



**PENNSYLVANIA 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 Pennsylvania Supplement ..... 1

COMMITMENT TO DIVERSITY ..... 1

    Equal Employment Opportunity ..... 1

    Pregnancy Accommodation (Philadelphia) ..... 2

    Accommodations for Pregnancy and Pregnancy-Related Events  
    [Pittsburgh]..... 2

GENERAL EMPLOYMENT PRACTICES..... 3

    Access to Personnel Files ..... 3

PAY PRACTICES..... 4

    Meal Breaks for Minors..... 4

    Philadelphia Wage Theft Ordinance Notice ..... 4

TIME OFF AND LEAVES OF ABSENCE ..... 4

    Military Leave ..... 4

    Jury Duty Leave..... 5

    Crime Victim Leave ..... 5

    Volunteer Emergency Workers Leave ..... 6

    Organ or Bone Marrow Donation Leave ..... 6

    Paid Sick Time (Philadelphia)..... 6

*Eligibility* ..... 6

*Accrual of Sick Time*..... 7

*Use of Paid Sick Time* ..... 7

*Requesting Sick Time/Documentation*..... 8

*Leave Carryover*..... 8

<i>Effect on Other Rights and Policies</i> .....	8
<i>Separation from Employment</i> .....	8
<i>Retaliation</i> .....	9
<i>Confidentiality</i> .....	9
Philadelphia COVID-19 Leave Policy .....	9
Paid Sick Time (Pittsburgh) .....	12
Paid Sick Time (Allegheny County) .....	15
Domestic Violence, Sexual Assault or Stalking Victim Leave (Philadelphia) .....	18
WORKPLACE SAFETY AND SECURITY .....	19
Smoke-Free Workplace .....	19
Cell Phone Use/Texting While Driving .....	20

# GENERAL INFORMATION

## About This Pennsylvania Supplement

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

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

The Pennsylvania 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 Pennsylvania law, which prohibits discrimination and harassment against employees or applicants for employment based on race, color, religious creed, ancestry, age (40 and over), sex (including pregnancy, childbirth and related medical conditions), national origin, disability (including physical or mental impairment), HIV/AIDS status, military status, membership in the National Guard or other reserve components of the armed forces (including being called to active duty), use of a guide or support animal because of blindness, deafness, or the physical handicap of any individual or status as a holder of a general educational development certificate or credential (versus a high school diploma). 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 (Philadelphia)**

Pregnant employees, working in Philadelphia, with needs related to pregnancy, childbirth or a related medical condition, may request a reasonable accommodation to enable them to perform the essential functions of their job. A reasonable accommodation may include, but is not limited to, the following: (1) restroom breaks; (2) periodic rest for those who stand for long periods of time; (3) assistance with manual labor; (4) leave for a period of disability arising from childbirth; (5) reassignment to a vacant position; and (6) job restructuring. The Company will provide a reasonable accommodation for needs related to pregnancy, childbirth or a related condition so long as the requested accommodation does not impose an undue hardship.

If leave is an accommodation, to the extent leave under this policy also qualifies as leave under the Family and Medical Leave Act, the two leaves will run concurrently.

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

## **Accommodations for Pregnancy and Pregnancy-Related Events [Pittsburgh]**

The Company does not discriminate against employees or applicants on the basis of pregnancy, childbirth or medical conditions and events that are related to or caused by pregnancy or childbirth (whether they occur before, during or after pregnancy or childbirth). This policy applies to individuals who are pregnant; experience pregnancy-related conditions and events (including seeking to become pregnant or any condition or event related to or caused by pregnancy or childbirth); and partners (i.e., someone who has a relationship of mutual emotional and/or physical support) of a person who is pregnant or affected by such an event.

Employees have the right to request one or more reasonable accommodations for their pregnancy, childbirth or related medical condition or when they are the partner of a person who is pregnant or affected by a related medical condition. The Company will provide a reasonable accommodation that enables the employee to perform the essential duties of the employee's job. A reasonable accommodation for purposes of this policy is one that can be made without causing an undue hardship on the Company's business.

Employees who wish to request a reasonable accommodation under this policy should contact Their DAHL representative. Their DAHL representative will promptly communicate with the employee and engage in an interactive process to determine the employee's needs and explore possible ways of accommodating the employee. In some cases, this interactive process may be triggered without a request from the employee, such as when the Company receives notice from its own observation or another source that the pregnancy, childbirth or pregnancy-related condition of the employee or the employee's partner may be impacting the employee's work performance or conduct. At the conclusion of the interactive process, the Company will inform the employee in

writing if a reasonable accommodation has been granted or deemed impossible. Employees can make additional requests for accommodation if their condition changes.

The Company may require that employees provide medical documentation when requesting certain accommodations, such as working from home or time off from work.

The Company will not retaliate or tolerate retaliation against an employee because the employee requests accommodation under this policy, makes a complaint of discrimination, files a complaint alleging unlawful discrimination or expresses an intent to file such a complaint, or participates in an investigation or proceeding related to a complaint of discrimination. Employees who believe they have been subjected to retaliation should promptly report such concerns to their DAHL representative. Any report of retaliatory conduct will be investigated in a thorough and objective manner. If a report of retaliation is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken.

## **GENERAL EMPLOYMENT PRACTICES**

### **Access to Personnel Files**

Employees may inspect their personnel file in the presence of a company representative during regular business hours. Employees may also designate, in writing, an agent to inspect their personnel file. Employees will not be allowed to remove documents from their personnel file, but may take notes during an inspection. In addition, any employee who disagrees with any information in their personnel file may submit a written statement to be included in the file.

Records subject to inspection include the following (to the extent maintained by the Company): applications for employment, wage or salary information, notices of commendation, warnings or disciplinary information, authorizations for deductions or withholding of pay, fringe benefit information, leave records, employment history with the Company including salary information, job title, dates of changes, retirement records, attendance records and performance evaluations.

The following records are not subject to inspection: records relating to the investigation of a possible criminal offense, letters of reference, documents that are being developed or prepared for use in civil, criminal or grievance procedures, medical records and information used by the Company to plan for future operations.

Employees who wish to review their personnel file should submit a written request to their DAHL representative. To assist the Company in providing employees with the correct records, an employee's written request should indicate the purpose for which the inspection is requested or the particular records the employee wishes to inspect or have inspected by an agent. Employees who wish to designate an agent to inspect the personnel file must also indicate that designation in the written request.

## **PAY PRACTICES**

### **Meal Breaks for Minors**

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

Any employee who is unable to take all of the 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.

### **Philadelphia Wage Theft Ordinance Notice**

Employees who perform work in Philadelphia or entered into an employment contract in Philadelphia and believe they have not been paid for all of the wages they have earned, may file a complaint for unpaid wages pursuant to the Philadelphia Wage Theft Ordinance, Philadelphia Code, Chapter 9-4300 (effective July 1, 2016). Retaliation against an employee who files such a complaint is prohibited. Each employee has a right to file a complaint or bring a civil action if the employer fails to pay all wages earned by the employee.

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

### **Military Leave**

In addition to the military leave rights set forth in the National Handbook, Pennsylvania employees who serve in the military are entitled to the protections of the Pennsylvania Military Leave of Absence Act (the Pennsylvania Act, also known as PAMLAA).

Under the Pennsylvania Act, the Company will grant an unpaid leave of absence to any employee who is: (1) drafted into or enlists in active military service at the time of war, armed conflict or emergency proclaimed by the governor or the President of the United States; (2) a member of the reserve components of the armed forces who is called to active duty by the United States; (3) a member of the Pennsylvania National Guard who is called to active duty by the governor or the governor's designee; or (4) a member of a National Guard or reserve component from another state.

A military leave granted under this policy will generally expire 90 days after expiration of the period of military duty unless federal law provides for a longer period of leave. However, a military leave granted to an employee ordered to active state duty or special state duty as a member of the Pennsylvania National Guard will expire 30 days after the expiration of the period of state duty. Employees may return to employment prior to the expiration of a leave upon notifying the Company of their desire and availability to return.



The Company will continue health insurance and other benefits during the first 30 days of military duty served by a member of the National Guard, or a member of any reserve component called or ordered into active duty, other than active duty for training. At the end of the first 30 days, employees will be given the option of continuing health insurance and other benefits at their own expense at the rate paid by the Company.

Upon return from leave, employees will be restored to their prior position, or a position of like seniority, status and pay. If, however, an employee is not qualified to perform such positions due to disability sustained during duty, the Company will restore the employee to another position that the employee is qualified to perform, if any, that will provide him or her with like seniority, status and pay, or nearest approximation therefore, unless the Company's circumstances have changed which make it impossible or unreasonable to do so.

Any employee who is separated from service due to an undesirable, bad conduct or dishonorable discharge generally will not be entitled to benefits under the Pennsylvania Act.

This policy and the military leave policy set forth in the National Handbook are intended to grant military leave in accordance with the requirements of applicable state and federal law in effect at the time a leave is granted. No greater or lesser leave benefits will be granted than those set forth in these laws. In all cases, employees will be eligible for the most generous benefits available under applicable law except that state law will not apply if it is invalid due to federal benefit law preemption.

## **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.

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

## **Crime Victim Leave**

Eligible employees may take time off from work to comply with a subpoena or other court order to serve as a witness in a criminal proceeding, or to attend a criminal proceeding.

Employees are eligible for time off under this policy if they are: (1) the victim of the crime at issue in the proceeding; (2) related to the victim within three degrees of the employee (i.e., parents, grandparents and great-grandparents; brothers and sisters, nephews and nieces; uncles and aunts; children, grandchildren and great-

grandchildren); (3) in a common-law relationship with the victim; or (4) living in the same household with the victim.

An employee who is the alleged perpetrator of the crime is not eligible for time off.

Time off under this policy will not be compensated except that exempt employees will not incur any reduction in pay for a partial week's absence to serve as a witness.

## **Volunteer Emergency Workers Leave**

Employees who are active volunteer firefighters, fire police or members of a volunteer ambulance service or rescue squad will be provided with time off from work or excused for being late to work when late or absent for the purpose of responding to a fire or ambulance call prior to regular hours of employment.

Employees must make every effort to notify their supervisors that they may report to work late or be absent from work in order to respond to an emergency call prior to the employee's regular hours of employment.

The Company may require an employee to submit a written statement from the chief executive officer of the volunteer fire company, ambulance service, or rescue squad, documenting the time of the call and the employee's presence at the scene.

The Company will not discriminate against any employee who has been injured in the line of duty as a volunteer firefighter, fire police officer, or member of a volunteer ambulance service or rescue squad or who has received workers' compensation benefits as a result of such an injury.

## **Organ or Bone Marrow Donation Leave**

Eligible employees may take time off to donate an organ or bone marrow for human transplant. Employees may take up to five days of **[insert paid or unpaid]** leave for the donation and recovery from the donation.

Employees who wish to request time off under this policy should contact Human Resources [or insert name of appropriate company representative or department].

## **Paid Sick Time (Philadelphia)**

The Company provides eligible employees with paid sick time in accordance with the requirements of the Philadelphia Promoting Healthy Families and Workplaces Ordinance (PHFWO).

### ***Eligibility***

Employees who work at least 40 hours per calendar year in the City of Philadelphia (excluding independent contractors, seasonal workers, employees hired for a term of less than six months) are eligible to accrue paid sick time.

## **Accrual of Sick Time**

Eligible employees begin to accrue paid sick time on May 13, 2015, or upon their date of hire, whichever occurs later. Sick time is accrued at a rate of one hour for every 40 hours worked in Philadelphia, up to a maximum accrual of 40 hours in a single calendar year.

Salaried exempt employees will be assumed to work 40 hours in a week unless the employee's regular work week is less than 40 hours, in which case sick time accrues based upon that regular workweek.

## **Use of Paid Sick Time**

Eligible employees may use sick time for the following reasons:

- The employee's mental or physical illness, injury or health condition; need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or need for preventive medical care;
- Care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or care of a family member who needs preventive medical care;
- Absence due to domestic abuse, sexual assault or stalking, provided the leave is to allow the employee to obtain for the employee or the employee's family member:
  - Medical attention;
  - Services from a victim services organization;
  - Psychological or other counseling;
  - Relocation; or
  - Legal services or remedies (e.g., preparing for or participating in a civil or criminal legal proceeding).

Employees who exhaust paid sick leave for purposes related to domestic abuse, sexual assault or stalking may still be eligible for unpaid leave for this purpose and should consult the Company's Domestic Violence, Sexual Assault or Stalking Victim Leave policy or contact their DAHL representative for further information.

For purposes of this policy, a "family member" means the employee's current spouse or life partner, child or individual for whom the employee stands *in loco parentis*, legal guardian or ward, parent, parent-in-law, person who stood in *in loco parentis* status when the employee was a minor child, sibling, spouse of a sibling, grandparent, spouse of a grandparent, or grandchild. These familial relationships include not only biological relationships, but also relationships resulting from adoption, step-relationships, and foster care relationships. The definition of child applies without regard to a child's age or dependency status. For purposes of this policy, a "life partnership" is defined as a long-term committed relationship between two unmarried individuals of the same sex or gender identity.

Eligible employees may not use accrued paid sick time until the employee's 90<sup>th</sup> calendar day of employment.

Paid sick time may be used in one hour increments. Eligible employees may use up to 40 hours of paid sick time in any calendar year.

### ***Requesting Sick Time/Documentation***

When the need for sick time is foreseeable, employees must provide reasonable advance notice, either orally or in writing, of the need for sick leave and must make a reasonable effort to schedule sick time in a manner that does not unduly disrupt Company operations. For all other absences, employees must notify the Company before the start of their scheduled work hours, or as soon as practicable if the need arises immediately before or after the employee has reported for work. When possible, an employee's request for sick time must include the expected duration of the sick leave. To provide notice of the need to use sick time, employees should contact their DAHL representative.

If sick time is for more than two consecutive work days, the Company may request that employees provide reasonable documentation that the sick time is being used for a permissible purpose.

### ***Leave Carryover***

Employees who have accrued time remaining at the end of the year may carry over the accrued and unused time to the next calendar year. However, employees may not use more than 40 hours of sick time in a calendar year.

The Company does not offer pay in lieu of actual sick time.

### ***Effect on Other Rights and Policies***

The Company may provide other forms of leave for employees to care for medical conditions or leave related to domestic abuse, sexual assault or stalking under certain federal, state and local laws. In certain situations, leave under this policy may run at the same time as leave available under another federal, state or local 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, state and local medical, family or domestic abuse victim leave rights.

### ***Separation from Employment***

The Company does not pay employees for accrued, unused sick time upon separation from employment for any reason. If an employee is rehired by the Company within six months of the date of separation from employment, previously accrued but unused sick time will be reinstated, and the employee will be permitted to use any accrued sick time immediately.

## ***Retaliation***

The Company prohibits discrimination and/or retaliation against employees who request or use sick time for authorized circumstances protected by law, and against employees who file a complaint about an alleged violation of this policy, or inform others about their rights under this policy. Employees may file a complaint or bring a civil action if sick time as required by law is denied the employee or if the employee is retaliated against for requesting or taking sick time.

## ***Confidentiality***

The Company will, in accordance with applicable federal and state law, treat as confidential health information or information pertaining to domestic abuse, sexual assault or stalking about an employee or employee's family member. Such information will not be released without the employee's express permission, unless otherwise required by law.

## **Philadelphia COVID-19 Leave Policy**

Employees working in Philadelphia may be entitled to COVID-19 public health emergency leave (COVID-19 Leave) in the event that they are unable to work or telework for certain COVID-related reasons. This policy is effective for COVID-19 Leave taken on or after March 9, 2022 and will remain in effect through December 31, 2023 or until the Philadelphia ordinance requiring COVID-19 Leave is no longer in effect, whichever date comes first.

## ***Eligibility***

Employees are eligible for COVID-19 Leave, if they: (a) work for the Company in Philadelphia after March 9, 2022; (b) normally work for the Company within the City of Philadelphia but are currently teleworking from any other location as a result of COVID-19; or (c) work for the Company from multiple locations or from mobile locations, provided that 51% or more of the employee's time is spent in Philadelphia.

## ***Qualifying Reasons for COVID-19 Leave***

Employees may use COVID-19 Leave if they are unable to work or telework due to any of the following reasons:

- A determination by a public official or public health authority having jurisdiction, a health care provider, or the Company that the employee's presence on the job or in the community would jeopardize the health of others because of the employee's exposure to COVID-19 or because the employee is exhibiting symptoms that might jeopardize the health of others, regardless of whether the employee has been diagnosed with or has tested positive for COVID-19.

- To care for a family member of the employee due to a determination by a public official or health authority having jurisdiction, a health care provider, or the family member's employer that the presence of the family member on the job or in the community would jeopardize the health of others because of the family member's exposure to COVID-19 or a determination by the employer that the employee is a danger to the health of others because they are exhibiting symptoms that might jeopardize the health of others, regardless of whether the family member has been diagnosed with or tested positive for COVID-19.
- An employee's need to: self-isolate and care for oneself because the employee is diagnosed with or has tested positive for COVID-19; self-isolate and care for oneself because the employee is experiencing symptoms of COVID-19; or seek or obtain medical diagnosis, care, or treatment if experiencing symptoms of an illness related to COVID-19.
- To care for a family member who: is self-isolating due to being diagnosed with or having tested positive for COVID-19; is self-isolating due to experiencing symptoms of COVID-19; or needs medical diagnosis, care, or treatment if experiencing symptoms of an illness related to COVID-19.
- To care for a child if the child's school or place of care has been closed, or the childcare provider of such child is unavailable, due to precautions taken in response to COVID-19.
- An employee's need to obtain immunization (vaccination), including a booster, related to COVID-19, or to recover from any side effect related to such vaccination.

For purposes of this policy, a "family member" includes the employee's spouse, life partner, child, parent (including the parent of the employee's spouse), grandchild, grandparent (including the grandparent's spouse), or sibling (including the sibling's spouse).

### ***Amount of COVID-19 Leave***

Non-exempt employees who work 40 or more hours per week will be allowed up to 40 hours of COVID-19 Leave. Non-exempt employees who work fewer than 40 hours will be allowed an amount of COVID-19 Leave equal to the amount of time the employee is otherwise scheduled to work or actually works on average in a seven-day period, whichever is greater. Exempt employees will be assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case the amount of COVID-19 Leave is based upon that normal workweek.

### ***Using COVID-19 Leave***

COVID-19 Leave is available to eligible employees for immediate use, in accordance with this policy.

When the need for COVID-19 Leave is foreseeable, employees must notify their DAHL representative of their need to use COVID-19 Leave as practicable and as soon as feasible.

Employees may use COVID-19 Leave in increments of one hour.

The Company reserves the right to request documentation to verify the employee's need for COVID-19 Leave to the full extent permitted by applicable law.

Employees using COVID-19 Leave under this policy are not required to search for or find a replacement to cover the periods of time for which they are absent from work and using COVID-19 Leave.

### ***Rate of Pay***

COVID-19 Leave will be paid at the employee's regular rate of pay for the workweek in which the employee uses COVID-19 Leave.

### ***Effect on Other Rights and Policies***

To the extent permitted by applicable law, COVID-19 Leave will run concurrently with leave under the Family and Medical Leave Act and similar state and local leave laws for which the employee is otherwise eligible.

COVID Leave is separate from, and does not affect or limit, any existing paid leave benefits provided to eligible employees under other Company policies, such as paid sick leave. Employees who are eligible for such benefits remain eligible to use any available and applicable paid time off benefits pursuant to company policy or applicable law. COVID Leave may be used prior to using any such paid leave benefits.

### ***Separation from Employment***

The Company does not pay an employee for unused COVID-19 Leave upon the employee's separation from employment for any reason.

### ***No Discrimination or Retaliation***

The Company prohibits discrimination and/or retaliation against employees who request or use COVID-19 Leave for qualifying reasons consistent with the provisions of this policy and applicable law. Accordingly, the Company will not count an employee's use of COVID-19 Leave as an absence when evaluating absenteeism. Therefore, any use of COVID-19 Leave will not count as an "occurrence" under any Company policy.

### ***Additional Information Regarding COVID-19 Leave***

This policy is subject to modification pending any changes to judicial or regulatory guidance issued regarding COVID-19 Leave. The policy should be construed in such a way as to be in harmony with the requirements set forth in any such guidance.

Please contact a DAHL representative for additional information about COVID-19 Leave and whether you may be eligible for leave under this policy.

## **Paid Sick Time (Pittsburgh)**

The Company provides eligible employees with paid sick time in accordance with the Pittsburgh Paid Sick Days Act (“PSDA”).

### ***Eligible Employees***

All employees, including full-time and part-time employees, are generally eligible to accrue paid sick time, if they work at least 35 hours per year in the City of Pittsburgh. Eligible employees do not include seasonal employees, meaning individuals hired for a temporary period of not more than 16 weeks during the Company’s leave year who are notified at the time they are hired that their employment is limited to the beginning and ending dates of the Company’s seasonal period.

### ***Accrual and Use of Sick Time***

Eligible employees begin to accrue paid sick time on March 15, 2020, or their first day of employment, whichever is later. Employees accrue one hour of paid sick time for every 35 hours worked in the City of Pittsburgh, up to a maximum of 40 hours in a anniversary year (“Leave Year”).

Salaried exempt employees will be assumed to work 40 hours in a week unless an employee’s regular workweek is less than 40 hours, in which case sick time accrues based upon that regular workweek.

Employees accrue sick time in increments of 0.025 hours per hour worked.

Eligible employees may not use accrued sick time until the 90th calendar day after the start of their employment. Thereafter, they may use sick time as it accrues.

Paid sick time may be used in one hour increments.

Employees are not required to search for or find someone to cover their shift or do their work when they take paid sick time.

### ***Reasons Sick Time May Be Used***

Sick time may be used for the following reasons:

- An employee’s own mental or physical illness, injury or health condition; to obtain a medical diagnosis, care or treatment; or preventive care;
- To care for a family member with a mental or physical illness, injury or health condition; to assist them in obtaining medical diagnosis, care or treatment; or to assist them in obtaining preventive care;



- For the closure of the employee's place of business by order of a public official due to a public health emergency;
- For the closure of an employee's child's school or place of care by order of a public official due to a public health emergency; or
- To care for a family member when health authorities or health care providers determine that an individual's presence in the community would jeopardize others' health because of the individual's exposure to a communicable disease, whether or not the individual actually contracted the communicable disease.

Eligible family members include the following:

- A child (including a biological, adopted or foster child; stepchild; the child of a domestic partner; a legal ward or child for whom the employee is a legal guardian; or a child to whom the employee stands *in loco parentis*);
- A spouse or domestic partner;
- A sibling (including a biological, adopted or foster sibling);
- A parent (including a biological, adoptive, foster or step-parent of the employee or the employee's spouse or domestic partner; a legal guardian of the employee or the employee's spouse or domestic partner or a person who stood *in loco parentis* when the employee was a minor child);
- A grandchild;
- A grandparent (including a grandparent's spouse or domestic partner); and

The Company reserves the right to take disciplinary action if an employee's use of sick time is not for a covered purpose.

### ***Requesting Sick Time/Documentation***

When the need for paid sick time is foreseeable, employees must provide reasonable advance notice. Employees should provide notice as soon as possible and must provide notice at least seven days before the date sick time will begin, absent extenuating circumstances.

If the need for sick time is unforeseeable or if employees are unable to provide notice seven days in advance, the employee must make a good-faith effort to notify the Company as soon as possible. Absent unusual circumstances, employees must follow the Company's standard call-off procedure by contacting their DAHL representative. When possible, the request should include the expected duration of the absence.

Employees are expected to make reasonable efforts to schedule sick time in a manner that does not unduly disrupt Company operations.

If sick time is for three or more full, consecutive days, the Company may request that employees provide reasonable documentation that the sick time is being used for a permissible purpose. Employees will also be expected to comply with any requests for documentation for absences that qualify for leave under the federal Family and Medical Leave Act.

### ***Rate of Pay for Sick Time***

Sick time is paid based on the employee's base rate of pay at the time the leave is taken or the state minimum wage, whichever is more. Employees will also receive the same benefits they would have received at the time leave is used. However, if an employee uses paid sick time for scheduled overtime, the Company will not pay the employee at the overtime rate. When calculating an employee's base rate of pay, lost tips or lost commissions are excluded.

Employees will be paid only for the hours they are scheduled to work.

### ***Carryover***

Up to 40 hours of accrued but unused sick time will carry over from year to year, but with an overall cap of 40 hours of sick time per Leave Year. Therefore, once an employee has a bank of 40 hours of paid sick time, no additional time will accrue in that Leave Year.

### ***Separation From Employment***

The Company does not pay employees for accrued, unused sick time upon separation from employment for any reason. If an employee is rehired by the Company within six months of the date of separation from employment (whether at the same or a different location), previously accrued but unused sick time will be reinstated and the employee will be permitted to accrue additional time and use any accrued sick time immediately.

### ***Confidentiality***

The Company will treat health information about an employee or an employee's family member as confidential and take reasonable steps to protect its confidentiality. The Company will not disclose such health information except to the affected employee or with that employee's written permission, in accordance with applicable federal and state medical privacy laws.

### ***Effect on Other Rights and Policies***

The Company may provide other forms of leave for employees to care for their own or a family member's medical condition under certain federal, state and municipal laws. Leave under this policy will run at the same time as leave available under those laws, provided that the eligibility requirements for the applicable law are met. Employees should contact their DAHL representative for information about other federal, state and municipal medical or family leave rights.

## ***No Discrimination or Retaliation***

The Company will not retaliate, discriminate against or tolerate retaliation or discrimination against any employee because the employee has exercised rights protected under the PSDA, including by: requesting or using sick time in accordance with the PSDA; attempting to or filing a complaint with the Mayor's Office of Equity or a court; informing anyone about an employer's alleged violation of the PSDA; informing anyone of their rights under the PSDA; participating or attempting to participate in an investigation or proceeding under the PSDA; or otherwise exercising any rights afforded under the PSDA. Employees have a right to file a written complaint with the Mayor's Office of Equity, if they believe they have been denied the right to accrue and use sick time as required by the PSDA or if they believe they have been retaliated against for exercising their rights under the PSDA.

## **Paid Sick Time (Allegheny County)**

The Company provides eligible employees with paid sick time in accordance with the Allegheny County Paid Sick Days Ordinance ("ACPSDO").

### ***Eligible Employees***

All employees, including full-time and part-time employees, are generally eligible to accrue paid sick time if they perform at least 35 hours of work within the geographic boundaries of Allegheny County in a calendar year. Eligible employees do not include seasonal employees, meaning individuals hired for a temporary period of not more than 16 weeks during a calendar year who are notified at the time they are hired that their employment is limited to the beginning and ending dates of the Company's seasonal period.

### ***Accrual and Use of Sick Time***

Eligible employees begin to accrue paid sick time on December 15, 2021, or their first day of employment, whichever is later. Employees accrue one hour of paid sick time for every 35 hours worked in the Allegheny County, up to a maximum of 40 hours in a anniversary year ("Leave Year").

Salaried exempt employees will be assumed to work 40 hours in a week unless an employee's regular workweek is less than 40 hours, in which case sick time accrues based upon that regular workweek.

Employees accrue sick time in increments of 1 hour for every 35 hours worked.

Eligible employees may not use accrued sick time until the 90th calendar day after the start of their employment. Thereafter, they may use sick time as it accrues.

Paid sick time may be used in one hour increments.

Employees are not required to search for or find someone to cover their shift or do their work when they take paid sick time.

### ***Reasons Sick Time May Be Used***

Sick time may be used for the following reasons:

- An employee's own mental or physical illness, injury or health condition; to obtain a medical diagnosis, care or treatment; or preventive care;
- To care for a family member with a mental or physical illness, injury or health condition; to assist them in obtaining medical diagnosis, care or treatment; or to assist them in obtaining preventive care;
- For the closure of the employee's place of business by order of a public official due to a public health emergency;
- To care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or
- To care for a family member when health authorities or health care providers determine that an individual's presence in the community would jeopardize others' health because of the individual's exposure to a communicable disease, whether or not the individual actually contracted the communicable disease.

Eligible family members include the following:

- A child (including a biological, adopted or foster child; stepchild; the child of a domestic partner; a legal ward or child for whom the employee is a legal guardian; or a child to whom the employee stands *in loco parentis*);
- A spouse or domestic partner;
- A sibling (including a biological, adopted or foster sibling);
- A parent (including a biological, adoptive, foster or step-parent of the employee or the employee's spouse or domestic partner; a legal guardian of the employee or the employee's spouse or domestic partner or a person who stood *in loco parentis* when the employee was a minor child);
- A grandchild;
- A grandparent (including a grandparent's spouse or domestic partner); and
- Any individual for whom the employee has received permission from the Company to care for at the time of the request.

The Company reserves the right to take disciplinary action if an employee's use of sick time is not for a covered purpose.

### ***Requesting Sick Time/Documentation***

When the need for paid sick time is foreseeable, employees must provide reasonable advance notice. Employees should provide notice as soon as possible and must provide notice at least seven days before the date sick time will begin, absent extenuating circumstances.

If the need for sick time is unforeseeable or if employees are unable to provide notice **seven** days in advance, the employee must make a good-faith effort to notify the Company as soon as possible. Absent unusual circumstances, employees must follow the Company's standard call-off procedure by emailing their DAHL representative. When possible, the request should include the expected duration of the absence.

Employees are expected to make reasonable efforts to schedule sick time in a manner that does not unduly disrupt Company operations.

If sick time is for three or more full, consecutive days, the Company may request that employees provide reasonable documentation that the sick time is being used for a permissible purpose. This documentation does not need to explain the precise nature of an illness (the employee's own illness or that of a family member). Employees will also be expected to comply with any requests for documentation for absences that qualify for leave under the federal Family and Medical Leave Act.

### ***Rate of Pay for Sick Time***

Sick time is paid based on the employee's base rate of pay at the time the leave is taken or the state minimum wage, whichever is more. Employees will also receive the same benefits they would have received at the time leave is used. However, if an employee uses paid sick time for scheduled overtime, the Company will not pay the employee at the overtime rate. When calculating an employee's base rate of pay, lost tips or lost commissions are excluded.

Employees will be paid only for the hours they are scheduled to work.

### ***Carryover***

Up to 40 hours of accrued but unused sick time will carry over from year to year, but with an overall cap of 40 hours of sick time per leave year. Therefore, once an employee has a bank of 40 hours of paid sick time, no additional time will accrue in that leave year.

### ***Separation From Employment***

The Company does not pay employees for accrued, unused sick time upon separation from employment for any reason. If an employee is rehired by the Company within six months of the date of separation from employment (whether at the same or a different location), previously accrued but unused sick time will be reinstated and the employee will be permitted to accrue additional time and use any accrued sick time immediately.

## ***Confidentiality***

The Company will treat health information about an employee as confidential and take reasonable steps to protect its confidentiality. The Company will not disclose such health information except to the affected employee or with that employee's written permission, in accordance with applicable federal and state medical privacy laws.

## ***Effect on Other Rights and Policies***

The Company may provide other forms of leave for employees to care for their own or a family member's medical condition under certain federal, state and municipal laws. Leave under this policy will run at the same time as leave available under those laws, provided that the eligibility requirements for the applicable law are met. Employees should contact their DAHL representative for information about other federal, state and municipal medical or family leave rights.

## ***No Discrimination or Retaliation***

The Company will not retaliate, discriminate against or tolerate retaliation or discrimination against any employee because the employee has exercised rights protected under the ACPSDO, including by: requesting or using sick time in accordance with the ACPSDO; attempting to or filing a complaint with the Allegheny County Department of Administrative Services or a court; informing anyone about an employer's alleged violation of the ACPSDO; informing anyone of their rights under the ACPSDO; participating or attempting to participate in an investigation or prosecution of any alleged violation of the ACPSDO; or otherwise exercising any rights afforded under the ACPSDO. Employees have a right to file a written complaint with the Allegheny County Department of Administrative Services, if they believe they have been denied the right to accrue and use sick time as required by the ACPSDO or if they believe they have been retaliated against for exercising their rights under the ACPSDO.

## **Domestic Violence, Sexual Assault or Stalking Victim Leave (Philadelphia)**

Employees working in Philadelphia who are victims of domestic violence, sexual assault or stalking, or who have a family or household member who is a victim of domestic violence, sexual assault or stalking, may take up to insert four weeks of unpaid leave in any 12-month period. Employees may, but are not required, to use any available paid leave such as annual vacation leave, paid-time off (PTO), personal leave and sick leave for purposes of leave under this policy.

Employees may use leave to do any of the following for themselves or for their family or household members.

- Seek medical attention for, or recover from, physical or psychological injuries caused by domestic or sexual violence or stalking;

- Obtain services from a victim services organization;
- Obtain psychological or other counseling services;
- Participate in safety planning, temporarily or permanently relocate, or take other actions to increase safety from future domestic or sexual violence or to ensure economic security: or
- Seek legal assistance or remedies to help ensure health and safety including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

Employees requesting leave under this ordinance must provide their DAHL representative at least 48 hours advance notice of their intention to take the leave. If 48 hours advance notice is not practicable, notice should be provided as soon as it is practical. The Company may require the employee to provide certification within a reasonable period that states:

- The employee or the employee's family or household member is a victim of domestic violence, sexual violence or stalking; and
- The reason for the leave (e.g., legal assistance).

Leave taken under this policy may be taken intermittently or on a reduced work schedule. Where they overlap, leave taken under this policy will run concurrently with leave under the Family and Medical Leave Act.

Health benefits will be maintained through the leave period to the extent and under the same terms as they are maintained when the employee is not on a leave of absence.

## **WORKPLACE SAFETY AND SECURITY**

### **Smoke-Free Workplace**

The Company prohibits smoking in the workplace and in company-owned vehicles occupied by more than one person. Employees wishing to smoke must do so outside company facilities during scheduled work breaks.

Employees that observe other individuals smoking in the workplace in violation of this policy have a right to object and should report the violation to their DAHL representative. Employees will not be disciplined or retaliated against for reporting smoking that violates Pennsylvania law or this policy.

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

## **Cell Phone Use/Texting While Driving**

As set forth in the National Handbook, the Company prohibits employees from using cellular phones for business reasons while driving or for any reason while driving for work-related purposes or driving a company-owned vehicle. Employees should also be aware that using an interactive wireless communications device to send, read or write a text-based communication while driving is a violation of Pennsylvania law, in addition to being a violation of company policy.