



# VanderHouwen

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## Illinois Handbook Addendum Effective 5/1/2022

### **Paid Sick Leave (Chicago)**

VanderHouwen provides eligible employees with sick leave pursuant to the Chicago Minimum Wage and Paid Sick Leave Ordinance (the Ordinance). The guidelines in this policy do not supersede federal, state or local laws regarding leaves of absence, including but not limited to leave taken under the Family and Medical Leave Act (FMLA), Illinois Employee Sick Leave Act, leave taken as a reasonable accommodation under the Americans with Disabilities Act (ADA) or the Illinois Human Rights Act (IHRA), or any other applicable federal, state or local law, including those prohibiting discrimination and harassment. For any questions about sick, please contact Human Resources at [hr@vanderhouwen.com](mailto:hr@vanderhouwen.com).

### **Eligible Employees**

All employees, including full-time, part-time and temporary workers, who work at least 80 hours in any 120-day period and who in any particular two-week period perform at least two hours of work for VanderHouwen while physically present within the city of Chicago are eligible to accrue paid sick leave.

### **Accrual and Use of Sick Leave**

Eligible employees begin accruing paid sick leave on their first calendar day after the start of their employment. Employees accrue one hour of paid sick leave for every 40 hours worked within Chicago, up to a maximum of 40 hours in a benefit year. The benefit year begins on January 1st each year.

Employees accrue paid sick leave in one-hour increments and may not accrue in any fraction of an hour. Employees may use paid sick leave in one-hour increments.

For accrual purposes, salaried, exempt employees are assumed to work 40 hours per workweek, unless the standard workweek differs from 40 hours per week. In that case, the employee will accrue one hour of leave for every 40 hours of salaried work. Eligible employees may not use accrued paid sick leave until the 180th calendar day following the start of employment. Thereafter, employees may use the leave as it accrues. Employees may use a maximum of 40 hours of accrued paid sick leave during each benefit year. FMLA-eligible employees may use a maximum of 60 hours of accrued paid sick leave during each 12-month period. This includes 40 hours of accrued but unused paid sick leave for FMLA-eligible purposes only ("FMLA-Restricted Paid Sick Leave") and 20 hours of regular paid sick leave.

Employees are not required to seek or find an employee to cover their work when they take paid sick leave.

Employees will not accrue paid sick leave during an unpaid leave of absence or while using paid leave.

## Reasons Sick Leave May Be Used

Paid sick leave may be used for the following reasons:

- The employee is ill or injured or is receiving professional care, including preventive care, diagnosis or treatment, for medical, mental or behavioral issues, including substance abuse disorders;
- The employee's family member is ill or injured, or ordered to quarantine, or requires care because they are receiving professional care, including preventive care, diagnosis or treatment for medical, mental or behavior issues, including substance abuse disorders;
- The employee or a family member is the victim of domestic violence, human trafficking or a sex offense (including stalking, aggravated stalking or cyber stalking);
- A public official closes the employee's place of business because of a public health emergency;
- The employee needs to care for a family member whose school, class or place of care has been closed; and
- An employee obeys an order issued by the mayor, the Governor of Illinois, the Chicago Department of Public Health, or a treating healthcare provider, requiring the employee to:
  - Stay at home to minimize the transmission of a communicable disease;
  - Remain at home while experiencing symptoms or sick with a communicable disease;
  - Obey a quarantine order issued to the employee; or
  - Obey an isolation order issued to the employee.

A "family member" includes the employee's:

- Child (including a biological child, adopted child, stepchild, foster child and child to whom the employee stands in loco parentis);
- Legal ward;
- Spouse or domestic partner;
- Co-parent;
- Parent (including a biological parent, adoptive parent, foster parent, stepparent, legal guardian of the employee, a person who stood in loco parentis when the employee was a minor child, and spouse or domestic partner's parent);
- Sibling;
- Grandparent;
- Grandchild;
- Godchild;
- Godparent; and
- Any other individual related by blood or whose close association with the employee equates to a family relationship.

Employees cannot use paid sick leave when suspended or otherwise placed on leave for disciplinary reasons. Employees who use paid sick leave for an unauthorized purpose may be subject to disciplinary action, up to and including termination.

## Requesting Sick Leave/Documentation

When the need for paid sick leave is reasonably foreseeable, employees must provide seven days' notice of the need for sick leave. Reasonably foreseeable absences include but are not limited to prescheduled appointments with health care providers for the employee or a family member and court dates in domestic violence cases. To provide notice of the need to use sick leave, employees should contact Human Resources.

If the need for paid sick leave is unforeseeable, employees must provide notice as soon as practicable on the day the employee intends to take the paid sick leave. Employees may provide notification of their need for unforeseeable leave via phone, email or text message. These notice requirements are waived in

the event an employee is unable to provide the required notice because he or she is unconscious or otherwise incapacitated. 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](mailto: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.

If paid sick leave is used for more than three consecutive workdays, VanderHouwen may require that the employee provide certification that the paid sick leave was used for a covered purpose. For a medical-related absence, an employee can satisfy this requirement by providing documentation signed by a licensed health care provider. However, for leave related to domestic violence or a sex offense, the employee may provide a copy of any of the following documents:

- Police report;
- Court document;
- Signed statement from an attorney, clergy or victim services advocate;
- The employee's own written statement;
- The written statement of any person with knowledge of the circumstances; or
- Any other evidence that supports the employee's reason for taking paid sick leave.

### **Carryover**

Accrued but unused paid sick leave may be carried over from year to year. Generally, at the end of the employee's benefit year, the employee may carry over half (up to 20 hours) of his or her accrued but unused paid sick leave. New employees whose start date occurs before the beginning of the benefit year may carry over all accrued but unused paid sick leave, up to a maximum of 20 hours. If an employee has an odd number of accrued but unused paid sick leave hours, the number will be rounded up to the next even number for purposes of calculating the number of hours for carryover (e.g., nine hours will be rounded up to 10 hours, so the employee may carry over five hours of accrued but unused paid sick leave into the next 12-month accrual period).

Additionally, FMLA-eligible employees may carry over up to 40 hours of accrued but unused paid sick leave for FMLA-Restricted Paid Sick Leave. These hours will not be divided in half. However, under no circumstances will the employee be permitted to carry over more than 40 hours of FMLA-Restricted Paid Sick Leave or more than 20 hours of regular paid sick leave into the following 12-month accrual period. Employees may use no more than 60 total hours of combined regular paid sick leave and FMLA-Restricted Paid Sick Leave per 12-month period.

### **Rate of Pay and Overtime**

Paid sick leave is compensated at the same rate and with the same benefits an employee regularly earns during hours worked.

### **Separation From Employment**

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

If an employee is separated from employment with VanderHouwen but rehired at a later date, VanderHouwen has sole discretion in determining whether previously accrued but unused paid sick leave will be available for the employee's use and/or carryover.

### **Equal Employment Opportunity**

VanderHouwen is committed to equal employment opportunity and to compliance with federal antidiscrimination laws. We also comply with Illinois law, which prohibits discrimination and harassment

against any employees or applicants for employment based on their actual or perceived race, color, sex (including married women and unmarried mothers), religion, age (40 or older), national origin, ancestry, marital status, protective order status, military status, unfavorable discharge from military service, sexual orientation (including actual or perceived orientation and gender identity), citizenship status or work authorization status, genetic information, ancestry, religion, pregnancy (including childbirth or medical or common conditions related to pregnancy or childbirth, past pregnancy condition and the potential or intention to become pregnant), status as a victim of domestic, sexual, gender or criminal violence, certain arrest or criminal history records, homelessness (i.e., lack of a permanent mailing address or a mailing address that is a shelter or social services provider) and use of lawful products outside of work during nonworking hours. VanderHouwen will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law.

VanderHouwen also complies with the Illinois law that restricts the circumstances under which employers may base employment-related decisions on an individual's credit report or credit history.

## **Pregnancy Accommodation**

Employees and applicants for employment may request a reasonable accommodation for pregnancy, childbirth or related medical or common conditions to enable them to perform the essential functions of their job. In accordance with the Illinois Human Rights Act (IHRA), a reasonable accommodation will be provided unless the accommodation will impose an undue hardship on VanderHouwen's business operations.

Reasonable accommodations may include but are not limited to: modifications or adjustments to the job application process; more frequent or longer bathroom, water or rest breaks; assistance with manual labor; light duty; temporary transfer to a less-strenuous or -hazardous position; acquisition or modification of equipment; reassignment to a vacant position; private, non-restroom space for expressing breast milk and breastfeeding; job restructuring; a part-time or modified work schedule; appropriate adjustment to or modification of examinations, training materials or policies; seating; an accessible worksite; and time off to recover from conditions related to childbirth, or a leave of absence necessitated by pregnancy, childbirth or medical or common conditions resulting from pregnancy or childbirth.

Employees who take leave as an accommodation under this policy will be reinstated to their original job or to an equivalent position with equivalent pay, seniority, benefits and other terms and conditions of employment upon their notification to VanderHouwen of their intent to return to work or when the employee's need for a reasonable accommodation ends. Reinstatement is not required, however, if an undue hardship would result to VanderHouwen's business operations.

When an employee is provided with a leave of absence as a reasonable accommodation and the need for time off is foreseeable, the employee must provide prior notice of the need for leave in a manner that is reasonable and practicable. When the need for time off or leave is foreseeable based on planned medical

treatment or supervision, the employee must also make a reasonable effort to schedule the treatment or supervision in a manner that does not unduly disrupt VanderHouwen operations, subject to the approval of the employee's health care provider. If the need for leave is not foreseeable or expected, the employee must provide notice to VanderHouwen as soon as possible and practical and in a manner that is reasonable and practicable.

VanderHouwen may request certain documents from an employee or applicant's health care provider regarding the need for an accommodation. It is the employee's or applicant's duty to provide the requested documentation to VanderHouwen.

VanderHouwen will not deny employment opportunities or take adverse employment actions against employees or otherwise qualified applicants for employment based on the need to make such reasonable accommodations, nor will VanderHouwen retaliate against applicants or employees who request, use or attempt to use accommodations or otherwise exercise their rights under the IHRA.

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

### **Accommodation for Victims of Domestic, Sexual or Gender Violence or Any Other Crime of Violence**

VanderHouwen will provide reasonable accommodations for qualified employees or applicants for employment who are or are perceived to be the victim of domestic, sexual or gender violence (including sexual assault and stalking) or any other crime of violence or who are the family or household member of such a victim, unless providing the accommodation will impose an undue hardship on VanderHouwen's business operations.

For purposes of this policy, a "family or household member" means a: spouse; civil union partner; parent; grandparent; child (regardless of age or disability); grandchild; sibling; other person related by blood or by present or prior marriage or civil union; other person who shares a relationship through a child; any other individual whose close association with the employee is the equivalent of a family relationship (as determined by the employee); or a person jointly residing in the same household with the employee). Crimes of violence include homicide, various sex offenses, offenses that cause bodily harm, harassing and obscene communications, terrorism and armed violence.

Reasonable accommodations may include, but are not limited to, the following adjustments to job structure, the workplace or a work requirement in response to actual or threatened domestic, sexual or gender violence or any other crime of violence:

- Transfer;
- Reassignment;
- Modified schedule;
- Leave of absence;
- Changed telephone number;
- Changed seating assignment;
- Installation of a lock;
- Implementation of a safety procedure; and
- Assistance in documenting domestic, sexual or gender violence or any other crime of violence that occurs in the workplace or related settings.

Employees may also be entitled to a leave of absence under VanderHouwen's Leave for Victims of Domestic, Sexual or Gender Violence or Any Other Crime of Violence policy and should consult that policy and/or Human Resources for additional information.

VanderHouwen will not discriminate, harass or retaliate against any employee or applicant for employment: (1) because the individual is, or is perceived to be, a victim of domestic, sexual or gender violence or any other crime of violence or requests a reasonable accommodation in accordance with this policy; or (2) when the workplace is disrupted or threatened by the action of a person that the individual states has committed or threatened to commit domestic, sexual or gender violence or any other crime of violence against the individual or the individual's family or household member.

VanderHouwen will keep all information pertaining to an employee's request for an accommodation confidential, except in cases where an employee requests or consents in writing to disclosure or disclosure is required by federal, state or local law. This includes any statement of the employee or other documentation, record or corroborating evidence and the fact that the employee has requested or obtained an accommodation in accordance with this policy.

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

## **Religious Accommodation**

Employees and applicants for employment may request a reasonable accommodation for their sincerely held religious beliefs, practices, and/or observances, including but not limited to the wearing of any attire, clothing or facial hair in accordance with the requirements of their religion. In accordance with the Illinois Human Rights Act (IHRA), VanderHouwen will provide a reasonable accommodation unless such accommodation will impose an undue hardship on VanderHouwen's business operations.

VanderHouwen will not deny employment opportunities or take adverse employment actions against employees or otherwise qualified applicants for employment based on the need to make such reasonable accommodations, nor will VanderHouwen retaliate against applicants or employees who request accommodations or otherwise exercise their rights under the IHRA. Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact Human Resources.

## **Sexual Harassment Protections for Hotel Workers (Chicago)**

VanderHouwen is committed to providing a work environment that is safe for its employees and free of sexual harassment. All employees are expected to comply with VanderHouwen's Sexual and Other Unlawful Harassment policy, as set forth in the Employee Handbook, which strictly prohibits sexual harassment by employees and by hotel guests. Prohibited sexual harassment includes any unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature.

In addition to the protections set forth in this policy and VanderHouwen's Sexual and Other Unlawful Harassment policy, the Illinois Human Rights Act, Chicago Human Rights Ordinance and Title VII of the Civil Rights Act of 1964 also provide protections against sexual harassment in the workplace.

## **Portable Notification Device**

As part of our efforts to ensure employee safety, VanderHouwen will provide a portable notification device or "panic button" to all full-time and part-time employees who, as part of their job duties, are required to enter guest rooms or restrooms alone. Employees should use the device to summon help in the event an ongoing crime, sexual harassment, sexual assault or other emergency is occurring. Any employee who believes such conduct is occurring should immediately cease work, leave the area and alert hotel security personnel and/or call 911.

## **Complaint Procedure**

Any employee who believes that he or she has been harassed or assaulted by a hotel guest, or who is aware of such harassment or assault, should provide a written or verbal report to his or her supervisor, another member of management, to Human Resources as soon as possible.

VanderHouwen will promptly undertake a thorough and objective investigation. VanderHouwen will also provide the complaining employee with a temporary reassignment of work, such as assignment to a different floor, station or work area, for the duration of the guest's stay at the hotel. The employee will also be allowed paid time off if needed to sign a complaint with the police department or testify as a witness in any legal proceeding that results from his or her complaint.

## **Retaliation Prohibited**

VanderHouwen will not retaliate, and prohibits retaliation, against an employee because he or she reasonably uses the portable alarm device or, in good faith, reports an incident of harassment or assault, requests temporary transfer following an incident of assault or harassment, requests paid time off to sign a complaint with the police department or testify in a criminal proceeding arising from such a complaint, or discloses, reports or testifies about a violation of this policy or the Chicago Human Rights Ordinance.

## **Sexual and Other Unlawful Harassment**

VanderHouwen is committed to providing a work environment free of harassment. VanderHouwen complies with Illinois law and maintains a strict policy prohibiting sexual harassment and unlawful discrimination against employees or applicants for employment based on their actual or perceived race, color, religion, sex (including pregnancy, childbirth and related medical conditions), national origin, ancestry, age (40 or over), marital status, physical or mental disability, military status, sexual orientation (actual or perceived), gender identity, unfavorable discharge from military service, or citizenship status. VanderHouwen will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law. VanderHouwen's anti-harassment policy applies to all persons involved in its operations, including contractors or consultants, and prohibits harassing conduct by any employee of VanderHouwen, including supervisors, managers and nonsupervisory employees. This policy also protects employees from prohibited harassment by third parties, such as customers, vendors, clients, visitors or temporary or seasonal workers.

All employees are expected to comply with VanderHouwen's Sexual and Other Unlawful Harassment policy as set forth in the National Handbook. While the Sexual and Other Unlawful Harassment policy sets forth VanderHouwen's goals of promoting a workplace that is free of harassment, the policy is not designed or intended to limit VanderHouwen's authority to discipline or take remedial action for workplace conduct that we deem unacceptable, regardless of whether that conduct satisfies the definition of unlawful harassment.

Any employee who is found to have engaged in discriminatory or harassing conduct will be subject to appropriate disciplinary action, up to and including termination. Retaliation against anyone reporting acts of harassment or discrimination, participating in an investigation, or helping others exercise their right to complain about discrimination is unlawful and will not be tolerated.

In addition to the complaint procedures set forth in the National Handbook, any employee who believes that they have been harassed or discriminated against may file a complaint with the Illinois Department of Human Rights (IDHR).

The IDHR may be reached at the following locations:

- Chicago Office: James R. Thompson Center, 100 West Randolph Street, Suite 10-100, Chicago, Illinois 60601, telephone number (312) 814-6200, (866) 740-3953 (TTY), fax number (312) 814-6251.
- Springfield Office: 535 W. Jefferson Street, 1st Floor, Springfield, Illinois 62702, telephone number (217) 785-5100, (866) 740-3953 (TTY), fax number (217) 785-5106.
- Website: [www.illinois.gov/dhr](http://www.illinois.gov/dhr). Email: [IDHR.Intake@illinois.gov](mailto:IDHR.Intake@illinois.gov).

Employees may also report their concerns to the IDHR's Illinois Sexual Harassment and Discrimination Helpline at (877) 236-7703.

## **Access to Personnel Files**

Employees can access their own personnel file at least two times each calendar year at reasonable intervals. An employee's request to access his or her personnel file must be in writing. Current employees will be permitted to inspect, and if requested, copy their personnel files within seven business days after VanderHouwen receives their written request. If VanderHouwen is unable to provide access to the personnel file within seven working days, VanderHouwen will do so within the next seven working days. Employees subject to recall after layoff or on a leave of absence with a right to return to work and former employees whose employment ended during the previous year may also request to inspect their personnel file.

Inspection will take place during regular business hours at a location at, or reasonably near, the employee's place of employment. If an employee demonstrates that he or she is unable to review the file at the place of employment and submits a written request, VanderHouwen will provide a copy of file. Employees who request and receive a copy or partial copy of their personnel file may be required to pay the cost of duplication.

Employees who are involved in a current grievance against VanderHouwen may designate, in writing, a representative to inspect their personnel file.

Personnel file documents do not include letters of reference, materials that are used by VanderHouwen to plan for future operations, information contained in separately maintained security files, test information, the disclosure of which would invalidate the test, certain personal information about people other than the employee, or documents which are being developed or prepared for use in civil, criminal or grievance procedures.

If an employee disagrees with any of the information contained in his or her personnel file or medical records, the employee may request that VanderHouwen remove or correct such information. If the employee and VanderHouwen cannot agree upon such removal or correction, the employee may submit a written statement explaining his or her position. The employee's written statement will be maintained as part of his or her personnel file or medical records and will accompany any transmittal or disclosure from such file or records made to a third party.

## **Vacation/Paid Time Off (PTO)**

VanderHouwen will pay employees for any accrued but unused PTO upon termination of employment.



## **Mandatory Time Off/Day of Rest**

VanderHouwen will provide nonexempt, nonsupervisory employees working more than 20 hours per week with at least one day (24 consecutive hours) of rest during every calendar week. Certain exceptions may apply.

## **Family Military Leave**

Eligible employees who are the spouse, parent, child or grandparent of a person called to military service are entitled to up to 15 days of unpaid leave during the time federal or state deployment orders are in effect. To be eligible for leave, employees must:

- Have been employed by VanderHouwen for at least 12 months;
- Have worked for VanderHouwen for at least 1,250 hours during the 12-month period immediately preceding the leave; and
- Be the spouse, parent, child or grandparent of a person called to military service lasting longer than 30 days with the state or the United States pursuant to orders of the Governor or the President.

VanderHouwen may require verification of an employee's eligibility for leave from the proper military authority.

Employees may not take family military leave until they have exhausted all accrued vacation, personal, compensatory or any other leave granted to employees, with the exception of sick and disability leave.

Employees taking family military leave for five or more consecutive workdays must notify their supervisor of the intended date of the leave at least 14 days in advance.

If possible, employees must consult with their supervisor regarding the scheduling of leave in an effort to minimize disruption to VanderHouwen's operations. Employees taking family military leave for fewer than five consecutive days must give their supervisor as much advance notice as is practicable.

During family military leave, employees may continue any benefits, if applicable, at their own expense. No loss of seniority status will occur as a result of leave taken under this policy, nor will leave result in the loss of any benefits accrued prior to the leave. Where applicable, time off under this policy will run concurrently with time off under the federal Family and Medical Leave Act.

Upon return from leave, employees will be restored to their prior position or to a position with equivalent seniority status, benefits, pay and other terms and conditions of employment.

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

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- Have worked for VanderHouwen for at least 1,250 hours during the 12-month period immediately preceding the leave; and

- Be the spouse, parent, child or grandparent of a person called to military service lasting longer than 30 days with the state or the United States pursuant to orders of the Governor or the President.

VanderHouwen may require verification of an employee's eligibility for leave from the proper military authority.

Employees may not take family military leave until they have exhausted all accrued vacation, personal, compensatory or any other leave granted to employees, with the exception of sick and disability leave.

Employees taking family military leave for five or more consecutive workdays must notify their supervisor of the intended date of the leave at least 14 days in advance.

If possible, employees must consult with their supervisor regarding the scheduling of leave in an effort to minimize disruption to VanderHouwen's operations. Employees taking family military leave for fewer than five consecutive days must give their supervisor as much advance notice as is practicable.

During family military leave, employees may continue any benefits, if applicable, at their own expense. No loss of seniority status will occur as a result of leave taken under this policy, nor will leave result in the loss of any benefits accrued prior to the leave. Where applicable, time off under this policy will run concurrently with time off under the federal Family and Medical Leave Act.

Upon return from leave, employees will be restored to their prior position or to a position with equivalent seniority status, benefits, pay and other terms and conditions of employment.

VanderHouwen will not discriminate against, or tolerate discrimination 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 and subject to the additional provisions set forth in the Illinois Service Member Employment and Reemployment Rights Act (ISERRA) and described in this policy, members of the US Armed Forces, the National Guard of any state or territory regardless of status and the Illinois State Guard, as well as those serving in a federally recognized auxiliary of the United States Armed forces and performing official duties in support of military or civilian authorities as a result of an emergency, are entitled to the rights, protections, privileges and immunities provided under the federal Uniformed Services Employment and Reemployment Rights Act (USERRA) and described more fully in the Military Leave policy set forth in the National Handbook.

Employees are entitled to a military leave of absence for active service in accordance with this policy so long as they provide advance notice of pending military service. There may be an exception to this advance notice requirement based on military necessity, as determined by the appropriate state military authority. For purposes of this policy, "military service" includes:

- Service (active or reserve) in the US Armed Forces, the National Guard of any state or territory regardless of status, and the Illinois State Guard;
- Service in a federally recognized auxiliary of the US Armed Forces when performing official duties in support of military or civilian authorities as the result of an emergency; and
- A period during which an employee is absent from employment for the purpose of medical or dental treatment for a condition, illness or injury sustained or aggravated during a period of active service and the treatment is paid for by the US Department of Defense Military Health System.

Also for purposes of this policy, "active service" means all forms of active and inactive duty (without regard to voluntariness), including, but not limited to: annual training, active duty for training, initial active duty training, overseas training duty, full-time National Guard duty, active duty other than training, state active duty, mobilizations and muster duty. Active service includes active service without pay.

VanderHouwen may require additional documentation from an appropriate military authority for leave due to performance of official duties in support of military or civilian authorities as the result of an emergency or for the employee's medical or dental treatment.

Employees requesting leave are not required to find an employee to cover their work when they take leave under this policy. Employees taking military leave are also not required to accommodate work-related needs pertaining to the timing, frequency or duration of their leave. VanderHouwen may bring concerns over the timing, frequency or duration of military leave to the attention of the appropriate military authority, but understands that accommodation of these concerns is subject to military law and the discretion of that military authority.

Accrued, unused vacation or PTO will be paid during military leave at the employee's request.

### **Reinstatement**

In order to be eligible for reinstatement, an employee must have completed his or her service on a basis that is not dishonorable or otherwise prohibited under federal or state law. A retroactive upgrade of a disqualifying discharge or release will restore reemployment rights, provided the service member employee otherwise meets the eligibility criteria under ISERRA.

An employee who is absent on military leave will, for the period of leave, be credited with the average of the efficiency or performance ratings or evaluations received for the three years immediately prior to the absence for military leave. The rating will not be less than the rating that the employee received for the rated period immediately prior to his or her absence on military leave. Except for during probationary periods, the period of military leave will also be counted in computing seniority and time-in-service requirements for promotion eligibility or any other benefit of employment.

### **School Visitation Leave**

Eligible employees who are the parent or legal guardian of a child (including a biological, adopted, foster or stepchild) enrolled in a public or private primary or secondary school located in Illinois or a state that shares a common border with Illinois may take time off to attend certain academic activities related to their child. Eligible employees are those who have worked for VanderHouwen for at least six consecutive months immediately preceding the leave request and who have worked, on average, a number of hours equal to or greater than one-half of a full-time position during the six-month period.

Employees will not be permitted to take leave under this policy unless they have first exhausted all accrued vacation and other appropriate leave (not including sick or disability leave). Employees are also required to submit a written request for leave at least seven days in advance in nonemergency situations, and, in emergency situations, 24 hours in advance.

Eligible employees will be allowed up to eight hours of leave during any school year to attend school conferences, behavioral meetings or academic meetings related to the employee's child, if those conferences or meetings cannot be scheduled outside of work hours. No more than four hours of leave may be taken on any single day. Employees must consult with their supervisor to schedule the leave so as not to unduly disrupt VanderHouwen's business operations. Time off under this policy will be unpaid except that exempt employees will be paid when required by applicable law.

Employees must provide verification of the academic activity from the school within two working days of the school visit. The verification should include the time and date of the employee's visit. For employees who fail to timely submit the verification, the absence may be treated as unexcused.

VanderHouwen will allow, but not require, nonexempt employees to make up the amount of hours taken for the leave, as long as there is a reasonable opportunity to make up the hours in a manner that does not require payment of overtime. Exempt employees may be required to make up the leave hours within the same pay period.

VanderHouwen will not terminate or otherwise discriminate against employees who take leave in accordance with this policy.

## **Emergency Responder Leave**

Employees who are volunteer emergency workers will be allowed time off when needed to respond to an emergency call. For purposes of this policy, "volunteer emergency workers" include volunteer firefighters, emergency medical technicians, ambulance drivers and attendants, first responders, volunteers under the Illinois Emergency Management Agency Act and auxiliary public safety officials. Employees will not be terminated for being late to or absent from work for this purpose. VanderHouwen also will not discipline employees who are volunteer emergency workers because they respond to an emergency call or emergency text message requesting their volunteer emergency medical services or firefighter services during work hours, so long as the employee does not violate VanderHouwen's Cell Phone policy.

Employees must make a reasonable effort to notify VanderHouwen of an emergency call. Upon return, VanderHouwen may require that employees provide a written statement certifying that they were responding to an emergency.

Time off under this policy will be without pay, except that exempt employees may receive pay as required by applicable law.

## **Blood Donor Leave**

Upon request, eligible employees will be allowed up to one hour of paid leave to donate, or attempt to donate, blood every 56 days.: If an employee attempts to donate blood, but is unsuccessful (as determined by the blood bank), the employee will retain the one hour of blood donation leave.

"Eligible employees" are full-time employees who have been employed by VanderHouwen for six months or longer and have obtained approval for the time off.

Employees will not be required to use accrued or future vacation or sick leave while taking time off to donate blood.

When requesting time off for this purpose, employees must submit documentation of the appointment to donate blood in advance of the appointment. VanderHouwen may require that employees provide a written statement from the blood bank confirming the employee's attendance at the appointment.

Employees who have questions regarding this policy or who feel they have been wrongfully charged leave, denied leave or denied pay for leave under this policy should promptly notify their supervisor or Human Resources.

## **Civil Air Patrol Leave**

Eligible employees who are members of the Civil Air Patrol may be entitled to up to 15 days of unpaid leave for the purpose of serving on a Civil Air Patrol mission. "Eligible employees" are those who have worked for VanderHouwen for 12 months and have worked 1,250 hours during the 12-month period immediately preceding the leave request.

If the leave will last five or more consecutive workdays, employees must provide at least 14 days' notice of the intended date upon which the leave will begin. If the leave will last fewer than five consecutive days, employees must provide as much notice as is practical. When possible, employees must consult with their supervisors about scheduling time off under this policy, in order to minimize the disruption to business operations.

VanderHouwen may require certification from the proper Civil Air Patrol authority to verify an employee's eligibility for leave.

Employees returning from leave will be reinstated to the same position or one with equivalent seniority status and the same pay and benefits as they had prior to the leave, unless factors other than the exercise of leave under this policy prevent reinstatement.

Employees on Civil Air Patrol leave are entitled to continue benefits at their own expense. Taking such a leave will not result in employees losing any benefits earned prior to the leave.

## **Civil Air Patrol Leave**

Eligible employees who are members of the Civil Air Patrol may be entitled to up to 30 days of unpaid leave for the purpose of serving on a Civil Air Patrol mission. "Eligible employees" are those who have worked for VanderHouwen for 12 months and have worked 1,250 hours during the 12-month period immediately preceding the leave request.

If the leave will last five or more consecutive workdays, employees must provide at least 14 days' notice of the intended date upon which the leave will begin. If the leave will last fewer than five consecutive days, employees must provide as much notice as is practical. When possible, employees must consult with their supervisors about scheduling time off under this policy, in order to minimize the disruption to business operations.

VanderHouwen may require certification from the proper Civil Air Patrol authority to verify an employee's eligibility for leave.

Employees returning from leave will be reinstated to the same position or one with equivalent seniority status and the same pay and benefits as they had prior to the leave, unless factors other than the exercise of leave under this policy prevent reinstatement.sick

Employees on Civil Air Patrol leave are entitled to continue benefits at their own expense. Taking such a leave will not result in employees losing any benefits earned prior to the leave.

## **Election Judge Leave**

Employees who have been appointed as an election judge will be allowed time off without pay to serve in that capacity. Employees must provide at least 20 days' written notice of the need for leave under this policy.

Leave under this policy will be unpaid, except that exempt employees will receive pay when required under applicable federal or state law.

## **Jury Duty Leave**

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. Additionally, employees who work for VanderHouwen at night will not be required to work while serving on a jury during the day.

Employees must provide their supervisor with notice of any jury summons or subpoena within 10 days after receipt. 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 serving on a jury will be entitled to participate in insurance and other benefits under the same terms as other employees on a leave of absence. Upon return, employees will be reinstated to their former position without loss of seniority.

## **Witness Leave**

Employees who witness a crime will be allowed time off from work for the purpose of responding to a subpoena to attend a criminal proceeding relating to that crime. Leave under this policy will be unpaid except that exempt employees will not incur any reduction in pay for a partial-week absence.

Employees who are victims of domestic, sexual or gender violence or any criminal violence, or whose family member is such a victim, will also be allowed time off in connection with related court proceedings in accordance with VanderHouwen's Leave for Victims of Domestic, Sexual or Gender Violence or Any Other Crime of Violence policy.

## **Leave for Victims of Domestic, Sexual or Gender Violence or Any Other Crime of Violence**

Eligible employees will be allowed up to 12 weeks of unpaid leave in any 12-month period to address domestic violence, sexual violence, gender violence or any other crime of violence. An employee is eligible for leave under this policy if:

- The employee is the victim of domestic, sexual or gender violence or any other crime of violence; or
- The employee's family or household member is a victim of domestic, sexual or gender violence or any other crime of violence.

For purposes of this policy, a "victim" includes:

- A person who was killed or injured while attempting to assist a person against whom a crime was being perpetrated or attempted or while assisting law enforcement at the request of law enforcement;
- A person who personally witnessed a violent crime; and
- A person who will be called as a witness by the prosecution to establish a necessary nexus between an offender and violent crime.

A "family or household member" means:

- Spouse or civil union partner;
- Parent;
- Grandparent;
- Child;
- Grandchild;
- Sibling;
- Other person related by blood or by present or prior marriage or civil union;
- Other person who shares a relationship through a child;
- Any other individual whose close association with the employee is the equivalent of a family relationship (as determined by the employee); or
- A person jointly residing in the same household with the employee.

Crimes of violence include homicide, various sex offenses, offenses that cause bodily harm, harassing and obscene communications, terrorism and armed violence.

Eligible employees may use leave available under this policy to do any of the following for themselves or for a covered family or household member:

- Seek medical attention for or recover from physical or psychological injuries caused by domestic, sexual or gender violence or any other crime of violence;
- Obtain services from a victim services organization;
- Obtain psychological or other counseling;
- Participate in safety planning, relocate temporarily or permanently or take other actions to increase safety from future domestic, sexual or gender violence or any other crime of violence or to ensure economic security; or
- Seek legal assistance or remedies to ensure health and safety, including preparing for or participating in any civil or criminal legal proceeding relating to or derived from domestic, sexual or gender violence or any other crime of violence.

Leave may be taken consecutively, intermittently or on a reduced-schedule basis.

If applicable, time off under this policy will run concurrently with time off under the federal Family and Medical Leave Act.

Employees seeking leave under this policy must provide at least 48 hours' advance notice, unless such notice is impractical. Employees may also be required to periodically report on the status of their circumstances and intent to return to work. VanderHouwen may require certification that the leave was taken for one of the purposes identified above and/or that the employee or employee's family or household member is a victim of domestic, sexual or gender violence or any other crime of violence. Employees must respond to the request for certification within a reasonable period of time and can do so by providing a sworn statement. The employee must also provide the following documents, if they possess them:

- Documentation from a victim services organization, an attorney, a member of the clergy or a medical or other professional from whom the employee or the employee's family or household member has sought assistance in addressing domestic, sexual or gender violence or any other crime of violence;
- A police or court record; or
- Other corroborating evidence.

The employee can choose which document to submit. VanderHouwen will not request or require that more than one document be submitted in the 12 months following the initial request for or use of leave, if the reason for leave is related to the same incident(s) of violence or the same perpetrator(s) of the violence.

VanderHouwen will keep confidential all information pertaining to an employee's request for leave and/or certification of the need for leave, except in cases where an employee requests or consents in writing to disclosure or disclosure is required by federal or state law.

Time off under this policy is unpaid, except that employees will be allowed, but not required, to substitute any available paid leave, including accrued sick leave.

Upon return from leave, employees will be restored to the same position or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

VanderHouwen will not retaliate or tolerate retaliation against employees who request or take leave in accordance with this policy. VanderHouwen also does not discriminate against applicants or employees who are, or are perceived to be, victims of domestic sexual or gender violence or any criminal violence or who have a family or household member who is or is perceived to be a victim of domestic, sexual or gender violence or any other criminal violence.

## **Leave for Victims of Domestic, Sexual or Gender Violence or Any Other Crime of Violence**

Eligible employees will be allowed up to eight weeks of unpaid leave in any 12-month period to address domestic violence, sexual violence, gender violence or any other crime of violence. An employee is eligible for leave under this policy if:

- The employee is the victim of domestic, sexual or gender violence or any other crime of violence; or
- The employee's family or household member is a victim of domestic, sexual or gender violence or any other crime of violence.

For purposes of this policy, a "victim" includes:

- A person who was killed or injured while attempting to assist a person against whom a crime was being perpetrated or attempted or while assisting law enforcement at the request of law enforcement;
- A person who personally witnessed a violent crime; and
- A person who will be called as a witness by the prosecution to establish a necessary nexus between an offender and violent crime.

A "family or household member" means:

- Spouse or civil union partner;
- Parent;
- Grandparent;
- Child;
- Grandchild;
- Sibling;
- Other person related by blood or by present or prior marriage or civil union;
- Other person who shares a relationship through a child;



- Any other individual whose close association with the employee is the equivalent of a family relationship (as determined by the employee); or
- A person jointly residing in the same household with the employee.

Crimes of violence include homicide, various sex offenses, offenses that cause bodily harm, harassing and obscene communications, terrorism and armed violence.

Eligible employees may use leave available under this policy to do any of the following for themselves or for a covered family or household member:

- Seek medical attention for or recover from physical or psychological injuries caused by domestic, sexual or gender violence or any other crime of violence;
- Obtain services from a victim services organization;
- Obtain psychological or other counseling;
- Participate in safety planning, relocating temporarily or permanently or taking other actions to increase safety from future domestic, sexual or gender violence or any other crime of violence or ensure economic security; or
- Seek legal assistance or remedies to ensure health and safety, including preparing for or participating in any civil or criminal legal proceeding relating to or derived from domestic, sexual or gender violence or any other crime of violence.

Leave may be taken consecutively, intermittently or on a reduced-schedule basis.

Employees seeking leave under this policy must provide at least 48 hours' advance notice, unless such notice is impractical. Employees may also be required to periodically report on the status of their circumstances and intent to return to work. VanderHouwen may require certification that the leave was taken for one of the purposes identified above and/or that the employee or employee's family or household member is a victim of domestic, sexual or gender violence or any other crime of violence. Employees must respond to the request for certification within a reasonable period of time and can do so by providing a sworn statement. The employee must also provide the following documents, if they possess them:

- Documentation from a victim services organization, an attorney, a member of the clergy or a medical or other professional from whom the employee or the employee's family or household member has sought assistance in addressing domestic, sexual or gender violence, or any other crime of violence;
- A police or court record; or
- Other corroborating evidence.

The employee can choose which document to submit. VanderHouwen will not request or require that more than one document be submitted in the 12 months following the initial request for or use of leave, if the reason for leave is related to the same incident(s) of violence or the same perpetrator(s) of the violence.

VanderHouwen will keep confidential all information pertaining to an employee's request for leave and/or certification of the need for leave, except in cases where an employee requests or consents in writing to disclosure or disclosure is required by federal or state law.

Time off under this policy is unpaid, except that employees will be allowed, but not required, to substitute any available paid leave, including accrued sick leave.

Upon return from leave, employees will be restored to the same position or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

VanderHouwen will not retaliate or tolerate retaliation against employees who request or take leave in accordance with this policy. VanderHouwen also does not discriminate against applicants or employees who are, or are perceived to be, victims of domestic sexual or gender violence or any criminal violence or who have a family or household member who is or is perceived to be a victim of domestic, sexual or gender violence or any other criminal violence.

## **Time Off to Vote**

VanderHouwen 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 fewer than two consecutive hours outside of work during which the polls are open will be allowed up to two hours of time off to vote, without loss of pay. VanderHouwen may specify when the leave must be taken.

Employees must provide notice of the need for time off prior to Election Day.

Proof of having voted may be required.

## **Child Bereavement Leave**

Upon request, eligible employees will be allowed a maximum of two weeks (10 workdays) of bereavement leave in connection with the death of an employee's child. For purposes of this policy, "child" is defined as an employee's son or daughter who is a biological, adopted, or foster child, a stepchild, a legal ward or a child of a person standing in *loco parentis* (in the place of a parent).

"Eligible employees" have the same definition as that under the federal Family and Medical Leave Act (FMLA). Thus, in order to be eligible for leave under this policy, an employee must: (1) have worked for VanderHouwen for a total of at least 12 months; (2) have worked at least 1,250 hours over the previous 12 months as of the start of the leave; and (3) work at a location where at least 50 employees are employed by VanderHouwen within 75 miles, as of the date the leave is requested. If employees are unsure whether they qualify, they should contact Human Resources.

Eligible employees may take leave under this policy for any of the following reasons:

- To attend the funeral (or funeral alternative) of the child;
- To make arrangements necessitated by the death of the child; or
- To grieve the death of the child.

Child bereavement leave under this policy must be completed within 60 days after the date on which the employee receives notice of the death of his or her child. In the event of the death of more than one child within a 12-month period, an employee may take two weeks of leave per child, up to a total of six weeks of bereavement leave during a 12-month period.

Employees may elect to substitute other types of leave for child bereavement leave, including but not limited to any available paid or unpaid leave, such as PTO or sick leave. While child bereavement leave does not run concurrently with leave provided under the FMLA, employees who have already exhausted their FMLA leave are ineligible for leave under this policy.

An employee must provide VanderHouwen with at least 48 hours' advance notice of the employee's intention to take bereavement leave, unless providing such notice is not reasonable or practicable. VanderHouwen may request reasonable documentation from the employee to verify the employee's eligibility for leave under this policy.

VanderHouwen will not retaliate or tolerate retaliation against employees who request or take leave in accordance with this policy.

## **Leave for Victims of Domestic, Sexual or Gender Violence or Any Other Crime of Violence**

Eligible employees will be allowed up to four weeks of unpaid leave in any 12-month period to address domestic violence, sexual violence, gender violence or any other crime of violence. An employee is eligible for leave under this policy if:

- The employee is the victim of domestic, sexual or gender violence or any other crime of violence; or
- The employee's family or household member is a victim of domestic, sexual or gender violence or any other crime of violence.

For purposes of this policy, a "victim" includes:

- A person who was killed or injured while attempting to assist a person against whom a crime was being perpetrated or attempted or while assisting law enforcement at the request of law enforcement;
- A person who personally witnessed a violent crime; and
- A person who will be called as a witness by the prosecution to establish a necessary nexus between an offender and violent crime.

A "family or household member" means:

- Spouse or civil union partner;
- Parent;
- Grandparent;
- Child;
- Grandchild;
- Sibling;
- Other person related by blood or by present or prior marriage or civil union;
- Other person who shares a relationship through a child;
- Any other individual whose close association with the employee is the equivalent of a family relationship (as determined by the employee); or
- A person jointly residing in the same household with the employee.

Crimes of violence include homicide, various sex offenses, offenses that cause bodily harm, harassing and obscene communications, terrorism and armed violence.

Eligible employees may use leave available under this policy to do any of the following for themselves or for a covered family or household member:

- Seek medical attention for or recover from physical or psychological injuries caused by domestic, sexual or gender violence or any other crime of violence;
- Obtain services from a victim services organization;
- Obtain psychological or other counseling;
- Participate in safety planning, relocating temporarily or permanently or taking other actions to increase safety from future domestic, sexual or gender violence or any other crime of violence or ensure economic security; or

- Seek legal assistance or remedies to ensure health and safety, including preparing for or participating in any civil or criminal legal proceeding relating to or derived from domestic, sexual or gender violence or any other crime of violence.

Leave may be taken consecutively, intermittently or on a reduced-schedule basis.

Employees seeking leave under this policy must provide at least 48 hours' advance notice, unless such notice is impractical. Employees may also be required to periodically report on the status of their circumstances and intent to return to work. VanderHouwen may require certification that the leave was taken for one of the purposes identified above and/or that the employee or employee's family or household member is a victim of domestic, sexual or gender violence or any other crime of violence. Employees must respond to the request for certification within a reasonable period of time and can do so by providing a sworn statement. The employee must also provide the following documents, if they possess them:

- Documentation from a victim services organization, an attorney, a member of the clergy or a medical or other professional from whom the employee or the employee's family or household member has sought assistance in addressing domestic, sexual or gender violence, or any other crime of violence;
- A police or court record; or
- Other corroborating evidence.

The employee can choose which document to submit. VanderHouwen will not request or require that more than one document be submitted in the 12 months following the initial request for or use of leave, if the reason for leave is related to the same incident(s) of violence or the same perpetrator(s) of the violence.

VanderHouwen will keep confidential all information pertaining to an employee's request for leave and/or certification of the need for leave, except in cases where an employee requests or consents in writing to disclosure or disclosure is required by federal or state law.

Time off under this policy is unpaid, except that employees will be allowed, but not required, to substitute any available paid leave, including accrued sick leave.

Upon return from leave, employees will be restored to the same position or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

VanderHouwen will not retaliate or tolerate retaliation against employees who request or take leave in accordance with this policy. VanderHouwen also does not discriminate against applicants or employees who are, or are perceived to be, victims of domestic sexual or gender violence or any criminal violence or who have a family or household member who is or is perceived to be a victim of domestic, sexual or gender violence or any other criminal violence.

## **Sick Leave to Care for Relatives**

Employees may use paid or unpaid personal sick leave benefits provided by VanderHouwen (not including short- or long-term disability, an insurance policy or other comparable benefit plans or policies) for absences due to the illness, injury, medical appointment or personal care of a covered relative, on the same terms that the employee is able to use personal sick leave benefits for the employee's own illness or injury. Personal care of a covered relative includes: (a) activities to ensure that the relative's basic medical, hygiene, nutritional, or safety needs are met, or to provide transportation to medical appointments, for a relative who is unable to meet their own needs; or (b) being physically present to provide emotional support to a relative with a serious health condition who is receiving inpatient or home

care. Covered relatives include the employee's child, stepchild, spouse, domestic partner, sibling, parent, parent-in-law, grandchild, grandparent or stepparent.

VanderHouwen may, at its sole discretion, limit the use of an employee's sick time to care for a relative under this policy to what the employee would earn or accrue in six months, or half of the employee's maximum annual grant of personal sick leave benefits.

VanderHouwen may request written verification of the employee's absence from a health care professional.

VanderHouwen will not terminate, threaten to terminate, demote, suspend or in any manner discriminate against employees for requesting or using personal sick leave benefits in accordance with this policy or for attempting, in good faith, to exercise their rights under the law. Employees with questions or concerns regarding this policy or who would like to request a leave of absence under this policy should contact Human Resources.

### **Confidentiality**

VanderHouwen will keep confidential any medical documentation regarding leave use, in accordance with federal, state and local 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 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 medical, domestic violence or family leave rights.

## **No Discrimination or Retaliation**

VanderHouwen will not retaliate or discriminate against any employee for exercising, or attempting in good faith to exercise, his or her rights under this Ordinance, including but not limited to, disclosing, reporting or testifying about any violation of this Ordinance or its regulations.

## **Meal Breaks**

Nonexempt employees who work seven and one-half or more consecutive hours will be provided at least one 20-minute meal break, no later than five hours after the start of work. During the break, employees will be relieved of all duties.

An uninterrupted meal break lasting 30 or more minutes will be unpaid.

Employees who are unable to take all of the meal 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 Human Resources.

## **Lactation Accommodation**

VanderHouwen will provide reasonable breaks to accommodate an employee desiring to express breast milk for the employee's infant child, for one year after the child's birth. If possible, nursing mothers should take time to express breast milk during their regular meal and/or rest breaks. If the break time cannot run concurrently with the meal and/or rest breaks already provided to the employee, the employee should work with his or her supervisor regarding scheduling.

VanderHouwen will make reasonable efforts to provide employees with the use of a private room in close proximity to the work area, other than a toilet stall, for employees to express milk. Employees should discuss with their supervisor or Human Resources the location to express and store their breast milk and to make any other arrangements under this policy.

VanderHouwen strictly prohibits discrimination against or harassment of employees because they are breastfeeding mothers and request or take breaks in accordance with this policy.

## **Discussion of Wages**

No employee is prohibited from inquiring about, disclosing, comparing or otherwise discussing his or her wages or the wages of another employee. VanderHouwen will not terminate or otherwise discriminate against employees because they make such inquiries, disclosures, comparisons or discussions about their wages or the wages of another employee.

VanderHouwen also will not terminate or otherwise discriminate against any employee who files a charge, institutes a proceeding, provides information in connection with an inquiry or proceeding, or testifies in

any proceeding related to the Illinois Equal Pay Act or encourages another employee to exercise his or her rights under the Illinois Equal Pay Act.

This policy does not apply to disclosure of other employees' wage information by representatives who have access to such information solely as part of their essential job functions and who, while acting on behalf of VanderHouwen, make unauthorized disclosure of that information.

## **Schedules and Hours**

VanderHouwen complies with Chicago's Fair Workweek Ordinance. In accordance with that law, VanderHouwen adopts the policies and practices described below.

These policies and practices apply to employees who:

- Spend the majority of their time at work while physically present within the City of Chicago;
- Earn less than or equal to \$50,000 per year as a salaried employee, or less than or equal to \$26.00 per hour as an hourly employee; and
- Perform the majority of their work in building services, health care, hotels, manufacturing, restaurants, retail or warehouse services.

### **Good Faith Initial Estimate of Work Schedule**

Prior to or upon the commencement of employment, VanderHouwen will provide covered employees, in writing, with a good-faith estimate of the employee's projected days and hours of work for the first 90 days of employment, including:

- The location at which the employee will work;
- The average number of weekly work hours the employee can expect to work each week;
- Whether the employee can expect to work any on-call shifts; and
- A subset of days and times or shifts that the employee can expect to work, or days of the week and times or shifts on which the employee will not be scheduled to work.

This good-faith estimate does not constitute a contractual offer, and VanderHouwen is not bound by the estimate.

Prior to or upon the commencement of employment, employees may request that VanderHouwen modify the initial estimate of work schedule. VanderHouwen will consider any such request, and in its sole discretion may accept or reject the request. VanderHouwen will notify the employee of its determination, in writing, within three days of the employee's request.

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

VanderHouwen will provide covered employees with written notice of their work hours by posting their work schedules no later than 10 days before the first day of any new schedule (the deadline). The written work schedule will span at least a calendar week and will generally include the shifts and on-call status of all current covered employees at that worksite. Upon request, VanderHouwen will refrain from posting or transmitting to other employees the work schedule of an employee who is a victim of domestic violence or sexual violence or the family member of a victim of domestic or sexual violence. VanderHouwen will transmit work schedules electronically upon an employee's request.

VanderHouwen reserves the right to change a covered employee's work schedule after it is posted and/or transmitted. VanderHouwen may also add an employee to a posted work schedule after the deadline when that employee is returning to work from a leave of absence.

### **Declining Schedule Changes**

Employees can decline any previously unscheduled hours that VanderHouwen adds to the employee's schedule if the employee has been provided less than 10 days advance notice before the first day of any new schedule.

### **Alterations to Work Schedules**

If VanderHouwen alters a covered employee's work schedule by more than 15 minutes after the deadline, in addition to the regular rate of pay, the employee will receive:

- One hour of predictability pay for each shift in which VanderHouwen:
  - Adds hours of work;
  - Changes the date or time of a work shift with no loss of hours; or
  - With more than 24 hours' notice, cancels or subtracts hours from a regular or on-call shift.
- No less than 50 percent of the employee's regular rate of pay for any scheduled hours the employee does not work because VanderHouwen, with less than 24 hours' notice, subtracts hours from a regular or on-call shift, or cancels a regular or on-call shift, including while the employee is working on a shift.

VanderHouwen will amend the posted work schedule and transmit it to the employee in writing within 24 hours of a schedule change.

### **Exceptions to Predictability Pay**

The predictability pay requirements outlined above do not apply in the following situations:

- The work schedule changes because of events outside VanderHouwen's control, such as:
  - Threats to VanderHouwen, VanderHouwen property or employees;
  - A recommendation by civil authorities that work not begin or continue; or
  - War; civil unrest; strikes; threats to public safety; pandemics; acts of nature (e.g., floods, earthquakes, tornadoes or blizzards); failure of public utilities; or civil unrest;
- The work schedule change is a mutually agreed upon shift trade or coverage arrangement between employees, subject to any existing VanderHouwen policy regarding required conditions for employees to exchange shifts;
- A work schedule change is mutually agreed to by the employee and VanderHouwen and is confirmed in writing;
- The posted work schedule is changed by 15 minutes or less;
- The employee requests a shift change, that is confirmed in writing, including but not limited to use of sick leave, vacation leave or other policies offered by VanderHouwen;
- VanderHouwen subtracts hours from a work schedule for disciplinary reasons for just cause;
- When employees self-schedule.



### **Additional Work Hours to Existing Employees**

When VanderHouwen needs to fill additional shifts of work, it will first offer such shifts to existing employees who are covered by this policy, if the employees are qualified to do the additional work, as determined by VanderHouwen.

When distributing additional work hours among qualified and interested existing employees, VanderHouwen will first distribute work hours to employees whose regular workplace is the location where the work will be performed. Whenever practicable, VanderHouwen will first offer the hours to part-time employees.

VanderHouwen may choose to not schedule employees to work hours required to be paid at a premium rate.

In distributing hours, VanderHouwen will not discriminate or tolerate discrimination on the basis of race, color, creed, religion, ancestry, national origin, sex, sexual orientation, gender identity or expression, disability, age or marital or familial status.

### **Right to Rest and Additional Pay**

Employees have the right to decline work schedule hours that are less than 10 hours after the end of the previous day's shift. Employees may voluntarily consent in writing to work a shift that begins sooner than 10 hours after the end of the previous day's shift. When an employee works a shift that begins less than 10 hours after the end of the previous day's shift, VanderHouwen will pay the employee at a rate of 1.25 times the employee's regular rate of pay for that shift, except that hours in such a shift that exceed a workweek of 40 hours will be paid at the usual overtime rate of 1.5 the employee's regular rate of pay.

### **Right to Request a Flexible Working Arrangement**

Employees also have the right to request a modified work schedule, including, but not limited to:

- Additional shifts or hours;
- Changes in days of work;
- Changes in shift start and end times;
- Permission to exchange shifts with other employees;
- Limitations on availability;
- Part-time employment;
- Job sharing arrangements;
- Reduction or change in work duties; or
- Part-year employment.

VanderHouwen will respond to such requests in writing.

### **Retaliation Prohibited**

VanderHouwen will not retaliate against an employee for exercising rights protected under Chicago's Fair Workweek Ordinance, including reporting or testifying about any violation, or requesting changes to their working arrangement.

## **Smoke-Free Workplace**

VanderHouwen prohibits smoking in the workplace and within 15 feet of any entrance to the workplace. Employees wishing to smoke must do so outside VanderHouwen facilities, in locations where smoke does not migrate back into the workplace, during scheduled work breaks.

Employees who observe other individuals smoking in the workplace have a right to object and should report the violation to their supervisor or to another member of management. Employees will not be disciplined or retaliated against for reporting smoking that violates Illinois law or this policy.

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

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

As set forth in the National 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 VanderHouwen -owned vehicle. Employees should also be aware that using a handheld electronic communication device for any reason (including to watch or stream video) while driving is a violation of Illinois law, in addition to being a violation of VanderHouwen policy.

## **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, 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 Illinois law, VanderHouwen permits those employees who are concealed weapons license holders and who lawfully possess a firearm or ammunition to transport and store their firearm or ammunition in their personal vehicle inside a VanderHouwen parking lots. However, if the employee's vehicle is not attended, the vehicle must be locked or the firearm and ammunition must be in a locked container outside of plain view.

Employees who are concealed weapons license holders may also carry a concealed firearm in the immediate area surrounding their vehicle in a VanderHouwen parking lot only for the limited purpose of storing or retrieving the firearm within the vehicle's trunk and only after ensuring the firearm is unloaded. Such lawfully possessed firearms and ammunition may not otherwise be removed from an employee's personal vehicle or displayed to others for any reason.

**VanderHouwen  
Acknowledgement of Policy**

I acknowledge that I have received the Illinois 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: \_\_\_\_\_