

# **DAHL**

**IT'S THE PEOPLE.**

**TEXAS 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 Texas Supplement

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

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

The Texas 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 Texas law, which prohibits discrimination and harassment against any employees or applicants for employment based on race, color, religion, national origin, sex, disability, age (40 and over), genetic information or the refusal to submit to a genetic test. The Company will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law.

The Company also complies with the Texas law prohibiting sexual harassment of unpaid interns.

# **PAY PRACTICES**

## **Lactation Accommodation**

The Company has created a mother-friendly employee worksite lactation support program. The program provides a work environment that is supportive of lactating mothers. Lactation times will be established for any employee who wishes to express breast milk or breastfeed, based on the employee's work schedule. If possible, the lactation time will run concurrently with any break time already provided. Lactation time beyond the regular break time is unpaid and will be negotiated between the employee and the Company.

The Company will provide a private space, other than a bathroom, for lactating mothers to express milk. Where feasible, that space will be dedicated for the specific use of expressing milk by lactating mothers. Where dedicated space is not feasible, the Company will provide a mixed-use space where lactating mothers will have priority over all other users of the space. Access to a safe water source and a sink within a reasonable distance from the lactation space will be provided. Employees may store their expressed milk in their own personal coolers with an ice pack or in the shared break room refrigerator space, if available.

## **Schedules and Hours [Eules, Texas]**

Dahl Consulting complies with the City of Eules's Fair Overtime and Scheduling Standards Ordinance ("FOSSO"). In accordance with that law, the Company adopts the policies and practices described below. These policies and practices apply to all non-exempt employees (including full-time, part-time, seasonal and temporary employees) who work for the Company within the geographic boundaries of the City of Eules.

### ***Advance Notice of Work Schedule***

At or before the time of hire, the Company will provide new covered employees with a written work schedule that runs through the last date of the currently posted schedule. During employment, the Company will also post a written work schedule (including the employees' shifts at the worksite, the specific start and end times for each employee's regular shifts at the worksite, and whether or not they are scheduled to work that week) at least 10 days before the first day of any new schedule. The work schedule will be provided at time of hire.

### ***Schedule Changes***

In the event of a Company-initiated change to the posted work schedule, the Company will notify the affected employee of the need for the change. Except in the case of an Emergency, employees can decline, without penalty, any hours or shifts in addition to those reflected in the posted work schedule. For purposes of this policy, an "Emergency" is: a fire, flood or natural disaster; severe weather that threatens an employee or public safety; threats to the Company or Company property; a State of

emergency declared by the Governor of Texas; or a significant disruption or the risk of significant disruption to passenger air travel.

Employees can voluntarily consent to work additional hours or shifts by obtaining written consent my their manager for each day on which the employee agrees to work additional hours or shifts. In the event of an Emergency, the Company may require an employee to work additional hours or shifts without obtaining voluntary consent. Any additional hours or shifts required in an Emergency without the employee's voluntary consent will be paid at a rate of three times the employee's regular hourly rate of pay.

If the Company reduces an employee's hours from what is included in the posted work schedule, the Company will pay the employee for one-half of the total hours reduced at their regular hourly rate of pay, unless the reduction of hours is due to an Emergency.

### ***Retaliation Prohibited***

The Company will not retaliate or tolerate retaliation against employees for exercising or attempting to exercise their rights protected under the FOSSO.

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

### **Military Leave**

Employees that are called by the governor to active state duty as members of the Texas National Guard or state militia are entitled to the rights, privileges, benefits and protections with respect to employment that are set forth in the federal Uniformed Services Employment and Reemployment Rights Act (USERRA). Accordingly, if eligible employees are called to active duty, they are entitled to a leave of absence in accordance with the Military Leave Policy set forth in the National Handbook.

### **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.

If employees have less than two consecutive hours before or after work to vote, they will be allowed to reasonable time off to vote without loss of pay.

The Company asks that employees provide reasonable advance notice of the need for time off to vote so that the time off can be scheduled to minimize disruption to normal work schedules. Proof of having voted may be required.

### **Political Leave**

The Company will not terminate or otherwise discriminate against employees if they take a leave from work in order to attend a precinct convention or attend a county,

district or state convention as a delegate. Such leave is unpaid except that exempt employees will receive pay when required by applicable federal or state law.

## **Jury Duty Leave**

The Company encourages all regular full-time and part-time 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 or grand juror. Under no circumstances will employees be terminated, threatened, intimidated coerced, or penalized because they request or take leave in accordance with this policy.

Employees must provide their supervisor with notice of any jury summons, grand jury summons or subpoena within a reasonable amount of time after receipt and before their appearance is required. Verification from the court clerk of having served may also be required.

Time spent engaged in attending court for prospective jury or grand jury service or for serving as a juror or grand 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 or grand jury duty. Employees who are absent from work while participating in the jury selection process or while serving as a juror or grand juror will not be asked or required to use any annual, vacation or sick leave during the absence.

## **Time Off to Appear in Court or Attend Proceedings**

Employees may take time off from work for the following reasons:

To attend juvenile court proceedings when required to do so as the parent or guardian of the juvenile; or

To comply with a valid subpoena to appear at a civil, criminal, legislative or administrative proceeding.

Such leave is unpaid except that exempt employees will receive pay when required by applicable federal or state law.

If employees give the Company notice of their intention to return to work after being released from a subpoena or attending a juvenile proceeding, they will usually be returned to the same position. Reemployment may be denied, however, if the Company's circumstances have changed making reemployment impossible or unreasonable.

## **Participation in Emergency Evacuations**

Employees will not be subject to termination, demotion, suspension or any other adverse employment action for leaving work in order to participate in a general public evacuation ordered under an emergency evacuation order.

An emergency evacuation order is an official statement issued by the governing body of the state or of a political subdivision of the state recommending the evacuation of all or part of the population of an area stricken or threatened with a disaster.

## **SAFETY AND SECURITY**

### **Weapons in the Workplace**

In the interest of maintaining a workplace that is safe and free of violence, and in accordance with the policy set forth in the National Handbook, the Company generally prohibits the presence or use of firearms and other dangerous weapons on the Company's property, regardless of whether or not the person is licensed to carry the weapon. The Company posts signs in accordance with sections 30.05, 30.06 and 30.07 of the Penal Code, informing all individuals on Company property that carrying any firearm (openly or concealed, with or without a permit) is prohibited on Company premise.

For purposes of this policy, company property is defined as all company-owned or leased buildings and surrounding areas under the Company's ownership or control, except as noted below. In addition, this policy applies to all company-owned or leased vehicles. Dangerous weapons include, but are not limited to, firearms of any type (including those for which the holder has a legal permit), knives, ammunition, bombs, bows and arrows, clubs, slingshots, blackjacks, metal knuckles and similar devices that by their design or intended use are capable of inflicting serious bodily injury or lethal force.

Notwithstanding any of the foregoing restrictions, the Company does not prohibit those who lawfully possess firearms or ammunition from storing their firearms or ammunition inside their locked, privately owned vehicles in parking lots or other parking areas provided by the Company. Such lawfully possessed firearms and ammunition may not be removed from the employees' personal vehicle or displayed to others while on Company property.

To the extent that parking lots or other parking areas utilized by employees are not owned by the Company, the owners of such parking lots may have additional rules that impact the storage of firearms and ammunition. In such situations, employees must comply with the rules of both the Company and the property owner, in keeping with applicable law.

Employees who violate this policy are subject to disciplinary action up to and including termination of employment. A visitor who violates this policy may be removed from the property and reported to authorities. This policy does not apply to law enforcement personnel or Company security personnel who are engaging in official duties.

The Company reserves the right at any time and at its discretion to search all company-owned or leased vehicles and packages, containers, briefcases, purses, lockers, desks, enclosures and persons entering its property for the purpose of determining whether



any weapon has been brought onto its property or premises in violation of this policy. If employees fail or refuse to promptly permit a search under this policy they will be subject to disciplinary action up to and including termination.

Employees who have questions regarding this policy should contact their DAHL representative.

## **Smoke-Free Workplace**

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

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

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

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

As is set forth in the National Handbook, the Company prohibits employees from using cellular phones for business reasons while driving or for any reason 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 cell phone to write, send, or read a text message while driving is a violation of Texas law, in addition to being a violation of Company policy.