay rate equal to the employee's normal hourly or base wage or the applicable minimum wage, whichever is greater. The normal hourly or base wage rate does not include overtime pay, holiday pay, bonuses, commissions supplemental pay, piece-rate pay or gratuities.

Separation from Employment

Compensation for accrued and unused paid sick and safe leave is not provided upon separation from employment for any reason.

Employees who separate from employment do not retain accrued, unused leave, even if they are later rehired by the Company.

Retaliation Prohibited

The Company will not retaliate or tolerate retaliation against employees because they take paid sick and safe leave in accordance with this policy or otherwise exercise their rights under the PMLA.

Effect on Other Rights and Policies

The Company may provide other forms of leave for employees to care for medical conditions or for reasons related to domestic violence or sexual assault under certain federal and state laws. In certain situations, paid sick and safe 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 medical or domestic violence-related leave rights.

Military Leave

In addition to the military leave rights set forth in the National Handbook, eligible Michigan employees who are members of the military or naval forces of the United States, Michigan or any other state are entitled to a military leave of absence for the following purposes:

- Being inducted into or entering active service, active state service (including service under the order of the governor of Michigan or any other state), or service of the United States;
- Determining physical fitness to enter state or federal active service; or
- Performing training duty as an officer or enlisted member of the military or naval forces of a state or the United States.

Total leave from employment for military service may not exceed five years except in special circumstances.

Reinstatement

Employees who report to work or apply for reemployment within 45 days, or, if the service was more than 180 days, within 90 days, following release from service, release from duty, or rejection will be reemployed as follows:

Following service of one to 90 days:

- To the position of employment in which the person would have been employed if continuous employment had not been interrupted by service, if the employee is qualified to perform the duties of that position; or
- If the employee is not able to perform the duties of the above position after reasonable efforts by the employer to qualify the employee, to the position in which the employee was employed at the commencement of service.

Following service of more than 90 Days:

- (a) To the position of employment in which the person would have been employed if continuous employment had not been interrupted by service, if the employee is qualified to perform the duties of that position.
- (b) If the employee is not able to perform the duties of the above position after reasonable efforts by the employer to qualify the employee, to the position in which the employee was employed at the commencement of service.
- (c) any other position of nearest approximation in status and pay to those described in (a) and (b) above that the person is qualified to perform, but only if the employee is not qualified and cannot become qualified with reasonable efforts to perform the position described in (b) above.

The Company may deny reemployment if the employee was separated from service under other than honorable conditions, including a dishonorable or bad conduct discharge.

Benefits Upon Reinstatement

An employee who is reemployed following military leave is entitled to the seniority, and to the benefits determined by seniority, they enjoyed at the commencement of the leave plus any additional seniority and benefits they would have attained if continually employed.

In addition, the employee is entitled to rights and benefits not determined by seniority that are provided by the Company to employees with similar seniority, status and pay who are on a leave of absence under a contract, agreement, policy, practice or plan in effect at the commencement of service or established while the employee performs service.

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 advance 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.

Following dismissal from jury duty, employees are expected to return to work for the remainder of their work schedules unless the number of hours worked, when added to the number of hours of jury service, would exceed the number of hours the employee normally works in a day.

Crime Victim Leave

Eligible employees may take time off from work to respond to a subpoena or request by the prosecuting attorney to serve as a witness or attend court during the employee's or another victim's testimony.

Employees are eligible for time off under this policy if:

- The employee suffered direct or threatened physical, financial or emotional harm as a result of the commission of a crime;
- The victim of the crime is deceased and the employee is the victim's spouse, adult child, parent, sibling, or grandparent or the guardian or custodian of the victim's minor child;
- The victim is under age 18 and the employee is the victim's parent, guardian, or custodian (but not the defendant and not incarcerated);
- The victim is mentally or emotionally unable to participate in the legal process and the employee is the victim's parent, guardian, or custodian (but not the defendant and not incarcerated); or
- The victim is physically or emotionally unable to exercise their legal rights as a crime victim and the employee is the victim's designated representative as their spouse, child (18 years of age or older), parent, sibling, grandparent, or person 18 years of age or older who is neither the defendant nor incarcerated.

Time off under this policy will be unpaid except that exempt employees will be paid when required by applicable law.

An employee who is a defendant in the criminal proceedings (or related criminal proceedings) or is incarcerated is not eligible for time off under this policy.

Before an employee 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 retaliate, or tolerate retaliation, against any employee who seeks or obtains leave under this policy.

Civil Air Patrol Leave

Employees who are members of the Civil Air Patrol will be allowed unpaid leave from work to respond as a Civil Air Patrol member to an emergency declared by the governor or the U.S. President.

Employees must provide as much notice as possible of the dates they will be absent from work and must provide verification from the Civil Air Patrol of the emergency.

Employees who are Civil Air Patrol members must notify the Company of their membership at the start of employment or on the date of joining the Civil Air Patrol, whichever is later.

SAFETY AND SECURITY

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 Michigan law, the Company permits employees who lawfully possess firearms to store or transport their firearms inside their locked, privately-owned vehicles in the Company's parking lots. Such lawfully possessed firearms may not be removed from the employees' personal vehicle or displayed to others.

Smoke-Free Workplace

The Company prohibits smoking in the workplace. Employees wishing to smoke must do so outside company facilities during scheduled work breaks.

Employees who 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 this policy.

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

Cell Phone Use/Texting While Driving

As is set forth in the National Handbook, the Company prohibits employees from using handheld 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 using a wireless two-way communication device to write, send or read text messages while driving on a highway is a violation of Michigan law, in addition to being a violation of Company policy.