



VanderHouwen

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MICHIGAN HANDBOOK ADDENDUM Effective October 1, 2020

Paid Sick and Safe Leave

VanderHouwen provides eligible employees with paid sick and safe leave in accordance with the requirements of the Michigan Paid Medical Leave Act (PMLA). 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

Certain non-exempt employees whose primary work location is in Michigan are eligible to accrue paid sick and safe leave.

Eligible employees do not include those who worked, on average, fewer than 25 hours per week during the immediately preceding calendar year or any of the following:

- Individuals whose primary work location is not in Michigan;
- Individuals employed for 25 or fewer weeks in a calendar year in a job that is scheduled to last 25 or fewer weeks;
- Variable hour employees as defined by the Affordable Care Act regulations, i.e., based on the facts and circumstances at the start of employment, the employer cannot determine whether the employee is reasonably expected to be employed on average at least 30 hours per week because hours are variable or otherwise uncertain;
- Individuals covered by a collective bargaining agreement that is in effect; or
- Individuals employed by a temporary help firm (i.e., an employer whose primary business is to provide a client with the temporary services of one or more individuals under contract with the employer).

Accrual and Use of Sick and Safe Leave

Eligible employees begin to accrue paid sick and safe leave on the employee's first day of work. Sick and safe leave accrues at a rate of one hour of paid sick and safe leave for every 35 hours worked. Maximum accruals of paid sick and safe leave for eligible employees cannot exceed one hour of leave per week or 40 hours of leave per calendar year. Eligible employees accrue paid sick and safe leave on all hours worked, including overtime hours. Employees do not accrue paid sick and safe leave during paid time off.

Employees may not use accrued paid sick and safe leave until their 90th calendar day after the start of employment. Employees can use up to 40 hours of leave in a single calendar year. Paid sick and safe leave may be used in increments of one hour.

Each employee will be provided an accounting of the amount of accrued and unused sick time available. *Please check your pay stub for this information or contact payroll@vanderhouwen.com.*

Qualifying Absences: Reasons Sick and Safe Leave May be Used

Employees may use paid sick and safe leave for the following reasons:

- The employee's or the employee's family member's mental or physical illness, injury or health condition;
- For the diagnosis, care or treatment of the employee's or the employee's family member's mental or physical illness, injury or health condition;
- For preventive medical care for the employee or the employee's family member;
 - The employee or his or her family member is a victim of domestic violence or sexual assault and needs to:
 - Seek medical care or psychological counseling for physical or psychological injury or disability;
 - Obtain services from a victim services organization;
 - Relocate due to the domestic violence or sexual assault;
 - Obtain legal services; or
 - Participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
- The employee's primary workplace or the employee's child's school or place of care is closed by order of a public official due to a public health emergency;
- Health authorities with jurisdiction or a health care provider have determined that the presence of the employee or the employee's family member in the community would jeopardize the health of others because of his or her exposure to a communicable disease (even if the employee or family member have not actually contracted the disease).

For purposes of this policy, "family member" includes a:

- Child (including a biological, adopted, foster or stepchild, a legal ward or a child for whom the employee stands in loco parentis);
- Parent (including a biological, adoptive, foster or stepparent, parent-in-law, legal guardian or a person who stood in loco parentis to the employee when the employee was a minor child);
- Spouse (i.e., an individual to whom the employee is legally married);
- Sibling (including a biological adopted or foster sibling);
- Grandparent; or
- Grandchild.

Paid Sick and Safe Leave Carryover

Employees who have accrued paid sick and safe leave remaining at the end of the calendar year may carry over up to 40 hours of the accrued and unused time to the next year. VanderHouwen does not offer pay in lieu of actual sick and safe leave.

Confidentiality

Health information and information pertaining to domestic violence or sexual assault related to an employee or the employee's family member will be treated as confidential and not disclosed except to the affected employee or with that employee's permission, unless otherwise required by applicable law.

Rate of Pay

Paid sick and safe leave is compensated at a pay rate equal to the employee's normal hourly or base wage or the applicable minimum wage, whichever is greater. The normal hourly or base wage

rate does not include overtime pay, holiday pay, bonuses, commissions supplemental pay, piece-rate pay or gratuities.

Separation from Employment

Compensation for accrued and unused paid sick and safe leave is not provided upon separation from employment for any reason.

Employees who separate from employment do not retain accrued, unused leave, even if they are later rehired by VanderHouwen.

VanderHouwen will not retaliate or tolerate retaliation against employees because they take paid sick and safe leave in accordance with this policy or otherwise exercise their rights under the PMLA.

Effect on Other Rights and Policies

VanderHouwen may provide other forms of leave for employees to care for medical conditions or for reasons related to domestic violence or sexual assault under certain federal and state laws. In certain situations, paid sick and safe leave under this policy may run at the same time as leave available under another federal or state 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 or state medical or domestic violence-related leave rights.

Equal Employment Opportunity

In addition to the protected statuses listed in VanderHouwen Employee Handbook, and in accordance with Michigan law, VanderHouwen is committed to equal employment opportunity and compliance with federal antidiscrimination laws. We also comply with Michigan law, which prohibits discrimination and harassment against any employees or applicants for employment based on disability, religion, race, color, national origin and ancestry, age, sex (including sexual orientation, gender identity, and pregnancy, childbirth or related medical conditions), height, weight, familial status, marital status, genetic information, Civil Air Patrol membership or membership in the military or naval forces of Michigan or any other state. VanderHouwen will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law.

Disability Accommodation

Employees who require an accommodation in order to perform the essential functions of their job should contact Human Resources in accordance with the procedures identified in the Employee Handbook. Under Michigan law, any employees or applicants for employment with a disability who are in need of an accommodation must notify VanderHouwen in writing of their need for an accommodation within 182 days after the date they knew or reasonably should have known that an accommodation was needed.

Political Opinions

VanderHouwen will not terminate or threaten to terminate employees for the purpose of influencing the employee's vote in an election.

Access to Personnel Records

Employees may inspect their personnel file at reasonable intervals, generally not more than two times per calendar year, within a reasonable time after making a written request to Human

Resources. The inspection will take place in the presence of a company representative, reasonably near the employee's place of employment and during regular office hours. If a review during normal office hours would require the employee to take time off from work, VanderHouwen will provide another reasonable time for review.

Employees may request copies of all or part of their personnel files but will be required to pay the cost of duplication.

For purposes of this policy, "personnel file" means a record identifying an employee that is used, has been used, or may influence, a determination of the employee's qualifications for employment, promotion, additional compensation, transfer or disciplinary action.

Certain information, such as letters of reference and records of certain information, is not included in the personnel file and therefore not subject to inspection. Health and medical records are also not included in the personnel file. These records are confidential. VanderHouwen will safeguard such records from disclosure and will divulge such information only:

- As allowed by law;
- To the employee's personal physician upon written request or permission of the employee; or
- As required for workers' compensation cases.

Employees who disagree with any of the information contained in their file should notify Human Resources. If an employee and VanderHouwen cannot agree to remove or correct the specified information, the employee can submit a written statement explaining his or her position regarding the disputed information. This statement will be maintained as part of the employee's personnel file as long as the disputed information is maintained in the file and will accompany any transmittal or disclosure of the files to a third party. Disclosure to third parties of records relating to disciplinary action will be made only as permitted by law.

Social Security Number Privacy

Employees must provide VanderHouwen with their social security number in order for VanderHouwen to satisfy payroll, state and federal tax and insurance coverage requirements. Consistent with Michigan law, VanderHouwen takes reasonable steps to maintain the confidentiality of social security numbers.

All documents and records containing social security numbers and information are kept in a secure environment. Only authorized personnel with a legitimate business need may access records and documents, both internal and external, that contain an employee's social security number and identification information.

In addition to VanderHouwen's policy protecting against the disclosure of confidential information, employees are prohibited from accessing, viewing or using other employees' social security information maintained by VanderHouwen.

When necessary, documents containing employee social security numbers will be properly destroyed through shredding or other means before disposal.

Any employee who accesses social security data without authorization and/or for unlawful purposes will be disciplined up to and including termination of employment, and may be referred to authorities for possible prosecution.

Discussion of Wages

No employee is prohibited from disclosing the amount of his or her wages. VanderHouwen will not terminate, discipline or otherwise discriminate against any employee because they make such a disclosure.

Crime Victim Leave

Eligible employees may take time off from work to respond to a subpoena or request by the prosecuting attorney to serve as a witness or attend court during the employee's or another victim's testimony.

- Employees are eligible for time off under this policy if:
- The employee suffered direct or threatened physical, financial or emotional harm as a result of the commission of a crime;
- The victim of the crime is deceased and the employee is the victim's spouse, adult child, parent, sibling, or grandparent or the guardian or custodian of the victim's minor child.
- The victim is under age 18 and the employee is the victim's parent, guardian or custodian (but not the defendant and not incarcerated);
- The victim is mentally or emotionally unable to participate in the legal process and the employee is the victim's parent, guardian or custodian (but not the defendant and not incarcerated);
- The victim is physically or emotionally unable to exercise his or her legal rights as a crime victim and the employee is the victim's designated representative as his or her spouse, child (18 years of age or older), parent, sibling, grandparent, or person 18 years of age or older who is neither the defendant nor incarcerated.

Time off under this policy will be unpaid except that exempt employees may be compensated, as required by applicable law.

An employee who is a defendant in the criminal proceedings (or related criminal proceedings) or is incarcerated is not eligible for time off under this policy.

Before an employee may take time off from work under this policy, the employee must provide his or her supervisor with a copy of the notice of proceeding. If advance notice is not feasible, the employee must provide appropriate documentation within a reasonable time after the absence.

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

Jury Duty

VanderHouwen 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.

Employees must provide their supervisor with advance notice of any jury summons or subpoena within a reasonable 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.

Following dismissal from jury duty, employees are expected to return to work for the remainder of their work schedules unless the number of hours worked, when added to the number of hours of jury service, would exceed the number of hours the employee normally works in a day.

Military Leave

In addition to the military leave rights set forth in the Employee Handbook, eligible Michigan employees who are members of the military or naval forces of the United States, Michigan or any other state are entitled to a military leave of absence for the following purposes:

- Being inducted into or entering active service, active state service (including service under the order of the governor of Michigan or any other state), or the service of the United States;
- Determining physical fitness to enter state or federal active service; or
- Performing training duty as an officer or enlisted member of the military or naval forces of a state or the United States.

Total leave from employment under this policy may not exceed five years except in special circumstances.

Reinstatement

Employees who report to work or apply for reemployment within 45 days, or, if the service was more than 180 days, within 90 days, following release from service, release from duty, or rejection will be reemployed as follows:

- Following service of one to 90 days:
 - To the position of employment in which the person would have been employed if continuous employment had not been interrupted by service, if the employee is qualified to perform the duties of that position; or
 - If the employee is not able to perform the duties of the above position after reasonable efforts by the employer to qualify the employee, to the position in which the employee was employed at the commencement of service.
- Following service of more than 90 days:
 - To the position of employment in which the person would have been employed if continuous employment had not been interrupted by service, if the employee is qualified to perform the duties of that position.
 - If the employee is not able to perform the duties of the above position after reasonable efforts by the employer to qualify the employee, to the position in which the employee was employed at the commencement of service.
 - Any other position of nearest approximation in status and pay to those described in (a) and (b) above that the person is qualified to perform, but only if the employee is not qualified and cannot become qualified with reasonable efforts to perform the position described in (b) above.

VanderHouwen may deny reemployment if the employee was separated from service under other than honorable conditions, including a dishonorable or bad conduct discharge.

Benefits Upon Reinstatement

An employee who is reemployed following military leave is entitled to the seniority and to the benefits determined by seniority that they enjoyed at the commencement of the leave plus any additional seniority and benefits they would have attained if continually employed.

In addition, the employee is entitled to rights and benefits not determined by seniority that are provided by VanderHouwen to employees with similar seniority, status and pay who are on a leave of absence under a contract, agreement, policy, practice or plan in effect at the commencement of service or established while the employee performs service.

Civil Air Patrol Leave

Employees who are members of the Civil Air Patrol will be allowed unpaid leave from work to respond as a Civil Air Patrol member to an emergency declared by the governor or the United States President.

Employees must provide as much notice as possible of the dates they will be absent from work and must provide verification from the Civil Air Patrol of the emergency.

Employees who are Civil Air Patrol members must notify VanderHouwen of their membership at the start of employment or on the date of joining the Civil Air Patrol, whichever is later.

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 Employee Handbook, VanderHouwen generally prohibits the presence or use of firearms and other weapons on VanderHouwen's property, regardless of whether or not the person is licensed to carry the weapon. In compliance with Michigan law, VanderHouwen permits employees who lawfully possess firearms to store or transport their firearms inside their locked, privately-owned vehicles in VanderHouwen's public parking lots. Such lawfully possessed firearms may not be removed from the employees' personal vehicle or displayed to others.

Smoke-Free Workplace

VanderHouwen prohibits smoking in the workplace. Employees wishing to smoke must do so outside company facilities during scheduled work breaks.

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 manager or Human Resources. Employees will not be disciplined or retaliated against for reporting smoking that violates this policy.

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

Cell Phone Use

As is set forth in the Employee Handbook, VanderHouwen 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 wireless two-way communication device to write, send or read text messages while driving on a highway is a violation of Michigan law, in addition to being a violation of Company policy.

VanderHouwen
Acknowledgement of Revised Policy
Effective October 1, 2020

I acknowledge that I have received the Michigan 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: _____