

**Downes Construction Company Employee Handbook**

**March 12, 2025**



**DOWNES**  
CONSTRUCTION

## ABOUT THIS HANDBOOK/DISCLAIMER

This handbook is designed to provide important information about the policies and procedures regarding employment with Downes Construction Company. Please take the necessary time to read through this handbook.

Please note, employees who have questions about the information included in this handbook should speak to their supervisor or human resources.

This handbook, or any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. Downes Construction Company adheres to the policy of employment at will, which permits Downes Construction Company or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

No Downes Construction Company representative other than the President may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be in a signed writing.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate Downes Construction Company documents. These Downes Construction Company documents are always controlling over any statement made in this handbook or by any member of management.

This handbook states only general Downes Construction Company guidelines. Downes Construction Company may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and the President.

This handbook supersedes all prior handbooks.

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## SECTION I: GOVERNING PRINCIPLES OF EMPLOYMENT

### 1.1 Introduction

Welcome to Downes Construction Company. Whether you have just joined our staff or have been at Downes Construction Company for some time, you are one of Downes Construction Company's most valuable resources and play an important role in carrying out the mission of Downes Construction Company.

You have a great contribution to make at Downes Construction Company.

We are committed to ensuring that you have the tools and resources you need to perform your job well. This Handbook is one such tool. It is intended to provide you with a clear understanding of what is expected from all employees and what you can expect from Downes Construction Company. You are responsible for reading and understanding the information contained in it.

#### **HISTORY OF THE DOWNES COMPANIES**

Downes Construction Company has been a moving force in southern New England construction for over half a century. Three generations of family have contributed to making our motto "Building Repeat Business" a reality. Repeat business is a testament to our success in providing a quality product. The quality of products are a result of all employees doing their best.

The Downes Companies have been continually providing construction and project management related services to Connecticut for over 85 years. Based in New Britain, we are proud of our regional heritage and maintain a vested interest in this community. Repeat business is our goal. The organization continues to maintain a staff of the most capable, experienced, professional personnel available. Over our history our work program has included a diversity of projects primarily in the K-12, higher education, municipal, public safety, institutional healthcare and corporate office market, moving forward into Program Management.

As of November 1, 2019, Downes Construction became a 100% Employee-Owned Company with an Employee Stock Ownership Plan (ESOP). An ESOP qualifies as a retirement benefit based on the distribution of company stock which is evaluated and distributed on an annual basis.

#### **MISSION STATEMENT**

Our mission is to retain and expand our customer base through superior, personalized service. We have carefully selected you as a staff member because we believe that you will provide the high-quality service that continually makes us the best in the business. We believe that consistent, ethical, and quality performance in all of our endeavors is the key to success and will result in loyal, mutually beneficial relationships. As a member of our staff, dedication to providing the best service to our customers is your number-one priority. To fulfill this mission, we are committed to:

- Providing competitively priced products and high-quality service
- Be up to date with new technologies that may benefit us

- Rewarding employee achievement
- Serving and supporting the community
- Building partnerships
- Exceeding customer expectations

## 1.2 Equal Employment Opportunity Employer

Downes Construction Company is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state or local laws and ordinances.

Downes Construction Company's management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs and general treatment during employment.

Downes Construction Company will endeavor to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual's: physical or mental disability; sincerely held religious beliefs and practices; and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon Downes Construction Company's business operations.

Any applicant or employee who needs an accommodation in order to perform the essential functions of the job should contact Human Resources to request such an accommodation. The individual should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. Downes Construction Company will then review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made. Downes Construction Company will evaluate requested accommodations, and as appropriate, identify other possible accommodations, if any. The individual will be notified of Downes Construction Company's decision regarding the request within a reasonable period. Downes Construction Company treats all medical information submitted as part of the accommodation process in a confidential manner.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of Human Resources, Downes Construction Company will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact Human Resources. To ensure our workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

### 1.3 Reasonable Accommodations & Interactive Dialogue

Downes Construction Company is committed to complying with applicable federal, state, and local laws governing reasonable accommodations of individuals, including, but not limited to, the Americans with Disabilities Act (ADA). To that end, we will endeavor to make a reasonable accommodation to applicants and employees who have requested an accommodation or for whom Downes Construction Company has notice may require such an accommodation, without regard to any protected classifications, related to an individual's:

Disability, meaning any physical, medical, mental, or psychological impairment, or a history or record of such impairment;

1. Sincerely held religious beliefs and practices;
2. Needs as a victim of domestic violence, sex offenses, or stalking;
3. Needs related to pregnancy, childbirth, or related medical conditions; and/or
4. Any other reason required by applicable law unless the accommodation would impose an undue hardship on the operation of our business.

Any individual who would like to request an accommodation based on any of the reasons set forth above should contact Human Resources. Accommodation requests can be made in writing using a form which can be obtained from Human Resources. If an individual who has requested an accommodation has not received an initial response within five (5) business days, the employee should contact the Controller.

After receiving a request for an accommodation or learning indirectly that the employee may require such an accommodation, Downes Construction Company will engage in an interactive dialogue with the employee.

Even if the employee has not formally requested an accommodation, Downes Construction Company may initiate an interactive dialogue under certain circumstances, such as when Downes Construction Company has knowledge that employee's performance at work has been negatively affected and a reasonable basis to believe that the issue is related to any of the protected classifications set forth above, in compliance with applicable law. In the event Downes Construction Company initiates an interactive dialogue with an employee, it should not be construed as Downes Construction Company's belief an individual requires an accommodation but will serve as an invitation for the employee to share with Downes Construction Company any information the employee desires to share, or to request an accommodation.

The interactive dialogue may take place in person, by telephone, or by electronic means. As part of the interactive dialogue, Downes Construction Company will communicate openly and in good faith with the employee in a timely manner in order to determine whether and how Downes Construction Company may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, Downes Construction Company will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the employee. Downes Construction Company is not required to provide the specific accommodation sought by the employee, provided the alternatives are reasonable and either meet the specific needs of the employee or specifically address the employee's limitations.

As part of the interactive dialogue, Downes Construction Company reserves the right to request supporting documentation, to the maximum extent permitted by applicable law.

Downes Construction Company will endeavor to keep confidential all communications regarding requests for reasonable accommodations and all circumstances surrounding the employee's underlying reason for needing an accommodation.

Downes Construction Company will not allow any form of retaliation against employees who have requested an accommodation, for whom Downes Construction Company has notice may require such an accommodation, or who otherwise engage in the interactive dialogue process.

Employees with questions regarding this policy should contact Human Resources.

#### 1.4 Lactation Accommodations

Downes Construction Company will provide a reasonable amount of break time to accommodate employees desiring to express breast milk for their child, to the extent required by and in accordance with applicable law. If possible, the break time must run concurrently with rest and meal periods already provided to the employee. Break time that cannot run concurrently with rest and meal periods already provided to the employee will be unpaid, to the extent permitted by applicable law.

Downes Construction Company will make reasonable efforts to provide the employee with use of a room or location in close proximity to the employee's work area, other than a bathroom, for the employee to express milk in private. This room or location may be the employee's private office, if applicable.

Unless otherwise required by applicable law, Downes Construction Company may not be able to provide a room or location in close proximity to the employee's work area if doing so would impose an undue hardship by causing significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of Downes Construction Company's business.

Employees will not be discriminated against or retaliated against for exercising their rights under this policy. Employees can contact Human Resources with questions regarding this policy.

#### 1.5 Pregnancy Accommodations

In compliance with Connecticut law, Downes Construction Company will not discriminate against the employee or prospective employee in the terms or conditions of the employee's employment in relation to pregnancy, childbirth or a related condition including, but not limited to, lactation. Downes Construction Company will not limit, segregate or classify the employee in a way that would deprive the employee of employment opportunities due to the employee's pregnancy.

#### **Reasonable Accommodations**

Downes Construction Company will endeavor to provide reasonable accommodations for conditions related to pregnancy, childbirth or a related condition, including, but not limited to, lactation, unless the accommodation would pose an undue hardship on Downes Construction Company's business. Such accommodations include, but are not limited to:

1. being permitted to sit while working;
2. more frequent or longer breaks;
3. periodic rest;
4. assistance with manual labor;
5. job restructuring;
6. light duty assignments;
7. modified work schedules;
8. temporary transfers to less strenuous or hazardous work;
9. time off to recover from childbirth; or
10. break time and appropriate facilities for expressing breast milk.

Downes Construction Company will not force the employee or prospective employee affected by pregnancy to accept a reasonable accommodation if such employee or person seeking employment does not have a known limitation related to the employee's pregnancy or does not require a reasonable accommodation to perform the essential duties related to the employee's employment. This includes, but is not limited to, forcing the employee to take leave if another reasonable accommodation can be provided to the employee's condition related to the pregnancy, childbirth, or a related medical condition.

#### **Enforcement and Retaliation**

Downes Construction Company will not retaliate against the employee in the terms, conditions or privileges of the employee's employment based upon the employee's request for a reasonable accommodation under this policy. Further, Downes Construction Company will not deny employment opportunities to the employee or prospective employee due to the employee's or prospective employee's request for a reasonable accommodation related to pregnancy, childbirth, or a related medical condition.

If employees have any questions about or would like to request a reasonable accommodation under this policy, they should contact Human Resources.

#### **1.6 Non-Harassment including Sexual Harassment**

It is Downes Construction Company's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information or any other characteristic protected by applicable federal, state or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by Downes Construction Company.

The purpose of this policy is not to regulate our employees' personal morality, but to ensure that no one harasses another individual in the workplace, including while on Downes Construction Company business (whether or not on Downes Construction Company's premises) or while representing Downes Construction Company. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws is unlawful. For

example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

### **Harassment Defined**

Harassment generally is defined in this policy as unwelcome verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or emails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

### **Sexual Harassment Defined**

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual or physical conduct of a sexual nature when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- or submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual;
- or the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

1. unwelcome flirtations, leering, whistling, touching, pinching, assault, blocking normal movement;
2. requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. obscene or vulgar gestures, posters or comments;
4. sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
5. propositions or suggestive or insulting comments of a sexual nature;
6. derogatory cartoons, posters, and drawings;
7. sexually explicit e-mails, text messages or voicemails;
8. uninvited touching of a sexual nature;

9. unwelcome sexually related comments;
10. conversation about one's own or someone else's sex life;
11. conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
12. teasing or other conduct directed toward a person because of the person's gender.

### **Reporting Procedures**

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to Human Resources. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the Controller.

If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact the President.

While employees are encouraged to report claims internally, if an employee believes that they have been subjected to sexual harassment or other harassment in violation of state law, the employee may file a formal complaint with the Connecticut Commission on Human Rights and Opportunities (the "Commission") at 860-541-3400, CT Toll Free 1-800-477-5737, or online at [www.ct.gov/CHRO](http://www.ct.gov/CHRO).

Individuals who engage in acts of sexual harassment or other harassment in violation of state law may be subject to civil penalties in the form of a cease-and-desist orders, back pay, compensatory damages, hiring, promotion, or reinstatement, emotional distress, as well as attorney's fees, costs, pre- and post-judgment interest, and punitive damages (if the case is tried in court). Individuals may also be subject to additional criminal penalties stemming from acts of sexual harassment.

Connecticut law requires that a written complaint be filed with the Commission within 300 days of the date of the alleged harassment.

### **Investigation Procedures**

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

### **Retaliation Prohibited**

In addition, Downes Construction Company will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

## 1.7 Workplace Violence, Weapons, Bullying Policy

### **Workplace Violence**

It is Downes Construction Company's policy to provide a workplace that is safe and free from all threatening and intimidating conduct. Therefore, Downes Construction Company will not tolerate violence or threats of violence of any form in the workplace, at work-related functions or outside of work if it affects the workplace. This policy applies to Company employees, clients, customers, guests, vendors and persons doing business with the Company.

It is a violation of this policy for any individual to engage in any conduct, verbal or physical, that intimidates, endangers, or creates the perception of intent to harm persons or property.

Examples include but are not limited to:

1. Physical assaults or threats of physical assault, whether made in person or by other means (i.e., in writing, by phone, fax or email);
2. Verbal conduct that is intimidating and has the purpose or effect of threatening the health or safety of a co-worker and/or;
3. Any other conduct or acts that management believes represent an imminent or potential danger to workplace safety or security.

### **Weapons in the Workplace**

Downes Construction Company prohibits the possession of firearms or any other lethal weapon on Downes Construction property, in a vehicle being used on Downes Construction business, in any company-owned or leased parking facility, or at a work-related function. This applies to all employees, visitors, and customers on Downes Construction Company property, even those who are licensed to carry weapons. The only exception to this is an employee who is required to possess weapons in order to fulfill his or her job duties and law enforcement.

Examples of prohibited weapons include:

- Firearms (pistols, revolvers, shotguns, rifles, and bb guns)
- Knives (switchblades, gravity knives or any knife with a blade longer than three inches)
- Metal knuckles
- Bows and arrows
- Tasers

Downes Construction Company prohibits weapons to ensure the safety and security of all employees and persons visiting the Company.

Any employee found in violation of this policy will be subject to disciplinary action, up to and including immediate termination. If you have questions or concerns regarding this policy, please contact Human Resources.

## Workplace Bullying

Downes Construction Company is committed to providing a safe and healthy work environment for all employees. As such, Downes Construction Company prohibits bullying of any kind and will deal with complaints accordingly.

Bullying is defined as unwelcome or unreasonable behavior that demeans, intimidates, or humiliates an individual or a group of individuals.

Bullying can be:

1. An isolated incident or persistent incidents;
2. Carried out by a group or an individual and/or;
3. Either direct or indirect verbal or physical.

Some examples of bullying include:

1. Abusive or offensive language;
2. Unwelcome behavior;
3. Insults;
4. Teasing;
5. Spreading rumors;
6. Trivializing of work or achievements and/or;
7. Exclusion or isolation

Bullying can have devastating effects. If you witness bullying or suspect bullying is taking place, report it to your supervisor and/or to Human Resources immediately. All suspected incidents of bullying will be thoroughly investigated, and disciplinary action will be taken accordingly.

## 1.8 Drug & Alcohol Policy

Downes Construction Company recognizes alcohol and drug abuse as potential health, safety, and security problems. It is expected that all employees will assist in maintaining a work environment free from the effects of alcohol, drugs or other intoxicating substances.

Employees are prohibited from the following when reporting for work, while on the job, on Downes Construction Company or customer premises or surrounding areas, or in any vehicle used for Downes Construction Company business:

1. The unlawful use, possession, transportation, manufacture, sale, dispensation, or other distribution of an illegal or controlled substance or drug paraphernalia;
2. The unauthorized use, possession, transportation, manufacture, sale, dispensation, or other distribution of alcohol;
3. Operating a vehicle or use of machinery while under the influence of alcohol or any other substance that might alter your state of mind or create a hazard to you or those around you;
4. Being under the influence of alcohol or having a detectable amount of an illegal or controlled substance in the blood or urine (“controlled substance” means a drug or other substance as defined in applicable state and federal laws on drug abuse prevention) and/or;

5. Use of prescription of over-the-counter medication that could create a safety concern (unless previously reported and approved).

Employees using over-the-counter or prescription medication that could create a safety concern should report use to Human Resources for consideration of a reasonable accommodation.

Employees should report the use of any controlled substances (including the use of Medical Marijuana) that is known to or would potentially create a safety concern to Human Resources.

Any employee convicted under any criminal drug statute for a violation occurring while on the job, on Downes Construction Company or customer premises, or in any vehicle used for Downes Construction business must notify Downes Construction Company no later than five days after such a conviction. A conviction includes any finding of guilt or plea of no contest and/or imposition of a fine, jail sentence or other penalty.

Drug and alcohol testing will be carried out in compliance with any applicable state and federal laws and regulations. This also applies to post employment testing performed for reasonable suspicion of drug/alcohol use on the job.

Disciplinary action will be taken for drug-related crimes, regardless of whether they happened during working hours or on an employee's own time.

Any employee violating this policy will be subject to disciplinary action up to and including termination.

We recognize that employees suffering from alcohol or drug dependence can be treated. We encourage any employee to seek professional care and counseling prior to any violation of this policy.

## 1.9 Smoke Free Environment

Downes Construction Company is a smoke-free environment. Smoking or the use of other tobacco products, including vaping is not permitted at any time in Company work areas or vehicles, or in client work areas or vehicles.

If smoking is allowed outside of the building, smokers should be considerate of colleagues, customers, and members of the public. Help to maintain a clean entryway by depositing cigarettes in appropriate containers and staying far enough away from doors so that smoke does not blow into the building.

Employees who smoke must observe the same guidelines as non-smokers for the frequency and length of break periods.

## SECTION II: OPERATING PRINCIPLES

### 2.1 Employee Classifications

For purposes of this handbook, all Downes Construction Company employees fall within one of the classifications below.

**Full-Time Employees** - Employees who regularly work at least 30 hours per week who were not hired on a short-term basis.

**Part-Time Employees** - Employees who regularly work fewer than 30 hours per week who were not hired on a short-term basis.

**Short-Term Employees** - Employees who were hired for a specific short-term project, or on a short-term freelance, per diem or temporary basis. Short-Term employees generally are not eligible for Downes Construction Company benefits.

In addition to the above classifications, employees are categorized as either "**exempt**" or "**non-exempt**" for purposes of federal and state wage and hour laws.

Employees classified as exempt do not receive overtime pay; they generally receive the same weekly salary regardless of hours worked. The employee will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

## 2.2 Employment Records

In order to obtain their position, employees have provided personal information, such as address and telephone number. This information is contained in their personnel file.

Employees should keep their personnel file up to date by informing their supervisor of any changes. Employees also should inform their supervisor of any specialized training or skills they acquire, as well as any changes to any required visas.

Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach employees in a crisis could cause a severe health or safety risk or other significant problem.

## 2.3 Working Hours & Schedule

Downes Construction Company employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of the business, at some point Downes Construction Company may need to change individual work schedules on either a short-term or long-term basis.

Standard working hours are from 8:00 A.M. to 5:00 P.M., Monday through Friday. Standard job site hours are from 7:00 a.m. to 3:30 p.m. Summer hours are from Memorial Day through Labor Day where the corporate office will close at 3:00 p.m. on Fridays. Summer hours are Mon-Thurs 7:30am until 5:00pm. Friday hours are 7:30am until 3:00pm. It is still intended to be a 40-hour work week. Project jobsites and jobsite offices do not close early Fridays.

Downes Construction Company employees will be provided with a one-hour unpaid meal break.

## 2.4 Remote/Telework

Remote work requires prior Management approval and is considered on a case-by-case basis depending on job description, workload and/or employee performance.

All remote work arrangements must be reported to Human Resources.

### **At-Will Employment**

This policy and any individual agreement addressing this work arrangement do not create a contract of employment and are not intended to be considered or construed as a promise of continued employment. Employment is at will and may be discontinued at any time by Downes Construction Company or employee without notice, cause, or liability.

#### 2.5 Severe Weather

Please contact your supervisor for instructions if you are unsure if you should come to work.

Always use common sense when traveling in any type of severe weather conditions. When potentially dangerous weather develops during the day and a decision is made by management to close, you will be compensated as if you had worked all of your regularly scheduled hours for that day.

#### 2.6 Timekeeping

Non-exempt employees must record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason, on forms as prescribed by management.

Employees who use ADP must complete their submission of hours by Friday at 5pm. Please plan ahead and make sure to submit your time on Fridays.

Altering, falsifying, or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

Exempt employees are required to record their daily work attendance and report full days of absence from work for reasons such as leaves of absence, sick leave, or personal business.

Non-exempt employees may not start work until their scheduled starting time unless previously approved by their supervisor.

#### 2.7 Overtime Procedures

Like most successful companies, Downes Construction Company experiences periods of extremely high activity. During these busy periods, additional work may be required. Managers are responsible for monitoring business activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) their normal hourly wage for all time worked in excess of 40 hours each week, unless otherwise required by law.

Employees may work overtime only with prior management authorization.

For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Monday and ends 168 hours later at 12 a.m. on the following Monday.

## 2.8 Travel Time for Non-exempt

Overnight, Out-of-Town Trips Non-exempt employees will be compensated for time spent traveling during their normal working hours, on days they are scheduled to work and on unscheduled workdays (such as weekends). Non-exempt employees also will be comped for any time spent performing job duties during otherwise non-compensable travel time; however, such work should be limited absent advance management authorization.

### **Out-of-Town Trips for One Day**

Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time, except for, among other things: time spent traveling between the employee's home and the local railroad, bus, or plane terminal; and meal periods.

### **Local Travel**

Non-exempt employees will be compensated for time spent traveling from one job site to another job site during a workday. The trip home, however, is non-compensable when the employee goes directly home from the final job site, unless it is much longer than the regular commute home from the regular worksite. In such case, the portion of the trip home in excess of the regular commute is compensable.

### **Commuting Time**

Under the Portal-to-Portal Act, travel from home to work and from work to home is generally non-compensable. However, if a non-exempt employee regularly reports to a worksite near their home but is required to report to a worksite farther away than the regular worksite, the additional time spent traveling is compensable.

If compensable travel time results in more than 40 hours worked by a non-exempt employee, the employee will be compensated at an overtime rate of one and one-half (1-1/2) times the regular rate.

To the extent that applicable state law provides greater benefits, state law applies.

## 2.9 Safe Harbor Policy

It is Downes Construction Company's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Those classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours, they may work for Downes Construction Company. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and

modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing wage replacement benefits for such absences (deductions also may be made for the exempt employee's full-day absences due to sickness or disability before the employee has qualified for the plan, policy or practice or after the employee has exhausted the leave allowance under the plan);
- full-day disciplinary suspensions for infractions of our written policies and procedures;
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- the first or last week of employment in the event the employee works less than a full week;
- and any full work week in which the employee does not perform any work.

Salary may also be reduced for certain types of deductions such as a portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions to a 401(k) or pension plan.

In any work week in which the employee performed any work, salary will not be reduced for any of the following reasons:

- partial day absences for personal reasons, sickness, or disability;
- an absence because Downes Construction Company has decided to close a facility on a scheduled work day;
- absences for jury duty, attendance as a witness, or military leave in any week in which the employee performed any work (subject to any offsets as set forth above);
- and any other deductions prohibited by state or federal law.

However, unless state law provides otherwise, deductions may be made to accrued leave for full- or partial-day absences for personal reasons, sickness, or disability.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to their manager. If the manager is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), they should immediately contact Human Resources or any other manager at Downes Construction Company with whom the employee feels comfortable.

## 2.10 Your Paycheck

Employees will be paid weekly (every Wednesday) via direct deposit or hard check depending on preferred method for all the time worked during the past pay period. Payroll stubs itemize deductions made from gross earnings.

By law, Downes Construction Company is required to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received.

If there is an error in any employee's pay, the employee should bring the matter to the attention of Human Resources immediately so Downes Construction Company can resolve the matter quickly and amicably.

If the direct deposit distribution date falls on a holiday, the distribution date will either be the day prior to or the day after the holiday. Prior notification will be given to employees when the distribution date falls on a holiday.

### 2.11 Direct Deposit

Any changes to direct deposit must be made in writing and submitted to Human Resources or directly through your ADP profile. Please contact Human Resources to confirm that your request has been received.

### 2.12 Performance Review & Compensation

Downes Construction Company is committed to providing employees with feedback, both formal and informal, about their performance on the job. Managers and supervisors are responsible for providing ongoing performance feedback to each employee. In addition, your manager or supervisor may formally discuss and document your performance on a regular basis (generally annually). In some business units, an initial performance review may be conducted within three to six months after an employee is hired or transfers to a new position.

Performance appraisal discussions will review the employee's strengths and identify any areas needing improvement, and goals and objectives that need to be achieved. Specific performance problems may be addressed outside the performance appraisal cycle through either informal discussions or formal disciplinary action. Formal performance feedback becomes a permanent part of employee's personnel file.

Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions are determined by and at the discretion of management. In-place salary increases are considered annually.

Please contact Human Resources if you feel that an evaluation is due to you or would be helpful to you.

## SECTION III: BENEFITS OVERVIEW

### 3.1 Paid Time Off

Downes Construction Company believes that employees should have opportunities to enjoy time away from work to help balance their lives, because they become ill or to attend to personal issues that may arise. For this reason, we provide a program of Paid Time Off (PTO) to all full-time employees.

PTO provides employees the freedom to decide how to use their paid time off. Downes Construction Company believes this program offers more liberal time off with pay than traditional vacation, sick and personal time packages. This PTO policy is compliant with **Connecticut's Paid Sick Leave Policy** and any sick leave taken will be drawn from your balance. Employees can use their paid time off in several different ways, for example:

- As vacation
- For any personal reason
- For periods of illness
- For doctor or dental appointments

Paid time off will be accrued on an annual basis as follows:

<b>Years of Service</b>	<b>Annual Paid Time Off Allotment</b>
0-1	15 days prorated
Over 1-2	16 days
Over 2-3	17 days
Over 3-4	18 days
Over 4-5	19 days
Over 5	20 days

#### **PTO Tracking**

PTO can be taken prior to it being accrued in the same calendar year with supervisor approval.

Up to 5 days of PTO can be carried over into the next calendar year with supervisor approval.

Employees are required to submit an electronic request to ADP for planned absences (such as vacation) at least one week prior to the date they wish for their planned absence to begin. ADP will review and send it to the employee's supervisor for approval.

Once the planned absence is approved, the employee will receive an updated PTO summary via ADP.

If employment is voluntarily terminated, employees will be paid for any un-used, accrued PTO provided that 2 weeks' notice was given. Accrued PTO will be forfeited for any involuntary terminations or terminations in which the employee did not give 2-weeks' notice with management discretion.

## 3.2 Paid Holidays

Full-time employees are eligible for eleven (11) paid holidays.

The following is a list of company holidays:

- New Year's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving (and the day after)
- Christmas Day
- Two Floating Holidays per calendar year
- Employee's birthday (or another day within the birthday week)

### 3.3 Jury Duty

Downes Construction Company realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law.

Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service. Additionally, employees are expected to communicate about scheduling issues/flexibility and provide updates daily.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

Employees on jury duty leave will be paid the difference between jury pay and regular wages for days unable to report to work because of jury service. This does not include transportation to jury duty or additional expenses incurred while on jury duty.

#### **Jury Duty Reporting Procedure**

- Employee to show supervisor the summons to serve on a jury prior to the time scheduled to serve. Provide a copy to Human Resources for file.
- Employee to provide Human Resources with evidence of having served on a jury for the time claimed. Jury absence will be noted on time sheet or time card.
- Employee to provide Human Resources a copy of jury duty pay.

Regular wages will be paid until jury pay is received. Jury pay will be deducted from employees' regular wages.

Time spent on jury duty will not be counted as hours worked for the purpose of computing overtime pay.

This benefit cannot be applied to any court appearance other than jury duty unless such appearance is related to employment.

### 3.4 Bereavement/Funeral Leave

Downes Construction Company takes into consideration the personal needs that arise from the death of an immediate family member. All full-time employees are eligible for bereavement leave up to three (3) days with full pay until and including the day of the funeral.

Members of the immediate family include parents, spouses/partners, children, siblings, step-parents, stepsiblings, step-children, parents-in-law. At the discretion of management, bereavement leave may be granted for other close relationships.

Downes Construction Company reserves the right to request proof of death and relationship to the deceased.

### 3.5 Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in a statewide election the employee may take off enough working time to vote. Such time will be paid. This time should be taken at the beginning or end of the regular work schedule. Where possible, supervisors should be notified at least two (2) days prior to the voting day.

### 3.6 Health & Wellness Insurance Programs

Downes Construction Company currently offers medical, dental and vision insurance to full-time employees (as defined by the insurance carrier).

Insurance coverage begins on the first day of the first month following full-time employment. Current part-time employees who become full-time employees should contact Human Resources when they are eligible to enroll.

There will be no additional compensation given to an employee who chooses not to participate in the benefits programs. Downes Construction Company reserves the right to add, remove or modify any or all benefits at any time as a result of changing operating conditions, availability of funds or other factors that cannot be anticipated.

For specific details, please refer to the current health insurance benefits guide.

### 3.7 Group Life Insurance

Downes Construction Company provides all full-time employees a life insurance benefit of 2X salary (\$200,000 cap). Full-time employees are eligible for Group Life Insurance benefits the first of the month following 30 days of employment. Employees who wish to supplement their Life Insurance may do so at time of enrollment at their own expense.

For specific details, please refer to the current health insurance benefits guide.

### 3.8 FSA/DCRA Accounts

Downes Construction Company offers active full-time employees the option of participating in Flexible Spending (FSA) and Dependent Care Reimbursement Account (DCRA).

For specific details, please refer to the current health insurance benefits guide.

### 3.9 Defined Contribution Retirement Plan

Downes Construction Company offers a Defined Contribution Retirement Plan to eligible full-time employees.

For specific details, please contact Human Resources.

### 3.10 Employee Stock Ownership Program

Downes Construction Company offers active non-union employees the opportunity to participate in a Stock Ownership Program following the date on which he or she has attained twenty-one (21) and completed one Year of Service (at least 1000 hours).

For additional information regarding employer contributions and vesting, contact Human Resources.

### 3.11 Workers Compensation

On-the-job injuries are covered by Downes Construction Company's Workers' Compensation Insurance Policy, which is provided at no cost. If employees are injured on the job, no matter how slightly, they should report the incident immediately to their supervisor. Failure to follow Downes Construction Company procedures may affect the ability of employees to receive Workers Compensation benefits.

Employees returning to work from an injury or illness for which they are receiving Workers Compensation benefits must provide proof of rehabilitation or treatment from a licensed physician and verification that they are able to complete job required tasks.

In the event that the employee cannot complete job required tasks as ordered by the physician, Downes Construction Company may be able to temporarily modify the employee's workload to accommodate a return to work. Once a physician has verified that the employee can resume job-required tasks, he or she will no longer receive worker's compensation benefits.

### 3.12 Disability/Maternity/Other Connecticut Paid Family Medical Leave (PFML)

Downes Construction Company, LLC, hereafter called the "Corporation," which is duly organized under the laws of the State of Connecticut, hereby establishes a Disability Salary Continuation Policy, hereafter called the "Policy," effective January 1, 2023, for the benefit of all Eligible Employees as hereinafter defined.

1. **ELIGIBLE EMPLOYEES:** The term "Eligible Employee" shall include all full-time employees of the Corporation who have worked for at least one year prior to their disability. Benefits through The Hartford do not have a one year waiting period.

2. **MATERNITY:** An eligible employee shall be considered for Maternity leave during their pregnancy and immediately following the birth of their child. Salary continuation benefits for this leave will be comprised of the following:
  - a. Reimbursement for the medical leave provided by The Hartford Insurance Company under the Corporations policy. It is the Employee's responsibility to coordinate with Human Resources and the insurance carrier to fill out and complete all necessary paperwork.
  - b. The Corporation will supplement said insurance policy to reimburse the eligible employee for the balance of their salary making the 12 week benefit 100% paid for all 12 weeks. You may take an additional two weeks if you cannot work during your pregnancy because of a serious health condition.
  - c. It is the responsibility of each Eligible Employee to cooperate with Human Resources in obtaining from the attending physician written documentation indicating the date of disability and an estimated return to work date. Each Eligible Employee is responsible for initiating and obtaining any additional documentation that he/she may be required to furnish to Human Resources.

3. **Other Salary Continuation Benefits: (PFMLA)**

Reimbursement for the medical leave provided by The Hartford Insurance Company under the Corporations policy. Downes Construction will supplement the first four weeks of disability to equal 100% of the employee's salary. The remaining 8 weeks of disability would be paid thru The Hartford at the current rate allowed.

4. **DISABILITY:** An Eligible Employee shall be considered "Disabled" for purposes of this Policy when the employees attending physician deems the employee disabled and unable to perform the material function of the employee's duties subject to plan eligibility, waiting period and plan benefits.
5. Benefits are limited to twelve weeks per twelve-month period.
  - a. The Eligible Employee may use their accrued PTO after the first month of disability to supplement their salary reduction.
  - b. The Salary Continuation benefit shall conclude when the employee is no longer disabled, the employee is eligible to receive group long term disability benefits, the employee is no longer an eligible employee or the employee's death.
  - c. An employee may request unpaid leave following a Disability Salary Continuation benefit. Such leave will be determined on a manager's

approval basis and if approved an unpaid leave shall be pre-determined in length.

Management may, at its discretion, modify, make changes or discontinue the Disability Salary Continuation Policy at any time. Extenuating circumstances should be discussed with Management.

### 3.13 Long-Term Disability

Downes Construction Company offers long-term Disability Insurance coverage provided by New York Life 100% paid by Downes Construction.

Benefit is equal to the lesser of 60% of Monthly Earnings or a maximum of \$10,000 per month and are payable on 90th day following the date of disability and continue up to a maximum benefit period of your normal Social Security Retirement age.

### 3.14 Educational Assistance

Downes Construction Company is committed to developing and maintaining a high-performance workforce and encourages its employees to continue to develop the knowledge and skills necessary to succeed in their jobs and provide optimum service to customers. For these reasons, Downes Construction Company maintains an educational assistance program for those employees who wish to further their education.

The program is available for continuing education through an accredited program that either offers growth in an area related to his or her current position or that may lead to promotional opportunities. This education may include college credit courses, continuing education unit courses, seminars and certification tests that are job-related. Non-position related courses are generally not covered.

To participate in the program, individuals must be an active full-time regular employee who has completed one year of employment. All educational opportunities must be approved in advance by the employee's manager.

Approved job-related expenses for tuition, books, training, course registration and exam fees will be reimbursed up to \$10,000 per employee annually.

Before enrolling in a course or program, employees must provide his or her manager with information about the course for which he or she would like to receive reimbursement and discuss the job-relatedness of the continuing education.

The application for participation in this program is to be made in writing and submitted to Human Resources for approval prior to commencement of the course. Upon approval or denial, Human Resources will notify the employee.

Following completion of the approved coursework, the employee must submit to Human Resources the "Request for Educational Reimbursement" form with evidence of satisfactory completion (C for bachelor's level and B for master's level) and itemized receipts for expenses incurred for tuition, books, and other covered expenses. Human Resources will then process payment.

If financial assistance is being received from other sources (such as any state, federal, military, or private assistance) only the difference between the total cost of the course and the amount of the assistance will be considered reimbursable under this program. Employee reimbursement upon satisfactory completion of the approved course or training will be the method of assistance provided, however, in the case of certification programs, where the full certification cost is required up-front, Downes Construction Company may consider direct payment of some or all portions prior to the start of the training. Downes Construction Company has the discretion to deny approval due to business needs, including the need to work flexible or longer hours, or where employee performance has been or could become unsatisfactory.

### 3.15 Gym Reimbursement

Downes Construction offers a fitness gym reimbursement program for regular full-time employees. The reimbursement will be processed and reimbursed on a quarterly basis. An expense report and all receipts must accompany the request, be signed off on and submitted to Payroll/Human Resources. This benefit begins at the start of employees' employment and is available to all full-time regular employees.

#### **The Cap Reimbursement Fee Policy is as follows:**

Downes will reimburse at the following cap reimbursement stipulated amounts.

If the initiation/registration fee and monthly cost exceeds the stipulated amount, the employee is responsible for any additional cost. The caps are as follows:

- Initiation/Registration Cap is up to and not to exceed: \$150 per year.
- Monthly Dues is up to and not to exceed: \$ 45 per month

Forms of Acceptable Receipts for Reimbursement:

**Membership Reimbursement:** A copy of the membership agreement must be submitted along with a copy of the credit card receipt statement, or a copy of the cashed check made out to Gym (both sides) must be provided for reimbursement.

**Monthly Dues:** For monthly dues reimbursement, a copy of the credit card receipt statement or a copy of the cashed check made out to Gym (both sides) must be provided for reimbursement.

## SECTION IV: LEAVES OF ABSCENCE

### 4.1 Family Medical Leave Act (FMLA) Leave

Downes Construction Company complies with the Family and Medical Leave Act (FMLA) and will grant up to 12 weeks of leave during a 12- month period to eligible employees (or up to 26 weeks of military caregiver leave).

The purpose of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights

required by law. If you have any questions, concerns, or disputes with this policy, please contact Human Resources.

### **Eligibility**

To be eligible for leave under this policy, employees must meet all of the following requirements:

1. Have worked at least twelve (12) months for Downes Construction Company;
2. Have worked at least 1,250 hours for Downes Construction Company over the twelve (12) months preceding the date the leave would commence and;
3. Currently work at a location where there are at least fifty (50) employees within seventy-five (75) miles.

The 12 months of employment do not have to be consecutive. All periods of absence from work due to or necessitated by service in the uniformed services are counted as hours worked in determining eligibility.

### **Reasons for Leave**

To qualify as FMLA leave under this policy, the leave must be for one of the following reasons:

- The birth of a child or placement of a child with the employee for adoption or foster care.
- To care for a spouse, child or parent who has a serious health condition
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job.
- For any qualifying exigency arising out of the fact that a spouse, child, or parent is a military member on covered active duty or on a call to covered active-duty status.
- To care for a covered service member with a serious injury or illness.

### **Amount of Leave**

An eligible employee can take up to 12 weeks of FMLA leave during any 12-month period. The company will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the company will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave during a single 12-month period. For this military caregiver leave, the company will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

Eligible spouses who both work for the company may only take a combined total of 12 weeks of leave for the birth of a child, adoption, or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition. Both may only take combined total of 26 weeks of leave to care for a covered injured or ill service member (if each spouse is a parent, spouse, child or next of kin of the service member).

### **Intermittent FMLA or Reduced Work Schedule**

Employees may take FMLA leave in one consecutive block of time, may use the leave intermediately (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member) in a 12-month period.

The company may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the company and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the company's operations.

### **Employee Notice Requirement**

All employees requesting FMLA leave must provide verbal or written notice of the need for leave to the department manager or Human Resources.

When the need for the leave is foreseeable, the employee must provide the company with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave fewer than 30 days in advance, the employee must provide notice of the need for the leave either the same day the need for leave is discovered or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the company's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Within five business days after the employee has provided this notice, Human Resources will complete and provide the employee with a Notice of Eligibility and Rights and request a medical certification or other supporting documentation as necessary.

### **Designation of FMLA Leave**

Within five business days after the employee has submitted the required certification or other documentation, Human Resources will complete and provide the employee with a written response to the employee's request for FMLA leave using the FMLA Designation Notice.

### **Employee Status and Benefits During Leave**

Downes Construction Company will continue an employee's health benefits during the leave period at the same level and under the same conditions as if the employee was continuously at work.

While on paid leave, Downes Construction Company will continue to make payroll deductions to collect the employee's share of insurance premiums. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the accounting department by the 10th day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave.

Downes Construction Company will provide 15 days' notification prior to the employee's loss of coverage.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the company will require the employee to reimburse the company the amount it paid for the employee's health insurance premium during the leave period.

If the employee contributes to a life insurance or disability plan, the company will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the company may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the company will discontinue coverage during the leave. If the company maintains coverage, the company may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

### **Employee Status After Leave**

An employee who takes leave under this policy may be asked to provide a fitness for duty clearance from a health care provider. This requirement will be included in the company's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one that is virtually identical in terms of pay, benefits and working conditions. The company may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee

### **Use of Paid and Unpaid Leave**

An employee who is taking FMLA leave because of the employee's own serious health condition, or the serious health condition of a family member must use all paid vacation, personal or sick leave prior to being eligible for unpaid leave. Sick leave may run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. For example, when an employee takes six weeks of Downes Construction pregnancy disability leave, the six weeks will be designated as FMLA leave and counted toward the employee's 12-week entitlement. The employee will then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the 12-week

entitlement. An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal or family leave prior to being eligible for unpaid leave.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation, personal leave, or sick leave (as long as the reason for the absence is covered by the company's sick leave policy) prior to being eligible for unpaid leave.

### **Intent to Return to Work from FMLA Leave**

On a basis that does not discriminate against employees on FMLA leave, Downes Construction Company may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

### **Definitions:**

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. This can include conditions with short-term, chronic, long-term, or permanent periods of incapacity.

Spouse means a husband or wife as defined or recognized in the state where the individual was married and includes individuals in a common law or same-sex marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside of the United States, if the marriage could have been entered into in at least one state.

Child means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence.

Parent means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child. This term does not include parents "in law."

Qualifying exigency includes short-notice deployment, military events and activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Covered active duty for members of a regular component of the Armed Forces, means duty during deployment of the member with the Armed Forces to a foreign country. For a member of the Reserve components of the Armed Forces, means duty during the deployment of the member with the Armed Forces to a foreign country under a federal call or order to active duty in support of a contingency operation, in accordance with 29 CR 825.102.

The next of kin of a covered service member is the nearest blood relative, other than the covered service member's spouse, parent or child in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has

specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA.

Covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is receiving medical treatment, recuperation, or therapy, or is in outpatient status or on the temporary disability retired list for a serious injury or illness.

Serious injury or illness is one that is incurred by a service member in the line of duty on active duty that may cause the service member to be medically unfit to perform the duties of his or her office, grade, rank, or rating. A serious injury or illness also includes injuries or illnesses that existed before the service member's active duty and that were aggravated by service in the line of duty on active duty.

## 4.2 Military Leave

Downes Construction Company provides military leave to eligible employees in compliance with federal and state laws, including the federal Uniformed Services Employment and Reemployment Rights Act (USERRA). Questions regarding the Company's military leave policy should be directed to Human Resources. Employees should notify their managers as soon as they become aware of a military service obligation.

### **Leave for Annual Training**

Employees who are members of the U.S. Army Navy, Air Force, Marines or Coast Guard Reserves or the National Guard may be granted leaves of absence for the purpose of participating in Reserve or National Guard training programs.

Employees will be granted the minimum amount of leave needed to meet the minimum training requirements of their units. No employee will be required to use vacation time for military duty, but employees who do elect to schedule their vacations to coincide with military duty will receive their full regular vacation pay in addition to any pay from the military.

In recognition of the public service performed by Reservists and members of the National Guard, employees will receive the difference between their regular pay and their service pay, excluding any military subsistence allowance or other expense allowances during the training period.

### **Leave for Military Service**

Permanent employees who perform service in the uniformed services may be granted leaves of absence for the purpose of participating in the military service. Under USERRA, "uniformed services" consists of the U.S. Army, Navy, Marine Corps, Air Force and Coast Guard and their Reserve components, U.S. National Guard and Air National Guard, the Commissioned Corps of the Public Health Service and any other category of persons designated by the President of the United States in time of war or emergency.

Employees will be granted leave as required to complete the military service, for up to five years of cumulative uniformed service-related absences. Some special categories of military service are exempt from this five-year limit.

Employees with leaves of less than 31 days must report back to work by the beginning of the first regularly scheduled work period after the end of the last calendar day of service, plus the time required returning home safely and having an eight-hour rest period.

Employees with leaves between 31 and 180 days must apply for re-employment no later than 14 days after completion of uniformed service. Employees with leaves longer than 180 days must apply for re-employment no later than 90 days after completion of uniformed service.

The reporting or application deadlines are extended for persons who are hospitalized or convalescing because of an injury or illness incurred or aggravated during the performance of military service.

Returning service members will be re-employed in the job that they would have attained had they not been absent for military service, with the same seniority, status and pay, as well as other rights and benefits determined by seniority (escalator position). Downes Construction Company will make reasonable efforts (such as training or retraining) to enable returning service members to refresh or upgrade their skills to help them qualify for re-employment. However, certain exceptions apply, and a service member may be placed in an alternative re-employment position if he or she cannot qualify for the escalator position.

During a period of military service, the employees will be treated as if they are on a furlough or leave of absence. Consequently, during their period of service they are entitled to participate in any rights and benefits not based on seniority that are available to employees on comparable non-military leaves of absence.

If an employee's health plan coverage would terminate because of an absence due to military service, he or she may elect to continue the health plan coverage for up to 24 months after the absence begins or for the period of service (plus the time allowed to apply for re-employment), whichever period is shorter. The employee may be required to pay up to 102 percent of the full premium for the coverage. However, if the military service is for 30 or fewer days, the employee cannot be required to pay more than the normal employee share of any premium.

### 4.3 Leave for Domestic Violence

Employees who are victims of family or domestic violence may take at least 12 days of unpaid leave during any calendar year for a qualifying purpose. "Family violence" includes incidents resulting in physical harm, bodily injury, assault, or an act of threatened violence between family or household members. "Domestic violence" includes family violence, as well as stalking, threatening or intimidation, or coercive control.

#### **Reasons for Leave**

Employees may take leave under this policy to:

- seek medical care or counseling for injury or disability as a result of family or domestic violence (including for a child who is a victim of domestic violence, provided the employee is not the perpetrator of the domestic violence against the child);
- obtain services from a victim services organization;

- obtain psychological counseling related to an incident(s) of family or domestic violence (including for a child who is a victim of domestic violence, provided the employee is not the perpetrator of the domestic violence against the child);
- take action to increase safety from future incidents of domestic violence, including temporary or permanent relocation; or
- obtain legal services, assist in the prosecution of the offense, or otherwise participate in any civil or criminal proceeding related to or resulting from such family or domestic violence.

### **Notice**

To the extent practicable, employees must provide reasonable notice (preferably seven (7) days) to request a domestic or family violence leave.

### **Documentation**

Employees should provide one (1) of the following documents in connection with their use of family or domestic violence leave: a signed, written statement certifying that the leave is a result of an incident of family or domestic violence; a police or court record related to the incident of family or domestic violence; or a signed, written statement that the employee is a victim of family or domestic violence from an employee or agent of a victim services organization, an attorney, an employee of the office of victim services or victim advocate or a medical professional or other professional from whom the employee has sought assistance concerning the incident of family violence. Downes Construction Company will make every attempt to ensure documents provided in support of a family or domestic leave request under this policy remain confidential and protected from disclosure unless required by law.

### **Unpaid Leave**

Employees are not paid while on a domestic or family violence leave but may use any accrued and unused paid time off time in connection with use of this leave.

Eligible employees also may apply to the Connecticut Paid Leave Authority to receive benefits for the otherwise unpaid family violence leave under this policy (up to 12 days). For more information, please consult the Connecticut Paid Leave Benefits policy.

### **Reinstatement**

Employees who take leave under this policy will be returned to the position they held at the time when the leave commenced or to a position with equivalent benefits, pay, and other terms and conditions of employment.

### **Enforcement and Retaliation**

Employees will not be subject to discharge, harassment, or discrimination for exercising rights or attempting to exercise rights under this policy, opposing practices that they believe to be in violation of this policy, or supporting the exercise of rights of another under this policy.

If employees have any questions regarding this policy, they should contact Human Resources.

#### 4.4 Crime Victim Leave

Employees may take time off from work, without pay, for the following reasons:

- To comply with a legal subpoena to appear before any court of Connecticut as a witness in a criminal proceeding.
- To attend a court proceeding or to participate in a police investigation related to a criminal case in which the employee is a crime victim (i.e., has suffered direct or threatened physical, emotional, or financial harm as a result of the crime) or is an immediate family member or guardian of a person who suffers such harm and is a minor, physically disabled incompetent, or a homicide victim.
- To attend a court proceeding with respect to a criminal case of a person charged with committing a crime that resulted in the death of the employee's parent, child, sibling, or spouse.

Employees should provide Downes Construction Company as much advance notice of the need for leave under this policy as is possible. If advance notice is not feasible, the employee must provide appropriate documentation within a reasonable period of time after the absence. Downes Construction will not retaliate, or tolerate retaliation, against any employee who seeks or obtains leave under this policy.

#### 4.5 Personal Leave

Employees who require extended time off for personal reasons such as but not limited to, extended maternity/paternity and family responsibilities, may request a personal leave of absence.

Such leave without pay may be granted at the discretion of the employee's supervisor for up to one month. All accrued PTO must be exhausted before unpaid leave is taken. PTO does not accrue during periods of unpaid leave.

In cases of unpaid personal leave, employee health insurance, if applicable, may be maintained at the usual employee contribution level for a specified period of time to be discussed at the time such leave is granted. After stated amount of time, the employee may maintain his/her health insurance through COBRA. The employee must return to work on the scheduled return date or be considered to have voluntarily resigned from his or her employment.

## SECTION V: GENERAL STANDARDS OF CONDUCT

#### 5.1 Workplace Conduct

The work rules and standards of conduct for Downes Construction Company are important, and the Company regards them seriously. All employees are urged to become familiar with these rules and standards. In addition, employees are expected to follow the rules and standards faithfully in doing their jobs and conducting business on behalf of Downes Construction Company. Please note that any employee who deviates from these rules and standards will be subject to disciplinary action, up to and

including termination of employment. Please note, as a construction company, all employees will be held to OSHA compliance standards at a minimum and or more stringent Downes Construction Company Policies and Programs as required.

While not intended to list all the forms of behavior that are considered unacceptable in the workplace, the following are examples of rule infractions or misconduct that may result in disciplinary action.

1. Theft or inappropriate removal or possession of property.
2. Falsification of timekeeping records.
3. Working under the influence of alcohol or illegal drugs.
4. Possession, manufacture, distribution, sale, transfer, dispensation or use of alcohol or illegal drugs.
5. Fighting or threatening violence in the workplace
6. Immoral actions or intimidating others.
7. Boisterous or disruptive activity in the workplace.
8. Negligence or improper conduct leading to damage of Company or customer property.
9. Insubordination or other disrespectful conduct o Violation of safety or health rules.
10. Violation of company smoking policy.
11. Sexual or other unlawful or unwelcome harassment or touching.
12. Excessive absenteeism or any absence without notice.
13. Unauthorized use of telephones or other Company equipment.
14. Using Company equipment for purposes other than business (e.g., playing games on computers or personal Internet usage).
15. Unauthorized disclosure of confidential information o Violation of personnel policies and;
16. Unsatisfactory performance or conduct.
17. Any other violation of Downes Construction Company's policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at will, and Downes Construction Company reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance.

Downes Construction Company will deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a given situation.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

## 5.2 Punctuality & Attendance

Employees are hired to perform important functions at Downes Construction Company. As with any group effort, operating effectively takes cooperation and commitment from everyone. Unnecessary absences and lateness are expensive, disruptive and place an unfair burden on fellow employees and managers. We expect excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

We do recognize, however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify their supervisors as early as possible, but no later than the start

of the work day. In the event the employee's immediate supervisor is not available, a manager must be contacted. Asking another employee, friend or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should notify their supervisor every day of absenteeism.

Additionally, employees who become ill at work or must leave the office before the end of the workday, must inform their supervisor prior to departure.

Unreported absences of three (3) consecutive workdays generally will be considered a voluntary resignation of employment with Downes Construction Company.

### 5.3 Disciplinary Action

Each employee has the duty and the responsibility to be aware of and abide by existing rules and policies and to maintain proper standards of conduct at all times. Employees also have the responsibility to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her job description or as otherwise established.

If an individual's performance fails to meet Downes Construction Company's expectation, or their behavior interferes with the professional, orderly, and efficient operation of the Agency, performance counseling and corrective disciplinary measures will occur as appropriate.

Disciplinary guidelines do not alter the "Employment at Will" relationship. Disciplinary action may include a verbal warning, written warning(s), suspension without pay and/or dismissal, not necessarily in that sequence.

Management will determine the appropriate action to be imposed. Downes Construction Company does not guarantee that one form of action will necessarily precede another or that each of these steps will be followed. Discipline taken will be recorded in an employee's personnel file. Whenever possible, disciplinary action will be corrective and designed to improve and prevent a recurrence of undesirable behavior and/or performance issues.

Downes Construction Company recognizes that personal issues can sometimes affect your performance. The Employee Assistance Program (EAP) is available to all employees and their families to provide confidential help with a wide variety of personal problems, issues, and concerns.

**Use of EAP** services, however, does not excuse you from complying with Company policies and procedures, or from achieving job requirements or expectations during or after receiving EAP assistance. Participation in the EAP will not prevent Downes Construction Company from taking disciplinary action when warranted.

### 5.4 Employee Dress Code

Downes Construction Company believes that your pride in both yourself and the Company is reflected in your appearance and in the image you create. Our business image is important and, therefore, request that our employees maintain standards of dress and appearance appropriate to both the organization as a whole and your individual position's responsibilities.

Dress, grooming, personal cleanliness, and professional behavior standards contribute to the professional image we strive to present to our customers and visitors. Therefore, while performing duties for the Company, employees are expected to dress in attire appropriate to the business environment and to behave in a professional manner at all times to best represent our business.

If an employee is unclear about dress and appearance guidelines, he or she is encouraged to consult with Human Resources. If an employee reports to work in questionable attire or appearance, a notification and discussion will occur with the employee to advise and counsel him, her, or them regarding the inappropriateness of the attire. Depending upon the circumstance, the employee may also be sent home with directions to return to work in proper attire. It is expected that any work time lost will be made up by the employee.

Continued or frequent departures from these guidelines will not be permitted and employees who appear for work inappropriately dressed or groomed repeatedly will be subject to disciplinary action.

## 5.5 Use of Social Media

Downes Construction Company respects the right of any employee to maintain a blog or web page or to participate in a social networking, Twitter, or similar site, including but not limited to Facebook and LinkedIn. However, to protect Downes Construction Company's interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not post on a blog or web page or participate on a social networking platform, such as Twitter or similar site, during work time or at any time with Downes Construction Company equipment or property unless it is work-related and authorized by your supervisor. Do not use Downes Construction Company email addresses to register for social media accounts, blogs or other online tools intended for your personal use.

Responsible use of professional media sites for networking, hiring, or continuing education is encouraged when supported by your supervisor, reasonably fits your workload, and is aligned to your professional development goals.

All rules regarding confidential and proprietary business information apply in full to blogs, web pages and social networking platforms, such as Twitter, Facebook, LinkedIn or similar sites. Any information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed in a blog, web page or social networking site. Whether the employees are posting something on their own blog, web page, social networking, Twitter or similar site or on someone else's, if the employee mentions Downes Construction Company and also expresses either a political opinion or an opinion regarding Downes Construction Company's actions that could pose an actual or potential conflict of interest with Downes Construction Company, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is his/her personal opinion and not Downes Construction Company's position. This is necessary to preserve Downes Construction Company's good will in the marketplace.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking, Twitter or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous, or violent is forbidden. Downes Construction Company's policies apply equally to employee social media usage.

Downes Construction Company encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page, and/or social networking site is received and often misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their supervisor or Human Resources. Failure to follow these guidelines may result in discipline, up to and including discharge.

### 5.6 Use of Company Equipment Including Intellectual Property

When using Downes Construction Company property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

Employees should notify their supervisor if any equipment, machines, or tools appear to be damaged, defective or in need of repair. Prompt reporting of loss, damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Supervisors can answer any questions about the employees' responsibility for maintenance and care of equipment used on the job.

Employees also are prohibited from any unauthorized use of Downes Construction Company's intellectual property, such as audio and video tapes, print materials and software.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including discharge.

### 5.7 Publicity Statements to Media

All media inquiries regarding the position of CFA Downes Construction Company as to any issues must be referred to the Vice President of Business Development and the President. No employees, unless specifically designated by President are authorized to make those statements on behalf of Downes Construction Company. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of Downes Construction Company must first obtain approval from the President.

### 5.8 Solicitation/Distribution Policy

To avoid distractions, solicitation by the employee of another employee is prohibited while either employee is on work time. "Work time" is defined as the time the employee is engaged, or should be engaged, in performing his/her work tasks for Downes Construction Company. Distribution of advertising material, handbills, printed or written literature of any kind in working areas of Downes Construction Company is prohibited at all times.

### 5.9 Bulletin Board Policy

Important notices and items of general interest are continually posted on Downes Construction Company's bulletin boards. To avoid confusion, employees should not post or remove any material from the company bulletin boards.

## 5.10 Conflict of Interest/Business Ethics

All employees have a duty to further the Company's aims and goals, and to work on behalf of its best interest. Employees should not place themselves in a position where their actions or personal interests may be in conflict with those of Downes Construction Company.

Examples include:

- 1.) soliciting or profiting from the Company's client or prospect base or other Company asset for personal gain;
- 2.) acting on behalf of Downes Construction Company in servicing or obtaining a client, and limiting the best solution for the client or prospect for personal financial gain and;
- 3.) acting as director, officer, employee or otherwise for any business or institution with which Downes Construction Company has a competitive or significant business relationship without the written approval of the President;
- 4.) outside employment by an employee or any member of an employee's immediate family that could create a conflict.

Employees should report to their supervisor any situation or position which may create a conflict of interest with Downes Construction Company.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given, and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

Any violation of this policy may subject employees to disciplinary action up to and including immediate discharge.

## 5.11 Confidential Company Information

The protection of confidential business information and trade secrets is vital to the interests and the success of Downes Construction Company.

Such confidential information includes, but is not limited to:

- Contractual agreements
- Financial information
- Marketing initiatives
- Client lists
- Pending projects and proposals

Employees who improperly use or disclose trade secrets or confidential business information to outside parties will be subject to disciplinary action, including immediate discharge, even if the employee does not benefit from the disclosed information.

## 5.12 Hiring of Relatives/Employee Relationships

Downes Construction Company wants to ensure that our practices do not create situations such as conflict of interest or favoritism. This extends to practices that involve employee hiring, promotion and transfer and Board membership. Close relatives, partners, those in a dating relationship or members of the same household are not permitted to be in positions that have a reporting responsibility to each other.

Close relatives are defined as husband, wife, domestic partner, father, mother, father-in-law, mother-in-law, grandfather, grandmother, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives, cousins, and domestic partner relatives.

If employees begin a dating relationship or become relatives, partners, or members of the same household, and if one party is in a supervisory position, that person is required to inform management of the relationship.

Downes Construction Company does not prohibit all consensual romantic relationships between employees. However, romantic, or sexual relationships that create conflicts of interest, potential charges of sexual harassment, or other discord and disruption of workplace performance and productivity or which are between a supervisor and his/her subordinate, will not be permitted.

Downes Construction Company reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved.

### 5.13 Driving while on Company Business

Driver inattention plays a role in many motor vehicle accidents. We are not only concerned about your welfare as a Downes Construction Company employee, but also the welfare of others who could be put in harm's way.

As a driver, your first responsibility is to pay attention to the road. When driving on Downes Construction Company business or driving while conducting business on behalf of the Company in any other capacity, the following applies:

#### **Cell Phone Use**

Cell phone use while driving is a common, often harmful, distraction. We are concerned about your safety as well as the safety of others. For this reason, the use of cell phones while driving is strongly discouraged. Do not accept or place calls unless you are using a hands-free device and it is an emergency, (meaning the call cannot wait until you safely pull off the road or until you arrive at your destination).

If you must use your cellphone, we require that you comply with all state regulations. Please use good judgment: keep the call short and use a hands-free device. Get to know your phone and its features and suspend conversations during hazardous driving conditions (rain, snow, ice, fog, glare, heavy traffic, etc.).

#### **Obey the Law**

Downes Construction Company is not responsible for any moving traffic violations, parking tickets or any other city ordinances or state or federal laws regarding your driving habits and operation and care of

your personal motor vehicle. Any tickets issued are the employee's responsibility, even if the ticket is issued while conducting business for Downes Construction Company.

Any changes in your driving record (moving violations) should be reported to Human Resources. Downes Construction reviews driving records for all employees annually.

#### **Other Safe Driving Precautions**

- Use your best judgment when road conditions are poor. Limit or avoid driving when rain or snow threatens your safety.
- Make an effort to avoid distractions such as eating, applying makeup, paying too much attention to your radio or CD player, etc.
- Do not drive if your ability to drive safely is impaired by the influence of medications.
- Laptop computers or any other device which may affect driving should never be used at any time while operating a vehicle.
- Be sure to properly adjust the mirrors and familiarize yourself with the vehicle's controls before operating.
- Be concerned for your coworkers' safety. Ask them to call you back at a safer time if they call you while they are driving.

As a business against drunk driving, be responsible when entertaining clients or attending any social events (including Holiday parties etc.) Abide by the law and use a designated driver for transportation if you are under the influence of alcohol.

Employees who drive for company business must have a current, valid driver's license. If you drive a personal vehicle, you must provide a copy of your license and insurance to the Human Resources Department on an annual basis. All employees must also sign our Vehicle Policy Statement whether they drive a personal or company vehicle.

### 5.14 Business Expense Reimbursement

Downes Construction Company will reimburse employees for all necessary and reasonable travel expenses related to the normal conduct of business. It is the employee's responsibility to prepare and submit a Monthly Expense Report to receive reimbursement for business-related expenses. Expense Reports should be submitted on a monthly basis to ensure proper matching of expenses with the appropriate accounting period.

Employees must submit their expense/mileage reports to their manager before the end of the month for approval. The employee's manager will forward the approved reports to Payroll/Human Resources. These expenses will be paid out in the second paycheck of the following month.

For business-related meals and entertainment expenses to be deductible, IRS regulations require that the amount and date of expense, specific business purpose, name, title, and company of people entertained, and name and location of the establishment where the event took place and time of the

business discussion (i.e., before, during or after the event) and entertainment be documented on the expense form.

### **Mileage Reimbursement**

- 1.) Employees traveling on business with personal vehicles will be reimbursed for mileage incurred according to the IRS guidelines. Downes Construction Company expense report template located on the intranet will be updated as these rates are changed (up or down), so it's important to periodically reference the current report template on the intranet. The current IRS rates can also be found at <http://www.irs.gov/> under mileage.
- 2.) Mileage submitted for reimbursement should be adjusted to exclude the employee's normal cost for commuting to/from assigned location to a maximum of 20 miles each way. In the event a trip is taken over 20 miles in each direction, the difference in miles may be submitted for mileage reimbursement. Example: An employee takes a 1-day business trip to a client located 70 miles each direction from his/her assigned location. The employee shall submit reimbursement for 100 miles (140 miles- 40 miles).
- 3.) Fuel, repairs, or other car related expenses incurred on business trips shall not be included on an expense report as the IRS mileage allowance is all inclusive.
- 4.) Tolls and parking fees for business travel are reimbursable with submission of receipts.

## 5.15 Whistleblower Policy

Downes Construction Company requires directors, officers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of Downes Construction Company, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

### **Reporting Responsibility**

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that Downes Construction Company can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, and employees to report concerns about violations of Downes Construction Company's code of ethics or suspected violations of law or regulations that govern Downes Construction Company's operations.

### **No Retaliation**

It is contrary to the values of Downes Construction Company for anyone to retaliate against any board member, officer, or employee who in good faith reports an ethics violation or a suspected violation of law, such as a complaint of discrimination or suspected fraud or suspected violation of any regulation governing the operations of Downes Construction Company. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

### **Reporting Procedure**

Downes Construction Company has an open-door policy and suggests that employees share their questions, concerns, suggestions, or complaints with their supervisor. If you are not comfortable

speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with Human Resources. Supervisors and managers are required to report complaints or concerns about suspected ethical and legal violations in writing to Human Resources, who has the responsibility to investigate all reported complaints. A complaint concerning a violation or suspected violation by Human Resources should be reported to the President. The President will be responsible for investigating the complaint.

### **Human Resources**

The Human Resources department is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. Human Resources will advise the President of all complaints and their solutions.

### **Accounting and Auditing Matters**

Human Resources shall immediately notify the Controller of any concerns or complaint regarding corporate accounting practices, internal controls or auditing and work with the assigned designee until the matter is resolved.

### **Acting in Good Faith**

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

### **Confidentiality**

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

### **Handling of Reported Violations**

The Executive Director will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated, and appropriate corrective action will be taken if warranted by the investigation.

## **5.16 If you must Leave**

Should any employees decide to leave Downes Construction Company, we ask that they provide your supervisor with at least two weeks' advance notice of departure. Thoughtfulness will be appreciated. All Downes Construction Company property including, but not limited to, laptop computers, printers, etc., must be returned at separation.

Employees also must return all of Downes Construction Company's Confidential Information upon separation. To the extent permitted by law, employees will be required to repay Downes Construction Company (through payroll deduction, if lawful) for any lost or damaged Downes Construction Company property.

Upon resigning from Downes Construction Company, please continue to provide us with an accurate address for at least one year for tax purposes.

As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

### 5.17 References

Downes Construction Company will provide general information concerning the employee such as date of hire, date of discharge, and positions held. Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to Human Resources.

### 5.18 A Few Closing Words

This handbook is intended to give employees a broad summary of things they should know about Downes Construction Company. The information in this handbook is general in nature and, should questions arise, any member of management should be consulted for complete details. While we intend to continue the policies, rules and benefits described in this handbook, Downes Construction Company, in its sole discretion, may always amend, add to, delete from or modify the provisions of this handbook and/or change its interpretation of any provision set forth in this handbook. Employees should not hesitate to speak to management if they have any questions about Downes Construction Company or its personnel policies and practices.

**Disclaimer: This handbook is meant to provide general guidelines and should be used as a reference. It may not take into account all relevant local, state or federal laws and is not a legal document. Subject to company discretion if prior agreements, arrangements, contracts (Union), etc. are in place. Neither the author nor workplace will assume any legal liability that may arise from the use of this policy.**

**GENERAL HANDBOOK ACKNOWLEDGMENT**

This Employee Handbook is an important document intended to help employees become acquainted with Downes Construction Company. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because Downes Construction Company's operations may change, the contents of this Handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Handbook.

I have received and read a copy of Downes Construction Company's Employees Handbook. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of Downes Construction Company at any time.

I further understand that my employment is terminable at will, either by myself or Downes Construction Company, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.

I understand that no representative of Downes Construction Company other than the President may alter "at will" status and any such modification must be in a signed writing.

I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of Down's Construction Company Employee Handbook.

Employee's Printed Name: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_

Position: \_\_\_\_\_ Date: \_\_\_\_\_

The signed original copy of this acknowledgment should be given to management - it will be filed in your personnel file.

## **RECEIPT OF NON-HARASSMENT POLICY**

It is Downes Construction Company's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information or any other characteristic protected by applicable federal, state or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by Downes Construction Company.

The purpose of this policy is not to regulate our employees' personal morality, but to ensure that no one harasses another individual in the workplace, including while on Downes Construction Company business (whether or not on Downes Construction Company's premises) or while representing Downes Construction Company. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

### **Harassment Defined**

Harassment generally is defined in this policy as unwelcome verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or emails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

### **Sexual Harassment Defined**

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual or physical conduct of a sexual nature when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- or submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual;
- or the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

1. unwelcome flirtations, leering, whistling, touching, pinching, assault, blocking normal movement;
2. requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. obscene or vulgar gestures, posters, or comments;
4. sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
5. propositions or suggestive or insulting comments of a sexual nature;
6. derogatory cartoons, posters, and drawings;
7. sexually-explicit e-mails, text messages or voicemails;
8. uninvited touching of a sexual nature;
9. unwelcome sexually-related comments;
10. conversation about one's own or someone else's sex life;
11. conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
12. teasing or other conduct directed toward a person because of the person's gender.

### **Reporting Procedures**

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to Human Resources. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the Controller.

If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact the President.

While employees are encouraged to report claims internally, if an employee believes that they have been subjected to sexual harassment or other harassment in violation of state law, the employee may file a formal complaint with the Connecticut Commission on Human Rights and Opportunities (the "Commission") at 860-541-3400, CT Toll Free 1-800-477-5737, or online at [www.ct.gov/CHRO](http://www.ct.gov/CHRO).

Individuals who engage in acts of sexual harassment or other harassment in violation of state law may be subject to civil penalties in the form of a cease-and-desist orders, back pay, compensatory damages, hiring, promotion, or reinstatement, emotional distress, as well as attorney's fees, costs, pre- and post-judgment interest, and punitive damages (if the case is tried in court). Individuals may also be subject to additional criminal penalties stemming from acts of sexual harassment.

Connecticut law requires that a written complaint be filed with the Commission within 300 days of the date the alleged harassment.

**Investigation Procedures**

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

**Retaliation Prohibited**

In addition, Downes Construction Company will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

I have read and I understand Downes Construction Company's Non-Harassment Policy.

Employee's Printed Name: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.