



# EMPLOYEE HANDBOOK

## DUNN'S STATEMENT OF VALUES

**SERVICE** to our customers, employees, communities, and shareholders is the reason our businesses exist. In this service we deeply value:

**HONESTY, EXCELLENCE, & CONTINUOUS IMPROVEMENT**

We commit to work together fairly and safely, holding these values for the common good.

January 1, 2023

This manual and the policies contained herein are for informational purposes and do not, in any way constitute, and should not be construed as a contract of employment, express or implied, between the employer and employee nor should it be construed that there is a promise of employment for any specific duration or for any particular terms or conditions of employment. This manual and the policies contained herein also does not alter, in any way, the at-will employment status of employees. This manual does not constitute a contract and reiterates the at-will nature of the employment relationship. Moreover, contracts and other legally binding instruments—including noncompete, non-solicitation, and nondisclosure agreements, as well as arbitration agreements and releases of liability—may be better kept separate from this manual. Dunn reserves the right to amend, modify or rescind any provision included in this employee manual at any time with or without notice at its sole discretion. Furthermore, Dunn remains free to change an employee's wages and all other working conditions at its sole discretion. This manual supersedes all prior and existing manual versions, manuals, policies, and procedures.

# Welcome to Dunn!

We are delighted that you have chosen to join Dunn and hope that you will enjoy a long and successful career with us. You are important to us, not only as an employee, but as a person. Dunn's present and future success depends directly on you, and in return, we hope to provide the best we can for you and your family. The many advantages that go with a career at Dunn are intended not only to attract the best employees possible, but also to ensure that our employees remain satisfied with their work and their opportunities. Because job satisfaction, individual progress, and the success of Dunn go together, the Company is naturally interested in making certain your own expectations will be fulfilled in your work here. The Company makes every effort to employ people who are best qualified for a particular job. When you are new on the job, you can expect to be given enough instruction so that you will be able to perform your work in a satisfactory manner. Working at a job is, of course, a two-way proposition. Dunn contributes something, you contribute something, and by working together, everyone benefits. We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

Please take time to review the policies contained in this handbook. If you have questions, feel free to ask your supervisor or to contact the Human Resources (HR) department.

## Employment at Will

Employment with Dunn Construction is voluntarily entered into and considered "at-will," meaning that an employee's employment may be terminated at any time by Dunn or the employee, with or without cause, justification, explanation, or notice to the other. The employee is free to resign at will at any time, with or without cause. Similarly, the Company may terminate the employment relationship at any time, with or without notice or cause, as long as there is no violation of applicable federal or state law.

Oral statements cannot void or modify the at-will nature of employment. Only written contracts signed by the President of Dunn and the employee can alter an employee's at-will employment status.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between Dunn and any of its employees. The provisions of the handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or cancelled at any time, at the Company's sole discretion with or without notice.

These provisions supersede all existing handbooks, policies, and practices, which are hereby revoked and declared null and void.

## ORGANIZATION DESCRIPTION

Dunn is one of the oldest contracting companies in America, the original company in the Dunn group was founded in 1878 in Virginia to handle railroad construction. The Company then moved into water system projects and then into street construction coincident with early development of automotive transportation. Dunn was a pioneer in the asphalt paving business and erected one of the country's first asphalt plants in 1915 in Birmingham. In 1940 the Dunn group of companies expanded its operations by entering the general building construction business and has built a wide variety of commercial, industrial, and institutional facilities. With principal offices in Birmingham, Alabama; Laurel, Mississippi; Jackson, Mississippi; and Nashville, Tennessee; Dunn and its affiliates are among the largest and most diversified construction firms in the Southeast.

Whether you have just joined our staff or have been at Dunn Construction for a while, we are confident that you will find our company a dynamic and rewarding place in which to work. We consider the employees of Dunn Construction to be one of its most valuable resources. This handbook has been written to acquaint you with Dunn and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Dunn to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

There are several things to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to the Human Resource department. Neither this handbook nor any other company document confers any contractual right, either express or implied, to remain in the company's employ. This handbook does not guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and may be terminated at will with or without cause and without prior notice by the company, or you may resign for any reason at any time. No supervisor or other representative of the company (except the president) has the authority to enter into any agreement for employment for any specified period of time or to make any agreement contrary to the above.

**The procedures, practices, policies, and benefits described herein may be modified or discontinued from time to time, at Dunn's sole discretion.** We will make a good faith effort to inform you of any changes as they occur.

This handbook and the information in it should be treated as confidential. No portion of this handbook should be disclosed to others, except Dunn Construction employees and others affiliated with Dunn Construction whose knowledge of the information is required in the normal course of business.

Some subjects described in this handbook are covered in detail in official policy documents. Refer to these documents for specific information because the handbook only briefly summarizes those guidelines and benefits. Please note that the terms of the written insurance policies and plans are controlling and override any statements made in this or other documents.

A digital version of the handbook can be obtained by visiting [www.dunnconstruciton.com](http://www.dunnconstruciton.com), click the "employee login," link on the landing page. Username: employee Password: dunn1878

## Employee Handbook Acknowledgment and Receipt

**I have received my copy of the Employee Handbook and will as soon as practicable carefully read the complete contents of the handbook.**

The employee handbook describes essential information about Dunn Construction, and I understand that I should consult Human Resources regarding any questions not answered in the handbook. I have entered into my employment relationship with Dunn Construction voluntarily and acknowledge that there is no specified length of employment. **Accordingly, either Dunn Construction or I can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.**

I understand and agree that other than the president of Dunn, no supervisor or representative of Dunn Construction has any authority to enter into any agreement for employment other than at will; only the president of the company has the authority to make any such agreement and then only in writing signed by the president of Dunn Construction and myself.

This handbook and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with Dunn Construction. By distributing this handbook, the company expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein.

I understand that, except for employment-at-will status, any and all policies and practices may be changed at any time by Dunn Construction, and the company reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the president of Dunn Construction has the ability to adopt any revisions to the policies in this handbook.

**I understand and acknowledge that nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment and that employment at Dunn Construction is employment at will, which may be terminated at the will of either Dunn Construction or myself at any time, with or without cause, justification, explanation, or notice to the other. Furthermore, I acknowledge that this handbook is neither a contract of employment, express or implied.** I understand and agree that employment and compensation may be terminated with or without cause and with or without notice at any time by Dunn Construction or myself.

**I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.**

Employee's Name & Date (Print)

Employee's Signature

**TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE**

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# DIVERSITY

## Diversity, Equity, Inclusion, & Belonging Statement

Dunn Construction is committed to fostering, cultivating, and preserving a culture of diversity, equity, inclusion, and belonging.

When you join the Dunn team, you become a member of the Dunn family of businesses. We have been a place to gather and connect since 1878. We have a passion for creating an inclusive environment that promotes and values diversity of race, color, national origin, religion, age, sexual orientation, gender identity, disability, veteran status, genetic information, sex, pregnancy, and many other primary and secondary dimensions that make each of us unique as individuals and provide valuable perspective that makes us a better company and employer. More importantly, we recognize the necessity of creating a workplace where everyone, regardless of background, can do their best work.

Dunn Construction's diversity initiatives are applicable—but not limited—to our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; transfers; social and recreational programs; layoffs; terminations; and the ongoing development of a work environment built on the premise of gender and diversity equity that encourages and enforces:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Employer and employee contributions to the communities we serve to promote a greater understanding and respect for diversity.

All employees of Dunn Construction have a responsibility to always treat others with dignity and respect. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other company-sponsored and participative events. All employees are also required to attend and complete annual diversity awareness training to enhance their knowledge to fulfill this responsibility.

Any employee found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action up to and including termination depending on the severity of the infraction.

Employees who believe they have been subjected to any kind of discrimination that conflicts with the company's diversity policy and initiatives should seek assistance from the HR Director.

Each year we will measure the effectiveness of our action plans. Measuring the results of our diversity efforts is essential for benchmarking growth, developing our employees and future programs, and defining the credibility of our initiative. We solicit the assistance of our employees, customers, and shareholders in holding us accountable for our efforts.

## **Equal Employment Opportunity Statement**

Dunn provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, sex or gender (including gender identity, or expression), religion (including religious observance and expression), national origin, age, physical or mental disability or impairment, medical condition, genetic information, marital status, pregnancy status, veteran's or military status, or any other classification protected by applicable federal, state, or local laws. Dunn Construction complies with applicable federal, state, and local laws governing nondiscrimination in employment in every location in which the company has facilities. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

Dunn expressly prohibits any form of unlawful employee harassment based on race, color, sex or gender, religion, national origin, age, physical or mental disability or impairment, medical condition, genetic information, marital status, pregnancy status, veteran's or military status, or any other classification protected by applicable federal, state, or local laws. Improper interference with the ability of Dunn Construction employees to perform their expected job duties is not tolerated.

## **Dunn's Harassment Prevention Policy and Complaint Procedure**

Dunn is committed to providing a workplace free of harassment, intimidation, threats, coercion, or discrimination, which includes harassment based on sex or gender, as well as harassment, intimidation, threats, coercion, or discrimination based on such factors as race, color, religion, national origin, age, physical and/or mental disability, genetic information, protected veteran status or any other classification protected by applicable federal, state, or local laws. Dunn strongly disapproves of and will not tolerate harassment of employees by supervisors, or coworkers. Similarly, the company will not tolerate harassment by its employees or non-employees with whom the Company has a business, service, or professional relationship, and vice versa.

Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive, or hostile working environment or that interferes with work performance. Such conduct constitutes harassment when (1) submission to the conduct is made either an explicit or implicit condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

Harassing conduct can take many forms and includes, but is not limited to, slurs, jokes, statements, gestures, pictures, or cartoons regarding an employee's sex or gender, as well as harassment, intimidation, threats, coercion, or discrimination based on such factors as race, color, religion, national origin, age, physical and/or mental disability, genetic information, protected veteran status or any other classification protected by applicable federal, state, or local laws.

Sexually harassing conduct may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include all these prohibited actions as well as other unwelcome conduct such as requests for sexual favors, conversation containing sexual comments, and unwelcome sexual advances.

Dunn encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, although no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

When possible, Dunn encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. Dunn recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

You should report any incident of harassment, including work-related harassment by any company personnel or any other person, promptly to Human Resources or to Dunn's Equal Employment Opportunity (EEO) Officer, who is responsible for investigating the matter.

Every reported complaint of harassment will be investigated thoroughly, promptly, and in a confidential manner as practicable. In addition, the company will not tolerate retaliation against any employee for cooperating in an investigation or for making a complaint to Human Resources, Dunn's EEO Officer, or to any other supervisor. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

In the case of company employees, if harassment is established, the company will take prompt corrective action to end the harassment which may include disciplining the offender. Disciplinary action for a violation of this policy can range from verbal or written warnings up to and including immediate termination, depending on the circumstances.

Harassment and retaliation for opposing harassment or participating in investigations of harassment are illegal if the harassment is based on a legally protected status. False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action up to and including termination.

Should you have any questions concerning this policy, please contact the EEO Officer:

Name: Amber Kinney

Title: HR Director/EEO Officer

Address: 3905 Messer Airport Hwy., Birmingham, AL 35222

Phone number / e-mail address: 205.510.0210, [akinney@dunnconstruction.com](mailto:akinney@dunnconstruction.com)

## **Americans with Disabilities Act (ADA) and Reasonable Accommodation**

Dunn Construction is committed to the fair and equal employment of individuals with disabilities under the ADA. It is Dunn Construction's policy to provide reasonable accommodation to qualified individuals with disabilities unless the accommodation imposes an undue hardship on the company. Dunn Construction prohibits any harassment of, or discriminatory treatment of, employees or applicants based on a disability or because an employee has requested reasonable accommodation.

In accordance with the ADA, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. An employee or applicant with a disability may request an accommodation from the HR department and 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. The company then

will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such accommodation can be arranged, or if any other possible accommodation is appropriate. If requested, the employee is responsible for providing medical documentation regarding the disability and possible accommodation. All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.

It is the policy of Dunn Construction to prohibit harassment or discrimination based on disability or because an employee has requested reasonable accommodation. Dunn Construction prohibits retaliation against employees for exercising their rights under the ADA or other applicable civil rights laws. Employees should use the procedures described in the Harassment and Complaint Procedure to report any harassment, discrimination, or retaliation they have experienced or witnessed.

## **Immigration Law Compliance**

Dunn is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate based on citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form.

In compliance with THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535 of the Alabama Legislature, as amended by ACT 2012- 491), the law requires all employers within the State of Alabama to verify the identity and employment eligibility of its employees. This is done using the Federal E-Verify system.

Employees with questions or seeking more information on immigration law issues are encouraged to contact their immediate supervisor or Human Resources. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

# **EMPLOYMENT**

## **Employee Relations**

Dunn believes that the working conditions, wages, and benefits it offers to its employees are in keeping with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that Dunn amply demonstrates its commitment to employees by promptly responding to employee concerns.

### **You and Your Supervisor**

When you first come to work, you will report to your supervisor. The supervisor is the person who shows you how your work fits into the overall picture. Your supervisor helps teach you how to do your job, how to improve your skills, and directs and encourages you in your day-to-day performance. Not only is your supervisor the leader of your work group, he or she is also responsible for your direction, instruction, and work performance. Your supervisor was once a new employee just like you, and consequently, knows and can appreciate the many problems you may face in getting started and learning your job. So, do not hesitate to ask your supervisor for the answers to questions about how to do your job.

### **Job Postings and Employee Referrals**

Dunn provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, notices of all regular, full-time job openings are posted, although Dunn reserves its discretionary right to not post a particular opening. Job openings will be posted on the Dunn Construction website and normally remain open for at least 5 working days.

To be eligible to apply for a posted job, employees must have generally performed competently for at least 90 calendar days in their current position. Employees who are on suspension are not eligible to apply for posted jobs. Employees will only be considered for posted jobs for which they possess the required skills, competencies, and qualifications.

To apply for an open position, employees should submit an online employment application listing job-related skills and accomplishments. It should also describe how their current experience with Dunn and prior work experience and/or education qualifies them for the position.

Dunn recognizes the benefit of developmental experiences and encourages employees to talk with their supervisors and Human Resources about their next steps / career plans. Supervisors are encouraged to support employees' efforts to gain experience and advance within the organization. One way this can be accomplished is through our On-The-Job Training program. If you are interested in this program, information may be obtained from your supervisor or Human Resources. An applicant's supervisor may be contacted to verify performance, skills, and attendance. Any staffing limitations or other circumstances that might affect a prospective

transfer may also be discussed. Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring supervisor. Other recruiting sources may also be used to fill open positions in the best interest of the company.

Dunn also encourages employees to identify acquaintances that are interested in employment opportunities and refer qualified outside applicants for posted jobs. Employees should obtain permission from the individual before making a referral, share their knowledge of the organization, and not make commitments or oral promises of employment. An employee should ask the prospective employee to submit the current employee's name on the application for employment under the question, "Were you referred by a current Dunn employee?"

## Employee Advancement

The Dunn policy for advancement is one of promotion from within the organization whenever possible. If an exception is made, it is because of a need for some talent, skill, training, experience, or ability that we believe is not readily available within the organization. Our Company is growing and when opportunities for promotion arise your individual ability, training, experience, qualification, and past work record will be considered. Dunn is vitally interested in your success. In the final analysis, what you make of your working career depends on you. Promotions must be earned based on ability, experience, and good performance.

When you are being considered for promotion your Operations Manager, Foreman, Superintendent, Department Head, and/or Supervisor will take into account your performance in your present assignment, your ability to get along with others, your willingness to accept responsibility, your dependability, your attendance, your safety record, and your demonstrated desire to help yourself through self-improvement.

## Employee Classification Categories

All employees are designated as either nonexempt or exempt under state and federal wage and hour laws. The following is intended to help employees understand employment classifications and employees' employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment- at-will relationship at any time is retained by both the employee and Dunn.

**Nonexempt employees** are employees whose position does not meet specific exemption tests established by the Fair Labor Standards Act (FLSA), and who will accordingly be paid at least the minimum wage per hour and a premium for overtime at the rate of time and one half his/her regular rate of pay for all time worked beyond forty (40) hours in a workweek.

**Exempt employees** are employees whose position meets specific exemption tests established by the FLSA or applicable state or local laws, or who are otherwise eligible for exemption from the overtime provisions of the FLSA and applicable state or local laws.

Dunn Construction has established the following categories for nonexempt employees:

- **Regular, full time:** Employees who are not on a temporary status and who are regularly scheduled to work the company's full-time schedule of 40 hours per week. Generally, an

employee working an average of 30 hours per week is eligible for the full benefits package, subject to the terms, conditions, and limitations of each benefits program.

- **Regular, part time:** Employees who are not on a temporary status and who are regularly scheduled to work less than 30 hours, full-time schedule, but at least 20 hours each week. Regular, part-time employees are eligible for some of the benefits offered by the company subject to the terms, conditions, and limitations of each benefits program.
- **Temporary/Seasonal:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work the company's full-time schedule for a limited duration or scheduled to work less than the company's full-time schedule for a limited duration. Employment beyond any initial stated period does not imply a change in employment status.

Temporary workers are not eligible for company benefits unless specifically stated otherwise in company policy or are deemed eligible according to plan documents.

## **Federal Bonding Program**

In the event a newly hired employee may be eligible for the Federal Bonding Program, an instructional letter will be appropriately distributed. The employee must initiate the process by the fifth working day. If you have any questions on the Federal Bonding Program, please contact Human Resources.

## **Drivers of Company Vehicles**

A Motor Vehicle Report (MVR) will be obtained on all job applicants. Additionally, at least once per year an MVR will be obtained on all current employee drivers.

Refer to Dunn's Fleet Safety Program and contact the Safety Manager with any questions you may have.

## **Non-Fraternization**

To promote the efficient operation of Dunn's business and to avoid misunderstandings, complaints of favoritism, other problems of supervision, security, morale or possible claims of sexual harassment, supervisors are prohibited to date or pursue romantic or sexual relationships with employees with whom they supervise, directly, or indirectly.

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 and Human Resources of the relationship.

Dunn Construction 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.

## **Business Ethics and Conduct**

The successful business operation and reputation of Dunn is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a precise regard for the highest standards of conduct and personal integrity.

The continued success of Dunn is dependent upon our customers' trust, and we are dedicated to preserving that trust. Employees owe a duty to Dunn, its customers, and shareholders to act in a way that will merit the continued trust and confidence of the public.

Dunn will comply with all applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your superintendent/department supervisor and, if necessary, with the Director of Human Resources for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every Dunn employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

## **Photography/Recording Policy**

Due to the potential for issues such as invasion of privacy (employee and customer), sexual or other harassment (as defined by our harassment/discrimination policy), protections of proprietary information/practices, employees may not take, distribute, or post pictures, videos, or audio recordings while on working time. Employees also may not take pictures or make recordings of work areas. An exception to the rule concerning pictures and recording of work areas would be to engage in activity protected by the National Labor Relations Act including, for example, taking pictures of health, safety and /or working condition concerns or of strike, protest, and work-related issues and/or other protected concerted activities.

## **Employment Applications**

Dunn relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment, or if the person has been hired, termination of employment.

## **Personnel Data Changes**

It is the responsibility of each employee to promptly notify Dunn of any changes in personnel data. Personal mailing addresses, telephone numbers, email addresses, number and names of dependents, individuals to be contacted in the event of an emergency, changing your legal name, changing the number of your income tax exemptions, changing your beneficiary under the company life insurance plan, authorization for release of information for third party, and other such

status reports should be accurate and current at all times. If any personnel data has changed notify Human Resources immediately.

## **Performance Evaluation**

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted for all employees to provide both supervisors and employees the opportunity to discuss next steps, job tasks, identify and correct weaknesses, encourage and recognize strengths, and identify and discuss positive, purposeful approaches for meeting employee goals. Performance evaluations of all employees are generally performed annually.

## **Employee Discipline**

The purpose of this policy is to state Dunn's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced, comes from good leadership and fair supervision at all employment levels. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Employment with Dunn is based on mutual consent. Both the employee and Dunn have the right to terminate employment at will, with or without cause or advance notice. Dunn may use various forms of discipline at its discretion including verbal warning, written warning, suspension with or without pay or termination of employment depending on the severity of the problem, the number of occurrences, and the overall circumstances surrounding the incident.

The violations listed below are not intended to be an all-inclusive list but establishes some conduct for which the Company will normally impose discipline and may be subject to termination without warning.

1. Violation of safety and health rules.
2. Falsification of records.
3. Habitual tardiness.
4. Habitual absenteeism.
5. Leaving the premises without your supervisor's consent.
6. Loafing, loitering, or horseplay on company time.
7. Neglect or careless acts which result in personal injury, property damage, or expense to Dunn.
8. Reporting to work intoxicated or under the influence of non-prescribed drugs.
9. Disorderly conduct on the premises, such as bullying, threatening, insulting, or abusing another employee, customer, or vendor, unlawful possession of weapons on company equipment, property, or job sites.
10. Being insubordinate, threatening, intimidating, disrespectful, or assaulting a supervisor, co-worker, customer, or vendor.
11. Gambling on company premises.
12. Failure to report any accident as soon as reasonably practicable.
13. Failure to cooperate in any investigation.
14. Violation of the company's dress code.
15. Smoking / E-Cigarette use in prohibited areas.
16. Unsatisfactory performance or conduct.
17. Violation of any company policies or procedures.
18. Theft of company property, or theft of equipment of another employee.
19. Possession of or drinking alcoholic beverages on company equipment, property, or job sites.
20. Possession or use of illegal drugs or substances on company premises or job sites.

In all cases of alleged violations, or other misconduct, employees may be suspended without pay pending investigation. After the case has been fully investigated, a final decision on the discipline will be reached.

The above is a mere outline of the types of offenses that can lead to disciplinary action or termination. It does not set forth all rules for which either discipline or termination may be appropriate. Dunn reserves the right to discipline or terminate employees for any action which interferes with the discipline of its work force or the Company's production.

## **Separation of Employment**

Separation of employment within an organization can occur for several different reasons.

- **Voluntary Quit / Resignation:** Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign from employment. Resigning employees are encouraged to provide two weeks' notice, preferably in writing, to facilitate a smooth transition out of the organization. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given. If you abandon your job, you will be considered to have voluntarily quit your position.
- **Retirement:** Employees who wish to retire are required to notify their department director and the Human Resource department in writing at least one (1) month before the planned retirement date.

- **Laid Off:** Employees may be laid off due to reduction of workforce, elimination of a position, etc.
- **Job Abandonment/No Call No Show:** Employees who fail to report to work or **call** their supervisor for two (2) consecutive workdays before the start of work, may be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The supervisor shall notify the Human Resource department on the third workday and initiate the process for removing the employee from the payroll. Employees who are separated due to job abandonment (no call, no show) are considered to have voluntarily quit and may be ineligible for rehire.
- **Termination:** Employees of Dunn Construction are employed on an at-will basis, and the company retains the right to terminate an employee at any time, with or without cause or notice, for any reason whatsoever or for no reason at all.

### **Return of Company Property**

The separating employee must return all company property in good working condition except for normal wear and tear within 24 hours of the time of separation, including uniforms, cell phones, radios, keys, iPads, PCs, tools, PPE, etc. Failure to return some items may result in deductions from the final paycheck or may necessitate legal action.

The separated employee should contact the Human Resources department as soon as notice is given in order to schedule an exit interview. If the separating employee does not contact Human Resources directly within two working days of the date of the separation, it will be deemed the separating employee has opted out of the exit interview process.

Human Resources will send the separated employee a packet concerning any voluntary insurance policies you may have. Health & Dental insurance terminates on the last day of the month of employment. Information for Consolidated Omnibus Budget Reconciliation (COBRA) continued health coverage will be provided.

### **Rehire**

Former employees who left Dunn Construction in good standing and were classified as eligible for rehire may be considered for reemployment. An online application for employment must be submitted and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required.

Supervisors must obtain approval from the Human Resource director or designee prior to rehiring a former employee. Rehired employees begin most benefits just as any other new employee. If you are rehired within 13 weeks of your previous employment with Dunn, your medical insurance will be reinstated on the first day of the month following your date of rehire. Previous tenure will not be considered in calculating longevity, leave accruals or other benefits besides 401(k), FMLA, Medical, and any others as required by law.

A former employee who is terminated for violating company policy or who resigned in lieu of termination from employment due to a policy violation may be ineligible for rehire.

# WORKPLACE SAFETY

## Drug-Free Workplace

Dunn Construction has a longstanding commitment to providing a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our equipment and facilities. For these reasons, Dunn Construction is committed to maintaining a drug-free workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment of Dunn Construction. The Human Resources/Safety department is responsible for policy administration.

### Employee Assistance and Drug-Free Awareness

Illegal drug use and alcohol misuse have several adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems is available from the Human Resources/Safety department, whose members have been trained to make referrals and assist employees with drug/alcohol problems.

Dunn Construction will assist and support employees who voluntarily seek help with such problems before becoming subject to discipline and/or termination under this or other policies. Such employees may be placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety sensitive or that require driving or if they have violated this policy previously.

Employees should report to work fit for duty and free of the presence of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees are not, however, to disclose underlying medical conditions unless directed to do so.

### Work Rules

The following work rules apply to all employees:

- Whenever employees are working, are operating any company vehicle, are present on company premises, or are conducting related work off-site, they are prohibited from:
  - Using, possessing, buying, selling, manufacturing, or dispensing an illegal drug (to include possession of drug paraphernalia).
  - Being under the influence of an illegal drug or alcohol as defined in this policy.
- The presence of any detectable amount of any illegal drug, alcohol, or illegal controlled substance in an employee's body while performing company business or while in a company facility is prohibited.
- Dunn Construction will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to perform their job

duties safely and effectively. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist and be prepared to produce it if asked. Employees must also advise the company verbally through their immediate supervisor or to the HR/Safety department when using any prescription or over-the-counter drugs that contain instructions, restrictions, or warnings indicating that the use of the drug may cause impairment from safely performing their duties, or that otherwise could impair the employee's judgment or ability to perform certain job tasks. A physician's release may be required in the case of prescription medications described above.

- Any illegal drugs or drug paraphernalia may be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

### **Required Testing**

The company retains the right to require the following tests:

- **Pre-employment:** All applicants will be screened when a conditional job offer has been made by the Company. Refusal to submit to testing will result in disqualification of further employment consideration.
- **Reasonable suspicion:** Employees are subject to testing based on observations by a supervisor when there are reasonable grounds for believing that an employee is under the influence of drugs, alcohol, or other impairing substances, or based upon other circumstances constituting reasonable suspicion.
- **Post-accident:** In the event that an on the job accident or incident occurs and the company feels drugs and or alcohol likely could have contributed to the accident and or incident the company may send the employee(s) involved in an accident or incident on the job, whether involving damage to property or an injury, and/or an accident that seriously damages a company vehicle, machinery, equipment, or property and/or results in an injury to themselves or another employee.
- **Random:** All employees may be selected for testing without prior notice where allowed by applicable state or local law. The names and/or numbers of those employees to be tested will be selected in an unbiased manner by computer or other random method. Employees selected for testing must present themselves for testing at the time set by the Dunn. Random testing will be conducted in accordance with applicable federal and state laws or other regulations.
- **Follow-up:** Employees who have tested positive, or otherwise violated this policy, are subject to discipline up to and including discharge. Depending on the circumstances and the employee's work history/record, Dunn Construction may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include rehabilitation program and follow-up drug testing at times and frequencies for a minimum of one (1) year but not more than two (2) years. If the employee either does not complete his/her rehabilitation program or tests positive after completing the rehabilitation program, he/she will be subject to immediate discharge from employment.

### **Consequences**

- Refusal to submit to a test or unreasonable delay in submitting to a test, refusal to sign a consent form or other forms utilized in the testing process, or any attempt to tamper with the testing process will be grounds for immediate termination of employment in the case of

- an employee and for denial of employment in the case of an applicant.
- Employees who use, possess, buy, sell, manufacture, or dispense an illegal drug in violation of this policy will be subject to immediate termination of employment.
  - When there is a positive test result for an applicant or employee for a prohibited substance, confirmatory tests will be performed. Any applicant or employee testing positive after completion of the confirmatory tests will first be contacted directly by the third-party Medical Review Officer (MRO) to determine the reason for the presence of the identified substance. Employment will not be offered to an applicant whose test reveals the presence of drugs, alcohol, or other intoxicants. An employee with a positive test result will be subject to immediate termination of employment, regardless of when, where, or how the drug or substance entered the employee's system.
  - An employee who fails a drug or alcohol test for the first time may, under certain circumstances, be placed on suspension in lieu of termination of employment. These employees will be placed on suspension and referred to an SAP (Substance Abuse Professional) or EAP (Employee Assistance Program) for evaluation and/or treatment. They must successfully complete the prescribed program before consideration for re-instatement can be made. Payment for professional help is the responsibility of the employee. The suspension shall be a period of up to 30 days following the successful completion of the prescribed program. At the end of a suspension period, if work for the employee is still available, the employee may be subject to reinstatement conditioned upon successfully passing another drug or alcohol screen. An employee who tests positive following a suspension period will be subject to discipline up to and including termination of employment. The above suspension will be extended for an additional 30 days if the rehabilitation program the employee has entered requires more time. A written request for an extension must be submitted by the employee to Human Resources for approval prior to the first 30-day suspension expiration.

### **Confidentiality**

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the medical review officer (MRO) shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files.

### **Inspections**

Dunn Construction reserves the right to inspect all portions of its premises for drugs, alcohol, or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol, or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including discharge.

### **Crimes Involving Drugs**

Dunn Construction prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on company premises or while conducting company business. Employees are also prohibited from misusing legally prescribed or over the counter (OTC) drugs. Law enforcement personnel shall be notified, as appropriate, when criminal activity is suspected.

Under the Drug-Free Workplace Act of 1988, an employee who performs work for a government contract or grant must notify the Human Resources Department of a conviction of any criminal drug-related activity occurring in the workplace. The report must be made within five days of the conviction. We, in turn, will, as required by the Act, report such convictions within 10 days of our learning of the conviction to the appropriate federal agency.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with the Director of Human Resources without fear of reprisal.

## **Workers' Compensation**

Employees are to report all injuries as soon as reasonably practicable to their supervisors. If necessary or appropriate, an employee will be taken to a nearby physician or medical facility for treatment.

Failure to report injuries as soon as reasonably practicable may affect an employee's right to workers' compensation and the Company will not be responsible for unauthorized medical or doctor's fees.

Employees must comply with any reasonable request for examination, and they must accept the medical services or physical rehabilitation selected by the Company. Refusal to accept the services offered by the Company may stop workers' compensation benefits.

An injured employee must keep the Company informed of the status of his injury, and an injured employee must work with his physician and the Company on treatment and towards return to work. (Restricted work may be available for work related injuries.) Furthermore, all employees must provide the Department of Human Resources with a copy of each work status or return to work slip received from each authorized treating physician.

Pursuant to Alabama Code Section 25-5-51, no workers' compensation shall be allowed for an injury or death caused by the willful misconduct of the employee, the employee's intention to bring about the injury or death of himself or herself or another, his or her willful failure or willful refusal to use safety appliances provided by the employer or due to an accident due to the injured employee being intoxicated from the use of alcohol or being impaired by illegal drugs. Any employee who refuses to submit to or cooperate with drug or alcohol testing after an accident and the company feels drugs and or alcohol likely could have contributed to the accident, the employee may forfeit rights to recover benefits under the Alabama workers' compensation laws.

## **Workplace Bullying**

Dunn Construction defines bullying as "repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment." Such behavior violates the company code of ethics, which clearly states that all employees will be treated with dignity and respect.

The purpose of this policy is to communicate to all employees, including supervisors and executives, that the company will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important. Dunn considers the following types of behavior examples of bullying:

- **Verbal bullying:** Slandering, ridiculing, or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the subject of jokes; abusive and offensive remarks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault, or threat of physical assault; damage to a person's work area or property.
- **Gesture bullying:** Nonverbal threatening gestures or glances that convey threatening messages.

## Workplace Violence Prevention

Dunn is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse; attempts to intimidate others; menacing gestures; stalking; or any other hostile, aggressive, and/or destructive actions taken for intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or at company-sponsored functions.

All Dunn Construction employees bear the responsibility of keeping our work environment free from violence or potential violence. All indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible. This includes threats by employees and or customers, vendors, solicitors, or other members of the public. Employees should not place themselves in peril, nor should they attempt to intercede during an incident. If you see or hear a commotion or disturbance near your work area, do not try to intercede or see what is happening. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Any employee who witnesses or is the recipient of violent behavior should promptly inform their supervisor, Safety Manager, or HR department. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline.

Employees will not be discourteous or disrespectful to a customer or any member of the public while in the course and scope of company business. Employees are expected to refrain from conduct that may be dangerous to others including "horseplay." Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from Dunn facilities without proper authorization. However, employees may keep pistols and guns used for hunting in their vehicles used for personal use, strictly as permitted by law. This does not apply to company vehicles used only for company use, in which guns and other weapons are prohibited.

Any individual engaging in violence against the company, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action will be taken. The identity of the individual making the report will be protected as much as possible. Dunn may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation. Any such act or threatening behavior may result in disciplinary action up to and including termination.

Again, Dunn encourages employees to bring their disputes to the attention of their supervisors or Human Resources before the situation escalates. Dunn Construction will not discipline employees

for raising such concerns.

Dunn reserves the right to inspect all belongings of employees on its premises, including packages, briefcases, purses and handbags, gym bags, and personal vehicles on company property. In addition, Dunn Construction may inspect the contents of lockers, storage areas, file cabinets, desks, and workstations at any time and may remove all company property and other items that are in violation of company rules and policies.

## **Commitment to Safety**

Protecting the safety of our employees, customers, and visitors is the most important aspect of running our business.

All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying management when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all. It is the responsibility of each employee to conduct all tasks in a safe and efficient manner complying with all local, state, and federal safety and health regulations and program standards, OSHA (Occupational Safety and Health Administration), MSHA, and with any special safety concerns for use in a particular area or with a client.

Although most safety regulations are consistent throughout the company, each employee must identify and familiarize themselves with the emergency plan for his/her working area. Due to the nature of our business the emergency plan detailing procedures in handling emergencies such as fire, weather-related events and medical crises may change with the project. If you have any questions about procedures, ask your supervisor or the Safety Manager.

To assist in providing a safe and healthy work environment for employees, customers, and visitors, Dunn has established a workplace safety program. This program is a top priority for Dunn. The Safety Manager has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all employees. Dunn provides information to employees about workplace safety and health issues through toolbox talks, periodic training, supervisor-employee meetings, bulletin board postings, memos, and other written communications.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Each employee is expected to obey safety rules and to exercise caution in all work activities. It is the duty of every Dunn employee to immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report, or where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

Furthermore, management requires that every person in the organization assumes the

responsibility of individual and organizational safety. Failure to follow company safety and health guidelines or engaging in conduct that places the employee, client or company property at risk can lead to employee disciplinary action up to and including termination.

## **Visitors in the Workplace**

To provide for the safety and security of employees and the facilities at Dunn, only authorized visitors are allowed in the workplace or within Dunn's job sites. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances. Authorization of visitors must be obtained from your department head before any visitor enters the workplace or Dunn's job site. Authorized visitors must be escorted by an employee. Because of safety and security reasons, family and friends of employees are discouraged from visiting. In cases of emergency, employees will be called to meet any visitor outside their work area. Employees are responsible for the conduct and safety of their visitors. If an unauthorized individual is observed on Dunn's premises, employees should immediately notify their supervisor, or if necessary, direct the individual to the main entrance.

## **Use of Company Vehicles and Equipment**

Personal use of Dunn's construction equipment is prohibited absent express approval of your supervisor. Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform any required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify your supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damage, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Your supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The unauthorized, improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action, up to and including termination of employment.

Refer to Dunn's Fleet Safety Program and contact the Safety Manager with any questions you may have.

## **Cell Phone Safety and Driving**

Safe driving is the first priority when operating a vehicle while driving on Dunn Construction business. Your first responsibility is to pay attention to your driving. Never allow a cell phone or other mobile device to distract you from concentrating on driving.

Under no circumstances should you feel that you need to place yourself or others at risk while driving to fulfill business needs. You should follow these procedures to avoid distracted driving:

- Follow all applicable state and local laws that address the use of cell phones and other mobile devices while driving.

- Avoid using your cell phone while driving, and do not use it as a hand-held device. Find a safe place to pull over to make or receive phone calls, send, or receive text messages, or manipulate navigation apps.
- Program your destination into navigation apps or GPS devices before you start driving.
- Do not read or respond to text messages or e-mail or browse social media or the Internet while driving.
- Be aware of distractions from in-car “infotainment” systems. Just because they are built into the vehicle does not mean they do not create a hazardous distraction.

Employees who fail to follow safety guidelines are subject to discipline up to and including termination.

## **Personal ETD, (Electronic Telecommunication Device) Use While Operating Commercial Motor Vehicles**

In accordance with applicable law, employees may use a cell phone while driving only if they have a hands-free device. Employees must use only voice commands to place a call while driving. Employees must advise the caller that the employee is driving. Employees may never use a cell phone while driving in a school zone during school hours. Employees may never use a cell phone to send or receive text messages, e-mail messages, or social messages while driving. Any employee who violates this policy may be terminated. All employees who possess a commercial driver's license and drive for Dunn Construction are required to acknowledge receipt of this policy and acknowledge personal responsibility for any accidents caused by their violation of this policy. The company may require that the employee furnish proof of insurance to cover any accidents resulting from the employee's use of a cell phone while driving.

## **Smoking / E-Cigarettes**

It is the policy of Dunn Construction to prohibit smoking/E-Cigarettes/Vapes in all company buildings, offices, and company leased or owned vehicles. It is Dunn's intent to provide and maintain a safe and healthy work environment for all employees, and smoking in the workplace is strongly discouraged. Nonsmoking areas are clearly designated where smoking is expressly prohibited, and employees are asked to respect these designations. These areas include but are not limited to company buildings, offices, and company owned or leased vehicles. In situations where the preferences of smokers and nonsmokers are in direct conflict, the preferences of nonsmokers will prevail.

Information on smoking cessation is available by contacting Human Resources.

This workplace policy applies to:

- All areas of company buildings.
- All vehicles owned or leased by the company.
- All visitors (customers and vendors) to the company premises.
- All contractors and consultants and/or their employees working on the company premises.
- All employees, temporary employees, and student interns.

Employees who violate the smoking policy will be subject to disciplinary action up to and including immediate discharge.

# WORKPLACE EXPECTATIONS

## Confidentiality

Our customers and other parties with whom we do business entrust the company with important information relating to their businesses. It is our policy that all information considered confidential will not be disclosed to external parties or to employees without a “need to know.” If an employee questions whether certain information is considered confidential, he/she should first check with his/her immediate supervisor.

Confidential information is any and all information disclosed to or known by you because of employment with the company that is not generally known to people outside the company about its business. “Confidential information” includes, but is not limited to, the Company’s confidential financial data, sales figures for individual products or groups of products, plans for new products or advertising programs, areas where the Company intends to expand or improve its products, lists of suppliers, vendors, or current or potential customers, capital investment plans, projected earnings, unpublished testing or research data, product specifications, price lists, and other confidential and proprietary information not otherwise available to persons outside the Company.

Confidential information also includes employee-specific information such as social security numbers, criminal background checks, drug tests, bank account information for direct deposit and other similar information. Confidential information does not include information about your wages and other conditions of your employment.

Employees are prohibited from representing themselves as spokespersons of the company to the media and/or public without permission from Dunn Construction’s president. All inquiries from the media must be referred to the Company President. This provision is not intended to, and should not be interpreted to, prohibit employees from discussing wages and other terms and conditions of employment if they so choose.

All information and files on the computer system may be monitored to ensure that the confidentiality policy is followed. Similarly, employees’ desks, offices, belongings, etc., can be inspected to ensure that confidential information is not being removed.

An employee who improperly uses or discloses trade secrets or confidential business information will be subject to disciplinary action up to and including termination of employment and legal action, even if the employee does not actually benefit from the disclosed information.

## Conflicts of Interest

Employees should refrain from engaging in any activity that might create a conflict of interest for the employee or the Company. A conflict of interest exists whenever an employee’s ability to perform his or her job duties effectively and objectively may be influenced because of a direct or indirect personal interest, benefit, or gain, or whenever an employee misuses his or her position with the Company in a way that results in a direct or indirect personal benefit or gain. In the event you determine you have a potential conflict of interest; you must disclose this immediately to your supervisor for advice and guidance on how to proceed.

## Outside Employment

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions as outlined below.

Activities and conduct away from the job must not compete with, conflict with, or compromise the company interests or adversely affect job performance and the ability to fulfill all job responsibilities. Employees are prohibited from performing any services for customers on nonworking time that are normally performed by Dunn Construction. This prohibition also extends to the unauthorized use of any company tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If Dunn Construction determines that an employee's outside work interferes with performance, the employee may be asked to terminate the outside employment.

## Employee Privacy

It is Dunn Construction's goal to respect the individual privacy of its employees and at the same time maintain a safe and secure workplace. When issues of safety and security arise, you may be requested to cooperate with an investigation. The investigation may include the following procedures to safeguard the company and its employees: searches of personal belongings, searches of work areas, searches of private vehicles on company premises, medical examinations, and the like. Failure to cooperate with an investigation is grounds for discipline up to and possibly including termination. Providing false information during any investigation may lead to discipline, up to and including termination.

Employees are expected to make use of company facilities only for the business purposes of the company. Accordingly, materials that appear on company hardware or networks are presumed to be for business purposes, and all such materials are subject to review by the company at any time without notice to the employees. Employees do not have to have any expectation of privacy with respect to any material on company property. Dunn Construction regularly monitors its communications systems and networks as allowed by law. Monitored activity may include voice, e-mail, and text communications, as well as Internet search and browsing history. Employees who make excessive use of the communications system for personal matters are subject to discipline. Employees are expected to keep personal communication to a minimum and to emergency situations.

**Video surveillance.** As part of its security measures and to help ensure a safe workplace, Dunn Construction has positioned video cameras to monitor various areas of its facilities. Video cameras will not be used in private areas, such as break rooms, restrooms, locker/dressing rooms, etc. Videotapes may include an audio component.

## Attendance and Punctuality

To maintain a safe and productive work environment, Dunn expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on Dunn. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their superintendent / foreman/ and/or department supervisor via phone call before the start of scheduled work, as soon as possible in advance of the anticipated tardiness or absence. Texts, emails, or having someone other than yourself speak to your supervisor will not count as a call in. **To take paid time off, employees must give written requests made at least 7 calendar days in advance where the need for the leave is foreseeable, and in other cases as soon as practicable to their supervisor. Paid time off may not be approved for more than 40 consecutive hours at a time unless there is a medical necessity. If you are out for more than three consecutive days, which was not previously approved, you will need to provide medical documentation.** Patterns of absenteeism or tardiness may result in discipline. Absences due to illnesses or injuries that qualify under the Family and Medical Leave Act (FMLA) will not be counted against an employee's attendance record. Medical documentation within the guidelines of the FMLA may be required in these instances.

Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter that may be considered job abandonment and a voluntary quit. So please **call** your supervisor before the scheduled start of work and let them know you will not be in. Text messages and emails will not be accepted, you must call your supervisor and/or Human Resources. If you are unable to reach your supervisor, leave them a voicemail then, call the Human Resources Department and leave a message so you can avoid a no-call/no-show infraction in your personnel file.

The first instance of a no call/no show will result in a final warning. The second separate offense may result in termination of employment with no additional disciplinary steps. **An instance of no call/no show lasting two days, (the employee does not report before the start of work on third day,) may be considered job abandonment and may be deemed an employee's voluntary resignation of employment.**

## Attire and Grooming

It is important for all employees to project a professional image while at work by being appropriately attired. Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image Dunn presents to customers, visitors, and the general public. Clothing must be consistent with the standards for the business and must be appropriate to the type of work being performed.

Dunn Construction is confident that employees will use their best judgment regarding attire and appearance. Management reserves the right to determine appropriateness. Any employee who is improperly dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work. Continued disregard of this policy may be cause for disciplinary action, which may result in termination.

Dunn will make reasonable accommodations for an employee's religious belief or observance (including religious holidays, grooming, and dress) unless the accommodation would cause an

undue hardship on the Company's operations. If an employee desires religious accommodation, he/she is required to make the request to his/her supervisor in writing, or as far in advance as possible. Making a request in writing will help avoid misunderstanding and delay in the accommodation process.

Dunn reserves the right to determine in its sole discretion what is appropriate in the context of its business and to instruct any employee to change their dress depending on the circumstances of their appearance.

**Hourly & Weekly Salaried Employees:**

For the first 90 days (about 3 months) of employment, you must provide your own work attire. After this period, you will be given uniforms appropriate to your job classification. You are expected to wear:

Long Pants	<ul style="list-style-type: none"> <li>• Shorts are not permitted.</li> <li>• Pants with large holes are not permitted.</li> </ul>
Shirts	<ul style="list-style-type: none"> <li>• Shirts should cover the upper body (waist to neck) and must have sleeves.</li> <li>• Shirrtails must be tucked in and sleeve cuffs should be fastened.</li> <li>• Shirts must be buttoned. The neck and top button may be left unbuttoned.</li> <li>• Cut off shirts, muscle shirts, halter-tops, tank tops, or any shirts tied up in this form will not be permitted.</li> </ul>
Foot-wear	<ul style="list-style-type: none"> <li>• Footwear should be designed to provide support and should have skid resistant soles, such as work boots or work shoes.</li> <li>• Tennis shoes, sandals, flip-flops, or any shoe of this type will not be permitted.</li> <li>• Hard toe shoes are required in certain job classifications.</li> </ul>
Uniforms	<ul style="list-style-type: none"> <li>• Uniforms must be worn if Dunn provides the employee with uniforms.</li> </ul>

Consult your supervisor or department head if you have questions as to what constitutes appropriate attire.

**Monthly Salaried & Clerical Employees:**

Office dress for Dunn is defined as business casual. For men, this means attire consisting of shirts with collars, slacks, and appropriate footwear. For women, this means attire consisting of appropriate shirts or blouses, pants or skirts, or a dress that would be appropriate business attire with appropriate footwear. Denim jeans along with sweatshirts or tee shirts are acceptable attire on Fridays for both men and women or other days where working conditions would favor the wearing of casual dress.

Consult your supervisor or department head if you have questions as to what constitutes appropriate attire.

## Electronic Communication and Internet Use

The following guidelines have been established for using the Internet, company-provided cell phones, iPads, Notebooks, Laptops, Tablets, Two-Ways, company-provided technology, and e-mail in an appropriate, ethical, and professional manner:

- Internet, company-provided equipment (e.g., cell phone, iPads, laptops, computers, tablets) and services may not be used for transmitting, retrieving, or storing any communications of a defamatory, discriminatory, harassing, or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane or offensive language; creating or displaying materials that communicate inaccurate information pertaining to Dunn; engaging in behavior toward Dunn's current or potential customers, vendors, suppliers, or competitors that is not professional, courteous, and respectful; and engaging in any illegal activities, including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and company-provided equipment such as cell phones, iPads, laptops, computers, tablets, etc.
- Employees may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.
- Employees must not use the system in a way that disrupts its use by others. Employees must not send or receive large files that could be saved/transferred via thumb drives. Employees are prohibited from sending or receiving files that are not related to work.
- Employees should not open suspicious e-mails, pop-ups, or downloads. Contact IT with any questions or concerns to reduce the release of viruses or to contain viruses immediately.
- Internal and external e-mails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the company.
- All use of company-provided communications systems, including e-mail and Internet use, should conform to our company guidelines/policies, including but not limited to Equal Opportunity, Harassment, Confidential Information, and Conflicts of Interest. So, for example, employees should not engage in harassing or discriminatory behavior that targets other employees or individuals because of their protected class status or make defamatory comments. Similarly, employees should not divulge confidential information such as trade secrets, client lists, or information restricted from disclosure by law on social media sites.
- Because e-mail, telephone and voicemail, and Internet communication equipment are provided for company business purposes and are critical to the company's success, your communications may be accessed without further notice by IT department administrators and company management to ensure compliance with this guideline.
- The electronic communication systems are not secure and may allow inadvertent disclosure, accidental transmission to third parties, etc. Sensitive information should not be sent via unsecured electronic means.
- Employees should pay particular care to the use and security of portable electronic devices when used for business-related purposes, such as laptops, tablets, smartphones, and other data storage media, whether provided by the employer or the employee. Lost or stolen portable electronic devices containing company information may cause breaches of security that result in the loss of company confidential commercial data, the loss of vital research data, the unauthorized disclosure of sensitive employee data, lawsuits against the individual, and lawsuits against the company. Employees should use appropriate password protections for such devices and physically secure them as recommended by IT department administrators.

## **No Expectation of Privacy**

Employees should have no expectation of privacy when using Company-supplied technology and equipment or the internet during working time or from the Company's equipment. The Company reserves the right to review your activity – including, but not limited to, postings made on password-protected sites during working time or with the Company's equipment.

Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the NLRA (National Labor Relations Act) to engage in protected concerted activities with other employees to improve or discuss terms and conditions of employment, such as wages, working conditions, and benefits. Employees have the right to engage in or refrain from such activities.

## **Social Media**

### **Purpose**

The Company recognizes the importance of online social media in influencing public thinking about the Company and its products, employees, partners, customers, and competitors. Online social media is any communication or networking that occurs on the Internet. This includes but is not limited to personal websites, blogs, social networking sites (e.g., Facebook®, Twitter®, Instagram®, and LinkedIn®), wikis, online product endorsements and testimonials, video or picture sharing sites, and any other form of electronic communication. The Company participates in social media to strengthen its brand and its connection with customers, employees, vendors, suppliers, and partners.

Social media can also be an exciting and effective way for you to communicate in your professional and personal life but know that its use includes certain responsibilities. Remember that you are accountable for anything you post to a social media site. Employees must exercise caution when participating in social media, since the lines can blur between personal and professional content and between public and private content. Keep in mind that any of your social media-related conduct that violates the Company's rules or that otherwise adversely affects your job performance, your fellow employees' job performance, or the Company's customers, employees, partners, vendors, suppliers, and anyone else working on behalf of the Company or its legitimate business interests, may result in disciplinary action up to and including termination. To assist you in making responsible decisions about your use of social media, we have established the following social media guidelines. These guidelines govern both personal use of social media and Company-sponsored or directed use of social media, and are applicable to all Company employees, regardless of position or status.

### **Guidelines**

- ***Know and follow all applicable rules and laws.***
  - The Company's Social Media Usage Policy is in addition to and complements other policies and work rules found in this Handbook and other Company policies, including, without limitation, its Code of Business Conduct, Technology Acceptable Use Policy, and its policies prohibiting harassment and discrimination. All these policies apply to your activities online, regardless of whether they occur at work, during work hours, or on computers or other electronic devices provided by the Company. As a result, as part of your review of these rules, carefully review these additional policies and ensure that your postings are consistent with them. This

Social Media Usage Policy as well as the Company's other policies may be updated from time to time, and it is your responsibility to stay abreast of such updates.

- Respect all copyright and other intellectual property laws. For the Company's protection as well as your own, it is critical that you show proper respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks and other intellectual property, including the Company's own copyrights, trademarks, and brands.
  
- ***Be responsible, honest, and clear as to your identity.***
  - You are responsible for anything you write or do online.
  - Use good judgment when you post and think about the consequences of what you are posting. Assume your writings will spread and everything written can be traced back to you. Remember that the internet archives almost everything; therefore, even deleted postings can be searched.
  - Strive for accuracy in your posts, and if you make a mistake, correct it quickly. The Company encourages you to write knowledgeably and accurately and to use professionalism. Be open about any previous posts you have altered.
  - Never post any known maliciously false information about your co-employees, the Company, its customers, partners, vendors, suppliers, competitors, or anyone working on behalf of such entities. Notify the Company's Human Resources Director if you encounter incorrect information about the Company or its employees online.
  - If the Company is a subject of social media content that you are creating, be clear and open about the fact that you are an employee of the Company and make it clear that your views do not necessarily represent those of the Company, its customers, partners, vendors, or suppliers. If you do publish a blog or post online about your work or subjects associated with the Company, make it clear that you are not speaking on behalf of the Company. You shall include a disclaimer such as, "The postings on this site are my own and do not necessarily reflect the views of the Company, its customers, partners, vendors, or affiliates." Also, do not create a link from your blog, website, or other social networking site to a Company website without identifying yourself as a Company employee.
  - Do not use Company e-mail addresses to register on social media sites or networks, unless they are business-related sites or networks (such as LinkedIn®) or you are specifically assigned by the Company to be a spokesperson for it on those social media sites or networks.
  - Never represent yourself as a spokesperson for the Company, without prior authorization to do so from the President.
  - Refrain from using social media while on work time or on equipment provided by the Company unless it is work-related as authorized by your supervisor or consistent with the Company's Technology Acceptable Use Policy. Use of social media and the internet should never interfere with your work obligations.
  
- ***Be respectful and courteous.***
  - Always be fair and courteous to fellow employees, clients, suppliers, partners, vendors, and anyone else working on behalf of the Company.

- ***Protect the Company's Property, Trade Secrets and Related Confidential Information***
  - Maintain the confidentiality of and do not post online the Company's trade secrets and related confidential information. Employees should also protect confidential information belonging to the Company's customers, partners, suppliers, or vendors. This duty and obligation to protect the Company's trade secrets and related confidential information exists during your employment with the Company and after that employment ends, as set forth in the Company's Code of Business Conduct and Ethics.
  - Only the Company's Marketing representatives are authorized to create a social media presence on behalf of the Company.
  - Employees may not post video or photographic content of the inside of Company facilities that reveals trade secrets, proprietary processes, etc. To online social media without prior approval from the Company's Human Resources Director. An exception to the rule concerning pictures and recording of work areas would be to engage in activity protected by the National Labor Relations Act including, for example, taking pictures of health, safety and /or working condition concerns or of strike, protest, and work-related issues and/or other protected concerted activities.

### **Obligation to Report Violations of this Policy**

If an employee becomes aware of a violation of this Policy, the employee should report it to an appropriate supervisor or to the Human Resources Director. If an employee feels he or she is being harassed, discriminated against, or retaliated against in violation of the Company's Equal Employment Opportunity, or Non-Harassment Policies, the employee should immediately report this to his or her supervisor or the Human Resources Director.

### **Retaliation is Prohibited**

The Company prohibits taking negative action against any employee for reporting a possible deviation from this Social Media Usage Policy, including its rules, or for cooperating in a related investigation. Any employee who retaliates against another employee for reporting a possible deviation from this Policy, violation of this Policy's rules, or for cooperating in a related investigation will be subject to disciplinary action, up to and including termination.

## **Solicitations, Distributions and Posting of Materials**

To ensure a production and harmonious work environment, Dunn Construction prohibits the solicitation, distribution and posting of materials on or at company property by any employee or non-employee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities supported by Dunn Construction management and company-sponsored programs related to Dunn Construction's products and services.

Provisions:

- Nonemployees may not trespass or solicit employees or distribute literature of any kind on company premises at any time.
- Employees may only admit nonemployees to work areas with management approval or as part of a company-sponsored program. These visits should not disrupt workflow. An employee must always accompany the non-employee. Former employees are not permitted onto company property except for official company business.
- Employees may not solicit other employees during work times, except in connection with a

company-approved or sponsored event. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.)

- Employees may distribute literature only during non-work time and in non-work areas. The posting of materials or electronic announcements are permitted with approval from Human Resources.

Violations of this policy should be reported to Human Resources. Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the NLRA to engage in protected concerted activities with other employees to improve or discuss terms and conditions of employment, such as wages, working conditions, and benefits. Employees have the right to engage in or refrain from such activities.

## **Employee Personnel Files**

Employee files are maintained by the Human Resources department and are considered confidential. Supervisors may only have access to personnel file information on a need-to-know basis.

A supervisor considering the hire of a former employee or transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with antidiscrimination laws.

Personnel file access of a physician's statements, other medical records including those regarding workers' compensation claims may be reviewed by employees upon written request. Requests will generally be permitted within three days of the written request unless otherwise required under state law. Personnel files are to be reviewed in the Human Resource department.

Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information in certain circumstances.

## **Problem Resolution**

Dunn is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from Dunn supervisors and management.

Dunn strives to ensure fair and honest treatment of all employees. Supervisors and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they may express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with Dunn in a reasonably good faith, business-like manner, or for using the problem resolution procedure.

Employee complaints of employment discrimination or harassment should be addressed through Dunn's Equal Employment Opportunity and Harassment Policy (pages 7-9) contained in this handbook. If any other situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

1. If an occasion should arise, we urge the employee to contact his/her immediate supervisor either verbally or in writing within three (3) working days from the date of the incident. Every effort will be made at this level to resolve the matter at issue.
2. Should the dispute not be resolved at this level, the next step is to contact the general superintendent or department head in writing and within five (5) working days from the meeting with his/her supervisor.
3. If the employee is still not satisfied, the final step would be for the employee to prepare a written complaint. The employee must then present it to Human Resources within five (5) working days from the date of the meeting with the general superintendent or department head.
4. Human Resources will conduct an investigation and make a recommendation within ten (10) working days from the date of receipt of the written complaint.
5. The recommendation of Human Resources will be reviewed and acted upon by the President of the Company. His decision will be final.

The complaint procedure is set up to resolve problems that may arise among employees or between employees and their supervisors or co-workers. It is not designed to diminish or take the place of the provisions set out by the Equal Employment Opportunity and Harassment policy or decisions rendered by the Safety Committee.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and management develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment and helps to ensure everyone's job security.

## **COMPENSATION**

### **Payment of Wages**

Employees will be paid through direct deposit of funds to either a savings, check card, or checking account at the financial institution of their choice.

Your paycheck stub will be delivered to you showing the number of hours worked, your pay rate, overtime, gross pay and deduction for taxes, insurance, payroll savings plans, etc. By January 31 each year, you will receive a statement for the previous year's earnings and taxes withheld.

If an employee's marital status changes or the number of exemptions previously claimed change, new Forms W-4 & A-4 must be submitted to the payroll department.

### **Hourly, Clerical, & Weekly Salaried Employees:**

The workweek begins on Sunday morning and ends on Saturday night except in shift differentials. The regular payday is Friday except when Friday is a holiday. In that case, payday will be Thursday. You will receive your first pay on Friday of your second week. Thereafter, you will be paid each week for work performed the preceding week.

## **Monthly Salaried Employees:**

Salaried employees are paid monthly with payday being the 15th of the month. If the 15th falls on a holiday or Saturday, you will receive your check on Friday. If the 15th is on a Sunday, you will receive your check on Monday.

## **Time Reporting**

Accurately recording time worked is the responsibility of all hourly employees. Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment. It is the responsibility of every Dunn employee to immediately report any falsified time entry or other discrepancy in the reporting of time records to your department head.

Overtime is defined as hours worked by an hourly or nonexempt employee in excess of 40 hours in a workweek. Overtime must be approved in advance by the supervisor to whom the employee reports.

## **Administrative Pay Corrections**

Dunn takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. However, Dunn will make corrections as errors are discovered.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the immediate supervisor so that corrections can be made as quickly as possible.

## **Overtime Pay (hourly / nonexempt employees)**

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these required assignments will be provided. All overtime work must receive your direct supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off on paid time off, holiday, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations. The workweek begins on Sunday morning and ends Saturday night.

Any work performed over 40 hours per week will be paid at a rate of one-half time, in accordance with the FLSA.

## **Pay Deductions and Setoffs**

Dunn offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs. Pay setoffs are pay deductions taken by Dunn, usually to help pay off a debt or obligation to Dunn or others. If you have questions concerning why deductions were made from

your paycheck or how they were calculated, your supervisor can assist in having your questions answered or contact the Payroll Department 205.510.0257.

## Awards

Awards eligibility depends on several factors, including employee classification. You will be notified of specific programs for which you are eligible. Awards and bonuses are typically based on company performance and financials and are not guaranteed. If you have any questions, contact the Human Resources Department.

### Longevity Award

You are the reason our business exists, and your hard work and loyalty does not go unnoticed. All employees are eligible for the longevity awards given out in five-year intervals. Naturally the longer you have been with the company the larger the value of your award will be. Longevity awards are usually given out at the Dunn holiday meeting in December. It is up to you to select your desired item via AWARDCO. If you are rehired after having voluntarily quit or been terminated your time will start over as a new employee. If you have any questions or concerns about this policy or any others, please contact Human Resources.

### Safety Award (Hourly Employees)

Be where your feet are! Here at Dunn safety and health are top priority, our focus is to make sure you go home every day in the same or better condition than you arrived in. Hourly employees are eligible to participate in the safety award program after one year of service. In order to receive a safety award, you have to complete one year of service free of any accidents or disqualifying incidents. Therefore, failing a drug/alcohol screen among other things would disqualify you from receiving your award. If you have any questions or concerns about this policy or any others, please contact the Safety & Human Resources Department. Please see the award matrix below:

#### Hourly Employees Safety Award Matrix

Number of Continuous Years without an Accident or Incident	Hours Paid @ Regular Hourly Rate of Pay	Safe Driver Bonus	CDL	Hazmat Endorsement Safety Bonus	Awards that increase in value each year	Example: Accident Free Hourly Employee Making \$10.00 an hour Safety Award Potential	Example: Accident Free Hourly Truck Driver w/HAZMAT Hourly Wage \$14.00
1	8	8		8		\$80.00	\$336.00
2	16	8		8		\$160.00	\$448.00
3	24	8		8		\$240.00	\$560.00
4	32	8		8		\$320.00	\$672.00
5	40	8		8		\$400.00	\$784.00
5+	40	8		8	X	\$400.00 Plus an Award via AWARDCO points	\$784.00 Plus an Award via AWARDCO points

# TIME OFF/LEAVES OF ABSENCE

## Holiday Pay

Dunn Construction recognizes nine paid holidays each year:

- New Year's Day (January 1<sup>st</sup>)
- Martin Luther King Day (3<sup>rd</sup> Monday in January)
- Memorial Day (Last Monday in May)
- Independence Day (July 4<sup>th</sup>)
- Labor Day (1<sup>st</sup> Monday in September)
- Thanksgiving Day (4<sup>th</sup> Thursday in November)
- Day After Thanksgiving (4<sup>th</sup> Friday in November)
- Christmas Eve (December 24<sup>th</sup>)
- Christmas Day (December 25<sup>th</sup>)

Dunn will grant paid holiday time off to all eligible employees beginning with the date of hire. Holiday pay will be calculated based on the employee's straight time pay rate (as of the date of the holiday) and paid for eight hours.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (such as paid time off), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied. If an employee has an unexcused absence on a day preceding or following a recognized holiday, the employee will not be eligible for that holiday's pay. If an employee is absent on one or both of these days because of an illness or injury, the company may require verification of the reason for the absence before approving holiday pay.

If eligible employees work on a recognized holiday, they will receive holiday pay plus wages at their hourly rate for the hours worked on the holiday. Paid time off for holidays will not be counted as hours worked for the purpose of determining overtime.

## Paid Time Off

### PAID TIME OFF (PTO) BENEFITS (HOURLY EMPLOYEES)

Paid time off is available to full-time employees to provide opportunities for rest, relaxation, and personal pursuits. As well as, for an absence resulting from: (i) physical or mental illness, injury, or medical condition of the employee; (ii) obtaining diagnosis, care, or preventive care from a health care provider by the employee; (iii) caring for the employee's child, parent, spouse, domestic partner, or any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship who has any of the conditions or need for

diagnosis, care, or preventive care described in (i) or (ii); or (iv) domestic violence, sexual assault, or stalking, if the time absent from work is for the purposes described in (i) or (ii) or to obtain additional counseling, seek relocation, seek assistance from a victim services organization, take related legal action, or assist an individual related to the employee as described in (iii) in engaging in any of these activities.

Full-time hourly employees are entitled to 7 days of paid time off (56 hours) each year. After five years, the employee will be entitled to 12 days of paid time off, (96 hours) each year. The length of eligible service is calculated based on a "benefit year". This is the 12-month period that begins on the employee's hire date. After the first year of employment the benefit year will coincide with the company's fiscal year which runs January through December.

New employees must work 30 hours before an hour (1) of PTO (PAID TIME OFF) is given. At that point, paid time off may be taken during the remainder of the calendar year on a pro rata basis according to the employee's hire date. PTO is awarded as follows if hired before the 15<sup>th</sup> of the month:

January	7 days	(56 hours)
February	6.5 days	(52 hours)
March	6 days	(48 hours)
April	5.5 days	(44 hours)
May	5 days	(40 hours)
June	4.5 days	(36 hours)
July	4 days	(32 hours)
August	3.5 days	(28 hours)
September	3 days	(24 hours)
October	2 days	(16 hours)
November	1 day	(8 hours)
December	½ day	(4 hours)

### **Requests to Use Leave and Certification or Documentation of the Need to Use Leave**

Paid time off can be used in minimum increments of 1 hour. To take paid time off, employees must give written requests made at least 7 calendar days in advance where the need for the leave is foreseeable, and in other cases as soon as practicable to their supervisor. Paid time off may not be approved for more than 40 consecutive hours at a time unless there is a medical necessity. If you are out for more than three days, which was not previously approved, you will need to provide medical documentation. Requests will be reviewed and communication of any denial of a request for paid time off will be given in writing, with an explanation for the denial.

If an employee is scheduled to work and calls his/her supervisor to report off before the scheduled start time, as per policy, the employee's PTO will be applied for the time missed. If the employee is out of PTO and calls into their supervisor before the start of work as policy and does not have a preapproval or a justified medical reason for missing scheduled, the employee may be written up, and the write up will be placed in the personnel file. The second time the employee is out without preapproval or medical justification, the employee may be suspended for three days without pay, and the suspension may be placed in the employee's personnel file. The third time the employee calls into work, but does not have preapproval for a medical justification, the

employee may be terminated, and ineligible for rehire for six months. The employee may be considered a voluntary termination due to the inability to come to work when work was available. Upon rehire, the employee may not be granted PTO within the same fiscal year.

If the employee does not call their supervisor before the start of work as per policy, the employee will be considered a no call no show. The first instance of no call no show may result in a final warning. The second separate offense may result in termination of employment with no additional disciplinary steps. An instance of no call/no-show lasting two days, (the employee does not report to work before the start of work on the third day), maybe consider job abandonment, and may be deemed an employee's voluntary termination of employment. PTO will not be paid in this situation. Management has the right to designate when some or all of PTO must be taken.

The employee may request paid time off anytime during the year but has the option to take paid time off during the week after Christmas, as operations may cease during that week.

Paid time off is paid at the employee's base pay rate at the time PTO is taken.

As stated above, employees are encouraged to use available paid time off as needed and for rest, relaxation, and personal pursuits. In the event that available paid time off is not used by the end of the benefit year, employees will be able to roll over a maximum of 56 hours.

PTO will not be paid to the employee at time of separation.

## **Family and Medical Leave Act**

Upon hire, Dunn Construction provides all new employees with notices required by the U.S (United States). Department of Labor (DOL) on Employee Rights and Responsibilities Under the Family and Medical Act.

The function 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, you must contact Human Resources 3905 Messer Airport Hwy, Birmingham, AL 35222 in writing.

### **General Provisions**

Under this policy, Dunn Construction will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

### **Eligibility**

To qualify to take family or medical leave under this policy, the employee must meet the following conditions:

- The employee must have worked for the company for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
- The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
- The employee must work in a work site where 50 or more employees are employed by the company within 75 miles of that office or work site. The distance is to be calculated by using available transportation by the most direct route.

### **Type of Leave Covered**

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- The birth of a child and in order to care for that child.
- The placement of a child for adoption or foster care and to care for a newly placed child.
- To care for a spouse, child, or parent with a serious health condition (Under the FMLA, a "spouse" means a spouse as defined under the law in the state where the employee resides).
- The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires: (1) inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or as a condition that requires continuing care by a licensed health care provider; or (2) continuing treatment by a healthcare provider. Conditions that fall under subsection 2 are as follows: (a) pregnancy; (b) chronic conditions requiring treatment at least twice per year; (c) permanent conditions; (d) conditions causing incapacity of greater than three (3) days plus at least two (2) treatments for that condition, the first being an in person visit to a healthcare provider within seven (7) days of the onset of incapacity and the second being any form of treatment by a healthcare provider within thirty (30) days of the onset of incapacity; and (e) conditions requiring multiple treatments to prevent an incapacity of greater than three (3) days.

Employees with questions about what illnesses are covered under this FMLA policy or under the company's sick leave policy are encouraged to consult with the Human Resource Director.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the company may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

- Qualifying exigencies leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter, or parent has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: a) short-notice deployment, b) military events and activities, c) childcare and school activities, d) financial and legal arrangements, e) counseling, f) rest and recuperation, g) post-deployment activities, and h) 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* means:

- In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country.
- In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in Title 10 U.S.C. §101(a)(13)(B).

The leave may commence as soon as the individual receives the call-up notice. (*Child* for this type of FMLA leave is defined the same as for *child* for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

- Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.

An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to take care of leave to care for that service member.

*Next of kin* is defined as the closest blood relative of the injured or recovering service member.

The term *covered service member* means:

- A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation or therapy or is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- A veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term *serious injury or illness* means:

- In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.
  - In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on an active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

### **Amount of Leave**

An eligible employee may take up to 12 weeks for the first five FMLA circumstances above (under heading "Type of Leave Covered") under this policy 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 of time the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave circumstance above 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.

If spouses both work for the company and each wish to take 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, the spouses may only take a combined total of 12 weeks of leave. If a husband and wife both work for the company and each wish to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

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

While an employee is on leave, the company will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

### **Employee Status After Leave**

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider.

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

Accrued vacation runs concurrently with FMLA leave only when short and long-term disabilities, sick leave, or worker's compensation are not involved. If there is a third-party involvement, the employee will have the option to take their vacation at another time or volunteer to use it so they will be paid while off.

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.

### **Intermittent Leave or a Reduced Work Schedule**

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (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 over a 12-month period).

### **Certification for the Employee's Serious Health Condition**

The company will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

### **Certification for the Family Member's Serious Health Condition**

The company will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

### **Certification of Qualifying Exigency for Military Family Leave**

The company will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

### **Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave**

The company will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

### **Recertification**

Dunn requires periodic updates in connection with an FMLA absence of employee's status to Human Resources (every 30 days) while employee is on leave.

### **Procedure for Requesting FMLA Leave**

All employees requesting FMLA leave must provide the HR Director with verbal or written notice of the need for the leave. Within five business days after the employee has provided this notice, the HR Director will provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days

in advance, the employee must provide notice of the need for the leave either the same day 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.

### **Designation of FMLA Leave**

Within five business days after the employee has submitted the appropriate certification form, the HR Department will provide the employee with a written response to the employee's request for FMLA leave.

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

So that an employee's return to work can be properly scheduled, an employee on family leave is requested to provide Dunn with at least (2) two weeks' advance notice of the date the employee to return to work. When a family leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

Employees returning to work under this policy may be asked to have a fitness for duty clearance from the company physician where applicable and possible under the law. If an employee fails to return to work on the agreed upon return date, Dunn will assume that the employee has resigned.

### **Non-FMLA Leave of Absence**

Dunn may, at its discretion, provide leaves of absence for employee illness or injury not covered by FMLA leave (because the employee is not yet eligible, or because the employee has exhausted their FMLA leave). Such leave outside or beyond what is required by the FMLA will be considered a non-FMLA, Extended Leave of Absence. Generally, these Non-FMLA Leaves of Absence or Extended Leaves of Absence are granted only when the employee proves: (1) they have a qualifying disability; (2) the employee is still qualified – i.e., the employee will be able to return to their job and perform all essential functions; and (3) the amount of leave is reasonable when taking into account the medical likelihood of returning at the end of the leave requested. Even then, the leave may be denied if granting the leave would cause hardship on Dunn. If after considering these factors, Dunn determines the leave is appropriate, it will grant job protected leave. If not, then Dunn may still grant non-job protected leave or consider vacant positions for which the employee is qualified. If a non-FMLA leave of absence is granted: (1) the employee must periodically report their status and intent to return to work; (2) the employee must adhere to the call-in procedures for each specific absence; (3) the employee is required to provide the location, phone number, and email where he/she can be reached while on the leave and any changes to this contact information; (4) the employee is required to contact the employer and make arrangements to return to work if the need for leave ends; (5) the employee is not permitted to moonlight under any circumstances while on this type of leave; and (6) if the employee anticipates they will not be able to return at the end of the leave granted, they are required to advise Dunn of the same and comply with any requests for additional information concerning their then current restrictions and the need for additional leave.

### **Other Leave Requirements (FMLA and Non-FMLA)**

If the need for leave is foreseeable, the employee must provide the Company with at least thirty (30) days' notice. As much notice as possible should be given in the event of an unforeseeable need for leave. Failure to provide required notice may result in denial or delay of the requested leave.

The Company will require medical certification if leave is sought to care for a child, spouse, or

parent with a serious health condition, or because of illness or injury of the employee. In its discretion and at its own expense, the Company may request that a second medical opinion be secured. Subsequent medical re-certification may be required at reasonable intervals. Intermittent leave or a reduced work schedule may be available under certain circumstances during FMLA Leave. Employees who require intermittent or reduced work leave may be temporarily assigned to an alternative position that better accommodates the recurring periods of absence.

Employees are required to use (concurrently) available paid leave or pay substitution benefits.

Employees on a leave of absence must periodically report their status and intent to return to work. The Company may require any employee returning from a medical leave of absence for their own condition to present a certification of their fitness to resume work and perform all essential functions of their position. Such certification must be provided prior to return to work. Under appropriate circumstances an employee may be required to undergo a medical examination prior to returning from leave. Employees who fail to report to work when released by their healthcare provider will be subject to termination of employment.

### **Medical Plan Coverage During FMLA and Non-FMLA Leave**

Medical Plan coverage will remain in effect during FMLA leave. The maximum amount of time an employee can be absent from work without coverage lapsing is six (6) months, regardless of the type of leave. Coverage may lapse sooner if the absences are not covered under the FMLA.

## **Bereavement Leave**

An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor immediately. Employees may, with their supervisor's approval, use any available paid time off for additional time off as necessary. Up to 3 days (24 hours) of paid bereavement leave will be provided to eligible employees. If the employee is scheduled to work on Saturday and has reported to work Monday through Friday, he will be paid for bereavement leave on Saturday, if applicable.

Bereavement pay is calculated based on the base pay rate at the time of absence.

Dunn defines "immediate family" as the employee's current spouse, parent, child, sibling; the employee's current spouse's parent, child, sibling; the employee's child's current spouse; grandparents or grandchildren. The company may require verification of the need for the leave.

## **Jury Duty**

Dunn encourages employees to fulfill their civic responsibilities by serving jury duty when required. Full-time employees will be entitled to his or her regular salary during the period of jury duty. Jury duty pay will be paid at eight hours per day calculated on the employee's base pay rate.

Employees must show the jury duty summons to their supervisor as soon as possible so that the

supervisor may arrange to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

Either Dunn or the employee may request an excuse from jury duty if, in Dunn's judgment, the employee's absence would create serious operational difficulties. Dunn will continue to provide health insurance benefits for the full term of the jury duty absence. And vacation will continue to accrue during unpaid jury duty leave.

## **Voting Leave**

Dunn encourages employees to fulfill their civic responsibilities by participating in elections. Employees who are registered voters and who lack sufficient time outside of work to vote in any local, state, and national election may take up to one (1) hour off work without pay at the beginning or end of the day for this purpose.

## **Witness Duty**

Dunn encourages employees to appear in court for witness duty when subpoenaed to do so. If employees have been subpoenaed or otherwise requested to testify as witnesses by Dunn, they will receive paid time off for the entire period of witness duty.

Employees will be granted unpaid time off to appear in court as a witness when requested by a party other than Dunn. Employees are free to use any available paid leave benefit (such as paid time off) to receive compensation for the period of this absence.

The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

## **Military Leave of Absence**

The Company provides leave of absence and reinstatement benefits to eligible employees whose employment is interrupted by duty on a voluntary or involuntary basis in a uniformed service under competent authority, including active duty, active and inactive duty for training, National Guard duty under federal statute, absences for fitness for duty examinations, and others as defined by applicable federal, state, or local law. Uniformed Service/Military Leave is governed by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA (Uniformed Services Employment and Reemployment Rights Act)) and similar state laws. Employees may be entitled to certain rights and benefits and may have certain obligations related to service in the uniformed services pursuant to USERRA or related state laws. It is the Company's intent to comply with the requirements provided by USERRA and similar state laws with respect to leaves of absence, continuation of health coverage, reemployment, disabilities incurred or aggravated during uniformed service, non-discrimination and non-retaliation, and other covered matters. Specifically, the Company will not deny employment, reemployment, retention in employment, promotion, or any benefit of employment to an individual due to uniformed service and will not tolerate discrimination or retaliation due to uniformed service.

### **Notice Requirement**

In order to be eligible for reemployment, employees should give the Company advance notice of service, as far in advance as possible, preferably at least thirty (30) days in advance and in writing

where feasible, except where precluded by military necessity or if it is otherwise impossible to give. Where feasible, employees should provide their supervisor with a copy of their uniformed service/military orders, training calendars or schedules, and similar documentation of upcoming leave as soon as possible upon receipt.

### **Duration of Services**

Reinstatement rights are not guaranteed for any absence beyond five (5) years unless an exception stated in USERRA applies.

### **Type of Separation**

An employee's separation from military service must not have been with a disqualifying discharge or under other than honorable conditions in order to be entitled to reemployment rights.

### **Reporting Back to Work**

The time limit for returning or applying to return to work depends upon the duration of an employee's Military service from which he/she is returning:

- Service of 1-30 days: report to work at the beginning of the first regularly scheduled workday after discharge or release subject to an eight (8) hour rest period after the employee returns home.
- Service of 31-180 days: apply to return no later than fourteen (14) days after completion of service.
- Service greater than 181 days: apply to return no later than ninety (90) days after completion of service.
- An employee who fails to report or apply within two (2) days following the prescribed period will be considered to have abandoned his/her employment and may be terminated, except where timely reporting or application is impossible or unreasonable through no fault of the employee.
- The Company may require documentation showing eligibility for reemployment for absence of thirty-one (31) days or more but will reemploy while waiting for documentation.

### **Position Placement Upon Return**

The position into which an employee will be reemployed is based upon the length of the employee's military service.

If the employee's military service lasted one (1) to ninety (90) days, he/she will be reinstated in the following order of priority:

- In the job the employee would have held had the employee remained continuously employed ("escalator position"), so long as the employee is qualified for the job or becomes qualified after reasonable efforts by the Company to qualify the employee.
- If the employee cannot become qualified for the escalator position after reasonable efforts by the Company, in the employee's pre-service position, so long as the employee is qualified for the job or could become qualified after reasonable efforts by the Company to qualify the employee.
- If the employee cannot become qualified in either the escalator position or the pre-service position, in any other position that is the nearest approximation first to the escalator position and then to the pre-service position employee is qualified to perform.

For absences ninety-one (91) days or more, the reemployment priority is the same as less than ninety-one (91) days, he/she will be reinstated in the following order of priority:

- In the escalator position or a position of like seniority, status and pay, the duties of which the employee is qualified to perform; or
- After reasonable efforts by the Company to qualify the employee are unsuccessful, in the pre-service position, or a position of like seniority, status and pay, the duties of which the employee is qualified to perform.

For an employee returning with service-related disabilities, the Company will attempt to make reasonable accommodation to return the employee in the priority required positions. If after reasonable accommodation efforts fail, the employee will be employed in (1) another position of similar seniority, status and pay for which they are qualified or could become qualified with reasonable efforts by the Company; or (2) if no such position exists, in the nearest approximation consistent with the circumstances of the employee's situation.

Reemployment may not occur where the Company's circumstances have changed such that reemployment would be impossible or unreasonable (for example, decline in business eliminating all positions for which returning service member would be eligible). However, the mere fact that all positions are filled will not justify denial of reemployment.

### **Service Years**

An employee returning from military leave keeps the service years and continues to accrue service years during his/her leave just as if leave had not been taken.

### **Discrimination**

There will be no discrimination because of past, current, or future military obligation in all areas of employment, including hiring, promotion, reemployment, termination, and benefits.

### **Protection from Discharge**

An employee returning from service will not be discharged except for cause as defined in USERRA for:

- One (1) year after reemployment if the person's most recent military services has been for 181 days or more.
- Six (6) months after reemployment if the person's most recent military service has been for 31 to 181 days.

Persons with fewer than thirty (30) days of most recent uniformed/military service are not protected from discharge without cause but will not be discriminated against because of uniformed/military service obligations.

### **Compensation**

Uniformed service/military leave is unpaid. However, employees taking uniformed service/military leave may, upon request, use any Vacation/PTO available, but are not required to do so.

### **Benefits**

Entitlement to benefits during and after uniformed service/military leave will be governed by

USERRA and, if applicable, state law.

### **State Law**

Employees will be afforded all rights under applicable state law which are greater than rights provided under USERRA.

## **Lactation/Breastfeeding**

For up to one year after a child's birth, any employee who is breastfeeding her child will be provided reasonable break times as needed to express breast milk for her baby. Dunn Construction will designate a private room at the main office for this purpose. A small refrigerator reserved for the specific storage of breast milk will be available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage or refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting the Human Resources Director at 205.510.0210. Additional rules for use of the room and refrigerator storage will be posted in the room. Employees who work off-site or in other locations will be accommodated in a private area as necessary. Breaks will be unpaid, and the employee should indicate this break period on her time record.

## **BENEFITS**

Dunn strives to provide its employees with a competitive benefit program designed to offer protection against injury, sickness, or death. "Benefits available for election by many employees include: (i) medical, prescription, and dental insurance; (ii) group life insurance; (iii) short term disability benefits; (iv) long term disability benefits; (iv) supplemental benefits such as vision insurance etc....; and (v) an option to participate in a 401(k) savings plan. Benefits eligibility is dependent upon a variety of factors, including employee classification. For more information regarding benefits programs, please refer to the company Summary Plan Descriptions, which were provided to employees upon hire, during open enrollment, or you may contact the Human Resource department located in its corporate office at 3905 Airport Highway, Birmingham, Alabama 35222.

### **Education Assistance**

Dunn recognizes that the skills and knowledge of its employees are critical to the success of the organization. Dunn has established an educational assistance program to provide employees with the opportunity to enhance their development, to increase their knowledge and skills, and to earn endorsements, certificates, accreditations, undergraduate and advanced degrees that are related to their work.

**Approval.** In order to be eligible for reimbursement, employees must obtain prior written approval of Human Resources and Dunn's President.

**Eligibility.** Regular, full-time employees who have completed 12 months of continuous

employment are eligible to apply for the program.

**Covered expenses.** Tuition costs, required books, examination fees, and required laboratory fees at an accredited institution are covered by the program.

**Grade requirements.** The eligible expenses that the company will reimburse to eligible employees for courses are based on the employee's final grade received for the course, as follows:

Grade—Amount refundable (up to allowable maximum)

- A: 85% reimbursement
- B: 70% reimbursement
- C: 50% reimbursement
- D/F: None
- Pass/Fail courses: Reimbursement at 85% upon receipt of a passing grade

**Job-related.** Courses must be directly related to the employee's current job, an advanced position within the company, or an identifiable career path within the company in order to qualify for reimbursement. Classes must not interfere with an employee's normal work schedule.

**Time of reimbursement.** There are no advance payments. Reimbursements are made after a course is completed. Employees who quit a course, quit employment, or are discharged for violating company policy are not eligible for any reimbursement.

**Taxability.** Reimbursement payments may be subject to tax and tax withholding. Employees should consult with their tax advisor.

**Application process.** Employees should complete the application and receive approval before enrolling. Forms are available from the Human Resources department.

**Employee reimbursement to the company.** Employees who voluntarily leave the employment of the company within 1 year of receiving education reimbursement must reimburse the company 100% for any payments received under this program. After year one but before year two, 75%. After year two but before year three, 50%. The company may deduct such amounts from the employee's last paycheck, paid time off account, or any other sums owed by the company to the employee. Employees will be asked to agree in writing to this policy as part of the application process for educational assistance.

## Training

In addition to courses that employees may choose to pursue under the education reimbursement program, employees may also be required to complete assigned training and requested to attend training classes, seminars, and meetings during the course of their employment. This training is intended to enhance employee effectiveness on the job and to widen the employee's career path. The company will pay 100 percent of the cost of training courses, seminars, or meetings that employees attend at the company's request. Employees will also be paid for time spent in such activities at their normal pay scale.

## **Employee Assistance Program (EAP)**

Through the employee assistance program (EAP), Dunn Construction provides confidential access to professional counseling services. EAP is available to all employees and their dependents who are enrolled in the company's health insurance. The EAP offers problem assessment, short-term counseling, and referral to appropriate community and private services. This service is provided on behalf of Dunn Construction by Behavioral Health Systems.

The EAP is strictly confidential and is designed to safeguard an employee's privacy and rights. Contacts to and information given to the EAP counselor may be released to Dunn Construction only if requested by the employee in writing. There is no cost for an employee to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

NOTE: Register for your free online account by visiting [www.behavioralhealthsystem.com](http://www.behavioralhealthsystem.com) Click on Member Access Log-In to register and use Employer ID: Dunn.

The Employee Assistance Program is a confidential assessment, counseling and referral service for all employees and their dependents that need help in any of the following areas: marital and family issues, alcohol and other drug dependency assessment, stress related issues, financial/legal referrals, and emotional problems.

Counseling Services:

- Up to six (6) face to face counseling sessions per member per year.
- Confidential- all information is kept strictly between the individual and the counselor. No one has to know.
- Free – All counseling offered within the EAP is provided as a benefit by Dunn Construction.

## **Credit Union**

Dunn employees have available to them membership in the America's First Federal Credit Union. The credit union extends many financial services to the employees of the Company to assist you, but Dunn is in no way affiliated with America's First Federal Credit Union.

## **Regions Bank**

Dunn employees have available to them an employee account at Regions Bank. Regions extends many financial services to the employees of the Company to assist you, but Dunn is in no way affiliated with Regions Bank.

## Employee Discounts

As an employee of Dunn Construction, you will have discounts for certain businesses within the community. You will be given this information at the new hire orientation and throughout your career as we continue to obtain new discounts with vendors. You may also find the discounts on the [www.dunnconstruction.com](http://www.dunnconstruction.com) website under the “employee login,” link. Username: employee password: dunn1878 The vendors will extend many services to the employees of the Company, but Dunn is in no way affiliated with any of the vendors offering discounts.

The Human Resource department is available to answer employee discount questions and assist in enrollment as needed. [careers@dunnconstruction.com](mailto:careers@dunnconstruction.com)

## Employee Handbook Acknowledgment and Receipt

**I have received my copy of the Employee Handbook and will as soon as practicable carefully read the complete contents of the handbook.**

The employee handbook describes important information about Dunn Construction, and I understand that I should consult Human Resources regarding any questions not answered in the handbook. I have entered into my employment relationship with Dunn Construction voluntarily and acknowledge that there is no specified length of employment. **Accordingly, either Dunn Construction or I can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.**

I understand and agree that other than the president of Dunn, no supervisor or representative of Dunn Construction has any authority to enter into any agreement for employment other than at will; only the president of the company has the authority to make any such agreement and then only in writing signed by the president of Dunn Construction and myself.

This handbook and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with Dunn Construction. By distributing this handbook, the company expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein.

I understand that, except for employment-at-will status, any and all policies and practices may be changed at any time by Dunn Construction, and the company reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Only the president of Dunn Construction has the ability to adopt any revisions to the policies in this handbook.

**I understand and acknowledge that nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment and that employment at Dunn Construction is employment at will, which may be terminated at the will of either Dunn Construction or myself at any time, with or without cause, justification, explanation, or notice to the other. Furthermore, I acknowledge that this handbook is neither a contract of employment, express or implied.** I understand and agree that employment and compensation may be terminated with or without cause and with or without notice at any time by Dunn Construction or myself.

**I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.**

Employee's Name & Date (Print)

Employee's Signature

**TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE**