



**VIRGINIA 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 Virginia Supplement

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

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

The Virginia 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 Virginia law, which prohibits discrimination and harassment against employees or applicants for employment based on race (including traits historically associated with race, such as hair texture, hair type and protective hairstyles (e.g., braids, locs and twists)), color, religion, national origin, sex (including pregnancy, childbirth or related medical conditions and lactation), gender identity, sexual orientation, age (40 and over), marital status, disability, genetic information and military status (including certain dependents of service members, veterans, and members of the: uniformed forces of the United States, armed forces reserves, National Guard, Virginia Defense Force, and or naval militia). The Company will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law.

Reasonable Accommodations for Individuals with Disabilities

Employees and job applicants have the right to be free from discrimination on the basis of disability and the right to request reasonable accommodations for disabilities. It is unlawful for an employer in Virginia with five or more employees to take certain actions against a job applicant or employee because of disability. Accordingly, the Company will not:

- Fail or refuse to hire, discharge or otherwise discriminate against any individual on the basis of disability;
- Refuse to make reasonable accommodation to the known physical and mental impairments of an otherwise qualified person with a disability, if necessary to assist that person in performing a particular job, unless the accommodation would impose an undue hardship on the Company's business, consistent with Virginia law;
- Take adverse action against an employee because they request or use a reasonable accommodation in accordance with this policy;
- Deny employment or promotion opportunities to an otherwise qualified applicant or employee because the Company will be required to make reasonable accommodation(s) consistent with this policy; or
- Require an employee to take leave if another reasonable accommodation can be provided to the known limitations related to the disability.

The Company will make reasonable accommodations for the known physical or mental impairments of an otherwise qualified employee or applicant with a disability, unless undue hardship would result. Employees with questions or concerns regarding this policy or who would like to request an accommodation should contact their DAHL representative. The Company will engage in a timely, good faith interactive process with an employee who requests an accommodation. The Company has the right to choose among equally effective accommodations.

Pregnancy and Lactation Accommodation

The Company will provide employees and applicants with a reasonable accommodation for known limitations related to pregnancy, childbirth or a related medical condition, including lactation, unless doing so would impose an undue hardship on the Company's business, consistent with Virginia law.

Reasonable accommodations include, but are not limited to: more frequent or longer bathroom breaks; breaks to express breast milk; access to a private location other than a bathroom for the expression of breast milk; acquisition or modification of equipment or access to or modification of employee seating; a temporary transfer to a less strenuous or hazardous position; assistance with manual labor; job restructuring; a modified work schedule; light duty assignments; and leave to recover from childbirth.

After an employee has made a request for accommodation under this policy, the employee and the Company will engage in an interactive process to determine what accommodation, if any, may be appropriate.

The Company prohibits unlawful discrimination on the basis of pregnancy, childbirth or related medical conditions. Employees have the right to reasonable accommodation for known limitations related to pregnancy, childbirth, or related medical conditions, and the Company will not take adverse action against an applicant or 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.

GENERAL EMPLOYMENT PRACTICES

Access to Personnel Records

Upon receipt of a written request from a current or former employee, or the employee's attorney, the Company will provide a copy of records or papers reflecting any of the following:

- The employee's dates of employment with the Company;
- The employee's wages or salary during employment;
- The employee's job description and job title during employment; and
- Any injuries sustained by the employee during the course of employment with the Company.

The request for these personnel records must be in writing, addressed to the DAHL representative. The Company will generally provide the copy within 30 days of receiving the written request. If the Company is unable to provide the requested records within 30 days, we will notify the requesting individual of the reason for the delay and will provide the copy within no more than 30 additional days.

The Company may charge the requesting employee a reasonable fee for providing a paper or electronic copy.

The Company reserves the right to withhold requested records from an employee if the employee's treating physician or clinical psychologist has made a part of the employee's records or papers a written statement that, in his or her opinion, reviewing the records would be reasonably likely to endanger the life or physical safety of the employee or another person. The Company may also withhold such records if the written statement indicates that the records or papers make reference to a person (other than a health care provider) and the access requested would be reasonably likely to cause substantial harm to the referenced person.

PAY PRACTICES

Discussion of Wages

No employee is prohibited from inquiring about, discussing or disclosing their own wages or those of another employee. The Company will not discharge or otherwise discriminate or retaliate against any employee on the basis of such a disclosure or because the employee files a complaint alleging a violation of the Virginia law on wage transparency.

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

Meal Breaks for Minors Under 16

Employees under the age of 16 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.

Employees who are unable to take all of the 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

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 take or request leave in accordance with this policy.

Employees must provide their supervisor with reasonable advance notice of any jury summons or subpoena. Verification from the court clerk of having served may be required.

Employees will be expected to report or return to work for the remainder of the work schedule on any day they are dismissed from jury duty. However, employees who serve

as jurors for four or more hours, including travel time, on the day of the appearance are not required to return to work to start any shift that begins on or after 5:00 p.m. on the day of service or begins before 3:00 a.m. on the day following the day of service.

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 will not be required to use sick leave or vacation for time spent responding to a summons and/or subpoena, for participating in the jury selection process, or for serving on a jury.

Court Appearance Leave

Employees will be allowed time off from work needed to respond to a summons or subpoena to appear in court, except as a criminal defendant. Employees seeking leave under this policy must provide reasonable advance notice.

Time off under this policy will be without pay except that exempt employees will not incur any reduction in pay for a partial week's absence for leave to appear as a witness. Employees will not be required to use sick leave or vacation for time spent responding to a summons and/or subpoena in accordance with this policy.

Election Officials Leave

Employees will be allowed time off from work to serve as an election officer, a member of a local electoral board or an assistant general registrar. Employees must provide their supervisor with reasonable notice of the need for leave.

Employees who serve for four or more hours, including travel time, on the day of election service are not required to return to work to start any shift that begins on or after 5:00 p.m. on the day of service or begins before 3:00 a.m. the following day.

Time off for election officer leave will be unpaid except that exempt employees may receive pay, as required by applicable law. Employees will not be required to use sick leave or vacation time for an absence that is due to service at a polling place on Election Day or a meeting to determine election results.

The Company will not terminate or take any adverse employment action against an employee as a result of requesting or taking leave under this policy.

Crime Victim Leave

Eligible employees who are victims of a crime may take time off from work to attend any criminal proceedings relating to the crime, provided the employee has the right to appear. Employees are eligible for leave under this policy if:

The employee has suffered physical, psychological or economic harm as a direct result of the commission of a felony, assault and battery, maiming or driving while intoxicated;
The employee is a spouse or child of the victim;

The victim is a minor and the employee is the victim's parent or legal guardian; or
The victim is physically or mentally incapacitated or was a homicide victim and the employee is the victim's spouse, parent, sibling or legal guardian.
Employees who are accountable for the crime or who are the relative or guardian of an individual who committed the crime are not eligible for leave under this policy. The Company may limit leave provided under this policy if the leave creates an undue hardship for the Company's business.

Time off under this policy will be without pay except that exempt employees will not incur any reduction in pay for a partial week's absence to appear as a witness. Employees may elect to use accrued paid vacation, personal leave or sick leave.

Before employees may take time off from work for this purpose, they must provide their supervisor with a copy of the form provided to the employee by the applicable law-enforcement agency and, if applicable, provide a copy of the notice of each scheduled criminal proceeding that is provided to the employee as victim.

The Company will not retaliate, or tolerate retaliation, against any employee who seeks or obtains leave under this policy.

Military Leave

In addition to the military leave rights set forth in the National Handbook, members of the state military forces, including members of the Virginia National Guard and Virginia Defense Force and Virginia employees who are members of the National Guard of another state who are called to state active duty or military duty for weekend drills and two-week training duty are entitled to an unpaid leave of absence for the length of the period of active service.

The leave will be unpaid except that employees may elect to use any accrued annual leave or vacation.

The Company will reemploy employees returning from military leave so long as the employee was received an honorable discharge and the combined length of the absence for service and of all previous military leaves of absences from employment with the Company does not exceed five years.

Employees must notify the Company in writing of their intent to return to employment following military service in accordance with the following timing requirements:

Within 14 days of release from duty or from hospitalization following release for individuals whose period of service was 180 days or less; or

Within 90 days of release from duty or from hospitalization following release for individuals whose period of service was more than 180 days.

Upon return, employees will be restored to the position they held when ordered to duty. If that position has been abolished or otherwise ceased to exist during the employee's leave of absence, the employee will be reinstated in a position of like seniority, status

and pay if the position exists, or to a comparable vacant position for which they are qualified, unless to do so would be unreasonable.

Members of the Virginia National Guard who are called to state active duty service are also entitled to the rights, benefits and protections provided under the federal Servicemembers Civil Relief Act. During a leave provided under this policy, employees who are Virginia National Guard members have the right to maintain life, health or accident insurance, as long as they continue to make payments for their contribution to the coverage costs.

Civil Air Patrol Leave

Employees who are volunteer members of the Virginia Civil Air Patrol will be eligible for up to 10 workdays of unpaid leave per federal fiscal year for training for emergency missions and up to 30 workdays of unpaid leave per federal fiscal year for emergency missions. Eligible employees are entitled to use this leave without loss of seniority, accrued leave, benefits or efficiency rating.

Leave taken under this policy is unpaid except that exempt employees will be paid when required by applicable law. Employees will not be required to exhaust accrued vacation or sick leave or any other type of accrued leave prior to taking unpaid civil air patrol leave.

Employees seeking leave under this policy must provide certification that they have been authorized by the United States Air Force, the Governor, or a department, division, agency or political subdivision of the state to respond to or train for an emergency mission. Employees must also provide verification from the Civil Air Patrol of the emergency need for their volunteer service.

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 Virginia law or this policy.

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

Cell Phone Use / Texting While Driving

As set forth in the National Handbook, the Company prohibits employees from using cellular phones for business reasons while driving or for any reason while driving for work-related purposes or driving a company-owned vehicle. Employees should also be aware that using a handheld cell phone while driving is a violation of Virginia law, in addition to being a violation of company policy.