

# **Countryside Glass & Mirror**

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## **Personnel Manual**

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### **Countryside Glass & Mirror, Inc. Equal Employment Opportunity Policy**

Countryside Glass and Mirror is an equal opportunity employer. All recruitment, hiring, transfers, promotions and separations are based on merit, equal opportunity and job-related factors without regard to race, ethnicity, age, color, religion, sex, sexual orientation, national origin, disability, economic circumstances, HIV infection, AIDS-related complex or AIDS or veteran status.

# Countryside Glass & Mirror

## Personnel Manual

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## **Section 1...Introduction**

We are glad you have joined the Countryside Glass & Mirror team. You have been asked to come aboard because we think you have the potential to be an asset to our company. It is the contributions of the team that will help us achieve the high standards of excellence that Countryside Glass & Mirror has set.

This handbook is designed to acquaint you with Countryside Glass & Mirror and provide you with information about working conditions, employee benefits, and some policies affecting your employment. However, the contents of this handbook and the policies and procedures described in it are presented as a matter of information only.

Nothing set forth in this handbook is intended to create an express or implied contract. An employment-at-will relationship exists between Countryside Glass & Mirror and its employees; in other words, employment with Countryside Glass & Mirror is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause and with or without notice. Similarly, Countryside Glass and Mirror may terminate the employment relationship at will at any time, with or without cause and with or without notice. Only the President(s) of Countryside Glass and Mirror have the authority to establish and/or terminate employment agreements.

As Countryside Glass & Mirror grows, the need may arise to change policies described in the handbook. Countryside Glass & Mirror, therefore, reserves the right to revise, supplement, or rescind any portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion.

Policies contained herein are summaries and are not all inclusive. Your familiarity with this information will enhance both your personal and professional experience with Countryside Glass & Mirror. The management of Countryside Glass & Mirror is committed to an open-door policy for employees and strongly urges you to address with your supervisor any concerns that arise.

## **Section 2...Applicants and New Employees**

All new employees shall be on a probationary period for the first three (3) months of employment.

After three (3) months of employment, all new employees are subject to review by his or her supervisor. Thereafter, a new employee, subject to the needs of the company, may be made a regular full-time employee, may be terminated, or may have his or her probationary period extended an additional three (3) months.

An employee whose probationary period is extended will be subject to another review by his or her supervisor upon completion of six (6) months of service and, upon review and subject to the needs of the company, may be made an employee at that time, or may be terminated.

No probationary period will be extended beyond six (6) months and no employee shall become a regular full-time employee except upon satisfactory review by his or her supervisor.

### **Section 3...Absence from Work**

An employee absent from work without permission must notify HR, Jose Herrera and his/her supervisor, no later than an hour before the beginning of the work day.

The absent employee must text directly HR and his/her supervisor, unless injury or serious illness makes it impossible. Under no circumstances shall a message of this importance be left with any non-management employee. Any employee absent without permission for a full working day without notifying HR and his/her supervisor, will be given a 'written' warning notice and subsequent continued failure to notify HR and their supervisor will be grounds for suspension and or even up to termination of employment.

An employee may request time off by completing a "Time off/Leave Request" form and submitting it to Human Resources.

### **Section 4...Accidents and Injuries**

Any employee injured on the job or in a company vehicle shall inform his or her supervisor immediately, so that medical attention may be provided and compensation procedures activated, if required.

Any employee involved in an accident without personal injury, shall report all details at once to his or her supervisor.

### **Section 5...Authorized Leave**

#### **Death**

Countryside Glass & Mirror will grant paid leave to any regular, full-time employee relating to death as follows:

- ❖ Death of husband, wife or child: 5 Days
- ❖ Death of father, mother, brother, sister,  
father-in-law, mother-in-law or grandparents: 3 Days

#### **Jury Duty**

Countryside Glass and will only in an emergency ask an employee to be excused from empanelment.

During the period of empanelment, the employee will be paid the difference between his or her normal eight-hour (8) day or forty-hour (40) hour week and the Jury fees received.

The employee serving on Jury Duty shall return to his place of work when he/she is excused from the Jury Panel for any period of one hour or more within his/her normal working hours.

### **Military**

Any regular, full-time employee with a valid military obligation requiring two (2) weeks of active duty in the U.S. Armed Forces will be excused and paid the difference between the employee's normal forty hour (40) weekly wages and one (1) week of his military pay for one-half (1/2) of such period of military duty up to one (1) week maximum.

### **Professional Appointments**

Countryside Glass encourages all employees to schedule doctor, dentist and other professional appointments at times other than normal working hours.

If, however, it is not possible to schedule such appointments after normal working hours, an employee, with notice and permission of his or her supervisor, may leave work during working hours for up to one half day. With the permission of his or her supervisor, the employee may make up a maximum of two hours of this time within one week of the absence. Any time not made up will be subject to sick leave.

### **Sick Leave**

Any regular, full-time employee, after a six (6) month period, will be granted a two (2) days of sick leave. All employees will be granted two (2) days every six (6) months. These days can't be banked.

Countryside Glass & Mirror will pay sick leave only for bona fide illness and reserves the right to telephone the employee at his/her home during this absence, and/or his/her physician, or to require a doctor's written note if the employee is off work on a Monday, Friday, or more than one day.

## **Section 6...Alcohol and Controlled Substances**

No employee shall have in his or her possession or use while at Countryside Glass & Mirror, or while in any vehicle provided by or otherwise associated with Countryside Glass & Mirror, any alcoholic beverage or controlled substance. Violation of this provision shall result in disciplinary action.

## **Section 7...Complaints and Suggestions**

Countryside Glass & Mirror considers each employee a high priority. If any employee has questions, suggestions or occupational problems, they should discuss them with his or her supervisor or he should feel free to contact the company President(s), who maintain an "Open Door Policy." All such discussions shall be confidential, upon the employee's request.

## **Section 8...Employee Review**

Each employee may be reviewed by his or her supervisor once a year; to set goals, to evaluate the employee's progress and attitude, and to enable the employee to express his/her views to management.

## **Section 9...Holidays**

Countryside Glass & Mirror grants six (6) full-day holidays annually.

New Year's Eve Half Day  
New Year's  
Memorial Day,  
Independence Day,  
Labor Day,  
Thanksgiving and Friday  
Christmas Eve Half Day  
Christmas Day.

In addition, most years will have one (1) paid half-day holiday on Christmas Eve and New Year's Eve. On such a half-day holiday, employees will report for work at 6:00 a.m. and will be dismissed at 12:00 pm. (A half-day holiday will not be observed nor paid when Christmas falls on Sunday or Monday). Any full holiday falling on a Sunday will be observed on the following Monday and will be paid. Any full holiday falling on Saturday will be observed on Friday and will be paid. All employees must work the day before and the day after a Holiday to receive Holiday pay. Vacations days must be requested on a time off request form and approved at least 2 weeks prior to the holiday.

An employee must have completed a minimum of (6) months service with Countryside Glass & Mirror to be eligible for paid holidays.

## **Section 10...Housekeeping**

Each employee is expected to keep his or her work area clean and orderly whether it is a general area, warehouse or office desk.

In addition to his or her work station, each employee has the responsibility to maintain good housekeeping throughout the premises.

## **Section 11...Pay Periods**

All employees on wage-hour or salary are paid every Friday. Countryside Glass & Mirror's work week is from Thursday to Wednesday.

Paychecks should be deposited or cashed within thirty (30) days of issuance. Countryside Glass & Mirror will pay in advance only on the authority of the President(s).

## **Section 12...Wages, Salaries, Commissions and other Compensation**

The President (s) of Countryside Glass & Mirror, subject to all applicable laws and with assistance from supervisors, determines all compensation policies.

Compensation policies may be changed at anytime as necessary for the welfare of Countryside Glass & Mirror, Inc.

An employee's compensation is reviewed annually in September.

An employee's compensation is a confidential matter between the employer and the employee. Any discussion of the compensation of any employee except with the President (s) and/or supervisor violates the employer-employee agreement with Countryside Glass & Mirror.

## **Section 13...Payroll Deductions**

Countryside Glass & Mirror collects the following from payroll deductions as required by law, which are forwarded to various governmental units:

- ❖ Social Security Tax
- ❖ Federal Income Tax
- ❖ Child support
- ❖ Health insurance
- ❖ IRA

## **Section 14...Purchase of Company Merchandise**

Any employee of Countryside Glass & Mirror may purchase materials for his or her personal use from the company and will be charged cost plus 10% plus sales tax. Employees must arrange and pay for these purchases in person. Any employee abusing this privilege will not be permitted to purchase in the future.

## **Section 15...Termination of Employment**

Countryside Glass & Mirror requires an advanced notice of not less than two (2) weeks from any employee desiring to terminate his/her employment with the company, to be given to his/her supervisor. If the employee gives such notice and is, at that time in good standing, Countryside Glass & Mirror will buy out his or her unused, accrued vacation, provided the company reserves the right, at its sole option, to grant such vacation during

said two-week notice period in lieu of a buy-out. (No other benefits are subject to buy-out or any other compensation of any kind upon termination).

### **Section 16...Vacations**

Regular, full-time employees are entitled to one (1) week's paid vacation annually, beginning with the first anniversary of full-time employment, then two (2) weeks after two (2) years, and then after ten (10) years, a three week. Vacation is mandatory and at least one week must be taken each year.

Vacation may be taken at the choice of the employee, subject to scheduling availability and subject to approval by his/her supervisor.

Vacations may not be accumulated from year to year, except with written permission of the President(s).

Employees shall make his or her request for the preferred vacation period during his or her annual review session with his or her supervisor.

### **Section 17...Working Hours – General and Overtime**

Countryside Glass & Mirror has established regular working hours Monday through Friday, with a one (1) hour lunch period daily for the Leads and crews. Designated departments have a specific schedule between 7am and 5pm.

At times, a department may be assigned to work longer or shorter hours due to exceptional circumstances or business activity. Whenever feasible, management will use employees expressing a desire for the extra work, although management may, with adequate notice, call on any employee for after-hour, Saturday, or Sunday assignments.

Countryside Glass & Mirror's policy (to comply with governing laws) will pay one and one-half times the regular hourly rate for actual hours of work performed in excess of forty (40) hours per week. This applies only to actual hours worked and does not include hours totaling more than forty (40) in a work-week that includes holiday, vacation, sick or other leave time.

The formula also applies to employees being required to work on Sunday or Holidays. Before working over forty hours or on Sunday or holidays, the employee must inform his or her supervisor and obtain authorization.

### **Section 18...Smoking Policy**

No smoking is permitted in Countryside Glass & Mirror facilities at any time, except for those areas which have been designated for smoking. This policy is for the health and safety of all employees. The designated smoking area is located outside on the loading

dock or outside the shop garage doors. Please properly dispose of all smoking-related refuse.

Your full cooperation is requested, as this policy must be rigidly enforced to comply with company health and safety requirements and to maintain proper insurance coverage for our buildings.

## **Section 19...Drug and Alcohol Policy**

Countryside Glass & Mirror is dedicated to workplace safety, OSHA compliance and accident prevention. Our company has developed safety policies and procedures to help ensure a safe and healthy work environment for all employees. Drug or alcohol abuse in the workplace impairs your senses and judgment, putting both your job and your coworkers at risk. It has a negative effect on relationships, health care costs, productivity and workplace safety.

The use of drugs and/or alcohol is prohibited and grounds for disciplinary action. Taking alcohol or controlled substances *while driving* is illegal and doing so while operating a company vehicle is grounds for immediate termination of employment. Taking alcohol or drugs *while working* is prohibited and grounds for immediate termination of employment.

### **Suspected Impairment**

Supervisors/Installation team leads are responsible for noting and reporting abnormal behavior, appearance, or speech of the employees working on his team each day. Each truck will keep on hand a “report form of reasonable suspicion” along with the Chain of Custody drug form. If a lead suspects an employee is impaired, he will complete the form with the employee and notify Human Resources and/or the company President (s), who will decide whether or not the employee will be sent to complete an alcohol breath or urine analysis. If a test is ordered, it must be completed within 30 minutes from the time the employee is notified. A copy of the completed report of reasonable suspicion will be kept on file in Human Resources.

### **Testing**

#### Pre-hire and Random Drug Testing

- ❖ Any person who applies for employment at Countryside Glass & Mirror must submit to a pre-hire drug screening. The test must be completed within 30 minutes from the time the applicant is notified. Any applicant, who fails the test, fails to submit to testing within the allotted time period or refuses to take the test, will not be hired.
- ❖ If an employee is chosen randomly to submit to a drug urine screening, **the test must be completed within 30 minutes** from the time the employee is notified. Again, failure of the test, failure to submit within the allotted time period or refusal to take it will result in immediate termination of employment.

## Suspected Impairment

If an employee is required to submit to a drug/alcohol screening as a result of a supervisor's report of reasonable suspicion of impairment,

- ❖ Failure of a drug or alcohol test will result in disciplinary action and or even up to termination of employment,
- ❖ Failure to submit to a drug or alcohol test within the 30-minute allotted time period will result in disciplinary action and or even up to immediate termination of employment, and/or
- ❖ Refusal to take a drug or alcohol test will result in disciplinary action and or even up to immediate termination of employment.

## Accident Procedures

- ❖ If an employee is involved in a workplace accident, including traffic accidents while working, he must submit to a drug and alcohol screening. Again, failure or refusal to submit is grounds for disciplinary action and or even up to termination.

## **Use of prescribed or over-the-counter drugs**

Any employee who is using therapeutic (i.e. prescription) or over-the-counter medications, must report such usage to his/her manager if the substance could interfere with safe and accurate performance of job duties.

## **Testing Procedures**

Blood and/or urine samples will be analyzed in locations as directed by Countryside Glass & Mirror. Testing will follow this sequence:

- ❖ All samples will first be subjected to an initial screening process.
- ❖ Those samples having a negative screen (on illegal or illicitly used substances present) will be considered to have "passed" the test and no further testing will be done on that sample.
- ❖ Those samples that test positive on the first screen will be tested more extensively by means of Gas Chromatography/Mass Spectrometry (GCMS).
- ❖ If the confirmatory GCMS test is negative, the sample will be considered to have passed and no further action will be taken on that sample.
- ❖ If the GCMS is positive, applicants for employment will no longer be considered for employment. Active employees testing positive for illegal use of drugs or alcohol may be grounds for disciplinary action and or terminated immediately.

## **Compliance**

Compliance with Countryside Glass & Mirror's Drug and Alcohol Policy and Testing Program is a condition of employment. All company employees and applicants for employment will be required to sign a consent form that waives any rights concerning confidentiality and acknowledges that the results of these tests will be discussed with

appropriate members of management. Because the consent form is a part of Countryside Glass & Mirror's testing program, its completion is also a condition of employment. Applicants who refuse to sign the consent form will not be considered for employment. Employees who refuse to sign the consent form will, at the sole discretion of Countryside Glass & Mirror, be subject to grounds for disciplinary action and or even up to termination.

### **Notification**

Notification and cooperation with law enforcement authorities will be provided when illegal drugs are found on company premises. Countryside Glass & Mirror is obligated to conform to the law.

### **Effect of Policy and Testing Program**

Nothing in this policy or testing program is intended to create any contractual obligation or to be relied upon to create any limitation on the right of Countryside Glass & Mirror to terminate an employee for any reason at anytime. The Policy and Testing Program are being communicated to employees as general guidelines by which Countryside Glass & Mirror currently chooses, in an exercise of its management discretion, to operate and do not in any way restrict the right of Countryside Glass & Mirror to choose in its sole discretion to deviate from the general guidelines and terminate or otherwise discipline an employee as Countryside Glass & Mirror deems appropriate under the circumstances.

### **Changes or Modifications**

Countryside Glass & Mirror reserves the right to change the provisions of this policy and testing program at any time.

## **Compliance Statement and Acknowledgement and Informed Consent**

I, \_\_\_\_\_, have read Countryside Glass & Mirror's Drug and Alcohol Policy and Testing Program dated October 2017. I have received satisfactory answers to any questions I had concerning this policy and testing program.

I fully understand the policies and procedures presented and agree to comply with those policies and procedures.

Furthermore, as an employee of Countryside Glass & Mirror, I do hereby agree, consent and authorize Countryside Glass & Mirror and/or its agents to collect blood and/or urine specimens for a toxicological examination. I understand that these specimens will be used for the purpose of conducting tests for the presence of alcohol, illegal drugs or other controlled substances and I authorize Countryside Glass & Mirror and its agents to conduct such tests. Further, I give my consent for the release of the test results to authorized Countryside Glass & Mirror management for appropriate review and I release, and remise forever Countryside Glass & Mirror its employees, officers, trustees and agents from any and all liability, actions or causes of action, of whatever nature, arising as a result of my taking the drug/alcohol test or the use of the test results by Countryside Glass & Mirror. I also understand that Countryside Glass & Mirror has a duty to maintain a drug-free work environment and ensure that all its employees perform in a safe, accurate, and productive fashion.

\_\_\_\_\_  
Signature of applicant/employee

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Dated

## **Section 20...Workplace Violence**

Countryside Glass & Mirror does not and will not tolerate any form of violence in the workplace including, but not limited to, any form of verbal or nonverbal threat. This policy applies to all levels of managers, supervisors and employees, as well as all visitors to Countryside Glass & Mirror facilities.

All employees should promptly report any incidents of workplace violence and are encouraged to suggest ways to reduce or eliminate risks from workplace violence. Countryside Glass will ensure that no retaliation will be taken against any employee who reports or experiences workplace violence.

Countryside Glass is committed to providing a safe and healthy work environment for all its employees, free of violence and threats. Success, however, requires an equal commitment from Countryside Glass & Mirror employees to understand and comply with this workplace violence policy, to report violent incidents promptly and accurately and to offer suggestions freely regarding safety and security concerns.

Any employee who believes he or she has been subjected to workplace violence should report any and all such incidents to HR and his or her supervisor or the company President(s).

## **Section 21...Policy of Reasonable Accommodation**

It is the policy of Countryside Glass & Mirror to ensure that all individuals are provided with equal employment opportunities without regard to disability. A qualified individual with a disability will be afforded the same opportunity to compete in the workplace based upon the same performance standards and requirements expected of persons who are not disabled.

When an individual with a disability needs accommodation to perform his or her job, Countryside Glass & Mirror will consider under appropriate circumstances whether a reasonable accommodation exists that will enable the individual to perform the essential functions of the job. Determining a reasonable accommodation is appropriate is an individualized process; decisions be made on a case-by-case basis, depending upon the individual involved and the essential functions of the job in question. No specific form of accommodation is guaranteed for all individuals with a disability.

The responsibility for seeking a reasonable accommodation begins with the employee or applicant. If you believe that a disability is preventing you from enjoying equal employment opportunities, it is your responsibility to inform your direct supervisor and request a reasonable accommodation. Upon notification that a disability may exist, Countryside Glass & Mirror may need to contact your physician(s) to obtain medical information and records relevant to determining an appropriate reasonable accommodation. Countryside Glass & Mirror will work with you to determine an appropriate reasonable accommodation, but it cannot identify an accommodation without

active participation on your part. This is an interactive process that requires participation by Countryside Glass & Mirror and the employee or applicant. Although Countryside Glass & Mirror cannot guarantee that it will provide the accommodation that is most desired by the employee, Countryside Glass & Mirror will do its part to ensure with disabilities have an equal opportunity to compete in the workplace with those who are not disabled.

## **Section 22...Harassment**

Countryside Glass & Mirror hires people of all races, colors, places of national origin and religions. It is our hope that every employee will make reasonable efforts to be sensitive to other employees. Any kind of harassment is a violation of company policy regardless of the reasons for it. Harassment comes in many forms. It may be using a racial term that is generally considered offensive. It may be telling jokes that belittle or intimidate the members of some group. It may mean making fun of particular religious practices. Anyone can be the victim of harassment.

Countryside Glass & Mirror usually will not be able to do anything about harassment until it is brought to management's attention. Any employee who is the victim of harassment, or who witnesses what he or she believes to be harassment, should contact his/her supervisor immediately. This is true regardless of whom the harasser is, including customers. Our employees should not have to tolerate inappropriate behavior at the hands of supervisors, suppliers, customers or fellow employees.

Every effort will be made to conduct an investigation as quickly and as confidentially as possible. All employees will be expected to cooperate with any investigation of harassment. No one bringing a harassment complaint to the attention of his/her supervisor will be disciplined in any way regardless of the outcome of the investigation unless a knowingly false complaint has been made. Countryside Glass & Mirror will decide what action to take if harassment is found to exist.

We expect everyone working for Countryside Glass & Mirror to recognize that what one person sees as harassment may have been innocent and unintentional. Nevertheless, behavior that makes a fellow employee uncomfortable should be avoided. We expect employees to bring any problems in this area to their supervisor rather than trying to solve the problem themselves.

## **Section 23...Sexual Harassment**

Countryside Glass & Mirror is committed to maintaining a professional and collegial work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere which promotes equal opportunities and prohibits discriminatory practices, including sexual harassment. At Countryside Glass & Mirror sexual harassment, whether verbal, physical or arising out of the work assignments out of the office, at office sponsored social functions or elsewhere, is unacceptable and will not be tolerated. It is also illegal.

## **Definition of Sexual Harassment**

For purposes of this policy, sexual harassment is defined as unwelcome and unwanted sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature when: (1) submission to or rejection of this conduct by an individual is used explicitly or implicitly as a factor in decisions affecting hiring, evaluation, promotion or other aspects of employment; or (2) this conduct substantially interferes with an individual's employment or creates an intimidating, hostile or offensive work environment.

Examples of sexual harassment include, but are not limited to, unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; repeated sexual jokes, flirtations, advances or propositions; verbal abuse of a sexual nature; graphic, verbal commentary about an individual's body, sexual prowess or sexual deficiencies; leering; whistling; touching; pinching; assault; coerced sexual acts; suggestive, insulting, obscene comments or gestures; and display in the work place of sexually suggestive objects or pictures.

This behavior is unacceptable in the workplace itself and by any owner or employee in any business-related setting outside the workplace, including but not limited to other work-related settings such as business trips, and business-related social events.

## **Individuals Covered by the Policy**

This policy covers all employees. Countryside Glass & Mirror will not tolerate sexual harassment, whether engaged in by fellow employees, supervisors or management; or by other non-employees who conduct business with this company. Any employee who has been subject to sexual harassment may complain to the company President or to Human Resources. Countryside Glass & Mirror will investigate any incident of alleged sexual harassment by a person who is not an employee of the company to the extent practical and will take any action it deems appropriate after evaluating all the circumstances. In particular with respect to clients, the company will take any action necessary to stop the conduct and, if not stopped, the company will terminate its relationship with the client, if appropriate. Countryside Glass & Mirror encourages reporting of all incidents of sexual harassment, regardless of who the offender may be, in accordance with the method set out in the following section.

## **How to Report a Complaint**

- ❖ **Informal Procedure:** Countryside Glass & Mirror encourages individuals who believe they are being harassed to notify clearly and promptly the offender that his or her behavior is unwelcome. If for any reason an individual does not wish to approach the offender directly or if such discussion does not successfully end the harassment, then the individual should notify the company President(s) or Human Resources within two (2) days, who may talk to the alleged harasser or arrange for mediation between the individual and the alleged harasser with a third person acceptable to both. This informal procedure is not a required first step for the reporting individual.
- ❖ **Formal Procedure:** In the event that the reporting individual does not wish to pursue the informal procedure, or in the event that the informal procedure does

not produce a result satisfactory to the reporting individual, the following steps should be followed to report the sexual harassment complaint and to initiate a formal procedure:

- Notification of a Member of the Staff: An individual who believes he or she has been subject to sexual harassment should report the incident to the company President(s) or Human Resources. An individual also has the option of reporting the harassment to the individual's supervisor. In such a case the supervisor must immediately file a written report of the complaint and its resolution with the company President(s) or Human Resources. Any investigation should be confidential to insure the privacy of the persons involved. Both the accuser and accused individuals should be reminded of the confidential nature of the process.
- Description of Misconduct: An accurate record of objectionable behavior is necessary to resolve formal complaint of sexual harassment. All complaints of sexual harassment must be reduced to writing by either the reporting individual or the individual(s) designated to receive complaints.
- Time for Reporting a Complaint: Prompt reporting of complaints is strongly encouraged, as it allows for rapid response and resolution of objectionable behavior or conditions for the reporting individual and any other affected employees. Countryside Glass & Mirror has imposed a limited time frame for the reporting of sexual harassment. However, the reporting individual should be aware that applicable statutes of limitations do constrain the time for instituting outside legal action.
- Protection Against Retaliation: Countryside Glass & Mirror will not retaliate against an individual who makes a report of sexual harassment, nor permit any employee to do so. Retaliation is a very serious violation of this policy and should be reported immediately. Any individual found to have retaliated against an individual for reporting sexual harassment, or against anyone participating in the investigation of a complaint, will be subject to appropriate disciplinary procedures as described below.

### **How to Investigate a Formal Complaint**

Any allegation of sexual harassment brought to the attention of the company President(s) or Human Resources will be promptly investigated and processed to the extent practical and appropriate under the circumstances.

Complaints will be initially investigated by the company President(s) or Human Resources, to whom it was reported, unless it is determined that another person should be the investigator.

The investigation process may include any or all of the following:

- ❖ Confirm name and position of the reporting individual.
- ❖ Identify the alleged harasser.
- ❖ Thoroughly ascertain all facts in connection with the alleged incident, beginning by interviewing the reporting individual and the alleged harasser. Questions of all parties should be asked in a non-judgmental manner.

- ❖ Determine frequency/type of alleged harassment and, if possible, the dates and locations where alleged harassment occurred.
- ❖ Find out if any witness observed the alleged harassment. If the reporting individual and the alleged harasser present conflicting versions of the facts, interview any witnesses.
- ❖ Ask how the reporting individual responded to the alleged harassment and determine what efforts, if any, at informal resolution of the matter were made.
- ❖ Determine whether the reporting individual consulted anyone else about the alleged harassment and take note of who else knows and their response to the disclosure.
- ❖ Develop a thorough understanding of the professional relationship, degree of control and amount of interaction between the alleged harasser and reporting individual.
- ❖ Determine whether the reporting individual knows of or suspects that there are other individuals who have been harassed by the alleged harasser.
- ❖ Determine whether the reporting individual informed other supervisors of the situation and what response, if any, reporting individual received from these individuals.
- ❖ During the first interview with the alleged harasser, remind the alleged harasser of the company's policy against retaliation for making a complaint of sexual harassment.

In pursuing the investigation, the investigator will try to take the wishes of the reporting individual into consideration, but should thoroughly investigate the matter, keeping both parties informed as to the status of the investigation. If Countryside Glass & Mirror finds that harassment occurred, the harasser will be subject to appropriate disciplinary procedures, as listed below.

### **Sanctions for Harassment**

Individuals found to have engaged in misconduct constituting sexual harassment shall be disciplined. Appropriate sanctions will be determined by Countryside Glass & Mirror. In addressing incidents of sexual harassment, the company's response at a minimum will include reprimanding the offender and preparing a written record. Additional action may include: referral to counseling, withholding of a promotion, reassignment, temporary suspension without pay, reduction in allocation, discharge or removal or expulsion from the company.

### **False Accusations**

If an investigation results in a finding that the reporting individual falsely and maliciously accused another of sexual harassment, the reporting individual will be subject to appropriate sanctions, as described above, including the possibility of termination.

### **Appeals Process**

If either party directly involved in a sexual harassment investigation is dissatisfied with the outcome or resolution, that individual has the right to appeal the decision. The dissatisfied party should submit written comments in a timely manner of two (2) days.

The appeals committee will review the objecting party's position and the entire record before it and present its findings within sixty (60) calendar days of receiving the written objection.

### **Maintaining a Written Record**

Countryside Glass and Mirror shall maintain a complete written record of each complaint and how it was investigated and resolved. Written records shall be maintained in a confidential manner to the extent practical and appropriate in the office of the company President(s).

### **Mediation**

As an alternative for those wishing to resolve disputes among themselves without resorting to this policy, we will, if all parties agree, make available a trained outside mediator to help you find an amicable, informal solution. If mediation does not solve the problem, you may still use the procedures in this policy.

### **Conclusion**

Countryside Glass & Mirror has developed this policy to ensure that all of its employees can work in an environment free from sexual harassment. This policy will be immediately disseminated to all employees and the company will provide this policy to all new employees upon their arrival at the company. Countryside Glass & Mirror will conduct informational sessions concerning the policy, so as to ensure that all employees understand the company's commitment to eliminating any sexual harassment in the workplace, are familiar with the policy and know that any complaint received will be investigated and appropriately resolved.

## **Section 24...Family Medical Leave Act**

As an employee of Countryside Glass and Mirror, you may be eligible to take unpaid family and medical leave under the federal Family and Medical Leave Act (FMLA). This policy provides an introduction to the rights and provisions of the federal FMLA.

### **Eligibility**

To be eligible for leave, you must have been employed by, Countryside Glass and Mirror for at least 12 months. In the 12 months immediately preceding the beginning of the leave, you must also have worked at least 1,250 hours to qualify for federal FMLA. In addition, you must work in an office or work site where 50 or more employees are employed within 75 miles of that office or work site.

### **Amount of Leave Available**

Eligible employees may take up to a total of 12 weeks of FMLA leave within a rolling 12-month period, measured backward from the date an employee uses any FMLA leave, for any combination of the following reasons:

- The birth of an employee's newborn child or the placement of a child with the employee for adoption or foster care
- To care for the employee's spouse, child or parent with a serious health condition
- The employee has a serious health condition that makes the him or her unable to perform the functions of their job
- A qualifying exigency that arises because the employee's spouse, child or parent is a covered military member on covered active duty (or has been notified of an impending call or order to covered active duty)

Where leave is taken to care for a covered service member with a serious injury or illness, a spouse, child, parent or next of kin may take up to 26 weeks of unpaid FMLA leave during a single 12-month period.

Under the federal FMLA, spouses employed by Countryside Glass and Mirror are jointly entitled to a combined total of 12 weeks of leave for the birth of a newborn child, for the placement of a child for adoption or foster care and to care for a parent who has a serious health condition. The federal FMLA does not cover care for parents-in-law. Spouses employed by Countryside Glass and Mirror are jointly entitled to a combined total of 26 weeks of leave to care for a covered service member.

### **Notifying Countryside Glass and Mirror of the Need for Family or Medical Leave**

Generally, an application for leave must be completed for all leave taken under this policy. A non-emergency leave should generally be requested from Human Resources at least 30 days, or as soon as practical, in advance of the date the leave is expected to begin. In cases of emergency, you (or your representative, if you are incapacitated) should give verbal notice as soon as possible, and the application form should be completed as soon as practical. Failure to provide adequate notice may, in the case of foreseeable leave, result in a delay or denial of leave. It is your responsibility to notify your manager and Human Resources of absences that may be covered by the FMLA.

You must provide sufficient information regarding the reason for an absence for Countryside Glass and Mirror to know that protection may exist under this policy. Failure to provide this information will result in delay or forfeiture of rights under this policy. This means the absence may then be counted against your record for purposes of discipline for attendance or similar matters.

### **Medical Certification Process**

In addition to an application for leave, you will be required to complete a medical certification form when leave is for a family member's or your own serious health condition. The certification form needs to be signed by the health care provider. The short-term disability certification may be sufficient where the information required is duplicative. These forms are available from Human Resources. Second or third certifications from health

care providers and periodic recertification at Countryside Glass and Mirror or your expense may be required under certain circumstances.

We may also require periodic reports during federal FMLA leave regarding your status and intent to return to work.

**Military Family Leave Certifications**

In addition to an application for leave, you will be required to complete a Certification of Qualifying Exigency for Military Family Leave form when leave is for a qualifying exigency. A copy of the military member’s active duty orders or other military documentation may also be required to substantiate your need for FMLA leave.

If you request leave to care for a covered service member with a serious injury or illness, you will be required to complete a medical certification form, which must be signed by the service member’s health care provider. The certification form will request additional information, such as information regarding the relationship between you and the covered service member, to substantiate your need for FMLA leave.

**Substituting Paid Leave for Unpaid Leave**

Federal FMLA leave is unpaid therefore, Countryside Glass and Mirror requires you to substitute vacation days according to the schedule below. You may also choose to substitute additional paid or unpaid leave that you have accrued.

When you substitute vacation days or other paid leave, the absence will be counted against your entitlement to FMLA leave under this policy and will not extend your leave. In other words, you are using your paid leave concurrently with your FMLA leave.

| <b>Eligible Vacation Remaining</b> | <b>Required Substitution</b> |
|------------------------------------|------------------------------|
| Less than 5 days                   | None                         |
| 5-8 days                           | 3 days                       |
| 9-12 days                          | 5 days                       |
| 13-16 days                         | 7 days                       |
| 17-20 days                         | 9 days                       |

When an employee is absent due to a work-related illness or injury that meets the definition of a serious health condition, the absence will be counted against the employee’s entitlement under this policy. In other words, the employee is using FMLA leave concurrently with the workers’ compensation absence. An employee is not required to substitute paid time off for an absence covered under workers’ compensation.

You may be paid for all or part of a medical leave to the extent you are eligible for benefits such as short-term disability. An employee is not required to substitute paid time off for an absence covered under a disability benefit plan.

### **Non-Continuous Leave**

Intermittent or reduced leave will be permitted only when it is medically necessary or for a qualifying exigency, as explained above. In all cases, the total amount of leave taken in a calendar year should not exceed your total allotment as defined earlier in this policy.

Intermittent and reduced schedule leave must be scheduled with minimal disruption to an employee's job. To the extent possible, medical appointments and treatments related to an employee's or family member's serious health condition should be scheduled outside of working hours or at such times that allow for a minimal amount of time away from work.

If you request non-continuous federal FMLA leave which is foreseeable based on planned medical treatment for yourself, a family member or a covered service member, you may be required to transfer temporarily to an available alternative position offered by Countryside Glass and Mirror for which you are qualified and which better accommodates recurring periods of leave than your regular employment position. You will be entitled to equivalent pay and benefits, but will not necessarily be assigned the same duties in the alternative position. This provision may also apply if Countryside Glass and Mirror approves a non-continuous leave for the birth of a child or the placement of a child for adoption or foster care.

### **Benefit Continuation during Leave**

Countryside Glass and Mirror will maintain your group health plan coverage and certain other employment benefits (such as group life insurance, AD&D insurance and health and dependent flexible spending accounts) during your FMLA leave on the same terms as if you had continued to work, if these benefits were provided to you before the leave was taken. You will be required to pay your regular portion of premiums – contact Human Resources for an explanation of your options.

Benefits that are accumulated based upon hours worked will not accumulate during the period of FMLA leave.

In some instances, Countryside Glass and Mirror may recover premiums it paid to maintain health plan coverage for an employee who fails to return to work from FMLA leave.

### **Returning to Work**

If the reason for FMLA leave is for your own serious health condition, you will be required to present a fitness-for-duty certification immediately upon return to work.

If you wish to return to work before the scheduled expiration of FMLA leave, you must notify Countryside Glass and Mirror of the change in circumstances as soon as possible, but no later than two working days prior to your desired return date.

If you exhaust all leave under this policy and are still unable to return to work, you must notify Countryside Glass and Mirror as soon as possible. Your situation will be reviewed to determine what rights and protections might exist under other Countryside Glass and Mirror policies.

### **Rights upon Return from Leave**

Upon return from family or medical leave, you will be returned to the position you held immediately prior to the leave, if the position is vacant. Certain exceptions exist for key employees, as defined by law. If the position is not vacant, you will be placed in an equivalent employment position with equivalent pay, benefits and other terms and conditions of employment.

The law provides that an employee has no greater rights upon a return from leave than the employee would have had if the employee had continued to work. Therefore, you may be affected by a layoff, termination or other job change if the action would have occurred had you remained actively at work.

**Section 25...Acknowledgment of Receipt**

I understand and agree that the contents of the Personnel Manual are presented as a matter of information only. I further understand that the information contained in this manual is merely a summary of Countryside Glass & Mirror’s present policies, rules and benefits, and that the manual is not intended to be or create an employment contract, either express or implied.

While Countryside Glass & Mirror offers and intends to apply the policies, procedures, rules and benefits described herein, they are not an offer of employment, and are not intended to guarantee me employment or job security. I understand that my employment is "at-will." That means that my employment and compensation are for no definite period, and that as an employee at-will, my employment may be terminated at any time with or without notice, cause or compensation.

I further understand that Countryside Glass & Mirror also reserves the right in its sole discretion at any time to modify, interpret, revoke, suspend, terminate or change any or all plans, policies or procedures, in whole or in part, with or without advance notice. In addition, I understand that no supervisor, representative or officer of Countryside Glass & Mirror has any authority to make any agreement contrary to the employment at-will policy stated herein, without the express written authority of the President. I acknowledge receipt of my personal copy Countryside Glass & Mirror Personnel Manual. I have been given an opportunity to read it and ask questions regarding its contents.

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Signature of applicant/employee

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Print Name

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Dated