

DAHL

IT'S THE PEOPLE.

TENNESSEE 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 other 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 Tennessee Supplement

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

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

The Tennessee 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 his or her 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 his or her 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 Tennessee law, which prohibits discrimination and harassment against any employees or applicants for employment based on race (including hair texture and protective hairstyles (e.g., braids, locs and twists)), creed, color, religion, sex, age (40 and over), disability (including physical, mental or visual or use of a guide animal), national origin, ancestry, lawful, off-duty use of tobacco products, affiliation or refusal to affiliate with a union or other employee organization, or membership in the Tennessee National Guard. 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

The Company will provide employees and applicants with a reasonable accommodation for medical needs arising from pregnancy, childbirth or related medical conditions,

unless doing so would impose an undue hardship on the operation of the Company's business, consistent with Tennessee law.

Reasonable accommodations include, but are not limited to: making existing facilities readily accessible and usable; providing more frequent, longer or flexible breaks; providing access to a private place other than a bathroom stall to express breast milk; modifying a food or drink policy; modifying seating or, if the employee's job requires standing, allowing more frequent opportunities to sit; providing assistance with manual labor and/or limits on lifting; allowing a temporary transfer to a vacant position; providing job restructuring or light duty, if available; acquiring or modifying equipment, devices or an employee's work station; modifying work schedules; and allowing flexible scheduling to accommodate prenatal visits.

Unless the Company does so or would do so for other classes of employees who need a reasonable accommodation, accommodation under this policy does not include hiring new employees that the Company would not have otherwise hired; terminating any employee, transferring any employee with more seniority or promoting any employee who is not qualified to perform the job; creating a new position; compensating an employee for break time that would not otherwise be compensated; or constructing a permanent, dedicated space for expression of breast milk.

The Company may request that an employee seeking any of the following accommodations under this policy provide written certification from a health care professional: (1) temporary transfer to a vacant position; (2) job restructuring; (3) light duty; or (4) an accommodation requiring time away from work. During the time when an employee is making good faith efforts to obtain medical certification, the Company will not take adverse action against the employee related to their need for an accommodation and will engage in a good faith interactive process to determine if a reasonable accommodation can be provided, absent undue hardship.

The Company will not take adverse action against an employee because they request or use reasonable accommodations in accordance with this policy. Employees with questions or concerns regarding this policy or who would like to request an accommodation should contact their DAHL representative.

Abusive Conduct Prevention

It is the Company's policy to provide a work environment that is free from abusive conduct. Accordingly, the Company will not tolerate abusive behavior in the workplace and expects employees to perform their jobs productively during working times and refrain from malicious, patently offensive, threatening, violent or other abusive conduct or behaviors.

For purposes of this policy, abusive conduct refers to acts or omissions that would cause a reasonable person, based on the severity, nature, and frequency of the conduct, to believe they were subject to an abusive work environment. Examples of abusive conduct in the workplace include repeated verbal abuse; verbal, nonverbal, or

physical conduct of a threatening, intimidating, or humiliating nature; or the sabotage of an employee's work performance. Abusive conduct does not include reasonable oversight, such as performance reviews, coaching, requests or the exercise of other supervisory responsibilities.

Protection Against Retaliation

The Company prohibits retaliation against an employee for using the Company's complaint procedure in accordance with this policy, reporting proscribed abusive conduct or filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions or otherwise denying any employment benefit.

How to Report Incidents of Abusive Conduct and/or Retaliation

Employees who believe they have been subjected to abusive conduct or retaliation in violation of this policy, or who are aware of such behavior perpetrated against others, should immediately provide a written or verbal report to their supervisor, any other member of management, Human Resources, or their DAHL representative.

Employees are not required to make a complaint directly to their immediate supervisor or to the individual alleged to have exhibited the abusive conduct. Supervisors and managers who receive complaints of misconduct must immediately report such complaints to the internal Human Resources who will attempt to resolve issues internally.

When a report is received, the Company will conduct a fair, timely, thorough and objective investigation. The Company expects all employees to fully cooperate with any investigation conducted by the Company into a complaint of proscribed abusive conduct. The Company will maintain confidentiality surrounding the investigation to the extent possible and to the extent permitted under applicable federal and state law.

Upon completion of the investigation, the Company will communicate its conclusion as soon as practical. If the Company determines that this policy has been violated, remedial action will be taken, commensurate with the severity of the offense, up to and including termination of employment. Appropriate action will also be taken to deter any such conduct in the future.

GENERAL EMPLOYMENT PRACTICES

Employment Eligibility and Work Authorization

The Company participates in the Electronic Verification System (E-Verify) to electronically verify the work authorization of newly hired employees. E-Verify is an internet-based program that compares information from an employee's Form I-9 to data contained in the federal records of the Social Security Administration and the Department of Homeland Security to confirm employment eligibility. The Company does not use E-Verify to pre-screen job applicants.

The Company is committed to honoring all terms and conditions of E-Verify. Employees who do not contest a Tentative Non-confirmation, or who receive a Final Non-confirmation or No Show, are subject to immediate termination of employment.

The Company will not tolerate any form of discrimination or harassment prohibited by federal, state or local law, including discriminatory treatment based on an individual's national origin or citizenship status. Employees who believe they have been subject to discrimination or harassment, including during the Form I-9 and E-Verify process, should immediately report the matter as further discussed in the policies regarding discrimination and harassment set forth in the Company's National Handbook. The Company prohibits retaliation against employees for making such complaints.

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 infant child. If possible, nursing mothers should take time to express breast milk during their regular meal and/or rest breaks. If the break time cannot run concurrently with meal and/or rest 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 near the employee's work area, 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 reserves the right to not provide additional break time or a private location if doing so would substantially disrupt the Company's operations.

Employees should provide reasonable notice to the Company that they intend to take breaks for expressing breast milk upon returning to work. 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

The Company requires all employees to take a 30-minute meal break when they are scheduled to work six consecutive hours. Meal breaks will not be scheduled before or during the first hour of work. An exception to this policy may apply when the nature of an employee's position allows him or her ample opportunity to rest or take an appropriate break.

An uninterrupted 30-minute meal break will be unpaid for nonexempt employees.

All nonexempt employees must record their meal breaks.

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 their DAHL representative.

Meal Breaks for Minors

The Company requires all employees who are under the age of 18 to take a 30-minute meal break when scheduled to work six or more consecutive hours. The meal break will not be scheduled before or during the first hour of work. An uninterrupted, 30-minute meal break will be unpaid for nonexempt employees.

All nonexempt employees must record their meal breaks.

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 their DAHL representative.

TIME OFF AND LEAVES OF ABSENCE

Parental Leave

Eligibility and Leave Entitlement

Full-time employees, employed with the Company for at least 12 consecutive months, are eligible for up to four months of leave for adoption, pregnancy, childbirth and/or nursing an infant. For leaves taken due to adoption, the four-month period will begin at the time the employee receives custody of the child.

Leave under this policy will run concurrently with any other leave to which the employee is entitled including, when applicable, the federal Family and Medical Leave Act (FMLA).

Pay and Benefits During Leave

Leave taken under this policy will be without pay. Such leave will not affect an employee's right to receive benefits such as vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs for which the employee was eligible on the date the leave began.

The Company will not pay for the cost of any benefits, plans or programs during a leave of absence taken under this policy unless otherwise required to do so by law. For example, employees may be entitled to certain health care benefits under the FMLA if the time off qualifies for protection under that law.

Reinstatement

Employees will be restored to their previous position, or to a similar position with the same status, pay, length of service credit and seniority as they had on the date their leave began *provided* they give the Company at least three months' advance notice of the anticipated date of departure for such leave, the length of the leave and the employee's intention to return to full-time employment after the leave.

The following employees will not forfeit the right to reinstatement solely because they failed to give three months' advance notice:

Employees who are prevented from giving the required three months' notice because of a medical emergency that necessitates that the leave begin earlier than originally anticipated, and

Employees who are prevented from giving three months' advance notice because the notice of adoption was received less than three months in advance of the leave.

Employees may be denied reinstatement under the following conditions:

When the employee's job position is so unique that, after reasonable efforts, the Company is unable to fill the position temporarily.

If the Company learns that the employee actively pursued other employment opportunities during the leave period.

If the Company learns that the employee worked part-time or full-time for another employer during the period of leave.

The Company will notify an employee that he or she will not be reinstated as soon as it learns that one of the above conditions applies.

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.

When employees receive a jury summons, they must show it to their supervisor on the next scheduled day of work. Verification from the court of having served may also be required.

Employees will be excused from work on any day that their jury service, including travel time, exceeds three hours. On days when jury service lasts three hours or less, employees will be required to report to work for the remainder of their work shift. Employees who work the night shift or hours preceding those in which court is normally held will be excused from work for the shift immediately preceding their first day of required jury service. Thereafter, employees will be excused from the next scheduled shift that occurs within a 24-hour period of jury service exceeding three hours.

Except for employees employed on a temporary basis for less than six months, the Company will pay an employee's usual compensation while he or she serves on and travels to jury duty, less the amount of compensation received for serving as a juror. The Company may request that employees provide a statement from the court showing the daily fees or compensation paid to the employee and the total amount of fees or compensation paid for all days served.

Time Off to Vote

The Company encourages all employees to fulfill their civic responsibilities and to vote in all public elections. Most employees' schedules provide sufficient time to vote either before or after working hours. Employees who have less than three hours outside of working hours to vote while the polls are open may take up to three hours off from work, without loss of pay, to vote. The Company may specify the hours during which the employee may be absent.

Employees must request time off from their supervisor before noon on the day preceding the election.

Proof of having voted may be required.

Volunteer Emergency Responder Leave

Any employee who serves as a volunteer firefighter or a volunteer rescue squad worker may be late to or absent from work to respond to an emergency that occurred prior to the time the employee was scheduled to report to work. Time off will be unpaid, except that exempt employees will receive pay when required by applicable law. An employee must make a reasonable effort to notify the Company that he or she will be absent or late to work.

Active volunteer firefighters may be permitted to leave work to respond to fire calls during the employee's regular hours of employment without loss of pay, vacation time, sick leave or earned overtime accumulation. Any employee who is an active volunteer firefighter and who worked for more than four hours the prior day or night as a volunteer firefighter in an emergency may also be permitted to take off the next scheduled work

period within 12 hours following such emergency. The time off will be without pay except that the employee may elect to use available accrued vacation or sick leave.

Employees requesting leave under this policy must provide the Company with a written statement from the supervisor or acting supervisor of the volunteer fire department stating that the employee responded to an emergency and listing the time and date of the emergency.

Military Leave

In addition to the military leave rights set forth in the National Handbook, Tennessee employees who are members of the Tennessee army and air national guard, the Tennessee state guard or the Civil Air Patrol and are on active state duty will be allowed an unpaid military leave of absence when ordered to duty or training in the service of the state of Tennessee, including the performance of duties in an emergency. Such employees are also entitled to reemployment under the same conditions as provided by the Uniformed Services Employment and Reemployment Rights Act (USERRA) to service members who are called to federal active service.

To be eligible for this leave and reemployment, employees must notify the Company of their intent to return to employment following military service in accordance with the following timing requirements:

- Individuals whose period of service was less than 31 days must report to work not later than the beginning of the first full regularly scheduled work period on the first calendar day following the completion of the period of service, safe transport to the individual's residence and an additional eight hour period, unless reporting for work within that time period is not reasonably practicable through no fault of the person, in which case the person must report for work as soon as reasonably practicable;
- Individuals whose period of service was more than 30 but less than 181 days must report to work not later than 14 days after completion of the period of service, unless reporting for work within that time period is not reasonably practicable through no fault of the person, in which case the person must report for work as soon as reasonably practicable; and
- Individuals whose period of service was for more than 181 days must submit an application for reemployment within 90 days after the completion of the period of service.

Employees should provide advance notice of competent orders calling them to active state duty, unless it is impossible or unreasonable to do so under the circumstances of the person's call to duty.

Leave under this policy will be unpaid, except that exempt employees will not incur any reduction in pay for a partial week's absence.

Absence for ordered duty or military training will not result in loss of time, pay that is not specifically related to leave of absence time, regular leave or vacation time or in the impairment of efficiency rating.

Time Off on Veterans' Day

The Company will allow employees who are qualified veterans to take the entirety of Veterans' Day (November 11) off, so long as the employee gives at least one month's written notice of the intent to take time off on Veterans' Day and provides proof of their veteran status (e.g., a DD FORM 214 or other comparable certificate of discharge from the armed forces). For purposes of this policy, qualified veterans include former members of the armed forces of the United States and former or current members of a reserve or Tennessee national guard unit who were called into active military service of the United States.

The day off will be an unpaid holiday unless otherwise required by applicable law.

Employees should contact their supervisor to make appropriate arrangements. The Company reserves the right to deny requested time off under this policy if the veteran employee's absence (either alone or in combination with other veteran employees' absences) would impact public health or safety or cause the Company significant economic or operational disruption.

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.

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 Tennessee law or this policy.

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

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. However, in compliance with Tennessee law, the Company does not prohibit employees

who lawfully possess firearms from transporting or storing their firearms or ammunition inside their locked, privately-owned vehicles in the Company's parking lots or other parking areas provided by the Company. Such lawfully possessed firearms and ammunition must be stored in a place hidden from ordinary observation when the employee is in the vehicle or locked in the vehicle's trunk, glove box or interior, or in a container securely affixed to the vehicle, if the employee is not in the vehicle. The firearms or ammunition may not be removed from the employees' personal vehicle or displayed to others.

Cell Phone Use / Texting While Driving

As 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 handheld mobile telephone to talk (without a hands-free device) or a handheld mobile telephone or a handheld personal digital assistant (PDA) to transmit or read a written message while driving is a violation of Tennessee law, in addition to being a violation of company policy.