



VanderHouwen

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Paid Sick Leave (Los Angeles)

Paid Sick Leave

VanderHouwen provides paid sick and safe time to eligible employees in compliance with the Los Angeles Minimum Wage Ordinance (LAMWO). For any questions about sick, please contact Human Resources at hr@vanderhouwen.com.

Employee Documentation

Employees are to submit VanderHouwen's Paid Sick Leave Request Form when requesting paid sick time for the appropriate pay period. If an employee uses more than three consecutive days of sick time, VanderHouwen may request supporting documentation verifying the employee was out for a qualifying reason.

Use of Sick Time

Sick time may be used for qualifying absences (see below) in increments of one (1) hour and may be used to cover all or part of a shift. Employees must use sick time for qualifying absences. However, employees may choose to trade shifts instead of using sick time if approved by his or her supervisor. When using sick time, employees are not required to find coverage for their shift.

When using sick time, employees will be paid at the rate the employee would have earned had they not been absent, however, employees will not be paid for lost tips, commissions, or overtime.

Accrued, but unused sick time will not be paid to the employee upon termination, resignation, retirement, or other separation of employment. An employee rehired within 6 months of separation is entitled to use previously accrued sick time immediately upon re-employment.

Requesting Sick and Safe Leave and Documentation

If the need for paid sick and safe leave is foreseeable, employees must provide notice ten days before the leave would begin, unless they learn of the need to use leave within a shorter period.

If the need for paid sick and safe leave is unforeseeable, employees should provide notice as soon as practicable after the need for leave arises. To provide notice of the need to

use paid sick and safe leave, employees must verbally notify his or her supervisor and send a message to hr@vanderhouwen.com.

Employee shall submit a written Paid Sick Leave Request Form to Human Resources within 5 days of returning to work (only two exceptions to the 5 day rule will be granted so long as the form is received prior to next payroll period).

VanderHouwen may require that employees provide documentation verifying that paid sick and safe leave time was used for a covered purpose. Employees are required to provide the requested documentation within five days of the request.

For paid sick and safe leave that is needed because of domestic violence or sexual assault, satisfactory documentation includes:

- A police report indicating that the employee or a family member was a victim of domestic violence or sexual assault;
- A court document indicating that the employee or a family member is involved in legal action related to domestic violence or sexual assault; or
- A signed statement of a victim and witness advocate affirming that the employee or a family member is receiving services from a victim services organization.

The documentation need not explain the details of the violence or medical condition.

Failure to comply with these notice and documentation requirements may result in discipline.

Eligibility

Employees (including full-time, part-time, temporary, or seasonal employees) are eligible for paid sick and safe time if they perform at least two hours of work in any particular week within the geographic boundaries of the City of Los Angeles ("Los Angeles"), qualify as an employee entitled to the state minimum wage, and have worked for VanderHouwen for 30 days or more during any 12-month period which occurs after the start of employment. The 12-month period begins on the first day the employee works in the City of Los Angeles.

Accrual and Use of Paid Sick and Safe Time

Eligible employees begin to accrue paid sick and safe time on July 1, 2017, or upon the first day of employment, whichever is later.

Paid sick and safe time accrues at a rate of one hour for every 30 hours worked in Los Angeles, up to a maximum accrual cap of 72 hours. Once the maximum accrual cap is reached, employees will not accrue additional paid sick and safe time until their accrual balance falls below the cap.

Employees may begin to use their accrued time July 1, 2017 or their 90th day of employment, whichever is later. Employees who have been employed by

VanderHouwen for at least 90 days prior to becoming eligible to accrue paid sick and safe time may use such leave immediately upon accrual.

An employee's use of paid sick and safe time is limited to 48 hours per calendar year. Employees based outside of the City of Los Angeles may only use sick and safe time under this policy during times when they are scheduled to perform work in Los Angeles.

Paid sick and safe time may be used in increments of two hours or greater to cover all or just part of a workday.

Employees will not accrue paid sick and safe time during unpaid leaves of absence.

Reasons Sick and Safe Time May Be Used

Eligible employees may use paid sick and safe time for themselves and their family members:

- For diagnosis, care, or treatment of an existing medical condition; and
- For preventive care.

Eligible employees may also use paid sick and safe time if the employee is a victim of domestic violence, sexual assault or stalking and time off is needed to:

- Obtain or attempt to obtain any relief (e.g., a temporary restraining order, restraining order or other injunctive relief) to help ensure the health, safety, or welfare of the victim or his or her child;
- Seek medical attention for injuries caused by domestic violence, sexual assault or stalking;
- Obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault or stalking;
- Obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking; or
- Participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

For purposes of this policy, "family members" include a:

- Spouse;
- Biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in *loco parentis*;
- Biological, adoptive, or foster parent, stepparent, a legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in *loco parentis* when the employee was a minor child;
- Sibling;
- Grandparent or grandchild;

- Registered domestic partner (as defined by state or local law); and
- An individual related to the employee by blood or affinity whose close association with the employee is equivalent to a family relationship.

The definition of "child" applies regardless of a child's age or dependency status.

Requesting Paid Sick and Safe Time

Employees should contact Human Resources to request sick and safe time. For foreseeable absences, employees must notify Human Resources at least 10 days in advance of taking leave by written request. For unforeseeable absences, employees should provide notice of their intention to use sick and safe time as soon as practicable. Employees should specify that the requested time off is for sick and safe time reasons (as opposed to, for example, vacation time), so that the absence may be designated as a paid sick and safe time absence.

Rate of Pay for Sick and Safe Time

VanderHouwen will calculate the regular rate of pay owed to an employee for used sick and safe time based upon one of the following methods:

- In the same manner as the regular rate of pay for the workweek in which sick and safe time is used (regardless of whether overtime is worked that workweek); or
- By dividing total wages - excluding overtime premium pay - by total hours worked in the full pay periods of the prior 90 days of employment.

Carryover

Accrued but unused sick and safe time will carry over from year to year but with an overall cap of 72 hours. Therefore, once an employee has a bank of 72 hours of sick and safe time, no further time will be carried over or accrued until previously accrued sick and safe time is used.

Separation from Employment

Compensation for accrued and unused sick and safe time is not provided upon separation from employment for any reason. If an employee is rehired by VanderHouwen within 12 months of separation from employment, previously accrued but unused sick and safe time will immediately be reinstated (up to the maximum of 72 hours). Rehired employees will be allowed immediate use of this time and to accrue additional paid sick and safe days upon rehiring, consistent with the use and accrual limitations of this policy.

Confidentiality

VanderHouwen will keep confidential the health information of the employee or employee's covered family member, as well as information related to domestic violence, sexual assault, or stalking perpetrated against the employee. Such information will not be disclosed except to the affected employee or as required by law.

Effect on Other Rights and Policies

VanderHouwen may provide other forms of leave for employees to care for medical conditions or for issues related to domestic violence, sexual assault, or stalking under certain federal, state, and municipal laws. In certain situations, leave under this policy may run at the same time as leave available under another federal, state, or municipal law, provided eligibility requirements for that law are met. VanderHouwen is committed to complying with all applicable laws. Employees should contact Human Resources for information about other federal, state, and municipal domestic violence, sexual assault, stalking, medical, or family leave rights.

No Discrimination or Retaliation

VanderHouwen prohibits discrimination and/or retaliation against employees for requesting or using paid sick and safe time for authorized circumstances, participating in proceedings related to the LAMWO, opposing any practice prohibited by the LAMWO or seeking to enforce or otherwise assert his or her rights under the LAMWO by lawful means. In addition, VanderHouwen prohibits discrimination and/or retaliation against any employee for making a good faith complaint or report about alleged noncompliance with the LAMWO, informing any person about his or her rights under the law or assisting a person in asserting those rights.

**VanderHouwen
Acknowledgement of Revised Policy**

I acknowledge that I have received the Los Angeles Handbook Addendum for the Employee Handbook. The attached policy is intended to be an addition to the current Employee Handbook.

I understand that it is my responsibility to read and comply with this policy. I further understand that I should consult my manager regarding any questions raised by this policy and not answered by the Employee Handbook.

Employee's Name (printed): _____

Employee's Signature: _____

Date: _____