

# **DAHL**

**IT'S THE PEOPLE.**

**UTAH 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 Utah Supplement

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

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

The Utah 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 Utah law, which prohibits discrimination and harassment against employees or applicants for employment based on race, color, religion, sex, sexual orientation, gender identity, pregnancy (including childbirth and pregnancy-related conditions, as well as breastfeeding or medical conditions related to breastfeeding ), age (40 and over), national origin, disability, genetic information and membership in the armed forces or reserves. 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 does not discriminate against employees due to their lawful expression or expressive activity outside the workplace of their religious, political or personal convictions, unless that expression or expressive activity is in conflict with the Company’s essential business-related interests.

## **Accommodations for Pregnancy, Childbirth, Breastfeeding, or Related Conditions**

Employees may request a reasonable accommodation related to pregnancy, childbirth, breastfeeding, or a related condition. A reasonable accommodation will be provided unless it imposes an undue hardship on the Company's operations.

The Company may require an employee to provide a certification from a health care provider concerning the medical advisability of the requested accommodation. The certification must include the date the accommodation becomes medically advisable; the probable duration of the accommodation; and an explanatory statement as to the medical advisability of the accommodation. Medical certification will not be required if the accommodation request is limited to more frequent restroom, food, or water breaks.

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

The Company will not require an employee to terminate employment or deny employment opportunities because of an employee's need for a reasonable accommodation related to pregnancy, childbirth, breastfeeding, or related conditions, unless the accommodation would create an undue hardship on the Company's operations.

## **PAY PRACTICES**

### **Meal and Rest Breaks for Minors**

Employees who are under the age of 18 will be allowed at least one 10-minute paid rest break for every four hours worked and will not be required to work more than three consecutive hours without a 10-minute rest period.

Employees under the age of 18 will be given the opportunity for a meal period of at least 30 minutes, which will occur no later than five hours after the start of the employee's workday. During the meal break, minor employees will be relieved of all duties. An uninterrupted 30-minute meal break will be unpaid for nonexempt employees.

All nonexempt employees must record their meal breaks.

Any employee who is unable to take all the breaks to which they are entitled in accordance with this policy, or who has been prevented or discouraged from taking a break to which they are entitled under this policy, should immediately notify their DAHL representative.

# **TIME OFF AND LEAVES OF ABSENCE**

## **Jury Duty Leave**

The Company encourages all employees to fulfill their civic responsibilities and to respond to jury service 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 respond to a jury service subpoena, attend court for prospective jury service or serve as a juror.

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 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. Employees who are absent from work while participating in the jury selection process or while serving as a juror will not be asked or required to use any annual, vacation or sick leave during the absence.

## **Minor Child Court Appearance Leave**

Employees who are the parent, guardian or legal custodian of a minor child or ward who must appear in court will be allowed leave for the purpose of appearing in court with the child. Employees seeking leave under this policy must request leave at least seven days in advance of the need for leave. However, if an employee does not receive notice of the hearing seven or more days in advance, then the employee must request leave within 24 hours of receiving notice of the hearing.

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

## **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 two hours off from work, without loss of pay, to vote. Any additional time off will be without pay for nonexempt employees.

The Company asks that employees request time off to vote from their supervisor at least one day prior to Election Day so that the time off can be scheduled to minimize disruption to normal work schedules. The Company may specify the hours during which the employee may be absent. If, however, the employee requests leave at the beginning or end of the shift, the Company will grant the request.

Proof of having voted may be required.

## **Military Leave**

In addition to the military leave rights set forth in the National Handbook, Utah employees who are members of the United States military reserves are entitled under Utah law to an unpaid leave of absence for active duty, active duty for training, inactive duty training, or state active duty for a period of up to five years. Returning employees will be reinstated with seniority, status, pay, and vacation reinstated at the level the employee would have had if they had not been absent for military service.

## **Emergency Responder Leave**

Employees who are emergency services volunteers will be allowed time off to respond to an emergency. For purposes of this policy, an “Emergency Services Volunteer” means a volunteer firefighter, emergency medical services personnel, or a person mobilized as part of a *posse comitatus*.

Employees must make a reasonable effort to notify the Company on each occasion that they will be late to or absent from work to respond to an emergency.

The Company may require that employees who need time off to respond to an emergency as an Emergency Services Volunteer submit a written statement from the person who supervises them in the course of performing duties as an Emergency Services Volunteer, stating that the employee responded to an emergency and providing the time and date of the employee’s service.

The Company will not terminate an employee solely for being an Emergency Services Volunteer or for being absent from or late to work as a result of responding to an emergency as an Emergency Services Volunteer.

# **WORKPLACE SAFETY AND SECURITY**

## **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 for work-related purposes or driving a company-owned vehicle. Employees should also be aware that Utah law prohibits all drivers from using a wireless communication device while driving to do any of the following: writing, sending or reading a written communication (including text message, instant message and electronic mail), dialing a phone number, accessing the internet, viewing video or a photograph, recording video, taking a photograph or entering data into a wireless communication device.

Under Utah law “wireless communication device” means: a cellular phone; portable phone; text messaging device; personal digital assistant; stand-alone computer (including a tablet, laptop or notebook computer); global positioning receiver; device

used to display a video, movie, broadcast television image or visual image; or a substantially similar communication device used to initiate or receive communication, information or data.

## **Weapons in the Workplace**

In the interest of maintaining a workplace that is safe and free of violence, and in accordance with the policy set forth in the National Handbook, the Company generally prohibits the presence or use of firearms and other weapons on the Company's property, regardless of whether or not the person is licensed to carry the weapon. In compliance with Utah law, the Company permits employees who lawfully possess firearms or ammunition to store or transport 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 may not be removed from the employees' personal vehicle or displayed to others.

The Company will not be liable for criminal or civil actions resulting from the theft of a firearm from an employee's vehicle, and the Company will not provide additional security for employees.

## **Smoke-Free Workplace**

The Company prohibits smoking, including the use of electronic cigarettes, in the workplace. Employees wishing to smoke must do so outside company facilities during scheduled work breaks. Smoking outside the workplace is prohibited within 25 feet of any entrance, window or ventilation intake of the workplace.

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 Utah law or this policy.

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