



# **Employee Handbook**

**Effective as of January 1, 2026**



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# **EMPLOYEE HANDBOOK**

## **1. Introduction**

### **1.1 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.

### **1.2 Welcome to Dunn**

Welcome to Dunn!

We are delighted that you have chosen to join Dunn Construction, and we look forward to a long and successful career together. You are important to us—not only as an employee, but as a person. Our company's success, both now and in the future, depends on the talent, dedication, and integrity of people like you. In return, we are committed to providing the best support we can for you and your family.

At Dunn, we believe it is a privilege to serve—our employees, our customers, our communities, and our shareholders. That spirit of service has been at the heart of our company since the beginning and continues to guide how we work today.

We work hard to make Dunn a place where people feel challenged, supported, and rewarded. From providing clear training and guidance when you start, to offering opportunities for growth through Next Steps over time, we want to ensure your career here is purposeful and fulfilling. Working at Dunn is a two-way partnership: the company contributes, you contribute, and together we achieve excellence.

We are proud to have you with us and hope your time here is challenging, enjoyable, and rewarding. Welcome to the Dunn family!

Please take time to read the policies in this handbook. If you have questions, ask your supervisor or contact Human Resources. We are here to support you.

### **1.3 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 later into street construction coincident with the 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.

When you come to work with Dunn, you have the opportunity to advance and grow with any of the other companies within the Dunn family of businesses.

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.

#### **1.4 Purpose of the Employee Handbook**

This handbook 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.

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### **2. Employment Relationship**

#### **2.1 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.

## **2.2 Handbook Disclaimer**

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.

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.

## **2.3 Subsidiaries, Affiliates, and Partners Disclaimer**

This Employee Handbook has been prepared by Dunn for the guidance of its employees. It is not intended to, and does not, create any legal rights or obligations enforceable by employees against any parent company, subsidiary, affiliate, joint venture, partner, or owner of Dunn Construction Company, Inc.

Each subsidiary, affiliate, and partner is a separate legal entity and is responsible for establishing and administering its own employment policies and practices, except to the extent specifically adopted by that entity in writing.

## **2.4 Equal Employment Opportunity**

At Dunn Construction, we are committed to creating a workplace where everyone feels respected, valued, and included. Since 1878, we have believed that the different experiences, backgrounds, and perspectives of our employees make us stronger as a team and better as a company.

We welcome and support people of all races, colors, national origins, religions, ages, sexual orientations, gender identities, gender expressions, disabilities, veteran statuses, genetic information, sex, pregnancy, and any other traits that make each person unique. Our goal is to make sure every employee has the chance to do their best work, no matter their background.

Dunn Construction is an equal opportunity employer. Employment decisions are based only on qualifications, skills, performance, and business needs. We do not discriminate or allow discrimination against anyone because of race, color, religion, sex (including pregnancy, sexual orientation, and gender identity), national origin, age (40 or older), disability, genetic information, or veteran status. This policy applies to all areas of employment, including:

- Recruiting and hiring
- Pay and benefits
- Training and development
- Promotions and transfers
- Discipline and termination
- All other terms and conditions of employment

## **Our Commitment in Action**

We expect all employees to:

- Treat one another with dignity and respect.
- Communicate in a respectful and professional way.
- Work together as a team and welcome different ideas and perspectives.
- Contribute to a culture of inclusion at work, during company events, and in the community.

Harassment, discrimination, or retaliation of any kind will not be tolerated. Employees who engage in inappropriate conduct may face disciplinary action, up to and including termination.

If you believe you have experienced or witnessed discrimination, harassment, or retaliation, contact Human Resources immediately. All concerns will be taken seriously, reviewed promptly, and addressed appropriately.

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## **3. Workplace Conduct and Respect**

### **3.1 Harassment Prevention Policy and Complaint Procedure**

Dunn Construction is committed to providing a workplace that is free from harassment, discrimination, intimidation, threats, or coercion of any kind. This includes harassment

based on sex or gender, as well as harassment or discrimination based on race, color, religion, national origin, age, disability, genetic information, protected veteran status, or any other classification protected by federal, state, or local law.

Harassment will not be tolerated—whether by supervisors, coworkers, employees of other Dunn companies, or by non-employees with whom we have a business or professional relationship.

### **3.1.1 What Harassment Looks Like**

Harassment can be verbal, physical, or visual. It becomes unlawful when:

1. Submitting to the conduct is made an explicit or implied condition of employment.
2. Submitting to or rejecting the conduct is used as the basis for an employment decision.
3. The conduct unreasonably interferes with work performance or creates a hostile, intimidating, or offensive work environment.

Harassing conduct can include (but is not limited to):

- Slurs, jokes, or statements about a person's protected status.
- Gestures, pictures, cartoons, or written/visual materials that mock or demean.
- Threats, intimidation, or coercion.
- Unwelcome sexual advances, requests for sexual favors, or conversations with sexual content.
- Offensive conduct based on sex, gender, or any other protected category, whether between individuals of the same or different genders.

### **3.1.2 Reporting Concerns**

Dunn encourages employees to report concerns early, so that action can be taken quickly. While employees may tell the offender directly that the conduct is unwelcome, this is not required.

Employees should report any incident of harassment, whether by a coworker, supervisor, customer, vendor, or other third party, promptly to:

- **Human Resources**, or
- **Dunn's Equal Employment Opportunity (EEO) Officer:**
  - **Name:** Amber Kinney
  - **Title:** Vice President of Human Resources / EEO Officer
  - **Address:** 3905 Messer Airport Hwy., Birmingham, AL 35222

- **Phone:** 205.510.0210
- **Email:** [akinney@dunnconstruction.com](mailto:akinney@dunnconstruction.com)

### **3.1.3 Investigations and Confidentiality**

- All complaints will be investigated promptly, thoroughly, and as confidentially as possible.
- Information will be shared only with those who need to know to conduct the investigation and take appropriate action.
- Employees who make a good faith complaint or take part in an investigation are protected from retaliation.

### **3.1.4 Consequences**

- If harassment is found, Dunn will take immediate corrective action, which may include discipline up to and including termination of employment.
- Retaliation against anyone who reports harassment or participates in an investigation is strictly prohibited.
- False and malicious complaints made with the intent to harm someone may result in disciplinary action, up to and including termination.

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

Dunn Construction is committed to providing fair and equal opportunities to qualified individuals with disabilities, in compliance with the **Americans with Disabilities Act (ADA)** and other applicable laws.

### **Our Commitment:**

- Dunn Construction will provide reasonable accommodations to qualified applicants and employees with disabilities, unless doing so would cause an undue hardship for the company.
- Harassment, discrimination, or retaliation against individuals with disabilities—or against those who request accommodations—will not be tolerated.

### **3.2.1 Requesting an Accommodation**

- An applicant or employee who needs an accommodation should contact the Human Resources (HR) department.
- Requests should explain the type of accommodation needed to perform the job. Supporting medical documentation may be required, as permitted by law.

- Dunn Construction will review each request and work with the individual in an **interactive process** to determine appropriate accommodation.
- Employees are responsible for providing any required medical documentation related to the disability and the accommodation request.

### **3.2.2 Confidentiality**

- All medical information obtained about an applicant or employee will be kept **confidential**, stored in a separate medical file, and shared only when allowed by law.

#### **Reporting Concerns:**

If you believe you have experienced or witnessed discrimination, harassment, or retaliation based on disability or an accommodation request, you should report it immediately using the company's **Harassment and Complaint Procedure**. All concerns will be taken seriously and addressed promptly.

### **3.3 Immigration Law Compliance**

Dunn Construction is committed to following all federal and state immigration laws. We employ only individuals who are legally authorized to work in the United States and do not discriminate based on citizenship or national origin, in compliance with federal and Alabama law.

#### **Federal Requirements**

- Under the Immigration Reform and Control Act of 1986, every new employee must complete the Employment Eligibility Verification Form (Form I-9).
- Employees must also provide documents that prove both identity and authorization to work in the United States.
- Former employees who are rehired may be required to complete a new Form I-9.

#### **Alabama Requirements**

- In compliance with the **Beason-Hammon Alabama Taxpayer and Citizen Protection Act (Act 2011-535, as amended by Act 2012-491)**, Dunn Construction uses the **federal E-Verify system** to confirm the identity and work authorization of all employees hired in Alabama.

#### **Employee Rights and Responsibilities**

- Employees may ask questions or request more information about immigration law compliance by contacting their supervisor or Human Resources.

- Employees are encouraged to raise concerns or complaints in good faith. Retaliation against employees for asking questions or reporting concerns will not be tolerated.

### **3.4 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.

### **3.5 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, 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 logo' d 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 appropriate action will be taken. The identity of the individual making a 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.

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## **4. Employment Policies and Practices**

### **4.1 Employee Relations**

Dunn Construction is committed to maintaining positive and productive relationships with our employees. We believe the working conditions, wages, and benefits we provide are competitive within our industry and region.

If you ever have concerns about your work environment, pay, or other matters, we encourage you to raise them openly and directly with your supervisor. Experience has shown that honest and direct communication helps create a healthy workplace where issues are addressed quickly, and everyone benefits.

## **4.2 You and Your Supervisor**

When you begin work at Dunn, your supervisor is your first point of contact. Your supervisor will:

- Explain how your job fits into the company's overall mission.
- Provide training and guidance on your responsibilities.
- Support your growth by helping you improve skills and performance.
- Give directions and encouragement in your daily work.

Supervisors understand the challenges of starting a new role because they were once new employees too. They are here to answer questions and help you succeed. Don't hesitate to ask for clarification or guidance at any time.

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

Dunn Construction provides employees with opportunities to grow their careers and apply for open positions based on their skills, experience, and performance.

### **4.3.1 Job Postings**

- Notices of most regular, full-time job openings are posted on the Dunn Construction website.
- Postings normally remain open for at least five (5) working days, but Dunn reserves the right not to post certain openings if necessary.
- To apply for a posted job, employees must:
  - Have performed competently in their current position for at least 90 calendar days.
  - Not be on suspension.
  - Meet the required skills, competencies, and qualifications for the position.
- Employees should apply online and include details about their job-related skills, accomplishments, and how their experience and/or education qualifies them for the role.

Supervisors and Human Resources may review an employee's performance, skills, and attendance before considering an internal transfer. Staffing needs or other business factors may also affect transfer decisions.

#### **4.3.2 Career Development**

Dunn encourages employees to discuss their next steps/career goals with their supervisors and Human Resources. Supervisors are expected to support employees in seeking development opportunities. One option available is the On-the-Job Training Program. Information about this program is available from supervisors or Human Resources.

#### **4.3.3 Employee Referrals**

Employees are encouraged to refer qualified candidates for employment. When making a referral:

- Ask the person for permission before sharing their name.
- Provide accurate information about Dunn, but do not make promises of employment.
- Instruct the applicant to list the referring employee's name on their employment application under the question, "Were you referred by a current Dunn employee?"

Referrals help Dunn connect with talented people while allowing employees to play an active role in strengthening our workforce.

### **4.4 Employee Advancement**

Dunn Construction believes in promoting from within whenever possible. We are committed to recognizing and rewarding employees who demonstrate ability, dedication, and continuous improvement. While most promotions come from within, there may be times when outside talent is needed to meet specific business needs or skills not readily available in the company.

As Dunn continues to grow, opportunities for advancement will arise. When they do, the following factors will be considered:

- Job performance in your current role
- Training, skills, and relevant experience
- Qualifications for the new position
- Past work record and overall dependability
- Willingness to accept responsibility
- Ability to work well with others

- Attendance and safety record
- Efforts toward self-improvement

Promotions are earned through proven performance and readiness for greater responsibility. While the company is committed to supporting employee success, your career growth ultimately depends on the effort and commitment you bring to your work.

#### **4.5 Employee Classification Categories**

All employees at Dunn are classified as either **nonexempt** or **exempt** under federal and state wage and hour laws. These classifications help determine pay practices and benefit eligibility. They do not change the fact that employment with Dunn is **at-will**, meaning either you or the company may end employment at any time, with or without notice, and with or without cause, as allowed by law.

**Nonexempt Employees** - Nonexempt employees are covered by the Fair Labor Standards Act (FLSA). They are paid at least the minimum wage for all hours worked and receive overtime pay at one and one-half times their regular rate of pay for all hours worked over 40 in a workweek.

**Exempt Employees** - Exempt employees meet certain tests under the FLSA or applicable laws and are not eligible for overtime pay. Exempt status is based on job duties and salary level, not on job title.

#### **Dunn Employee Categories:**

- **Regular Full-Time:** Employees scheduled to work at least 30 hours per week. Regular full-time employees are generally eligible for the company's full benefits package, subject to the terms and conditions of each plan.
- **Regular Part-Time:** Employees scheduled to work at least 20 hours but less than 30 hours per week. Regular part-time employees may be eligible for some company benefits, depending on the terms of each plan.
- **Temporary/Seasonal:** Employees hired for a limited period, such as to fill in for another employee, handle extra workload, or complete a specific project. Temporary or seasonal employees are not normally eligible for benefits unless specifically stated in company policy or plan documents.

#### **4.6 Drivers of Company Vehicles**

A Motor Vehicle Report (MVR) will be obtained for all job applicants. Additionally, annual MVR will be obtained for all current employee drivers at least once per year. Continual MVR monitoring will take place for all employee drivers.

Employees are responsible for promptly reporting any traffic violations, moving violations, or other changes that may affect their MVR to the Safety Department within a reasonable timeframe.

For more information, please refer to Dunn's Fleet Safety Program or contact the Safety Department with any questions.

#### **4.7 Business Ethics and Conduct**

The success and reputation of Dunn Construction are built on fairness, honesty, and ethical behavior. Our customers, shareholders, and community trust us to do the right thing, and every employee plays an important role in protecting that trust.

##### **Our Standards**

- We follow all laws and regulations that apply to our business.
- We act with integrity, honesty, and fairness in all business dealings.
- We avoid any illegal, dishonest, or unethical conduct.
- We use good judgment and follow high ethical standards in all situations.

##### **Responsibilities**

- All employees are responsible for understanding and following this policy.
- If you are unsure about the right course of action, discuss the situation with your supervisor. You may also contact Human Resources for guidance.
- Employees must report suspected violations of this policy or unethical behavior.

##### **Consequences**

Failure to follow this policy may result in disciplinary action, up to and including termination of employment.

#### **4.8 Photography and Recording Policy**

To protect the privacy of our employees and customers, prevent harassment, and safeguard company information, Dunn Construction has rules about photography and recording in the workplace.

- Employees may not take, share, or post photos, videos, or audio recordings while they are working. This includes sharing via text message, social media, or other platforms.
- Employees may not take photos or make recordings of work areas, except in limited situations explained below.

##### **Exceptions**

- Employees are allowed to take photos or record if they are engaging in rights protected by the National Labor Relations Act (NLRA).
- Employees may take photos or recordings of work areas **only with prior approval** from Human Resources, Safety, or the Company President.
- Employees may share photos or recordings of work areas **only with prior approval** from Human Resources, Safety, or the Company President, including sharing via text message, social media, or other platforms.

### **Responsibilities**

- Always respect the privacy of coworkers, customers, and visitors.
- Never use photos or recordings to harass, embarrass, or discriminate against others.
- Do not share confidential or proprietary company information through photos, videos, or recordings.

Violations of this policy may result in disciplinary action, up to and including termination.

### **4.9 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.

### **4.10 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 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.

### **4.11 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 with 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.

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## 5. Corrective Action and Separation

### 5.1 Employee Discipline

At Dunn Construction, we believe that the best discipline comes from strong leadership, fair supervision, and clear expectations. Discipline is intended to correct problems, prevent them from happening again, and help employees succeed in their roles.

Employment with Dunn is **at-will**, which means both you and the company may end the employment relationship at any time, with or without cause or notice, as permitted by law.

When discipline is necessary, Dunn may use one or more of the following actions, depending on the seriousness of the issue and the circumstances:

- Verbal warning
- Written warning
- Suspension with or without pay
- Termination of employment

The action taken will depend on the severity of the infraction and maybe on a case-by-case basis.

#### **Examples of Misconduct**

The following are examples of conduct that may result in discipline, up to and including termination. This list is not all-inclusive:

- Excessive tardiness or absence from work without proper notice or excuse. Employees must call their supervisor **before the start of the workday** if they are late or absent. Each employee is responsible for their own transportation to and from work.
- Leaving the job site without supervisor approval during working hours.
- Neglect or careless acts that cause injury, property damage, or expense to Dunn.
- Reporting to work under the influence of alcohol or illegal drugs.
- Possession or consumption of alcohol or controlled substances on company property or job sites or while operating company equipment/vehicles.
- Failure to report an accident, incident, or injury within a reasonable amount of time.
- Failure to cooperate in an investigation.
- Serious violation of safety rules.

- Unsatisfactory performance or conduct.
- Insubordination, including refusing to follow a supervisor's instructions.
- Harassment, discrimination, or disorderly conduct such as threatening, insulting, intimidating, disrespectful, abusing, or assaulting another employee, supervisor, customer, public, or vendor, including horseplay.
- Falsifying records.
- Theft of company or employee property.
- Sleeping on the job.
- Willful destruction of company or client property.
- Smoking in prohibited areas.
- Gambling on company property.
- Throwing trash, litter, or other waste on company or customers property.
- Having a personal cell phone in the work area without supervisor approval.

### **Important Notes**

This list is a general outline and does not include every possible type of conduct that could lead to discipline or termination. Dunn reserves the right to discipline or terminate employees for any action that interferes with the orderly operation of the workforce, the safety of employees, or the company's production and business needs.

## **5.2 Separation of Employment**

Employment at Dunn Construction is **at-will**, which means either the employee or the company may end the employment relationship at any time, with or without cause or notice, as allowed by law. Separation of employment can occur for several reasons, including the following:

### **5.2.1 Voluntary Resignation**

We hope your employment with Dunn will be rewarding, but we understand that circumstances may cause employees to resign. Employees are encouraged to provide at least **two weeks' written notice** to allow for a smooth transition. Employees who provide less notice may be considered **ineligible for rehire**, depending on the situation. Employees who fail to report to work and do not notify their supervisor will be considered to have voluntarily quit their job.

### **5.2.2 Retirement**

Employees who plan to retire should provide written notice to their supervisor and Human Resources at least **one month before** their intended retirement date.

### **5.2.3 Layoff**

Employees may be separated due to business needs, such as a reduction in workforce, elimination of a position, or other operational requirements.

#### **5.2.4 Job Abandonment / No Call-No Show**

Employees are expected to report for all scheduled work shifts or to call their supervisor prior to the start of work if they will be absent or late.

Failure to report to work or call your supervisor for two consecutive scheduled workdays will be considered job abandonment. Job abandonment is treated as a voluntary resignation.

Additionally, two separate incidents of No Call-No Show within a rolling twelve (12) month period will also be considered job abandonment and treated as a voluntary termination.

Supervisors must notify the Human Resources Department on the third day of absence (or upon confirmation of a second No Call-No Show incident) to initiate the removal of the employee from the payroll. Employees separated under this policy may be considered ineligible for rehire.

The Company reserves the right to review each situation on a case-by-case basis to determine whether there are extenuating circumstances that may warrant an exception to this policy.

#### **5.3 Termination**

Employees may be terminated at any time, with or without cause or notice, in accordance with Dunn's at-will employment policy.

#### **5.4 Return of Company Property**

Employees must return all company property (such as vehicles, uniforms, tools, PPE, cell phones, radios, keys, computers, and iPads) within **24 hours of separation**, in good working condition except for normal wear and tear. Failure to return property may result in deductions from the final paycheck, where allowed by law, or legal action.

#### **5.5 Final Pay and PTO**

Upon separation from employment, employees will receive their final paycheck on the next regularly scheduled payday, in accordance with applicable federal, state, and local laws. The final paycheck will include all wages earned through the employee's last day of work.

If company property has not been returned by the time of separation, the final paycheck may be withheld or reduced by the replacement cost of the unreturned items. Any such

deductions will be made only if permitted by law and if the employee has previously agreed to the deduction in writing.

**Unused Paid Time Off (PTO) will not be paid out upon separation of employment, regardless of the reason for separation.**

### **5.6 Exit Interviews**

Employees who separate from Dunn are encouraged to participate in an **exit interview** with Human Resources. Exit interviews provide valuable feedback that helps us improve the workplace. Employees should contact HR within two working days of giving notice. If no contact is made, the employee will be considered to have opted out of the process.

### **5.7 Benefits and COBRA**

- Health, dental, and vision insurance coverage ends on the **last day of the month of employment**.
- Information about continuing health insurance coverage under **COBRA** will be provided.
- Human Resources will send information regarding voluntary insurance policies directly to the separated employee.

### **5.8 Rehire Eligibility**

Former employees who left Dunn in good standing and were classified as eligible for rehire may apply for open positions. To be considered, former employees must submit an online application and meet all current job requirements, including any skills testing, exams or qualifications.

- Rehire requires approval from Human Resources.
- Rehired employees begin benefits as a new employee, except as required by law.
- If rehired within 13 weeks of prior employment, medical insurance will restart on the first day of the month following rehire.
- Previous tenure will not count toward longevity, leave accrual, or other benefits, except for 401(k), FMLA, medical coverage, and other benefits required by law.
- Employees terminated for violating company policy, or who resigned in lieu of termination for such reasons, may generally not be eligible for rehire.

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## **6. Workplace Safety**

I am injured on the job: Notify your supervisor immediately, even if you don't think you need medical treatment. The supervisor will notify the proper people within the company and the client. If you cannot notify your supervisor, contact the Safety Director's office at 205-510-0321.

## **6.1 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.

All accidents should be reported immediately to the supervisor on site who is required to notify the safety department followed by a written report within 24 hours. All accidents will be thoroughly investigated, and all job site employees will be expected to participate if asked. Once a determination is made as to the root cause of the accident, those findings will be shared with everyone in the company as a learning opportunity. Employees who are found to be at fault in an accident will face discipline up to and including termination. At a minimum the discipline will be a loss of Safety Bonus for the individual involved in the accident as well as a deduction that he/she may be eligible for at the end of each 6-month period. For further explanation of Safety Bonus see the Benefits section. Damage to personal vehicles on the job site is not the responsibility of Dunn Construction Company. Personal vehicles should be parked at a good distance away from any construction and moving equipment.

## **6.2 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.

### **6.2.1 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 leave 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.

**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 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.

### **6.2.2 Required Drug and Alcohol Testing**

- **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.

### **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 Human Resources without fear of reprisal.

#### **6.2.3 Consequences and Confidentiality**

##### **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.

## 6.3 Daily Huddles and Inspections

### **Daily Huddles**

Each morning the entire crew is expected to attend and participate in a daily huddle with your foreman/supervisor. During these meetings the goals for the day will be discussed along with the safety hazards that may be present during the day. The purpose of these meetings is to place accident prevention at the forefront of your mind and to ensure that everyone understands the part they play in achieving success for that day. These meetings should be interactive and not just a continual repeat of the previous day. Daily huddles are held to educate and aid the supervisor and workers and to get everyone's minds on the tasks at hand. If we do not accomplish anything in these huddles, then we have all failed. Additionally, your supervisor will choose one toolbox talk topic each day to discuss during one daily huddle meeting. This will be a topic that pertains to our line of work or the working environment.

### **Inspections**

Your responsibility is to give each tool or piece of equipment a visual inspection before using it each time. Defects should be identified immediately, and your supervisor should be notified so that the tool or equipment can be tagged out of service and/or replaced or repaired.

## 6.4 Personal Protective Equipment (PPE)

All employees are required to dress for the job they are performing. For our field workers this includes:

1. Full length work pants free of large holes. Pants should sit at the waist. NO SAGGING!
2. Minimum 4-inch sleeves on shirts. NO cut offs or tank tops. If Hi Viz uniforms are provided you **MUST** wear them!
3. The outer layer covering the upper body must be Hi Viz. Examples of acceptable options are Hi Viz vest, shirt, hoodie, or jacket. A vest will be provided to you. Hi Viz shirts, hoodies, and jackets are available through the online company store...[www.dunngear.com](http://www.dunngear.com).
4. All employees will wear hard hats. Exception: A. Equipment operators who are operating equipment that has an enclosed cab do not have to wear a hat but **MUST** have the hard hat within the cab area. If the employee steps down from the equipment, employee **SHALL** wear a hard hat. If employees have removed themselves from the roadway and are **at least** 25 feet from all work, he/she can remove the hard hat.
5. Safety glasses are always required to be worn.
6. Gloves are always to be kept on your person. They are to be worn anytime you will be touching any materials on the job site. Make sure that you have the appropriate gloves for the task you are performing. If you are unsure, ask your supervisor.
7. Steel-toed boots **SHALL** always be worn by all employees.

Employees who will be working at heights will be assigned a harness and double retractable. Use of this equipment is a condition of employment when working at heights 6' or more from the lower level and anytime an employee is working from an aerial or scissor lift. It is the responsibility of the employee to inspect this equipment prior to each use as well as take care of and store the equipment appropriately. The equipment should be stored in a dry place where it will not meet any material that could damage or lower its effectiveness. (For example: hang it in a storage area on a high lying hanger or in your personal vehicle rather than leaving it in the aerial lift where it is in the elements.)

## **6.5 Ladders**

1. Straight and extension ladders must extend 3' past the landing being accessed.
2. Straight and extension ladders must be set and tied off at a 4' Vertical to 1' Horizontal ratio.
3. Employees must maintain 3 points of contact while climbing or descending ladders.
4. Work facing the ladder with both feet on the rungs.
5. Step ladders must be fully opened, locked, and set level before being accessed.
6. Stay off the top two steps of step ladders.
7. Only one employee at a time will be permitted to work on a ladder.
8. Tools or other materials shall not be carried up or down a ladder.

## **6.6 Motor Vehicles and Driving Safety**

1. Seat belts shall always be worn by all inhabitants of the company vehicle.
2. Obey all speed limits and traffic signs.
3. Personnel may not ride in the bed of any truck.
4. Only properly licensed and approved drivers will be allowed to operate company vehicles. Approval will come from the Safety Department.
5. Dunn Construction Company reserves the right to obtain a Motor Vehicle Report (MVR) at any time on all employees authorized to drive a company vehicle.

## **6.7 Medical Card Certification Policy and Requirements (CDL Drivers)**

### **Purpose**

The purpose of this policy is to establish clear standards and procedures regarding Department of Transportation (DOT) medical certification for all Commercial Driver's License (CDL) drivers employed by Dunn Construction Company. Maintaining a valid DOT medical card is a legal requirement under federal and state regulations and a condition of continued employment in any position requiring the operation of commercial motor vehicles.

### **Scope**

This policy applies to all CDL drivers employed by Dunn Construction Company regardless of tenure, job title, or division assignment. Compliance with DOT medical certification requirements is essential not only for regulatory adherence but also for ensuring the safety of employees, the traveling public, and the company's operations.

### **DOT Medical Certification Requirements**

Under Federal Motor Carrier Safety Administration (FMCSA) regulations, every CDL driver must be examined and certified by a medical examiner listed on the National Registry of Certified Medical Examiners. Drivers must carry a valid medical card on their person **at all times** while operating a commercial motor vehicle.

The medical examination evaluates a driver's overall physical health and ability to safely operate a commercial vehicle. Certification periods vary depending on individual health factors but may not exceed **twenty-four (24) months**. Drivers with certain medical conditions may be certified for shorter periods and required to undergo examinations more frequently. Please refer to Fleet Safety Program for more information.

### **6.8 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 reasonably 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 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.

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## **7. Use of Company Property**

### **7.1 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 an 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.

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

Personal use of Dunn's construction equipment is prohibited with the 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 department with any questions you may have.

## **7.3 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 vehicles does not mean they do not create a hazardous distraction.

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

## **7.4 Electronic Telecommunications Device (ETD) Use**

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.

## **7.5 Smoking, E-Cigarettes, and Vaping**

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 may be subject to disciplinary action up to and including immediate discharge.

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## **8. Workplace Expectations**

### **8.1 Confidentiality**

Our customers and other parties with whom we do business entrust the company with important information relating to their business. 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.

## **8.2 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 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.

### **8.3 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 vehicles, 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.

### **8.4 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.

## **8.5 Attendance and Punctuality Policy**

Dunn Construction depends on the reliability and punctuality of its employees to maintain a safe, productive, and efficient workplace. Regular attendance is an essential function of every position, and excessive absenteeism or tardiness disrupts operations, increases costs, and places an unfair burden on coworkers.

We expect all employees to maintain excellent attendance and punctuality. Failure to meet these expectations may result in corrective action, up to and including termination.

### **8.5.1 Reporting Absences and Tardiness**

- Employees must notify their superintendent, foreman, or department supervisor by phone call before the start of their scheduled shift if they will be absent or late.
- Texts, emails, or asking others to call on your behalf are not acceptable forms of notice. You must personally call.
- If you cannot reach your supervisor, leave a voicemail and then contact the Human Resources Department to avoid a no-call/no-show violation.
- When calling in, employees must state the reason for the absence or tardiness and the expected duration. Notification must be provided for each day of the absence prior to the start of work.

### **8.5.2 Important Definitions**

- **Occurrence:** An absence (excused or unexcused), tardy, early departure, or no-call/no-show.
- **Tardiness:** Arriving more than **10 minutes late** to the job site or designated reporting location.
- **Excused Absence:** An absence properly reported to the supervisor prior to the shift and supported by appropriate documentation (medical note, legal document, obituary) if requested.

- **Unexcused Absence:** Any absence without sufficient notification or without required documentation.
- **No-Call/No-Show:** Failure to report to work or contact a supervisor before the start of a scheduled shift. Being more than **two (2) hours late without notice** will also be treated as a no-call/no-show.

#### 8.5.3 Job Abandonment

- **One (1) no-call/no-show** will result in a final written warning.
- **Two (2) separate no-call/no-show incidents within a rolling twelve (12) month period, or two (2) consecutive days of no-call/no-show**, will be considered job abandonment and treated as a voluntary resignation.

#### 8.5.4 Extended Absences

- Any absence of more than three (3) consecutive workdays requires medical documentation and a “Return-to-Work” release before reinstatement.
- Absences of five (5) or more occurrences within a 90-day period may be deemed excessive and subject to corrective action.
- Absences related to the Family and Medical Leave Act (FMLA), the Americans with Disabilities Act (ADA), or other legally protected leave will not count against an employee’s attendance record.

#### 8.5.5 Corrective Action for Attendance Violations

Attendance and punctuality violations are subject to discipline under Dunn’s Employee Discipline Policy, up to and including termination. Examples include:

- **Excessive absenteeism or tardiness** (patterns of frequent or repeated absences).
- **No-call/no-show** incidents as defined above.
- **Failure to follow reporting procedures** (e.g., using text/email instead of required phone call).

#### 8.6 Paid Time Off (PTO) Requests

- Employees must submit written requests for PTO at **least 7 calendar days in advance** when the need is foreseeable.
- PTO requests may not exceed **40 consecutive hours** unless medically necessary.
- In unforeseen circumstances, PTO requests must be submitted as soon as practicable.
- PTO requests are subject to supervisor approval and do not automatically excuse attendance violations.

**\* See Section 10.2 of Employee Handbook for more information on PTO guidelines and procedures.**

## **8.7 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.

### **8.7.1 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 adhere to the following dress code standards to maintain a professional and safe work environment. Long pants are required at all times; shorts and pants with large holes are strictly prohibited. Shirts must fully cover the upper body from waist to neck and include sleeves. Shirttails should be tucked in, sleeve cuffs fastened, and shirts buttoned, except for the neck and top button which may remain unbuttoned. The following shirt styles are not permitted: cut-off shirts, muscle shirts, halter tops, tank tops, or any shirts tied up in a similar fashion. Footwear must provide adequate support and feature skid-resistant soles, such as hard toe safety work boots. Tennis shoes, sandals, flip-flops, and similar footwear are not allowed. Certain job classifications require hard-toe boots for safety. If Dunn provides uniforms, employees are required to wear them as part of their daily attire.

### **8.7.2 Monthly Salaried & Clerical Employees**

Office dress for Dunn is defined as business casual. For men, this means attire consisting of shirts with collars, pants, 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.

## **8.8 Electronic Communication and Internet Use**

Employees must use the internet and company-provided devices—such as phones, iPads, tablets, laptops, and two-way radios—in a responsible, ethical, and professional way. These tools must not be used to send, receive, or store any messages or content that is offensive, harassing, discriminatory, or pornographic. Employees are expected to communicate respectfully and professionally at all times, especially when interacting with customers, vendors, suppliers, and competitors. It is strictly prohibited to use company technology for illegal activities, including hacking, copyright violations, or sharing false information about the company.

Employees should not copy or forward copyrighted materials unless they have permission or are using a single copy for reference. Company systems must be used in a way that does not slow down or disrupt others. Large files should not be sent or received unless necessary for work, and personal files should not be transferred using company systems. Suspicious emails, pop-ups, or downloads should not be opened. If something seems unsafe, employees should contact the IT department immediately to help prevent viruses or other security issues.

All emails—both inside and outside the company—are considered business records and may be reviewed during legal matters. Employees must follow all company policies when using communication tools, including those related to equal opportunity, harassment, confidentiality, and conflicts of interest. This means employees must not harass others, share confidential information like trade secrets or client lists, or post restricted content on social media.

Because company communication systems are used for business, the company may monitor emails, internet use, phone calls, and voicemails without notice to ensure rules are being followed. These systems are not fully secure, so sensitive information should not be sent through unsecured channels. Employees must take extra care with portable devices

like laptops, tablets, and smartphones. These devices should be protected with passwords and kept physically secure. If a device is lost or stolen, it could lead to serious problems, including data loss or legal issues.

Employees should not expect privacy when using company technology or the internet during work hours or on company equipment. The company may review activity, including posts made on password-protected sites, if done during work time or using company devices. This policy does not limit any rights employees have under federal, state, or local laws. Employees still have the right to talk with coworkers about working conditions, wages, and benefits, and to take part in protected group activities under the National Labor Relations Act (NLRA).

## **8.9 Social Media Policy**

The Company recognizes that social media—including personal blogs, Facebook, Twitter, Instagram, LinkedIn, TikTok, wikis, and video or photo sharing sites—can influence public opinion about our organization, its products, employees, partners, customers, and competitors. We use social media to strengthen our brand and build relationships with stakeholders. While social media is a valuable tool for both personal and professional communication, it comes with responsibilities. Employees are accountable for what they post, and any conduct that violates Company policies or negatively affects job performance, coworkers, or the Company's reputation may result in disciplinary action, up to and including termination.

Employees must follow all applicable laws and Company policies when using social media, including those related to business conduct, technology use, harassment, discrimination, and confidentiality. Respect copyright and intellectual property laws, including those protecting the Company's trademarks, brands, and proprietary content.

Employees are expected to be honest and transparent about their identity online. If posting about the Company, employees must clearly state that they are not speaking on behalf of the Company unless authorized to do so. Company email addresses should not be used to register personal social media accounts unless the site is business-related and approved. Only authorized media staff may create or manage official Company social media accounts.

Social media use during work hours or on Company devices should be limited to work-related purposes and must not interfere with job responsibilities. Employees should always be respectful and courteous when engaging online, especially when discussing or interacting with coworkers, clients, vendors, or others connected to the Company.

Confidential information and trade secrets must never be shared online. This includes internal operations, proprietary processes, and restricted areas of Company facilities.

Employees must also protect confidential information belonging to customers, partners, suppliers, and vendors. This obligation continues even after employment ends. Employees may share photos or recordings of work areas only with prior approval from Human Resources, Safety, or the Company President. This includes all social media platforms.

If an employee becomes aware of a violation of this policy, they should report it to a supervisor or the Vice President of Human Resources. Retaliation against anyone who reports a concern or participates in an investigation is strictly prohibited.

This policy does not limit employees' rights under federal, state, or local laws, including the National Labor Relations Act (NLRA), which protects the right to discuss working conditions and participate in protected activities.

#### **8.9.1 Personal Social Media Accounts**

Employees are free to maintain personal social media accounts, but they must ensure that their online activity does not conflict with Company policies or harm the Company's reputation. When posting personal content, employees should avoid sharing confidential or proprietary information related to the Company. Personal accounts should not be used to speak on behalf of the Company unless specifically authorized.

Employees should not use personal social media accounts to harass, discriminate, or make defamatory statements about coworkers, customers, vendors, or the Company. Even outside of work hours, posts that reflect poorly on the Company or violate its policies may lead to disciplinary action up to and possibly including termination.

If an employee identifies themselves as affiliated with the Company on a personal account, they must make it clear that their views are their own and not those of the Company. Employees should also avoid creating confusion between personal and professional roles, especially when interacting with clients or business partners online.

##### **Disclaimer Example:**

If you post about work-related topics or mention the Company on a personal account, you must include a disclaimer such as:

*"The views expressed on this account are my own and do not necessarily reflect the views of Dunn Construction Company, its employees, partners, vendors, or affiliates."*

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

To maintain a productive and harmonious work environment, Dunn Construction prohibits solicitation, distribution, and posting of materials on Company property—unless expressly permitted under this policy. Exceptions are allowed only for Company-supported charitable events, community initiatives approved by management, and official Company-sponsored

programs related to our products or services.

Non-employees, including vendors, customers, or former staff, are never allowed to solicit, distribute literature, or post materials on Company premises at any time. If non-employees require access to work areas, they must have management approval, not disrupt workflow, and always be accompanied by an employee. Former employees may enter the premises only when conducting official Company business.

Employees must not solicit coworkers during working time—defined as all time when assigned work tasks—unless it is for a Company-approved activity. Non-work time includes breaks, lunch, and before or after shifts. Distribution of materials is allowed only in non-work areas and during non-work time. Working areas include places where work is consistently performed (offices, shop floors, etc.), whereas non-work areas include cafeterias, break rooms, parking lots, and similar spaces. All postings on bulletin boards or electronic announcements require prior approval from Human Resources.

Violations of this policy should be reported to Human Resources. Nothing in this policy limits your rights under applicable federal, state, or local laws, including the National Labor Relations Act (NLRA). You retain the right to engage in protected, concerted activities—such as discussions about wages, working conditions, or union organization—during non-working time and in non-work areas.

## **8.11 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.

## **8.12 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 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.

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## **9. Compensation and Benefits**

### **9.1 Payment of Wages**

Employees of Dunn Construction Co., Inc. will receive their wages through direct deposit into a checking, savings, electronic banking, or check card account at the financial institution of their choice. This method ensures timely and secure payment of wages. Employees must authorize the company to deliver their pay stubs and annual W-2 statements to the email address provided at the time of hire. This authorization will remain in effect until the company receives written notification of any changes.

Each pay stub will include detailed information such as the number of hours worked; regular and overtime pay rates, gross earnings, and itemized deductions for taxes, insurance, and any applicable payroll savings plans. By January 31 of each year, employees will receive a W-2 statement summarizing their earnings and tax withholdings for the previous calendar year.

Employees are responsible for notifying the payroll department if there is any change in marital status or the number of exemptions previously claimed. In such cases, updated federal (Form W-4) and state (Form A-4) withholding forms must be submitted promptly to ensure accurate tax withholding.

#### **9.1.1 Hourly, Clerical, and 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.

#### **9.1.2 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.

### **9.2 Time Reporting for Hourly Employees**

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 is considered a serious offense and 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.

### **9.3 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. It is the employee's responsibility to review each paystub for accuracy.

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.

### **9.4 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, show up time, guaranteed pay, 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.

### **9.5 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.

## **9.6 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.

### **9.6.1 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.

### **9.6.2 Safety Award (Hourly Employees)**

It's a privilege to serve alongside you. Here at Dunn safety and health are top priorities, 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 Department. Please see the award matrix below:

**Hourly Employees Safety Award Matrix (January 1 – June 30)**

<b>Number of Continuous Years without an Accident or Incident</b>	<b>Hours Paid at Regular Hourly Rate of Pay</b>	<b>Safe CDL Driver Bonus</b>	<b>Awards that increase in Value each year</b>	<b>EXAMPLE: Employee Making \$10.00/hr Safety Award</b>	<b>EXAMPLE: Hourly Truck Driver with HAZMAT Hourly Wage \$14.00</b>
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1	4	4		\$40.00	\$168.00
2	8	4		\$80.00	\$224.00
3	12	4		\$120.00	\$280.00
4	16	4		\$160.00	\$336.00
5	20	4		\$200.00	\$392.00
5+	20	4	X	\$200.00 Plus Award via AWARDCO points	\$392.00 Plus Award via AWARDCO points

**Hourly Employees Safety Award Matrix (July 1 – December 31)**

Number of Continuous Years without an Accident or Incident	Hours Paid at Regular Hourly Rate of Pay	Safe CDL Driver Bonus	Awards that increase in Value each year	EXAMPLE: Employee Making \$10.00/hr Safety Award	EXAMPLE: Hourly Truck Driver with HAZMAT Hourly Wage \$14.00
1	4	4		\$40.00	\$168.00
2	8	4		\$80.00	\$224.00
3	12	4		\$120.00	\$280.00
4	16	4		\$160.00	\$336.00
5	20	4		\$200.00	\$392.00
5+	20	4	X	\$200.00 Plus Award via AWARDCO points	\$392.00 Plus Award via AWARDCO points

## 9.7 Benefits and Programs

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.

### 9.7.1 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.

## **9.7.2 Training and Development Policy**

Dunn Construction is committed to providing employees with opportunities for professional growth and skill development that enhance job performance and support the Company's operational excellence.

### **Company-Sponsored Training**

From time to time, Dunn Construction may require or approve employees to attend job-related training, seminars, certification programs, or continuing education courses. When training is **required by the Company**, employees will be compensated for time spent in training and for reasonable associated expenses in accordance with applicable wage and hour laws and Company policy.

### **Employee-Requested Training**

Employees who request **outside training**—such as **Commercial Driver's License (CDL) classes** or other certification or professional development programs—must receive prior written approval from their supervisor and the Human Resources Department before enrollment.

If Dunn Construction agrees to pay for or reimburse the cost of such training, the following conditions apply:

#### **1. Attendance Requirement:**

- Employees are expected to attend all scheduled classes, sessions, or examinations.
- Failure to attend an approved and paid-for training session without prior notice will be treated as a “no call, no show” and may result in disciplinary action, up to and including termination.

#### **2. Completion Requirement:**

- Employees must make a good faith effort to successfully complete the training program.
- If the employee fails to complete the course or program due to voluntary withdrawal, unexcused absences, or failure to meet course requirements, the employee will be responsible for reimbursing Dunn Construction for all associated training costs, including tuition, registration fees, and related expenses paid by the Company.

#### **3. Repayment Terms:**

- Reimbursement must be made within **30 days** of the employee's withdrawal or failure to complete the course, unless an alternate repayment arrangement is approved in writing by Human Resources.

- Dunn Construction may deduct any unpaid amount from the employee's final paycheck to the extent permitted by Alabama and federal law and with the employee's prior written authorization.

#### **4. Verification:**

- Employees must submit documentation confirming successful completion of any Company-funded training within **ten (10) business days** of course completion.

### **General Provisions**

All training opportunities must align with business needs and be approved by management prior to commitment. Dunn Construction reserves the right to determine which training programs qualify for Company sponsorship and may amend or discontinue this policy at any time in compliance with applicable law.

#### **9.7.3 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.beavioralhealthsystem.com](http://www.beavioralhealthsystem.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.

#### **9.7.4 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 need.

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## **10. Time Off/ Leaves of Absence**

### **10.1 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.

Dunn proudly recognizes and honors all veterans employed with the company in observance of Veterans Day. Verified veterans will receive either eight (8) hours of

straight-time pay or a paid holiday for Veterans Day, depending on their work schedules.

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 1 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.

## **10.2 Paid Time Off (PTO) Benefits for Hourly Employees**

The Company provides Paid Time Off (PTO) to support employee health, well-being, and work-life balance. PTO offers paid time for rest, relaxation, and personal needs, as well as for health or family-related absences consistent with Executive Order 13706.

### **10.2.1 Eligible Uses**

PTO may be used for:

1. The employee's own physical or mental illness, injury, or medical condition;
2. Obtaining diagnosis, care, or preventive care from a healthcare provider;
3. Caring for a child, parent, spouse, domestic partner, or any person related by blood or affinity whose close association with the employee is equivalent to a family relationship, for reasons described above; or
4. Reasons related to domestic violence, sexual assault, or stalking, including seeking medical care, counseling, relocation, legal assistance, or victim services.

### **10.2.2 Annual Allotment**

PTO is granted in full on January 1 of each calendar year for eligible full-time hourly employees as follows:

- 0–4 years of continuous service: 7 days (56 hours) per year
- 5 or more years of continuous service: 12 days (96 hours) per year

Employees hired after January 1 receive a pro-rated PTO allotment based on their start date for the remainder of the calendar year, as outlined below:

<b>Month of Hire Prior to 15<sup>th</sup> of the Month</b>	<b>PTO Days</b>	<b>PTO Hours</b>
January	7	56
February	6.5	52
March	6	48
April	5.5	44
May	5	40
June	4.5	36
July	4	32
August	3.5	28
September	3	24
October	2	16
November	1	8
December	0.5	4

### **10.2.3 Requesting and Using PTO**

- PTO may be used in minimum increments of one (1) hour.
- When the need for leave is foreseeable, employees must submit a written request to their supervisor at least seven (7) calendar days in advance.
- When the need is unforeseeable, employees must notify their supervisor as soon as practicable, employee must call before the start of their scheduled shift.
- Employees absent for more than three (3) consecutive days without prior approval may be required to provide medical documentation stating they may return to work full duty without restrictions or verification of a qualifying reason.
- PTO may not typically be approved for more than 40 consecutive hours without medical necessity or business approval.

#### **Medical Leave and Documentation**

- Employees may use PTO for illness or medical appointments. When PTO is exhausted, unpaid leave may be considered in accordance with applicable law.
- Management reserves the right to require documentation, including a doctor's note, for any absence due to illness, particularly for absences of three (3) or more consecutive days or patterns of repeated absences.

#### **Limitations on PTO for Avoiding Discipline**

PTO or medical documentation cannot be used to circumvent disciplinary action or to avoid termination.

If an employee has exhausted PTO and is subject to disciplinary action or termination, providing a doctor's note after the fact will not automatically prevent the disciplinary process, unless required by law (e.g., FMLA or ADA accommodations).

Repeated or suspicious requests for PTO with medical documentation may result in further verification and can be considered in evaluating the employee's conduct and attendance record.

**Supervisors will review all PTO requests based on business needs. Any denial will be provided in writing with an explanation.**

#### **10.2.4 Attendance and Call- In Requirements**

If an employee calls off before their scheduled start time, available PTO will be applied.

- If the employee has no remaining PTO and the absence lacks a pre-approved or qualifying reason (such as illness or emergency), it may result in disciplinary action, up to and including termination.
- Employees who fail to notify their supervisor prior to the start of their shift are considered No Call-No Show, and the Job Abandonment / No Call-No Show Policy applies.
  - A first instance may result in a final written warning.
  - A second separate instance may result in termination.
  - Two (2) consecutive days of No Call-No Show will be treated as job abandonment and a voluntary termination. PTO will not be paid in such cases.

#### **10.2.5 Scheduling and Holiday Closures**

Employees may request PTO at any time during the year, subject to operational needs. The Company may designate specific times when PTO must be used. PTO will run concurrently with FMLA and other types of medical leave.

Employees may use PTO during company-designated shutdown periods, including the week of shutdown or the week following Christmas if operations are suspended and guaranteed pay does not apply. Employees are encouraged to plan their PTO accordingly to ensure coverage during these periods.

#### **10.2.6 Carryover and Payout**

- Employees may carry over up to 56 hours of unused PTO into the next calendar year.
- Unused PTO will not be paid out upon separation from employment.
- Employees who are terminated, voluntarily resign, or are separated due to job abandonment will not receive payment for unused PTO.

### **10.2.7 Good Standing and Rehire Eligibility**

Employees separated for job abandonment or repeated attendance issues will be considered to have voluntarily terminated employment. Rehire eligibility will be determined based on work history and performance. Rehired employees are not eligible for PTO within the same fiscal year as their separation.

### **10.2.8 Extended Leave and Employment Status**

#### **A. Maximum Time Away From Work**

The company understands that employees may need time away from work for medical, personal, or family reasons. While we support employees during these situations, there is a limit to how long someone can remain on leave and still hold an active position.

Employees may be away from work for up to nine (9) consecutive months in total, whether the leave is paid, unpaid, or a combination of different types of leave.

- This includes all types of approved leave such as medical leave, personal leave, disability leave, and workers' compensation leave.

#### **B. Employment Status After Nine Months of Leave**

If an employee is unable to return to work after nine consecutive months away, the company may end employment based on the length of the absence.

- This separation is administrative, not disciplinary.
- Employees are welcome to reapply if they become able to work again in the future.
- The employee will be removed from the payroll.

#### **C. Review for Disability-Related Accommodations**

Before any employment separation takes place, the company will review whether additional leave or another type of support may be required as a reasonable accommodation under disability laws.

- Employees may be asked for updated medical information to help us understand what accommodations might be appropriate.
- Additional leave may be approved if it does not create significant difficulty for business operations.

#### **D. How This Policy Works With Other Leave Laws**

This policy works together with federal, state, and local leave laws.

- Nothing in this policy reduces your legal rights under laws such as the Family and

Medical Leave Act (FMLA) or state-specific leave programs.

**E. Returning to Work**

When returning from leave, employees must:

- Provide any required return-to-work documents
- Participate in a return-to-work meeting if requested
- Submit a fitness-for-duty release when required by law

Failure to return as scheduled or to provide required documentation may result in separation of employment.

**F. Employment Relationship**

This policy does not change the at-will employment relationship.

- The company may update this policy at any time, as allowed by law.

**10.3 Family and Medical Leave Act (FMLA) Policy**

Dunn Construction complies fully with the Family and Medical Leave Act (FMLA) and all applicable state and federal regulations. This policy provides employees with a general description of their rights and obligations under the FMLA. In the event of any conflict between this policy and the law, employees will be afforded all rights and protections required by law.

Employees receive upon hire the U.S. Department of Labor's (DOL) "Employee Rights and Responsibilities Under the Family and Medical Leave Act" notice.

Questions, concerns, or disputes regarding this policy should be directed in writing to:

**Dunn Construction Company, Inc.**

Human Resources

3905 Messer Airport Hwy

Birmingham, AL 35222

**General Provisions**

Eligible employees may take up to 12 weeks of job-protected leave (or up to 26 weeks of military caregiver leave) during a rolling 12-month period, measured backward from the date any FMLA leave is used. Leave may be paid, unpaid, or a combination, depending on available paid time off (PTO) and the nature of the leave.

**Eligibility**

Employees are eligible for FMLA leave if they meet all the following criteria:

1. Have worked for Dunn Construction for at least 12 months (52 weeks), which need not be consecutive.
2. Have worked at least 1,250 hours during the 12 months immediately preceding the start of leave.
3. Work at a location where the company employs 50 or more employees within 75 miles.

### **Qualifying Reasons for Leave**

Eligible employees may take FMLA leave for:

- The birth, adoption, or foster placement of a child, and to bond with that child.
- To care for a spouse, child, or parent with a serious health condition.
- For the employee's own serious health condition that makes them unable to perform essential job functions.
- For certain qualifying exigencies related to a family member's active military duty.
- To care for a covered service member with a serious injury or illness (up to 26 weeks).

Definitions of *serious health condition*, *covered service member*, *next of kin*, and other FMLA-related terms follow DOL regulations (29 CFR §825).

### **Amount of Leave**

- **12 weeks** of FMLA leave are available in a **rolling 12-month period** measured backward from the date leave is used.
- **26 weeks** of leave are available for military caregiver leave, measured forward from the date leave begins.
- When both spouses work for Dunn Construction, combined leave for the birth, adoption, or care of a parent is limited to 12 weeks; combined military caregiver leave is limited to 26 weeks.

### **Use of Paid and Unpaid Leave (Concurrent PTO Use)**

- All available paid time off (PTO) — including vacation and sick leave — will run concurrently with approved FMLA leave and with any non-FMLA medical or personal leave granted by Dunn Construction.
- If the employee qualifies for short-term disability (STD), long-term disability (LTD), or worker's compensation, those benefits will also run concurrently with FMLA leave when applicable.
- Once available paid leave is exhausted, any remaining FMLA leave will be unpaid.
- Employees on non-FMLA leave (e.g., those not yet eligible or after FMLA exhaustion) are likewise required to use accrued PTO concurrently with such leave unless otherwise approved by Human Resources.

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

While on FMLA leave, Dunn Construction will maintain the employee's group health benefits under the same conditions as if the employee were actively working. Employees must continue to pay their share of premiums during leave.

Medical plan coverage may continue for a maximum of three (3) months of absence, regardless of leave type. Coverage may lapse sooner if the absence is not protected under FMLA or premium payments are not maintained.

### **Employee Status After Leave**

Employees returning from FMLA leave will be restored to their same position or an equivalent position with equivalent pay, benefits, and working conditions, in accordance with the law.

A fitness-for-duty certification may be required prior to reinstatement if the leave was for the employee's own serious health condition.

### **Intermittent or Reduced Schedule Leave**

FMLA leave may be taken intermittently or on a reduced schedule when medically necessary or for qualifying military reasons. Dunn Construction may temporarily transfer the employee to an alternative position with equivalent pay and benefits if it better accommodates recurring absences.

### **Certification Requirements**

Employees must provide appropriate certification from a health care provider to support the need for FMLA leave within 15 days of the company's request. Dunn Construction may require periodic recertification every 30 days or as otherwise permitted by law.

Failure to provide required certification or recertification may result in denial or delay of leave.

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

1. Employees must provide at least 30 days' advance notice when the need for leave is foreseeable.
2. If 30 days' notice is not possible, notice must be given as soon as practicable (generally within one or two business days of learning of the need for leave).
3. Employees must follow the company's usual absence reporting procedures.
4. Within five (5) business days of receiving notice, Human Resources will provide the employee with a Notice of Eligibility and Rights & Responsibilities.
5. Upon receipt of required documentation, HR will issue a Designation Notice confirming whether the leave qualifies under FMLA.

### **Intent to Return to Work**

Employees on leave are asked to provide at least two (2) weeks' notice of their intended return to work date to assist in scheduling. Failure to return on the agreed-upon date without communication may be considered job abandonment.

### **Non-FMLA (Extended) Leave of Absence**

When an employee is ineligible for FMLA or has exhausted FMLA entitlement, Dunn Construction may, at its discretion, grant a Non-FMLA Leave of Absence for medical or personal reasons.

Such leave may be job-protected or non-job-protected, depending on the situation, and will run concurrently with any accrued PTO.

Employees on Non-FMLA Leave must:

- Maintain communication with HR and provide medical updates every 30 days.
- Provide updated contact information during the leave.
- Refrain from outside employment (“moonlighting”) while on leave.
- Notify HR immediately if they cannot return at the end of the approved leave period.

#### **Notice and Medical Certification (FMLA and Non-FMLA)**

- Medical certification is required for any leave due to the employee’s or a covered family member’s serious health condition.
- Dunn Construction may require a second opinion (at company expense) and, if necessary, a third opinion (binding).
- Certification of fitness to return to duty may be required prior to reinstatement.

#### **Failure to Return from Leave**

If an employee does not return to work following the expiration of approved FMLA or non-FMLA leave and does not communicate an intent to return, Dunn Construction will consider the employee to have voluntarily resigned employment.

#### **Policy Administration**

This policy will be administered in accordance with the FMLA, Department of Labor regulations, and any applicable state leave laws. Dunn Construction reserves the right to amend or modify this policy to comply with changes in law or company practice.

For questions about FMLA or other leave types, contact:

#### **Human Resources**

Phone: 205.510.0210

Email: [careers@dunnconstruction.com](mailto:careers@dunnconstruction.com)

#### **10.4 Pregnant Workers Fairness Act (PWFA) Leave Policy**

Dunn Construction complies with the Pregnant Workers Fairness Act (PWFA), which ensures reasonable accommodations for known limitations related to pregnancy, childbirth, or related medical conditions.

Employees may be eligible for job-protected leave, modified duties, schedule adjustments, or other accommodations as appropriate under the PWFA. Dunn Construction will engage in an interactive process with the employee to determine reasonable accommodations that do not impose an undue hardship on the Company.

#### **Leave Coordination:**

Leave taken under the Pregnant Workers Fairness Act will run concurrently with Family and Medical Leave Act (FMLA) leave when the employee is eligible for FMLA. In addition, any available paid time off (PTO) will be applied and used concurrently

with PWFA and/or FMLA leave, unless otherwise required by law or approved by Human Resources.

Employees must provide reasonable notice of the need for leave or accommodation and may be required to provide supporting medical documentation.

Questions regarding this policy or available accommodations should be directed to Human Resources at 3905 Messer Airport Hwy, Birmingham, AL 35222.

#### **10.5 Bereavement Leave Policy**

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.

#### **10.6 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.

#### **10.7 Voting Leave Policy (Alabama)**

Dunn Construction encourages all employees to exercise their civic duty by participating in

local, state, and national elections.

In accordance with Alabama law (Code of Alabama §17-1-5), any employee who is a registered voter and does not have at least two (2) hours outside of scheduled working hours in which to vote will be permitted up to one (1) hour of paid time off to vote.

- Voting leave should be taken at the beginning or end of the employee's work shift, as designated by the supervisor.
- Employees must provide reasonable notice of their intent to take voting leave, generally at least one (1) day in advance.
- If an employee's work schedule allows at least two (2) consecutive hours between the opening and closing of the polls in which to vote, voting leave will not be granted.

## **10.8 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.

## **10.9 Military Leave of Absence and USERRA Compliance**

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 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.

## 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