



**NEBRASKA 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 Nebraska Supplement

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

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

The Nebraska 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 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 Nebraska law, which prohibits discrimination and harassment against employees or applicants for employment based on race (including skin color, hair texture and protective hairstyles), color, religion, national origin, sex, pregnancy (including childbirth and related medical conditions), disability, age (40 or older), marital status, HIV/AIDS status, military status and genetic information. 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 who are otherwise qualified for a position may request a reasonable accommodation for known physical limitations related to

pregnancy, childbirth or a related medical condition. A reasonable accommodation will be provided unless it imposes an undue hardship upon the Company.

Reasonable accommodations may include, but are not limited to: more frequent or longer breaks; periodic rest; time off to recover from childbirth; the acquisition or modification of equipment or seating; assistance with manual labor; job restructuring; light-duty assignments; modified work schedules; the temporary transfer to a less strenuous or hazardous position; or break time and appropriate facilities for breastfeeding or expressing breast milk.

The Company will not take adverse employment actions against employees or applicants who request or use reasonable accommodations in accordance with this policy.

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

## **PAY PRACTICES**

### **Meal Breaks**

Employees in an assembly plant, workshop or mechanical establishment will be allowed at least a 30-minute meal break for each eight-hours of work. During the meal break, employees will be relieved of all duties and are allowed to leave Company premises. 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 a DAHL representative.

All nonexempt employees must record their meal breaks.

### **Discussion of Wages**

No employee is prohibited from or will be discriminated against for inquiring about, discussing or disclosing information regarding employee wages, benefits or other compensation. Employees are not required to disclose their wages to anyone.

This policy does not apply to disclosure of other employees' wage information by employees who have access to such information solely as part of their essential job functions and who, while acting on behalf of the Company, make unauthorized disclosure of that information. Company representatives may disclose employees' wages in response to a complaint or charge, or in furtherance of an investigation, proceeding, hearing or action under state law.

## **TIME OFF AND LEAVES OF ABSENCE**

### **Vacation / Paid Time Off (PTO)**

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

### **Adoption Leave**

The Company's parental leave policy is expanded to provide leave for adoption of a child, so long as the child is not:

A child over eight years old who is not a special needs child;

A special needs child over 18;

A stepchild being adopted by a stepparent;

A foster child being adopted by a foster parent; or

A child under voluntary placement who is being adopted by the person with whom the voluntary placement was made.

Leave may begin as soon as the child is placed with the employee for the purpose of adoption. Where applicable, leave taken under this policy will run concurrently with leave taken under the Family and Medical Leave Act.

### **Bone Marrow Donation Leave**

Employees will be granted a paid leave of absence if they seek to undergo a medical procedure to donate bone marrow.

Employees seeking leave under this policy may be asked to provide the Company with verification from a physician setting forth the purpose and length of leave required by the employee.

### **Family Military Leave**

Eligible employees who are the spouse or parent of a person called to military service will be allowed up to 30 days of unpaid leave during the time when federal or state deployment orders are in effect.

To be eligible for leave under this policy, employees must:

Have been employed by the Company for at least 12 months;

Have worked for the Company for at least 1,250 hours during the 12- month period immediately preceding the leave; and

Be the spouse or a parent of a person called to military service lasting 179 days or longer with the state or the United States, pursuant to orders of the Governor or the President.

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

Employees taking family military leave for five or more consecutive workdays must provide notice at least 14 calendar days in advance of the leave. Where possible, employees should consult with their DAHL representative regarding the scheduling of the leave to minimize disruption to the Company's operations. Employees taking family military leave for less than five consecutive days must provide as much advance notice as is practicable.

Where applicable, leave taken under this policy will run concurrently with leave taken under the Family and Medical Leave Act.

During a Family Military Leave, employees may continue benefits (including group life insurance, health insurance, disability insurance and pensions) at their own expense.

No loss of seniority status will occur as a result of leave taken under this policy, nor will leave result in the loss of any benefits accrued prior to the time off.

Upon return from leave, employees will be restored to their prior position or to a position with equivalent seniority status, employee benefits, pay and other terms and conditions of employment, unless reinstatement is denied for reasons unrelated to the leave of absence.

The Company will not discriminate against, or tolerate discrimination against, any employee who seeks or obtains leave under 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.

Leave to serve on a jury will be paid, except that any compensation (other than expenses) paid by the court for service will be credited against payments made by the Company. Accrued sick leave or vacation will not be applied to an absence for jury duty leave.

Employees must 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 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.

Any employee who has less than two hours outside of working hours to vote while the polls are open may take the amount of time off needed to have two hours off while the polls are open. For example, if the polls open one hour before an employee's shift begins, the employee can arrive one hour late to work in order to allow two consecutive hours of time off to vote.

Employees must provide notice of the need for time off to vote prior to or on Election Day. The Company may specify the particular time during which the employee may be absent to vote.

Time off will be paid for employees who provide proper notice. The Company will not make deductions from employees' salary or wages or otherwise penalize employees for taking leave in accordance with this policy.

Proof of having voted may be required.

## **Election Officials Leave**

The Company will not terminate or otherwise discriminate against employees who miss work to serve as a judge or clerk of an election, a precinct or district inspector, a canvassing board member or any other election worker. Employees taking time off for this purpose are excused from work during the hours when they are required to provide election services. If required to serve eight hours or more, employees will also be excused for the eight hours prior to and the eight hours following their work as an election official.

Time off under this policy will be paid however, the Company will deduct any amount paid to the employee by the county for the election service.

The Company asks that employees provide reasonable advance notice of the need for time off to serve as an election official, so that the time off can be scheduled to minimize disruption to normal work schedules.

Proof of having served as an election official may be required.



## **Military Leave**

Regular full or part-time employees who are members of the uniformed services performing duty in active service of the state of Nebraska or who are employed in Nebraska and are members of the National Guard of another state and called into active service by a Governor of that state are entitled to many of the same rights, benefits and obligations as are set forth in the federal Uniformed Services Employment and Reemployment Rights Act (USERRA) and described more fully in the Military Leave policy set forth in the National Handbook. The rights and obligations provided under USERRA and extended to those providing active state military service include the antidiscrimination protections; reemployment rights; the rights benefits and obligations of servicemembers who are absent from work for the purpose of providing military service; rights and obligations with regard to health plans; and rights and obligations with regard to employee pension benefit plans.

## **Emergency Responder Leave**

The Company will not terminate or discipline any employee who has been approved to serve with any volunteer fire department or volunteer first aid rescue, ambulance or emergency squad because the employee is absent from or late to work as a result of responding to an emergency.

Employees must provide a written statement, signed by the person in charge of the volunteer department for which they provide emergency services, confirming the employee's service as an emergency responder. Employees must also make reasonable efforts to provide advance notice when they will be late or absent in order to respond to an emergency.

Following a leave, the Company may request that employees provide a written statement signed by the person in charge of their volunteer department indicating that the employee responded to an emergency, as well as the time and date when the emergency occurred and when the employee completed volunteer duties. This statement must be provided within seven days of the request.

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

## **SAFETY AND SECURITY**

### **Smoke-Free Workplace**

The Company prohibits smoking in the workplace. Employees wishing to smoke must do so outside company facilities during scheduled work breaks. For purposes of this policy, "smoking" includes the use of electronic smoking devices.

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 Nebraska law or 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 set forth in the National Handbook, the Company prohibits employees from using cellular phones for business reasons while driving or for any reason while driving for work-related purposes or driving a company-owned vehicle. Employees should also be aware that texting while driving is a violation of Nebraska 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, including in company-owned vehicles, regardless of whether or not the person is licensed to carry the weapon. In compliance with Nebraska law, the Company permits employees who lawfully possess firearms to store them in their privately-owned vehicles in any company parking areas that are open to the public. Such lawfully possessed firearms must be stored inside a locked glove box, trunk, or securely attached storage box or in a locked, hardened compartment securely attached to a motorcycle and may not be removed from the employees' personal vehicle or displayed to others.