



# DENT WIZARD

*Dent Wizard International Corporation*



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## Welcome to Our Company!

It is my pleasure to welcome you to Dent Wizard, the world's leading provider of automotive reconditioning services. Dent Wizard has led the Paintless Dent Removal (PDR) industry since 1983 and continues to be the best in the business. Today, the Company is also blazing the trail in automotive reconditioning services such as minor paint and body, wheels, interiors, keys and more.

Our success is a direct result of the quality, innovative service we provide to our customers as well as the loyalty, respect and fairness we demonstrate with our co-workers. Ensuring a safe, productive and fulfilling workplace for every employee will always be our top priority.

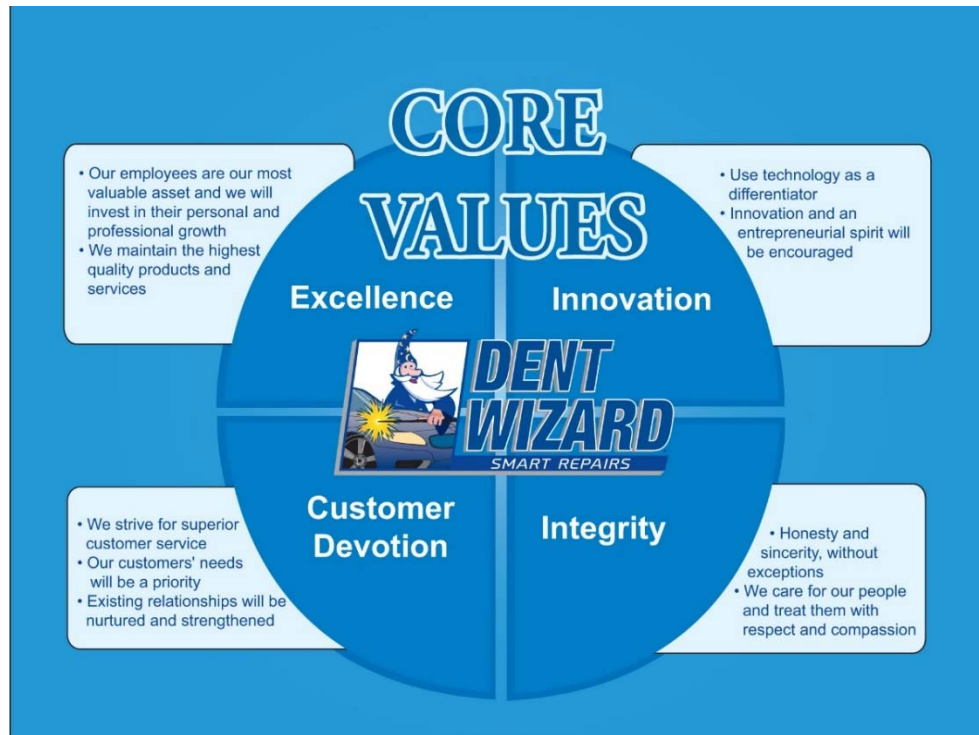
This handbook is designed to inform you about the many benefits available to you as a Dent Wizard employee, as well as the Company's policies and procedures. Please take the time to fully understand the responsibilities and expectations outlined in this book and ask questions if anything is unclear.

This is an exciting time for our Company, and we are glad to have you on board.

Sincerely,

Mike Black

President, Dent Wizard International



## **The Purpose of This Handbook**

We believe employees are happier and more valuable if they know what they can expect from our Company and what our Company expects from them. In the preceding sections, you will be introduced to our Company's history, values, culture, and goals.

The remainder of this Handbook will familiarize you with the privileges, benefits, and responsibilities of being an employee at our Company. Please understand that this Handbook can only highlight and summarize our Company's policies and practices. For detailed information, you should talk to your supervisor or the Human Resources Department.

In this Company, as in the rest of the world, circumstances are constantly changing. As a result, we may have to revise, rescind, or supplement these policies from time to time. Nothing in this Handbook is a contract or a promise. The company reserves the right to change policies within this handbook at any time, for any reason, without notice.

## **Get to Know the Folks in Human Resources**

We are fortunate enough to have a wonderful team of human resources professionals that are available to answer your questions, field your complaints, and make our Company run more smoothly. In fact, the policies in this handbook often refer you to the human resources department for more information or to obtain help. The department is located at 4710 Earth City Expressway, Bridgeton, MO 63044; its phone number is (314)592-1957 or (800)267-9369; and its email address is [humanresources@dentwizard.com](mailto:humanresources@dentwizard.com).

## **The Employment Relationship**

### **Employment Is At Will**

We are happy to welcome you to Dent Wizard. We sincerely hope that your employment here will be a positive and rewarding experience. However, we cannot make any guarantees about your continued employment at our Company. Your employment here is “at will.” “At Will” means that you are free to quit at any time, for any reason, just as we are free to terminate your employment at any time, for any reason—with or without notice, with or without cause.

No employee or Company representative, other than the President, or Senior Vice President has the authority to change the at-will employment relationship or to contract with any employee for different terms of employment. Furthermore, these individuals may change the at-will employment relationship only in a written contract, signed by themselves and the employee. Nothing in this Handbook constitutes a contract or promise of continued employment.

### **Introductory Period of Employment**

The first 90 days of your employment are considered an introductory period. This will give you an opportunity to become familiar with the job and the Company, and allow the Company to determine whether you can satisfactorily perform the assigned job.

After the introductory period of employment has been completed, you will be eligible for benefits relevant to your part-time or full-time status. Please contact the Human Resources Department for specific information about your benefits.

### **Commitment to Equal Opportunity**

It is the policy of Dent Wizard to provide equal employment opportunity to all qualified persons and not to discriminate against applicants or employees because of race, color, religion, sex, national origin, age, genetic information veteran status, service in the uniformed services, disability, pregnancy and any other factor protected by federal, state, or local law. This applies to all phases of employment, including recruitment, placement, promotion, training, transfer, layoff, discipline, termination, compensation, benefits, and participation in all Company-sponsored employee activities, events, and programs. All employees must follow this policy in dealing with applicants, co-workers, customers, clients and visitors.

If you feel you have been discriminated against at work, you should bring the matter to the attention of the Company utilizing the Employee Problem Resolution Policy or, if applicable, the Company's Anti-Harassment Policy. Retaliation against employees for bringing bona fide complaints forward about discrimination is strictly prohibited.

In addition, Dent Wizard will reasonably accommodate the known disabilities of employees who are otherwise qualified to perform the essential functions of their jobs. If you are unable to perform an essential function of your job because of a disability, you are encouraged to discuss possible accommodations with your supervisor, manager, or Human Resources.

We take pride in reflecting the customers and communities we serve and welcome diversity within our workplace.

### **Immigration Law Compliance**

The Company is committed to employing only United States citizens and aliens who are authorized to work in the United States and we do not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 within the past three years, or if their previous I-9 is no longer retained or valid.

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

### **Questions, Suggestions and Problem Resolution**

Dent Wizard is committed to maintaining a good work environment for its employees. As in any workplace, however, problems may arise that may require management's attention. As with most work environments that encompass various skills sets, background, and experiences, differences of opinion may arise as situations are bound to be viewed differently. We value your opinions and encourage you to



bring your questions, suggestions, and concerns to the Company's attention. We will give careful consideration to employee feedback in our continuing effort to create a good work environment and build strong relationships with our employees.

To assist employees in resolving such issues promptly, Dent Wizard recommends the following procedure:

- In ordinary circumstances, you should first discuss the problem with your immediate supervisor.
- If your immediate supervisor does not resolve the issues or if you are uncomfortable discussing the matter with him or her, you should discuss the issue with the next level supervisor (i.e. your supervisor's supervisor), up to and including the Regional Vice President, or report the matter to the Human Resources Department.
- If you have a problem that involves a claim of harassment as described in the Company's Anti-Harassment Policy, you should follow the procedures that the Company has specifically established for reporting such claims.

If the concern is not settled and/or you are still dissatisfied, the matter should be submitted, in writing, to the President at 4710 Earth City Expressway, Bridgeton, MO, 63044. The President will discuss the matter with the responsible parties within your department. You will receive a response within fourteen (14) days after your written submission to the President. Although we cannot guarantee that every problem will be resolved to your satisfaction, we value your input and strongly encourage you to report issues or problems that are of concern to you.

Please be assured that every employee following the above procedure can do so without fear of retaliation on the part of the Company, supervisors, any of its employees or representatives.

### **Anti-Harassment Policy**

Dent Wizard prohibits harassment of any employee based on race, color, religion, sex, pregnancy, national origin, age, veteran status, service in the uniformed services, disability, or any other factor protected by federal, state, or local law. All employees of Dent Wizard should be able to work in an environment free of such harassment by co-workers, supervisors, managers, and non-employees.

Harassment is a form of unlawful discrimination and is considered illegal under various federal, state and local laws. At this Company, conduct is prohibited when: (1) submission to the conduct is made either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of the conduct by an individual is used as a factor in decisions affecting hiring, evaluation, promotion or other aspects of the individual's employment; or (3) the conduct is unwelcome and has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

Examples of the type of unwelcome conduct that are prohibited by this policy include, but are not limited to: unwanted touching or sexual advances; unwanted and repeated sexual jokes, flirtation, advances, or propositions; foul or obscene language or other communication, such as e-mails; slurs, derogatory or sexual jokes; taunts, threats or derogatory or offensive comments based on race, color, religion, sex, pregnancy, national origin, age, veteran status, service in the uniformed services, disability, or other factors protected by law; the display of sexually explicit or offensive materials; and, insulting or indecent comments or gestures.

We strongly encourage all employees who feel they are being harassed in violation of this policy or subjected to any inappropriate conduct of the nature described above to promptly notify either their Manager or Human Resources. Any complaints will be promptly investigated and appropriate corrective action will be taken when warranted. All complaints by employees will be kept in the strictest confidence except as necessary to complete an investigation.

Retaliation against employees for bringing bona fide complaints forward about harassment or providing information related to such complaints is strictly prohibited. Requiring employees to properly perform their jobs is not unlawful harassment.

Violations of this policy will not be tolerated at Dent Wizard and will result in disciplinary action, up to and including termination.

## **Recruitment**

We know that we are only as good as our employees, so we search as widely as possible for talented and motivated individuals to fill vacant positions in our Company. Our recruitment methods include internal and external advertising, on-line job postings, internal referrals and word of mouth referrals from employees about the Company.

Although these methods have served us well in the past, we know that the marketplace is ever changing and that finding high-quality people is an evolving process. We encourage our employees to share with us their ideas about what more we can do to find and recruit talented and motivated individuals.

In addition to looking outside the Company for new hires, we also look within. After all, we already know the value and quality of our current employees. We post all job openings on our company website [www.dentwizard.com](http://www.dentwizard.com). If you see a posting for a job that interests you, we encourage you to apply for the job through the on-line process. Internal hiring processes must be followed. That policy can be found in this handbook under "Internal Hiring Policy".

We also encourage employees to recruit and refer external applicants for open positions. In some instances positions are eligible for a referral award. People holding Management positions are not eligible to participate in the Employee Referral Bonus Program. If you have questions about the Employee Referral Bonus Program please see your manager.

## **Employment of Relatives**

Usually, this Company will not refuse to hire someone simply because he or she is related to one of our current employees. If you have a relative who is qualified to fill an open position in our Company, please don't hesitate to refer this person to us.

There are times, however, when employing relatives is inappropriate and has the potential to affect the morale of other employees and to create conflicts of interest for the relatives involved. Human Resources will work in conjunction with the functional Vice President should such a conflict arise.

## **Rehire Policy**

Former employees who apply for an open position with Dent Wizard may be considered for rehire if the previous separation of employment was on good terms. Employees who are terminated due to lack of work must apply for an open position to be considered for rehire. The Company does not automatically



recall employees terminated due to lack of work nor does it directly notify them of job openings. The Company will comply with all applicable state and federal laws regarding the rehiring of employees due to lack of work.

### **Driver's License Requirement**

Each employee whose job will include driving a vehicle is required to have a valid driver's license and to have and maintain an acceptable driving record. If you are involved in a moving violation, lose your driving privileges, have your driving privileges restricted and/or do not have a valid driver's license, you must immediately notify your supervisor. Failure to report any restriction of or loss in your driving privileges to your supervisor may result in disciplinary action, up to and including termination. The Company reserves the right to check your driving record periodically, without prior notice, unless prohibited by law.

### **Internal Applicant Policy**

It is the policy of the Organization to fill positions by drawing from internal candidates possessing the desired qualifications, and to promote from within whenever possible. Employees may apply for a transfer opportunity provided they meet the following eligibility requirements:

- Minimum of 6 months continuous service in present position, or the approval of the manager and Regional Vice President.
- Job performance at a satisfactory level and not the subject of a formal disciplinary action.
- Meet the minimum experience, skill, and education qualifications for the open position.

Employees interested in applying for an open position can contact the recruiting department for additional job information. To be considered for a position, employees must discuss with their current manager their intention of applying for an internal position and complete the online application process before a formal interview is scheduled. Managers shall not retaliate against an employee who requests consideration for a transfer.

Employees seeking a new position for transfer within the company will be considered alongside all external applicants. Internal applicants may be subject to any skill demonstrations required for the interview process. Internal applicants that are selected for transfer into a new role are required to work with their current manager to determine a changeover timeline and must fulfill all obligations in their current role during that timeline.

### **Inspections of Workstations and Personal Belongings**

Dent Wizard reserves the right to search work stations, lockers, desks, Company vehicles, lunchboxes, briefcases, purses, coats, toolboxes and other personal property of employees, and their contents for illegal drugs, alcohol, weapons and stolen property, collectively referred to as "contraband", as allowed by the applicable federal, state and local law. Dent Wizard will conduct searches only when there is reasonable suspicion to believe that you have contraband in your possession. However, any contraband in plain view may be confiscated. "Reasonable suspicion" means facts that would lead a person of reasonable prudence and knowledge to believe that contraband is located on the person or in the area to be searched.

When contraband is not in plain view, but there is reasonable suspicion to believe that contraband is on Company property, the Company will ask for your permission to conduct the search. All employees are expected to comply with such a request – failing to comply may result in a presumption of wrongdoing. Dent Wizard reserves the right to utilize surveillance equipment on Company property for security, safety or investigatory purposes, as allowed by law.

## **Employee Classifications**

### **Temporary Employees**

Periodically, it becomes necessary for us to hire individuals to perform a job or to work on a project that has a limited duration. Typically, this happens in the event of a special project, special time of year, abnormal workload, or emergency.

Individuals we hire for such work are temporary employees. They are not eligible to participate in any of our Company benefit programs, nor can they earn or accrue any leave, such as vacation leave or sick leave.

Of course, we will provide to temporary employees any and all benefits mandated by law.

### **Part-Time and Full-Time Employees**

Depending on the number of hours per week you are regularly scheduled to work, you are either a part-time or a full-time employee. It is necessary that you understand which of these classifications you fit into, because it will be important in determining whether you are entitled to various benefits.

- Part-time employees: Employees who are regularly scheduled to work fewer than 30 hours per week are part-time employees.
- Full-time employees: Employees who are regularly scheduled to work more than 30 hours per week are full-time employees.

Please see Human resources for the specific Benefit Plans you are eligible to receive.

## **Hours**

### **Overtime**

On occasion, we may require employees to work beyond their regular scheduled hours. We will try to give employees advance notice when overtime work is necessary; however, it will not always be possible to notify workers in advance.

- Exempt employees are not eligible for overtime pay.
- Nonexempt employees are entitled to payment for any overtime worked and are required to observe rules set forth below.
- All overtime work must be approved in advance by the employee's supervisor. Working overtime without permission violates Company policy and may result in disciplinary action.

- For purposes of calculating how many hours an employee has worked in a day or week, our workweek begins at 12:01 a.m. on Sunday and ends at midnight on Saturday. Our workday begins at 12:01 a.m. and ends at midnight each day.
- Nonexempt employees will be paid 1 ½ times their regular hourly rate of pay for every hour worked in a workweek in excess of 40 or as otherwise provided by applicable state and local law.
- Holidays will be considered as hours worked; but sick or vacation hours will not be considered as hours worked for the purpose of calculating overtime

### **Pay Policies**

Dent Wizard is prohibited from making deductions from employees' pay unless permitted by law. The Company is legally required to make certain deductions from employees' pay including federal, state and local withholding taxes, tax liens and court ordered withholding for family support or garnishments. In addition, the Company may make other legally permissible deductions from employees' pay, including but not limited to authorized deductions for employees' portion of benefits premiums, deferred compensation, or Health Care Flexible Spending Accounts, repayment of salary advances, or for unpaid disciplinary suspensions.

Some special rules apply to additional deductions from the pay for exempt employees. Dent Wizard may make deductions from the pay of an exempt employee, including deductions of one or more days of pay, for the following reasons: when an employee is absent from work for one or more full days for personal reasons other than sickness or disability; when an employee is absent for one or more full days due to sickness or disability that exceeds the limits of Dent Wizard's sick leave policy; to offset amounts an employee receives as jury or witness fees, or for military pay; for penalties imposed for infractions of safety rules of major significance; or for unpaid disciplinary suspensions of one or more full days for violations of workplace conduct rules. The Company will not take deductions from an exempt employee's pay for partial day absences except for time not worked pursuant to an approved FMLA leave, which is not otherwise compensated through application of sick or vacation leave time. It is the policy of Dent Wizard to comply with all applicable laws. Therefore, the Company prohibits improper deductions from the pay of exempt employees.

Although the Company makes every effort to accurately process payroll, errors occasionally occur. If, at any time, you believe that an error has been made such that your paycheck does not accurately reflect the appropriate compensation or that incorrect or inappropriate deductions were taken, then such errors should immediately be reported to the Payroll Manager or Human Resources. All payroll issues will be immediately investigated. If it is determined that an error was made, it will be corrected, including reimbursement for any incorrect or improper deductions.

### **Completion of Time Cards**

#### **Field/Non-Exempt Employees**

At the end of each scheduled workweek, you will be responsible for submitting a completed time card indicating hours worked during that week. A time card is not considered completed unless the employee signs it (physically or electronically). A weekly time card must be submitted to the payroll department on your behalf and your Manager must pre-approve any overtime prior to working overtime hours. Employees are responsible for accurately recording their hours worked and providing that to the Company in a timely manner.

## **St. Louis Office/Non-Exempt Employees**

At the end of each scheduled workweek, if you are a non-exempt employee, you will be responsible for submitting to your Manager a completed time card indicating hours worked during that week. If you worked but fail to clock in and out, you must immediately seek approval from your Manager. Any missed punches on the electronic time card system must be brought to your Manager's attention immediately. Employees are responsible for accurately recording their hours worked and providing that to the Company in a timely manner. Handling another employee's time card and clocking in or out for another employee is prohibited.

### **Missing Time Cards**

You will be notified of any missing time cards. They should be completed and returned to your Manager within 7 days of receiving the notice or you may face disciplinary action up to and including termination of employment.

### **Payment of Commission Earnings**

Various positions within the company are paid on a commission basis. This section has been included to describe the general manner in which commission earnings are paid. This section does not replace, amend, revise, or modify compensation arrangements in any way. It is included in this document to answer general questions about the disbursement of commissions that are earned. These examples are meant to describe the general practices of how the Company may pay commissions unless prohibited by state law.

Commissions are paid in the period after they are earned, unless specifically agreed otherwise in an employment agreement. Effective July 1, 2019, the following transition will take place:

- All employees will transition to a single bi-weekly payroll cycle.
- Commissioned technicians will be paid commissions every other Friday on the previous 2 weeks of billings.
- Technicians on a Flat Rate Commission plan will receive commissions based on the last 2 weeks of revenue.
- For technicians on Levels of Achievement (LOA) to determine the commission percentage, the billings from the previous 4 weeks will be used.

A typical example of a 4 week total is as follows:

<b>4 Star Tech</b>	
0 - \$9,200	34%
\$9,201 - \$12,000	40%
\$12,001 - \$14,700	41%
\$14,701 - \$18,400	43%
\$18,401 +	44%

Dates	Bi-Weekly Production	4 Week Total	Commisison Tier	Pay	Pay Date
6/30 - 7/13	7,600				
7/14 - 7/27	6,100	13,700	41%	\$2,501	8/2/19
7/28 - 8/10	5,800	11,900	40%	\$2,320	8/16/19
8/11 - 8/24	7,700	13,500	41%	\$3,157	8/30/19
8/25 - 9/7	7,200	14,900	43%	\$3,096	9/13/19

### Expense Reimbursement

From time to time, employees may incur expenses on behalf of the Company. We will reimburse you for actual work-related expenses you incur, as long as those expenses are reasonable. You must follow these procedures to get reimbursed:

- Receive permission from your supervisor before incurring an expense.
- Spend the Company's money wisely, make an effort to save money and use approved vendors when possible.
- Keep a detailed receipt or proof of payment for every expense.
- Submit your receipts, along with an expense report via the online expense vendor utilized by the company.

Remember that you are spending the Company's money when you pay for business-related expenses. We expect you to save money whenever possible. Your supervisor should assist you in deciding whether an expense is appropriate.

### Procedures for Travel Expenses

If employees are required to travel for work, the Company will reimburse you for your travel expenses, including:

- the cost of airline or train tickets - such tickets must be coach class if possible
- the cost of an economy class rental car, if necessary
- the cost of lodging (room and taxes only) — employees should select moderately priced lodging if possible, and
- the cost of meals and other incidental expenses. This may also be covered in the form of a per diem. Please see your manager prior to travel to confirm this amount.

You must request advance approval of all travel expenses from your supervisor and follow the procedures above to have your expenses reimbursed.

The Company does not reimburse employees for their commute to and from the workplace.

## Employee Benefits

### Employee Benefit Plans

As part of our commitment to our employees and their well-being, our Company provides eligible, full-time employees with a variety of benefit plans, such as: Health Insurance, Dental Insurance, Life Insurance, Vision Insurance, Long-Term Disability, Flexible Spending Accounts, 401(k) savings plan, Employee Assistance Program as well as voluntary benefits such as Short-Term Disability Insurance, Accident Insurance and more.

Although we introduce you to those plans in this section, we cannot provide the details of each plan here. Official plan documents can be found at [dentwizard.com/benefits](http://dentwizard.com/benefits). Those documents (along with any updates that we give you) should be your primary resource for information about your benefit plans and can be obtained through Human Resources. If you see any conflict between those documents and the information in this Handbook, the official plan documents are what you should rely upon.

The benefits we provide are meant to help employees maintain a high quality of life—both professionally and personally. We sincerely hope that each employee will take full advantage of these benefits. If you don't understand information in the plan documents or if you have any questions about the benefits we offer, please contact the Human Resources Hotline at 314-592-1957 or e-mail [benefits@dentwizard.com](mailto:benefits@dentwizard.com).

The Company reserves the right to modify, revoke, suspend, terminate, or change any or all of its benefit programs, as well as related matters such as benefit carriers and insurance benefits administrators, subject to applicable law, in whole or in part, at any time, and without notice.

### Tuition Reimbursement

Another way to assist you in your career development is through our Tuition Reimbursement program. It allows eligible, full-time employees the opportunity to continue developing their professional skills and interests. We will provide reimbursement for pre-approved, accredited college educational courses related to our business as well as any electives needed for the related degree program. Pre-approval and reimbursement forms for this program are available through Human Resources.

Eligibility: Full-time employees, after twelve months of full-time employment.

Reimbursement Available: You will be eligible for 100% reimbursement of the cost of the tuition/books/materials for any pre-approved class. Student activity fees, athletic fees and other similar fees are not covered by this reimbursement policy.

Reimbursement Limit: There is an annual reimbursement maximum of \$5,250. The annual total is determined by the year in which funds are reimbursed. (For example, coursework started in December, submitted and paid in January will apply to current year's annual limit.)

Restrictions: You must receive a passing grade (as defined by the educational institution) in order to receive reimbursement. The amount of your reimbursement will be determined after deducting funds received from any other tuition assistance program (grants and scholarships.) You are responsible for the remaining balance, including all other fees. If your employment is terminated prior to the completion of an approved course, you will not be eligible for reimbursement. For purposes of this policy, you will be



deemed to have completed a course when you have received official documentation of your final grade for the course. Certifications, seminars, training of a technical nature and doctorate degree programs are not covered under this plan.

Commitment: It is recognized that the Company provides this reimbursement so that employees may have greater potential and development within the Company. For this reason, employees may be asked to sign a separate agreement describing employee requirements and commitment.

### **Domestic Partner Coverage**

At Dent Wizard, we recognize that some of our employees are members of families that do not meet the traditional definition of the word – that is, a husband, wife, and, perhaps, children. For those employees who are not married but who are in a committed relationship with another adult, we provide domestic partnership coverage. To be eligible for benefits, the employee and the employee's partner must meet all of the following criteria:

- They must have lived together in an exclusive committed relationship for at least 12 months.
- They must be at least 18 years of age.
- They must live together in the same residence.
- They cannot be legally married to – or in a registered domestic partnership with – anyone else.
- They must not be related by blood more closely than would be allowed under the marriage laws of the state in which the employee resides.
- They must complete and sign a Domestic Partnership Affidavit.

To request a Domestic Partnership Affidavit contact the HR Hotline at 314-592-1957 or E-mail [benefits@dentwizard.com](mailto:benefits@dentwizard.com)

### **Employee Assistance Program**

Confidential assistance is available to all Dent Wizard employees every hour of every day through the Employee Assistance Program. These services are provided at no cost to the employee. This program provides information, resources and self-help tools on a wide range of issues such as health and wellness, child and elder care, parenting issues, marital issues, depression and anxiety, stress and alcohol or drug dependencies.

You can call (800) 888-2273 to speak with a consultant and to receive information and referrals to providers and resources in your area to meet your needs. This program is here to support you through life's challenges and life's opportunities

### **Unemployment Insurance**

If your employment with our Company ends, you may be eligible for unemployment benefits. These benefits provide you with a percentage of your wages while you are unemployed and looking for work. To find out more, contact Human Resources.

### **Workers' Compensation Insurance**

All employees are covered by Worker's Compensation insurance that is purchased by the Company in the state in which the employee operates. This insurance provides an employee with compensation for illness, accidental injury, or death suffered in the course of or as a result of their employment with the Company in accordance with state laws.

**ELIGIBILITY:** Eligibility for benefits under Worker's Compensation Insurance is automatic and is effective on the date of hire.

**BENEFITS:** Worker's Compensation benefits vary from state to state, but all provide weekly payments based upon the employee's regular earnings as well as payments for medical and hospital expenses.

All injuries must be reported immediately to your immediate supervisor and the Human Resources Department to assure consideration under Workers' Compensation Insurance.

The Human Resources Department will need details of the incident (the what, where, when, and how it happened) -- enough information so that he or she can complete the necessary reports. In an emergency, you may go directly to the nearest medical facility. Later, you will be required to furnish a written statement regarding the on-the-job accident so that we may accurately document the incident, and so you may receive all the benefits to which you are entitled. (Failure to do this could result in loss of benefits.) Prompt reporting is the key. Benefits are automatic, but nothing can happen until your employer knows about the injury.

### **Workers' Compensation Policy**

**Reporting:** All work-related injuries should be reported immediately to both the employee's manager and to the Health & Safety Manager at Corporate Headquarters at 800-267-9369. The following information needs to be reported by the employee:

- Date and time of injury
- Details of injury (how did it happen and type of injury)
- Name and address of location where injury happened
- Name(s) of witnesses
- Name of medical facility visited for initial treatment (in case of emergency)
- Information regarding medical treatment and work restrictions
- Time missed from work
- Manager's name and phone number
- The employee will also be sent for a post-accident drug screen.

**Communication** - Once a workers' compensation claim is reported and recorded as a case, the employee may be contacted by the insurance company for a statement on the injury and to facilitate the treatment plan. The insurance adjustor and Health & Safety Manager will manage the case from this point forward and update the manager of the employee's progress. If the employee misses any work due to the injury, he/she must present a doctor's statement saying he/she is to be off of work. The employee must also have a return-to-work note from his/her treating physician stating that he/she can return to work with no restrictions and/or specifically identifying any accommodation requests before he/she actually returns to work. Any and all questions concerning an employee's work status should be directed to the Health & Safety Manager.

**Treatment** - If an employee is injured while working and requires immediate medical attention, the employee should go directly to nearest Urgent Care facility or emergency room (based on severity of injury). Examples of this type of injury are cuts requiring sutures, foreign material in the eye, vehicular accidents, etc. The employee should explain that this is a workers' compensation claim and the bills should be sent directly to the Health & Safety Manager's attention at Corporate Headquarters – 4710 Earth City Expressway, Bridgeton MO 63044. If the employee has a non-emergency injury such as a strain or repetitive motion injury, contact the Health & Safety Manager to report the claim and medical directives

will be given at that time. Some states require that a network physician be used for a workers' compensation injury and the employee's primary care doctor may not be approved. Please note that most states do not recognize chiropractors as treating physicians; therefore, treatments by a chiropractor will not be approved or paid in most situations. An employee should never use his/her personal medical insurance for a workers' compensation injury. An insurance company will deny any work-related medical claim and the employee might jeopardize his/her workers' compensation benefits.

State laws govern workers' compensation benefits. The laws vary from state to state so it is extremely important that claims be reported promptly. If there are any questions or concerns about treatment, the employee can contact the Health & Safety Manager, but the options are limited.

Pay - A technician that is out of work due to a work comp injury who normally receives a guaranteed commission may have their commissions reduced or eliminated until his/her return. If he/she is due commission, he/she will receive the commission on the regularly scheduled payroll check. If the employee is paid a regular salary, the salary may be pro-rated according to the time missed. The insurance company will compensate lost time due to a workers' compensation injury according to state law. Every state has a minimum of a three-day waiting period in which the employee will not be paid and some states are longer than 3 days.

## **Use of Company Property**

### **Company Property**

We have invested a great deal of money in the property and equipment that you use to perform your job. It is a senseless and avoidable drain on this Company's bottom line when people abuse Company property, misuse it, or wear it out prematurely by using it for personal business.

We ask all employees to take care of Company property and to report any problems to Human Resources. If a piece of equipment or property is unsafe for use, please report it immediately. Please use property only in the manner intended and as instructed.

Failure to use Company property appropriately, and failure to report problems or unsafe conditions, may result in disciplinary action, up to and including termination.

It is company policy that if an employee is out of work for illness or injury, his/her manager may collect all company property from the employee and place the items in a secure place until the employee returns. This property includes company vehicles, tools, cell phones, etc.

When your employment with the Company ends, we expect you to return Company property—and to return it clean and in good repair. This includes this Employee Handbook, all manuals and guides, documents, phones, computers, equipment, keys, and tools. We reserve the right to take any lawful action to recover or protect our property.

### **Electronic Services Policy**

Computer technology and the Internet have become an important part of Dent Wizard's business. Likewise, e-mail is an essential business tool. Electronic devices, Internet access, and e-mail are provided to employees for Company business only and are not for personal use. Electronic devices, like all other equipment that is provided by the Company, are the property of the Company. E-mail and Internet

usage should not be considered private or confidential and may be monitored or inspected at any time by management.

All company policies apply to the use of electronic devices, the Internet and e-mail by employees, including Dent Wizard's policies on discrimination, harassment, solicitation, customer relations and confidential information, alcohol and drug use, and employee conduct. Downloading, transmitting, viewing, or possessing electronic information or materials that are not work-related is prohibited. This includes, but is not limited to items that may be considered pornographic, sexually explicit, or offensive.

All employees are responsible for keeping their computer passwords secure. Passwords should be a non-obvious combination of letters or symbols and should be changed frequently. All employees are required to log off the computer when they leave their desks.

You are asked to take appropriate measures to secure confidential, privileged, proprietary, or sensitive information and trade secrets when sending this type of information via e-mail. Messages should be routed only to those with a legitimate need to know and they should have appropriate marking that such messages are privileged, confidential, proprietary or contain sensitive information, and if necessary, the transmissions should also be encrypted.

Examples of actions and behaviors that are considered inappropriate include the display and/or transmission of voice, images and/or text that are sexually-oriented, ethnic slurs, racial comments, off-color jokes, forgeries or misidentifications of the sender, and alterations to others' messages not clearly identified as such. Anything that may be construed as harassing or showing disrespect for others is considered inappropriate.

Because the Company does not tolerate inappropriate behavior, you should contact your immediate supervisor if you encounter another employee engaged in what you believe to be such inappropriate behavior using electronic business equipment. Please see the Company's Anti-Harassment Policy for further information regarding how to report these issues.

Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy.

## **Vehicle Use Policy**

If employee has to operate a motor vehicle in the course of their duties at Dent Wizard, the following policies apply: (This includes operation of any vehicle, employee-owned, company-owned, customer vehicles, etc.)

1. Must have a current, valid driver's license. Any suspension, expiration or cancellation of your state driver's license requires immediate notification to your manager and Fleet Department.
2. No texting or emailing while driving.
3. Operation of a vehicle while impaired by the influence of drugs, alcohol or any other substance is strictly prohibited. Any employee arrested or charged with driving under the influence or impaired needs to notify their manager and the Fleet Department as soon as possible.
4. Vehicle is to be operated in a safe manner, obeying all traffic laws. Employee is responsible for prompt payment of any and all fines and court costs related to any traffic, toll or parking violations. Company reserves the right to pay and then payroll deduct for any costs that have not been promptly paid.

5. Large box/cargo trucks and vans used for mobile paint/wheel/keys are never to be driven in excess of 65 mph.
6. Vehicles should not be allowed to idle for more than two minutes. The waste of gasoline can be significant if vehicle is kept idling for extended periods.
7. Accidents – Following all accidents per Human Resources protocol, drivers will be subject to immediate Post-Accident Drug Screening and Investigation.
  - a. Post-Accident Drug Screening – A failed drug screen may result in immediate revocation of driving privileges and possible termination.
  - b. Post-Accident Investigation – Investigation may include, but is not limited to, GPS Telematic and company supplied phone record analysis to determine driver behavior and activity leading up to an accident.
8. You will be responsible for paying for a portion or all of the costs incurred by the Company resulting from any accident involving operation of a motor vehicle IF you are found to be at fault. This includes accidents involving a company-owned vehicle and any customer vehicle. All accidents must be immediately reported as required in the vehicle accident policy. It is **MANDATORY** that you obtain a police report. The amount you will pay if you are in an accident is as follows:  
\$500 for the 1st Accident  
\$1,000 for the 2nd Accident  
\$1,500 for Any Accident thereafter  
  
Note: You will be charged the lesser of the applicable amount listed above or the actual out-of-pocket repair cost.
9. Suspension and reinstatement of driving privileges following any accident will be at DWIC discretion.

### **Company-Provided Vehicles**

These additional policies apply to employees who are provided a vehicle by Dent Wizard:

1. Only approved company drivers may operate a company vehicle. Dent Wizard acknowledges that your company vehicle may be used for personal matters and the rules apply equally to all types of usage. Large box/cargo trucks and vans used for mobile paint/wheels/keys are NOT to be used for personal usage other than driving directly to and from your home from your first and last customer stop. Members of your family, neighbors or friends may not operate the vehicle at any time.
2. Approved company drivers assigned to General Fleet vehicles (non-Large Fleet), will be assigned a monthly “personal usage” fee at the time of vehicle assignment. Amounts are reviewed annually and will be communicated at the time of vehicle assignment. Any changes to fees charged are at the discretion of DWIC.
3. If upon receiving a vehicle, it has any paint or body damage, please report to Fleet Department so you are not held responsible later on.
4. Lock and safeguard the vehicle at all times. Dent Wizard tools and equipment are not to be kept overnight in vehicle unless vehicle is kept in a secure garage.
5. Keep the vehicle cleaned inside and out and in good working order at all times. Dent Wizard will provide for all normal maintenance through its vehicle maintenance program (i.e. routine oil changes, filter replacements, repairs, etc.). Employee is responsible for and required to follow and adhere to the vehicle maintenance program. Car washes, cleaning or detailing of vehicle are not reimbursable expenses.

6. Please inform the Fleet Department of any missing items such as registration, insurance card, plates, maintenance book, etc.
7. Telematic (GPS) devices are installed in all company vehicles. Please do not remove or tamper with these devices at any time.
8. Any alterations to vehicle factory appearance such as, but not limited to, spoilers, paint changes, tires/wheels, exhaust system, stickers, etc. are not permitted without permission from Fleet Department.
9. No towing with company vehicles allowed unless authorized by Fleet Department.
10. Signage will be provided to affix on your company vehicle. No other signage, stickers or marketing material can be present.

### **Company Vehicle Cash Allowances**

In the event that the Company agrees to provide a monthly cash allowance to an employee for use of their personal vehicle to perform job-related duties, the following conditions apply:

1. Vehicle must be approved by manager to assure it is appropriate to meet the storage and transportation requirements and is in a condition consistent with image of Company.
2. Employee must maintain insurance coverage that covers liability and other driver's property. Proof of insurance is to be provided to the Fleet Department at each renewal period.

Note: Failure to abide by the policies set forth above can result in loss of driving privileges, discontinuation of use of company vehicle or receipt of cash allowance, or loss of employment.

The policies set forth are subject to change without notice at the sole discretion of Dent Wizard. Any changes shall be communicated in writing.

### **4WD/AWD Policy**

While limited, the need for a 4WD/AWD vehicle is sometimes necessary based on an assigned employee's geographical location. The discretion of the use is subject to RVP/COO approval. The assignment of a 4WD/AWD vehicle is also subject to an increased personal usage fee. Any changes to fees charged are at the discretion of DWIC.

### **Gas Card Program**

Gas cards will be issued at the sole discretion of Dent Wizard. It is important to you and the Company that you understand and follow all rules regarding the use of the gas card. If an Employee is issued a company gas card, the following policies apply:

- ***The gas card is to be used for business purchases only.*** Do not use the card to purchase gas for personal use (weekends, vacations, etc.) or for any vehicle other than the vehicle that gas card is assigned to.
- ***Never give your pin code to anyone, including to the station attendant (use the key pad and enter pin code yourself).*** If another employee asks to use your pin code, inform them



that they must obtain one from their manager. You are responsible for the charges using your pin code!

- **You must enter your actual mileage each time you fill up with your gas card.**
- **A monthly cap will be placed on your gas purchases.** Anything above this cap will be payroll deducted unless waived by Manager.
- **Only standard grade unleaded gas may be purchased.** Use of a higher grade is strictly prohibited. If a higher grade is purchased, you will be charged back a minimum of \$5.00 for each unauthorized purchase.
- **Purchases of any items other than gas (i.e. oil changes, wiper blades, car washes, sodas etc.) are prohibited.** Any of these items will be payroll deducted.
- **The gas card is assigned to a specific vehicle, not the Employee.** The pin code is unique for each employee. The gas card should remain in the vehicle at all times. Employee must use the card issued to the applicable vehicle when filling up.
- **A lost gas card must be reported immediately to the Fleet Department (800-267-9369).** A \$10 replacement fee will apply to all lost or stolen cards. You can receive reimbursement of your gas through an expense report until you receive the new card. If a magnetic strip is damaged, the card must be returned to your manager and a replacement card will be issued at no charge to the Employee. The card may still be used; however, you will not be able to use the card at the pump - have the station attendant do a manual transaction.

The use of a company gas card is a privilege. Failure to abide by the above stated rules can and will result in loss of the company gas card.

The policies and procedures set forth above are subject to change from time to time at the sole discretion of Dent Wizard. Please contact the Fleet Department at 800-267-9369 if you have any questions.

### **Company-Owned Vehicle**

If while driving a company-owned vehicle or a customer vehicle a driver has an accident that involves another vehicle, an injury to any person or damage to property not owned by driver they are required to:

1. Call the police and obtain an accident report. If the police will not come out, go to a local police station to file an accident report.
2. Take pictures at the scene of the accident, if possible.
3. Call Supervisor and Fleet Manager to inform them of the accident.
4. Report accident to our current insurance carrier.
5. If the vehicle is not drivable, call LeasePlan to obtain a rental.
6. Fill out the Dent Wizard Vehicle Accident Report form and promptly email or fax to the Fleet Department.
7. If an employee is found to be "at fault" and caused accident, then you will be charged as follows:
  - The lesser of \$500 or cost of damage – 1st accident
  - The lesser of \$1,000 or cost of damage – 2nd accident or any additional accident

### Vehicles Owned or Leased by Employee

If employee is using his owned or leased vehicle in the course of performing their job duties, then the following rules apply:

1. Call the police and obtain an accident report. If the police will not come out, go to a local police station to file an accident report.
2. Take pictures at the scene of the accident, if possible.
3. Call Supervisor and Fleet Manager to inform them of the accident.
4. Fill out the Dent Wizard Vehicle Accident Report form and email or fax to the Fleet Department.

### **Telephone System and Company Cell Phone**

The Company's telephone system is for business use. Employees are expected to keep personal calls to a minimum. If you must make or receive a personal call, please keep your conversation brief and do so during non-working time. Extensive personal use of Company phones is grounds for discipline. Employees should have no expectation of privacy while using a Company telephone or cell phone.

The use of a Company-issued device is viewed as a tool in performing your job and comes with a measure of responsibility. If employee is eligible for a Company-issued cell phone, mifi hotspot, cellular iPad or other device the following policies apply:

Sprint is our primary cell phone provider. Alternate carrier options will be handled on a case by case basis. If an employee is eligible for a Company-issued cell phone the following policies apply:

### **Services**

Each device is set up with the services or options employees need to perform their job. Any additional services or options the employee chooses will be charged to the employee via payroll deduction. Details of what services the Company will provide free of charge will vary depending on the employee's job responsibilities. Please contact your manager if you have a question on which services will be paid for by the Company.

Dent Wizard acknowledges that some of your Company-issued devices will be used for personal matters. However, personal usage that results in extra cost to the Company will be charged to the employee via payroll deduction. This could include roaming charges, international texting/data and long distance.

**If you choose to use your Dent Wizard assigned cell phone as a personal phone, you will be payroll deducted a specified amount.**

### **Roaming Charges**

Please note that in most cases your phone will work for both voice and data (Web) in overseas markets. However, there are very expensive roaming charges associated with the usage. Any personal usage will be charged back to you through payroll deduction.

Even if your trip outside the United State is business related, you **must** receive permission from your immediate supervisor to utilize your phone. Please note that you should also notify the IT Help Desk at 1-888-439-4948 prior to your departure as it may be possible to change the calling plan and save the Company money.

### **Text Messaging/Internet**

I-phones, mifi hotspots and cellular iPads that are assigned to technicians for invoicing are set up on a 10GB per month data plan. In the event our account goes over the shared data pool, individuals that have excessive usage will be charged \$10.00 per GB in overage. Please refrain from unnecessary data streaming such as YouTube, Netflix and online gaming. These services use a high amount of data and will quickly use up the 10GB per month that is allowed. Please contact the IT department at any time if you have questions regarding your data usage. Our business plan also includes 500 Domestic peak minutes from 7am to 7pm M-F, unlimited cell to cell and nights/weekends. Domestic text messages are also unlimited. If you do not need an iPhone for your job duties and still choose to have one, you will be charged a monthly fee to have data/texting and insurance. Text Messages to markets outside the United States incur additional charges and should not be attempted. Any corresponding charges will result in payroll deduction.

### **Directory Assistance**

Directory assistance is a service that every user may need which can also be used excessively. As a result, each user will be given a monthly allowance of \$10.00, which at the current rate of \$1.99 per use equates to 5 directory assistance requests. Any charges in excess of the monthly allowance will be charged to the employee via payroll deduction.

### **Equipment**

All equipment is to be ordered by Dent Wizard's IT department. No purchase of equipment through a retail store is allowed.

In the event any device is lost, stolen or damaged beyond repair, within 20 months of original issuance, the employee is responsible for the cost of the replacement. All smart phones/iPhones are set up with insurance. The deductible is typically around \$200.00 and will be payroll deducted.

In the case where a device can be replaced under warranty, there will be no charge to the employee. However, if a device is not returned to the vendor (as instructed by our IT Help Desk), the employee will be charged any fees that vendor charges the Company for the non-returned device. Depending on the type of phone, charges can be up to \$600.00. All warranty replacements are shipped with a pre-paid envelope to send back the defective phone. This must be done within 7-10 business days of receiving the replacement. It generally takes about 2-3 business days to receive a replacement phone. That would be for either a warranty or insurance replacement.

Employees are eligible for an upgraded phone, chosen by the Company, based on job duties every 24 months. Employees are responsible for returning the previous iPhone to IT once the new device has been activated.

For any phone or other device related issues the employee should contact the IT Help Desk at 1-888-439-4948 or via email at [helpdesk@dentwizard.com](mailto:helpdesk@dentwizard.com).

***The Company-issued cell phone and its accessories are the property of the Company and shall be returned immediately upon demand or immediately upon discontinuation of employment with the Company.***

At no time will these deductions result in an employee receiving less than the applicable minimum wage in the state where the employee is employed. The Company will comply with all state laws concerning wage deductions as may be required under this policy.

### **Leave and Time Off**

Vacations are provided as a benefit to regular full-time employees to recognize service. Vacation time will not be considered as time worked for the purpose of computing overtime on non-exempt employees. All full-time employees will receive vacation based on the following calendar year schedule:

- You earn 1 day per full month of employment, beginning on your first day of employment, with a maximum of 10 days until you reach the level described below.
- 5 years or more – You earn 1 1/4 days per full month of employment with a maximum of 15 days per year.
  - If hire date is prior to July 2nd, you qualify for 3 weeks in your 5th calendar year.
  - If hire date is after July 1st, you qualify for 3 weeks in your 6th calendar year.

Vacation requests must be made at least thirty (30) days prior to the desired vacation time. Vacation may be taken at any time after being accrued with the following provisions:

- Vacation days may not be carried over into the next year without written approval from your supervisor. Unused vacation days will expire (except where prohibited by law).
- A company holiday that falls during the vacation period will be considered as a holiday and not vacation time. This vacation day may be taken at another approved time.
- Job requirements will always have precedent over vacation schedules.
- Seniority will be considered in the event a conflict of vacation schedules arises.
- Occasionally vacation days may be taken before they are accrued, these days must be approved by your manager
- Any vacation days taken before they have accrued will be charged back against an employee's final paycheck, if termination occurs unless prohibited by federal, state, or local law."

Pay in lieu of unused vacation at any time will be provided only at the convenience of the company when approved in advance by the Management, and upon separation from employment under certain conditions.

**\*\*California Employees:** Please reference the attached State and Local Law supplement, as it may from time to time be amended, for a copy of your PTO Benefits.

### **Holidays**

Our Company's administrative offices observe the following holidays each year:

New Year's Day	Martin Luther King, Jr. Day
Memorial Day	Independence Day
Labor Day	Thanksgiving Day
Day After Thanksgiving	Christmas Eve
Christmas Day	

If a holiday falls on a weekend, the Company will inform you when the holiday will be observed. Employees must work the regularly scheduled workdays before and after the holiday to be eligible for holiday pay, except where otherwise prohibited by federal, state, or local law. Paid holiday time will be considered as time worked for the purpose of computing overtime. The observance date of each Holiday will be provided at the beginning of each calendar year.

Commissioned employees are not eligible for paid Holidays.

## **Sick Leave**

Our Company provides paid sick days to non-commission full-time employees. Eligible employees are provided 5 sick days per calendar year after the first 6 months of employment. When employment ends, there will be no cash payout for Sick Leave Days unless otherwise provided by law.

Employees may use sick leave when they are unable to work due to illness or injury. If an employee is absent for three (3) or more consecutive days, they may be asked to provide an explanatory note from their doctor. In some circumstances an employee may be asked to provide a Certification of Health Care Provider form for FMLA purposed sooner than 3 consecutive days of absence.

You must report to your supervisor if you will need to take sick leave. We ask that employees call in as soon as they realize that they will be unable to work, before the regular start of their work day. You must report to your supervisor by phone each day you are out on leave. Sick leave days will be paid at the employee's base rate.

Employees may not carry over unused sick leave from one year to the next. Commissioned Employees are not eligible to receive pay for absences due to illness.

## **Short Term Disability (STD)**

Dent Wizard's Short Term Disability benefit is designed to provide pay continuation for hourly and salaried employees when they themselves are medically unable to work for an extended period of time, in excess of five work (5) days. If you are eligible for leave under the Family and Medical Leave Act ("FMLA"), Dent Wizard's STD will run concurrently with FMLA and is available on a rolling 12-month basis.

Eligibility: STD is available to full-time employees. Non-exempt employees who are paid a commission, piece rate or monthly incentive are not eligible.

Medical Certification: The Company requires that you provide medical certification to support the request for the PML benefit. In most instances, this will be the same documentation provided for an FMLA request.

Benefit: There is a minimum 5-day waiting period prior to the start of an employee's STD benefit. An employee must use any available sick time or vacation time during the 5-day waiting period. Eligible employees will receive their base pay, excluding overtime, bonuses or commissions, for only the time the employee's health care provider requires the employee to be out of work, not to exceed the following schedule per rolling 12-month period:

<u>Length of Full Time Employment</u>	<u>Maximum Benefit</u>
At least 1 year, but less than 2 years	2 weeks

At least 2 years, but less than 4 years	3 weeks
At least 4 years, but less than 6 years	4 weeks
At least 6 years, but less than 8 years	6 weeks
At least 8 years or more	8 weeks

If an employee receives pay pursuant to a state disability program, the amount of STD benefit that the Company pays would be the difference between what the state pays and the employee's base pay, excluding overtime, bonuses and commissions. In such cases, STD will be paid only after the Company receives documentation of the amount the state will pay the employee.

If the employee exhausts their available STD benefit and remains on leave and medically unable to work, then the employee must use any remaining unused sick time and vacation time.

## **Family and Medical Leave**

The federal Family and Medical Leave Act ("FMLA") is intended to provide a means for employees to balance their work and family responsibilities by taking unpaid, job protected leave for certain qualifying reasons.

The FMLA entitles eligible employees to a maximum of twelve (12) weeks of unpaid leave during a rolling 12-month period for certain family and medical reasons, including:

- to care for the employee's child after birth, or placement of a child for adoption or foster care;
- to care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- for a serious health condition that deems the employee unable to perform the employee's job.

### Eligibility:

To be eligible for FMLA leave an employee must:

1. Have worked for the Company for at least twelve (12) months, and
2. Have worked at least 1,250 hours during the twelve (12) months prior to the leave.

Requesting and Using FMLA Leave: When a leave is foreseeable, an employee must provide at least thirty (30) days advance notice. If the need for leave is not foreseeable, you must give notice to the Company as soon as practicable after you become aware of the need for the FMLA leave. Leave to care for your child after birth or placement for adoption or foster care must be taken within 12 months of the birth or placement, and where both the husband and wife work for the Company, the combined leave is limited to a maximum of 12 weeks per year. The Company requires that you use any available paid time off at the beginning of any FMLA leave, including short term disability leave, sick leave, and vacation; this paid leave time is counted concurrently with your 12-week FMLA leave period. For purposes of determining the year during which an employee is entitled to FMLA leave, we use a "rolling" 12-month period measured backward from the date you use any FMLA leave.

Medical Certification: Dent Wizard requires that you provide medical certification to support the request for FMLA leave because of a "serious health condition." The Company reserves the right to request a second and third medical opinion at our expense. The Company may require periodic reports of the



employee's status during the period of leave. The Company requires a medical fitness-for-duty report to return to work following a leave for an employee's own serious health condition.

Intermittent or Reduced Work Schedules for FMLA: FMLA leave may be taken in blocks of time less than a full 12 weeks on an intermittent or reduced work schedule basis. If you must schedule leave on an intermittent basis due to planned medical treatment, the Company may require that the treatment be scheduled so as not to unduly disrupt Dent Wizard's operations.

Benefits During FMLA leave: While on FMLA leave, you may continue participation in the Flexible Benefits Plan as long as you continue to make your monthly premium contributions. A failure to pay your portion of the monthly premiums may result in the cancellation of your benefits, including medical insurance. You will not accrue sick leave or vacation during the period of your FMLA leave.

Returning from FMLA:

- Ordinarily, upon return from an approved FMLA leave, you will be restored to your original position.
- Working for another employer or being self-employed while on an FMLA leave may result in the termination of your employment, depending on the circumstances.
- With the approval of your Vice President, you may be permitted to extend the family or medical leave beyond 12 work weeks. If the leave is extended beyond 12 work weeks, your job may not be available when you are able to return to work. You may continue participation in the Flexible Benefits Plan during the leave extension as long as you continue to make your premium contributions.
- If you are unable to return to work at the end of the leave, your employment may be terminated and you may be eligible for continuation of health benefits as provided by law.

You should notify the Health & Safety Manager or Benefits Coordinator if you have any questions or believe you may be eligible for FMLA leave<sup>1</sup>.

<sup>1</sup> In the event you do not meet the FMLA eligibility requirements, you may have additional leave options depending on the state in which you are working. For more details on additional state-based leave entitlements, please contact Human Resources. Where permitted by law, any state-based leave entitlements will run concurrently with FMLA leave.

## **Servicemember Family and Medical Leave**

The Family and Medical Leave Act (FMLA) entitles eligible employees to take leave for a covered family member's service in the armed forces (for purposes of this policy, this is referred to as "Servicemember FMLA"). This policy supplements the Company's FMLA policy and provides general notice of employee rights to such leave. Except as provided below, an employee's rights and obligations under Servicemember FMLA are governed by the Company's existing FMLA policy.

## **Qualifying Exigency Leave**

Employees are entitled to 12 weeks of leave for a qualifying exigency. "A qualifying exigency" arises out of the fact that an employee's spouse, son, daughter, or parent is on active duty or has been notified of

an impending call to active duty status in support of a contingency operation. For an activity to qualify as a qualifying exigency, it must fall within one of the following categories:

- 1) Short-notice deployment. An employee may take leave under this category to address issues that arise from the fact that a covered military member is notified of an impending call or order to active duty in support of a contingency operation seven (7) or less calendar days prior to the date of deployment. An employee is entitled to up to seven (7) calendar days of leave for this purpose beginning on the date a covered military member is notified of an impending call or order to active duty status in support of a contingency operation.
- 2) Military events and related activities.
- 3) Certain childcare and school activities (but not to provide routine or ongoing childcare).
- 4) Financial and legal arrangements.
- 5) Counseling by a non-medical counselor, such as a member of the clergy.
- 6) Rest and recuperation. An employee may take up to five (5) days of leave to spend time with a covered military member who is on short-term, temporary rest and recuperation leave during the period of deployment.
- 7) Post-deployment military activities.

“Active duty or call to active duty status” means duty under a federal call or order to active duty (not a state call to active duty unless by order of the President of the United States) in support of a contingency operation pursuant to federal law. Such active duty or call to active duty is only made to members of the National Guard or Reserve components or to retired members of the regular armed forces or reserves. An employee may not take qualifying exigency leave if the servicemember is a member of the regular armed forces.

Time used for qualifying exigency leave will be deducted from the standard 12-week allotment provided for by the FMLA; employees are not entitled to additional leave beyond the standard 12 weeks for a qualifying exigency.

Employees wishing to take qualifying exigency leave must provide certification of the need for such leave. The employee must provide certification that the covered servicemember is a member of the National Guard or Reserves who is on active duty or called to active duty in support of a contingency operation; this certification may be in the form of military active duty orders. In addition, the employee must provide certification, including supporting documentation, regarding the nature and details of the specific exigency, the amount of leave needed, and the employee’s relationship to the military member. These certifications must be provided within 15 days of the notice of leave. Failure to provide timely certification will result in delay of leave until certification is submitted; if the certification is not provided, the leave is not FMLA-qualifying.

### **Military Caregiver Leave**

An employee may take up to 26 weeks of military caregiver leave during a single 12-month period on a per-covered servicemember, per-injury basis. A “covered servicemember” is a current member of the regular armed forces, National Guard, or Reserves, including those on the temporary retirement disability retired list, but not including former members or members on the permanent disability retired list. The servicemember must be receiving medical treatment or oversight from a Department of Defense or Veterans Affairs health care provider or by a Department of Defense TRICARE network or non-network authorized private health care provider.

This leave may be taken continuously, intermittently, or on a reduced schedule basis. The single 12-month period is measured forward from the date an employee's leave to care for the covered servicemember begins. If an employee takes military caregiver leave, any other FMLA leave he or she may have used from the 12-week FMLA allotment may be deducted from the 26-week military caregiver leave period.

An employee is eligible for military caregiver leave if the employee is the spouse, son, daughter, parent, or next of kin of a covered servicemember who is recovering from a serious illness or injury sustained in the line of duty on active duty. "Next of kin" is defined as the nearest blood relative. "Serious illness or injury" is defined as an illness or injury that renders the servicemember medically unfit to perform the duties of the member's military position.

Employees wishing to take military caregiver leave must provide a certification regarding the servicemember's military status, the care to be provided by the employee, and the serious injury or illness (information regarding the injury or illness must come from a Department of Defense or Veterans Affairs health care provider or a Department of Defense TRICARE network or non-network authorized private health care provider). This certification must be provided within 15 days of the notice for leave. Failure to provide timely certification will result in delay of leave until certification is submitted; if the certification is not provided, the leave is not FMLA-qualifying."<sup>2</sup>

### **Bereavement Leave**

In the event of a death in an employee's immediate family, the employee will be allowed up to three (3) paid days off in order to assist with arrangements or to attend the funeral. Employees must notify their Manager. Immediate family is considered: Spouse, Mother, Father, Domestic Partner, Stepmother, Stepfather, Son, Daughter, Stepson, Stepdaughter, Brother, Sister, Stepbrother, Stepsister, Grandparents and In-laws (Mother, Father, Brother or Sister). In the case where more than three (3) days off are required, vacation time may be used, provided the employee has accrued vacation time available.

A one-day paid leave for funerals of non-immediate family members will be granted, non-immediate family is considered: Uncle, Aunt, Cousin, Niece, and Nephew.

Time off to attend a funeral of a non relative may be granted at your manager's discretion. If such time is granted, it is unpaid or may be applied to accrued vacation days at employee's discretion.

Non-exempt employees who are paid a commission, piece rate or monthly incentive are not eligible for paid bereavement leave.

### **Military Leave**

If you are a member of the uniformed services you will be eligible for leave to meet military obligations and will have such rights as may be applicable under federal and state statutes. Employees should provide appropriate documentation to the Human Resources Department as soon as possible when called for training or active duty.

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<sup>2</sup> In the event you do not meet the FMLA eligibility requirements for military service member or caregiver leave, you may nonetheless have additional leave options depending on the state in which you are working. For more details on additional state-based leave entitlements, please contact Human Resources.

Any regular, full-time employee or part-time employee regularly working 20 or more hours per week who is a member of or volunteers for service in the Uniformed Services, including the Reserves or National Guard, may be eligible for pay differential during periods of active duty.

When an employee's military leave ends, that employee will be reinstated to the position he or she would have held if continuously employed, as long as the employee meets the requirements of federal and state law.

Employees who are called to military service must tell their supervisors as soon as possible that they will need to take military leave. An employee whose military service has ended must return to work or inform the Company that he or she wants to be reinstated in accordance with these guidelines:

- For a leave of 30 or fewer days, the employee must report back to work on the first regularly scheduled workday after completing military service, allowing for travel time.
  - For a leave of 31 to 180 days, the employee must request reinstatement within 14 days after military service ends.
  - For a leave of 181 days or more, the employee must request reinstatement within 90 days after military service ends.

## **Jury Duty**

All employees will be paid the difference between their normal scheduled work hours pay (excluding commission, bonuses or overtime) and jury duty pay, for a maximum of three weeks of service except where otherwise provided by law. Employees must present a copy of the jury summons to their manager and must submit either a disbursement voucher or other document verifying the period involved and the pay received exclusive of travel and maintenance for such jury duty.

Dent Wizard's pay shall cover only that period or periods that any citizen may be required by law as a minimum to serve, so that any employee volunteering further services does so without the benefit of the Company's pay.

## **Workplace Behavior**

### **Customer Relations & Confidential Information**

Dent Wizard is engaged in a service to customers, which requires a strict code of confidentiality be maintained. The Dent Wizard Process of repairing vehicles, the tools used in the Process, customer lists, operating and pricing methodologies are all considered trade secrets. For Employees required to execute a Trainee Secrecy Agreement, please review carefully the provisions contained within the agreement. No employee will store confidential information outside of Dent Wizard (either electronic or in written form) about any matters pertaining to the proprietary or non-public aspects of our business. No Employee is permitted to remove or make copies of any confidential or non-public proprietary Dent Wizard records, reports or documents without prior management approval. No information regarding confidential or proprietary sales strategies or procedures shall be given to any customers or vendors.

Dent Wizard pricing guidelines are considered confidential, trade-secret information. Any discussion in regards to pricing of our service with customers or vendors is to be delegated to Management. Likewise, conversations about pricing, service, problems etc. about one customer and/or vendor to another is only for the discretion of Management personnel.

If you are questioned by someone outside the Company or your department and you are concerned about the appropriateness of giving them certain confidential or proprietary information, remember that you

are not required to answer, and that we do not wish you to do so. Instead, as politely as possible, refer the request to your Manager.

In addition, gossip or dissemination of confidential or non-public proprietary information, will subject the responsible employee to disciplinary action or possible termination.

Any Employee who discloses any Company trade secret or confidential information will be subject to immediate dismissal and potential legal action.

### **Punctuality and Attendance**

Your Manager schedules your normal working hours and regularly scheduled attendance by you is required. In addition, some customers may dictate work hours and may require specific work schedule hours. Regular attendance is an essential function for all of the Company's positions. You are expected to be at your assigned workstation or designated area on time each work period ready and able to work.

Occasionally you may be faced with unexpected situations, which prevent you from reporting to work on time. Your job is important and your Manager must make arrangements to cover for your absence. If you know that you will be late to work, you should notify your supervisor by the end of your preceding shift so arrangements can be made to cover your position for a short period of time. If circumstances prevent you from knowing you will be late, you must notify your Manager as soon as possible prior to your scheduled start time. You must report all absences from work personally to your Manager.

Excessive tardiness or absences may subject you to disciplinary action, up to and including termination. If you fail to report for work and you fail to call in for three (3) consecutive days, this will be considered job abandonment and a voluntary termination.

If business creates the need for more work, you may be required to work overtime, in most cases defined as more than 40 hours per week, in order to satisfy the needs of our customers (See the section on "hours" in this handbook for more information).

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## **Personal Appearance and Clothing**

### **St. Louis and other Administrative Offices**

Dent Wizard makes every effort to create an environment that reflects mutual respect, comfort & safety. However, in order to successfully create such an environment, all employees must contribute by choosing attire that projects the image of Dent Wizard as a respected organization of the business community. Appearance and attire are also key factors of our Company’s success, as potential/ existing customers frequently attend meetings at our corporate office.

The following list is a general overview of the business casual attire that we would like to adhere to. This list is not all-inclusive and is subject to change. Listed below, you will find what “is” and what is “not” generally acceptable as business casual attire. No dress code can cover all contingencies; therefore, all associates must exert a certain amount of judgment in their choice of clothing to wear to work. In the event an employee has worn a clothing item that may conflict with the “business casual” guidelines, a member of management/Human Resources may ask the employee to change their attire. Additionally, should an employee require a reasonable accommodation concerning the dress-code, please contact Human Resources.

Slacks, Pants, and Suit Pants - Slacks that are similar to Dockers and other makers of cotton or synthetic material pants, wool pants, dress synthetic pants, and jeans are acceptable. Inappropriate slacks or pants include sweatpants, exercise pants, short shorts, bib overalls, leggings, and any spandex or other form-fitting pants such as biking attire.

Skirts, Dresses, and Skirted Suits - Casual dresses, skirts, sun dresses, skorts, and skirts that are split at or below the knee are acceptable. Dress and skirt length should be at least mid-thigh length or longer. Short, tight fitting mini-skirts, mini-dresses or shorts are inappropriate for work. Dresses with spaghetti straps are inappropriate for work unless worn with another blouse, shirt or a jacket.

Shirts, Tops, Blouses, and Jackets - Casual shirts, dress shirts, sweaters, tops, golf-type shirts, sweatshirts, t-shirts, and turtlenecks are acceptable attire for work. Inappropriate attire for work includes: camisoles, midriff tops, shirts with violent, discriminatory, abusive, offensive, demeaning or unprofessional words, terms, logos, pictures, cartoons, or slogans, halter-tops, or tops with bare shoulders, unless worn with another blouse, shirt, jacket, or dress.

### **Sales Personnel and Managers**

Sales personnel and all management personnel are required to wear proper business attire.

### **Technicians**

Personal appearance, proper hygiene and appropriate attire are important to our work practices. Our customers gauge the quality of our Company by the attention we show to personal appearance and attire.

Employees are expected to report to work wearing clean clothing. A neat, well-groomed appearance is important to the employee, their fellow workers and to our customers.

- Technicians are required to wear Dent Wizard logo clothing above the waist at all times when servicing our customers. This is to include any hats worn.
- Trousers are to be free of any holes, stains or tears. Blue jeans and sweat pants are prohibited. Shorts may be worn but must be hemmed and of acceptable length. No blue jeans, cutoffs, sweat pants, or gym shorts should be worn.
- Shoes must fully cover the feet, no sandals, open toed shoes or flip-flops may be worn.

For eligible employees, Dent Wizard provides an annual clothing allowance to purchase Dent Wizard logoed apparel at no cost to the employee. Purchases above and beyond annual allowance will be charged back to the employee. Employees are responsible for the cleaning of this clothing unless prohibited by law. The employee is responsible for returning the clothing to the Company if they are terminated.

### **Alcohol and Drug Policy**

For your safety and well-being, Dent Wizard has an Alcohol and Drug Policy. Use, possession, sale, or transfer of alcohol or the unlawful use, possession, sale or transfer of illegal drugs on Dent Wizard-owned or controlled property or in Dent Wizard-owned or controlled vehicles, or reporting to work or performing Dent Wizard business at a customer's worksite while under the influence of alcohol or any illegal drug, or reporting to work or performing Dent Wizard business while under the influence of any drug causing impairment is strictly prohibited.

To the extent allowed by law, Dent Wizard reserves the right to search all Company property, and all personal items brought onto Company property, to ensure compliance with the above provisions of the policy.

Dent Wizard may require drug and alcohol testing under the following circumstances, where permitted by applicable law:

- After the making of a conditional offer of employment to an applicant for initial employment;
- If management has reasonable suspicion to believe an employee is in violation of our policy on drugs and alcohol in the workplace
- If an employee's actions, or failure to act, caused or contributed to any accident involving a Company vehicle or a vehicle operated by the employee in connection with his or her employment; and
- Upon the report the employee was involved in a work related injury or accident.

If any applicant or employee does not adhere to the provisions of this Drug and Alcohol in the Workplace Policy, or does not submit to a drug or alcohol test upon request, or alters or attempts to alter a testing sample (or assists another employee in doing so), or receives a positive drug or alcohol test result, he or she will be in violation of Dent Wizard's policies. Under these circumstances, an applicant may have his or her conditional offer of employment revoked, and an employee may be subject to disciplinary action up to and including termination as permitted by law.

Testing under this policy will be in accordance with recognized state and federal drug and/or alcohol testing requirements. All positive results will be reviewed by a Medical Review Officer (MRO), to whom the applicant and/or employee will have the opportunity to provide any explanation for a positive test result, including the authorized use of prescription drugs.

All drug test results are kept confidential and will be released only to representatives of Dent Wizard, as needed.

Employees who are actively seeking medical attention for substance abuse or who wish to do so may be entitled to the benefits under Dent Wizard's group medical insurance plan in accordance with the terms of that plan or may take advantage of Dent Wizard's employee assistance program. Employees are encouraged to take advantage of these resources. If you desire more information, please contact Human Resources.

It is not the intent of this policy to replace or otherwise supersede applicable state laws concerning Drug and Alcohol testing; however, the Company reserves the right to test applicants and employees to the full extent permitted in the state in which the applicant/employment relationship occurs.

### **Employee Conduct Policy**

The Company maintains certain rules of behavior, which must be observed to ensure a safe, productive operation. For the welfare of all employees, certain actions warrant disciplinary action. Therefore, infractions such as the ones listed below will result in disciplinary action, up to and including termination, depending on the facts of the case. Since it would be impossible to write rules to cover every situation, the following list is not intended to be all inclusive. Rather, the list below illustrates some of the types of conduct that are unacceptable at Dent Wizard unless prohibited by federal, state, or local law:

- 1) Falsifying or misrepresenting facts on any Company document.
- 2) Repeated attendance issues (i.e. tardiness, excessive absenteeism, not being available in your work area during work time).
- 3) Being absent without notifying your supervisor in advance of your regularly scheduled start time.
- 4) Starting or stopping work or making preparations to leave work before the specified time.
- 5) Refusal to perform work properly, according to Company/customer specifications, or to follow instructions.
- 6) Sleeping during work hours.
- 7) Engaging in unethical or disorderly conduct.
- 8) Unauthorized use of facilities, vehicles, materials, or equipment.
- 9) Removal of Company or customer's property from premises without appropriate authorization.
- 10) Defacing or damaging the Company's, customers, or another person's property.
- 11) Stealing the Company's, customer's or another person's property.
- 12) Bringing firearms or other weapons on Company premises or property.
- 13) Reporting to work or performing Company business under the influence of alcohol.
- 14) Illegal use, possession, sale or transfer of drugs on Company-owned or controlled property or in Company-owned or controlled vehicles, or reporting to work or performing Company business under the influence of illegal drugs or while under the influence of any drug causing impairment.
- 15) Gambling while on Company/customer premises.
- 16) Presence on Company or Customer premises before or after your scheduled work time or on an off day, unless authorized, or failing to leave Company or customer premises when requested by proper authority.
- 17) Smoking in areas where smoking is prohibited.
- 18) Fighting or displaying rude and or unprofessional behavior toward a supervisor, another employee, or a customer.
- 19) Violating the dress code.
- 20) Violating any of the Company's policies, including but not limited to those in this handbook.



- 21) Falsification of any reports pertaining to absence from work, claims pertaining to injuries occurring on Company time, claims for any benefits provided by the Company, communications or records including personnel and production records.
- 22) Violation of Trainee Secrecy, Non-Compete/Non-Disclosure Agreement; giving confidential, non-public or proprietary Dent Wizard information to competitors or other organizations or to unauthorized Dent Wizard employees; working for a competing business while a Dent Wizard employee; breach of confidentiality or personnel information.
- 23) Giving false fire alarms, or causing false fire alarms to be given, or tampering with Company/customer protection equipment.
- 24) Failure to immediately report any injury or accident to management resulting from an on-the-job situation.
- 25) Engaging in horseplay, practical jokes, gambling, selling merchandise, violation of solicitation policy or general loitering while on Company or client's property.

The Company reserves the right to impose discipline where the Company deems it appropriate and necessary to do so.

### **Recording Devices**

Employees are strictly prohibited from recording or photographing anyone or anything on Company or customer property without the express written permission of the Company.

### **Solicitation, Distribution and Trespassing**

Dent Wizard prohibits the solicitation, distribution and posting of materials on or at Company property by any employee or non-employee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities supported by Dent Wizard management and Company-sponsored programs related to Dent Wizard's products and services.

Non-employees may not solicit employees or distribute literature of any kind on Dent Wizard's premises at any time. Employees may only admit non-employees to work areas with management approval or as part of a Company-sponsored program. These visits should not disrupt workflow. A Company employee must accompany non-employee's at all times. Former employees are not permitted onto Company property except for official Company business.

### **Safety**

Dent Wizard is committed to the safety of its employees, property and equipment. To this end we will utilize a safety program in our daily activities. Disregard of Company safety rules and regulations may result in disciplinary action including termination.

It is necessary that the Company establish safety rules and regulations to be observed by all employees at all times. With regard to these rules, the following will be considered standard procedure for all employees:

1. Should a safety regulation, practice, policy be modified so that an employee's safety is something less than it should be, the employee should inform their Manager before proceeding with task.
2. All questions concerning the "why" for doing something in a certain manner may be asked of any member of management at any time.

It is the responsibility of all Managers to see every employee at Dent Wizard is provided with safe working conditions and that safety regulations are observed and that employees use good common sense to protect themselves as well as others.

The most important part of safety is YOU. It is the responsibility of each employee to abide by the safety rules - these rules are made for your protection. Employees are expected to report any personal injury IMMEDIATELY, however minor, and all dangerous conditions and practices to their Manager.

All of our written safety programs and more information can be found online at [www.dentwizard.com/compliance](http://www.dentwizard.com/compliance).

### **Safety Equipment**

Employees will be provided with safety equipment, if it is a requirement for a particular job. This equipment will be signed for by the employee and replaced at the employee's expense if lost, damaged, or stolen unless prohibited by federal, state, or local law. Replacement will be provided if the equipment is shown to be defective.

Dent Wizard maintains a Personal Protective Equipment program including eye protection and an on-line Respiratory Protection Program for Paint Division employees. Use of PPE when necessary is mandatory.

### **Safety Rules**

- Know where the fire extinguishers are located and know how to use them.
- Read carefully all safety data sheets supplied with hazardous materials and abide by the instructions. Direct any question to your Manager.
- The Company will provide safety goggles, gloves and respirators when necessary.
- Wear clothes suited for the job. Remove all jewelry before reporting to the job.
- Practice good housekeeping. Keep work area clean and free from stumbling hazards, grease, etc.
- Learn to lift the correct way. Bend knees. Keep back straight. Get help for heavy loads.
- No scuffling or horse play on the job.
- Keep guards and protective devices in place at all times. When guards are removed for repairs, replace in proper order before starting up equipment.
- Only use tools for their intended purposes. Do not use broken or dangerously dull tools. Any broken or dangerously dull tools must be locked out and tagged out.
- If an employee suspects that a material might be detrimental to their health, they should consult their Manager.
- All equipment, doors, files, desks, vehicles and other equipment with locks will be kept locked securely when not in direct use and at the end of each day. Locks should be checked regularly.
- Company vehicles should be kept locked at all times. Lost keys must be reported to the office immediately. Any concerns about security should be directed to the Manager.

### **Emergency Safety Procedures**

Our goal is to provide employees with a safe and secure work environment. To report an emergency, employees should call their Manager and/or Human Resources. If needed, the police and/or the fire department should also be contacted. For additional information on emergency procedures, please contact Human Resources. Details can be found online at [www.dentwizard.com/compliance](http://www.dentwizard.com/compliance)

## **Conflicts of Interest**

Dent Wizard expects all employees to conduct themselves and company business in a manner that reflects the highest standards of ethical conduct, and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests.

The company recognizes and respects the individual employee's right to engage in activities outside of employment which are private in nature and do not in any way conflict with or reflect poorly on the company.

It is not possible to define all the circumstances and relationships that might create a conflict of interest. If a situation arises where there is a potential conflict of interest, the employee should discuss this with a manager for advice and guidance on how to proceed.

A conflict of interest can arise in dealings with anyone that Dent Wizard conducts business: Customers, Clients, Owners, Buyers, Suppliers, Banks, Insurance Companies, and anyone who we contact or make agreements with. Conflicts of interest should be avoided and include the following examples:

- Working for any of the above groups for personal gain.
- Engaging in a part-time activity for profit or gain in any field in which Dent Wizard is engaged.
- Borrowing from, or lending money to, individuals representing organizations with which business dealings are conducted.

Non-compliance with this policy could result in disciplinary action up to and including termination of your employment.

## **Outside Employment**

Dent Wizard makes every effort to keep its employees gainfully employed and at a good rate of pay. When an employee is on the job, this means 100% of their effort is required. Dent Wizard respects each employee's right to engage in activities outside of employment such as those that are of a personal or private nature, to the extent that such activities do not create a conflict of interest as described in the Conflicts of Interest policy within this Handbook or adversely affect the employee's ability to perform his or her job. If management feels that outside employment prohibits an employee from fulfilling their obligations to the company, employee may be asked to abandon outside employment or resign from the company. The nature of the company's business requires the complete commitment and loyalty of full time regular employees so that you can do your best.

While the Company does not prohibit employees from holding other jobs, the following types of outside employment are prohibited:

- Employment that conflicts with the employee's work schedule, duties and responsibilities or creates an actual conflict of interest;
- Employment that impairs or has a detrimental effect on the employee's work performance with the Company;
- Employment that requires employees to conduct work or related activities during working times or using any of the Company's tools, materials or equipment; and
- Employment that directly or indirectly competes with the business or the interests of the Company.

Technicians cannot provide Dent Wizard services outside his/her employment for personal gain.

### **Tipping**

Satisfying our customers requires teamwork. We are a service oriented business and tipping often benefits only one employee, thus creating inequities and problems. All employees are expected to give the best possible service to all customers. All customers, large or small, should receive the same courteous treatment with no exceptions or favoritism.

It is our policy that tipping is prohibited, however, if it does occur it is your responsibility to notify your supervisor immediately.

### **Gifts**

Employees shall not solicit directly or indirectly any gift, loan, or any item of substantial monetary value from any person or company that is seeking to conduct or currently conducting business with the Company (excluding: company sponsored events and charitable causes). Meals and accommodations of a reasonable and normal value provided to employees on Company business may be accepted.



## **State and Local Law Supplements**

### **Connecticut**

Even if you are not eligible for FMLA leave, you may be eligible for unpaid family leave of up to 16 work weeks in a rolling 24-month period under the Connecticut Family and Medical Leave Act ("CFMLA") if you have worked for the Company for at least 12 months and have worked at least 1,000 hours during the 12 months preceding the leave. This leave may be taken upon the birth of a son or daughter, upon the placement of a son or daughter for adoption or foster care, in order to care for your spouse, son, daughter, or parent with a serious health condition, because of your own serious health condition, or to serve as an organ or bone marrow donor. Many of the same rights and obligations concerning the FMLA leave apply to leave under the CFMLA, including but not limited to the policies described above related to requesting and using FMLA leave, medical certification, benefits during FMLA leave, and returning from FMLA. Leave taken under the CFMLA must be taken concurrently with FMLA leave. You should notify the Human Resources Manager if you have any questions or believe you may be eligible for family or medical leave.

### **Family Violence Victim Leave**

Employees may take a leave of absence of up to 12 days during any calendar year in which the leave is reasonably necessary for the following reasons relating to family violence:

- To seek medical care or counseling for physical or psychological injury or disability.
- To obtain services from a victim services organization;
- To relocate due to the family violence; or
- To participate in any civil or criminal proceeding related to or resulting from such family violence.
- For purposes of this policy, family violence includes incidents between family or household members that result in physical harm, bodily injury or assault; acts of threatened violence that result in a fear of imminent physical harm, bodily injury or assault, including, but not limited to, stalking or a pattern of threatening; or verbal abuse accompanied by a present danger and likelihood that physical violence will result.

Time off under this policy will be without pay, except that employees may elect to use available accrued paid time off. This leave does not affect any other leave provided under state or federal law.

Employees must provide seven days' notice when the need to use leave is foreseeable and notice as soon as practicable when it is not. The Company may require that employees submit a signed written statement certifying that the leave is due to family violence, as well as other types of verifying documentation.

Confidentiality of the situation will be maintained to the extent possible.

The Company will not retaliate or tolerate retaliation against any employee who seeks or obtains leave under this policy.

### **Illinois**

*The following notice is being provided to our Illinois employees pursuant state law.*

#### **Illinois Pregnancy Fairness Law**

Under the Illinois Pregnancy Fairness Law, expectant mothers are protected from discrimination due to pregnancy and also may be entitled to reasonable accommodations needed to perform the job held by an employee or sought by an applicant. You should notify the Human Resources Manager if you have any questions about Illinois law for expectant mothers.

#### **Accommodation for Victims of Domestic Violence, Sexual Assault or Stalking**

The Company will provide reasonable accommodations for qualified employees or applicants for employment who are the victim of domestic or sexual violence (including sexual assault and stalking) or who are the family or household member (i.e., spouse, civil union partner, parent, son, daughter, other person related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter or a person jointly residing in the same household with the employee) of such a victim, unless providing the accommodation will impose an undue hardship on the Company's business operations.

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

- Transfer
- Reassignment

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

Employees may also be entitled to a leave of absence under the company's Domestic Violence, Sexual Assault or Stalking Victim Leave policy and should consult that policy and/or Human Resources for additional information.

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

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

#### **Religious Accommodation**

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

The Company will not deny employment opportunities or take adverse employment actions against employees or otherwise qualified applicants for employment based on the need to make such reasonable accommodations, nor will the Company retaliate against applicants or employees who request accommodations or otherwise exercise their rights under the IHRA. Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact their Human Resources representative [or insert name/contact details for appropriate company representative or department].

#### **Family Military Leave**

Eligible employees who are the spouse, parent, child or grandparent of a person called to military service are entitled to up to 30 days of unpaid leave during the time federal or state deployment orders are in effect. To be eligible for leave, employees must:

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

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

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

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

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

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

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

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

### **Domestic Violence, Sexual Assault or Stalking Victim Leave**

Employees who are the victim of domestic violence, sexual assault or stalking, or whose family or household member is a victim of domestic violence, sexual assault or stalking, may take up to 12 weeks of unpaid leave in any 12-month period if the employee or employee's family or household member is experiencing an incident of domestic or sexual violence or to address domestic or sexual violence by:

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

For purposes of this policy, a "family or household member" includes a spouse, civil union partner, parent, son, daughter, other person related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter or a person jointly residing in the same household with the employee.

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

Employees seeking leave under this policy must provide at least 48 hours' advance notice, unless such notice is impractical. Employees may also be required to periodically report on the status of their circumstances and intent to return to work. The Company may require certification that the leave was taken for one of the purposes identified above and/or that the employee or employee's family or household member is a victim of domestic or sexual violence. Employees must respond to the request

for certification within a reasonable period of time and can do so by providing a sworn statement. Upon obtaining such documents, the employee must also provide:

Documentation from a victim services organization, attorney, member of the clergy or medical or other professional from whom the employee or the employee's family or household member has sought assistance;

- A police or court record; or
- Other corroborating evidence.

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

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

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

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

## **Maryland**

### **Pregnancy Accommodation**

Pregnant employees who have a temporary disability (as defined under Maryland law) that is caused or contributed to by pregnancy, may request the following accommodations: (1) changing of job duties; (2) relocating a work area; (3) providing mechanical or electrical aids; (4) transferring to a less strenuous or less hazardous position; (5) temporary change in work hours; or (6) providing leave.

After an employee has made a request for accommodation under this policy, the employee and the Company will engage in an interactive process to determine what accommodation, if any, may be appropriate.

Employees requesting an accommodation under this policy may be required to provide a health care provider's certification that includes the date the accommodation became medically advisable, the probable duration of the accommodation and an explanatory statement as to the medical advisability of the accommodation.

Employees with questions or concerns regarding this policy or who would like to request an accommodation should contact Human Resources.

## **Parental Leave**

The Company will permit eligible employees to take up to six workweeks of unpaid leave in a 12-month period for the birth of the employee's child or for the placement of a child with the employee for adoption or foster care.



The Company may deny any leave request if the denial is necessary to prevent substantial and grievous economic injury to the Company's business operations and the Company notifies the employee of the denial before the employee starts their leave.

#### Leave Eligibility

To be eligible for parental leave, as of the date leave begins, employees must be employed with the Company for at least 12 months and for 1,250 hours during the previous 12 months. Additionally, employees must work at a worksite where the Company employs at least 15 employees within a 75-mile radius.

#### Notice Requirements

Before using parental leave time, employees must provide the Company with at least 30 days' written notice of their intent to take parental leave, except that no prior notice is required following a premature birth or the unexpected placement of an adopted or foster child.

#### Compensation and Benefits

While parental leave is unpaid, employees must substitute any accrued paid time off, if applicable, for any part or all of the parental leave period.

Employees who earn commission as part of their compensation will continue to receive their earned commissions that comes due during their leave.

The Company will maintain employees' group health insurance coverage during the leave period under the same terms and conditions that would have applied had the leave not been taken. If employees fail to return to work after leave, the Company may seek to recover any premiums paid for maintaining coverage by deducting the amount from the employee's final wages, unless the employee's failure to return to work was due to circumstances beyond his or her control.

#### Reinstatement

Employees who return to work after taking parental leave will be restored to the job they held at the time the leave began or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment. The Company may deny reinstatement if the denial is necessary to prevent substantial and grievous economic injury to the Company's business operations. If the Company determines that it must deny reinstatement for this reason, it will notify the employee.

Additionally, the Company will, during the parental leave period, terminate an eligible employee's employment only for cause.

#### No Retaliation

The Company will not terminate or otherwise discriminate against employees for requesting or taking parental leave, making a complaint to the Company, Secretary of Labor or another person or for bringing or participating in an action relating to a violation of this policy or the Maryland Parental Leave Act.

#### **Leave to Care for Immediate Family Members**

Employees may use available accrued paid leave to take time off to care for an immediate family member (including a child, parent or spouse) who is sick.

To the extent that an employee has more than one form of paid leave available, the employee has the right to elect the type and amount of paid leave to be used. However, for purposes of this policy, paid leave does not include short-term disability leave, other disability benefits, workers' compensation or similar benefits.

The Company will not terminate, demote, suspend, discipline or discriminate against employees because they request or take leave in accordance with this policy, oppose a practice prohibited by the Maryland Flexible Leave Act or bring a charge or participate in an investigation or proceeding related to a violation of that Act.

## **New Jersey**

*The following notice is being provided pursuant to New Jersey state law*

New Jersey law provides up to six (6) weeks of Family Leave Insurance benefits. Benefits are payable to covered employees from either the New Jersey State Plan or an approved employer-provided private plan to:

- Bond with a child during the first 12 months after the child's birth, if the covered individual or the domestic partner or civil union partner of the covered individual, is a biological parent of the child, or the first 12 months after the placement of the child for adoption with the covered individual.
- Care for a family member with a serious health condition supported by a certification provided by a health care provider. Claims may be filed for six consecutive weeks, for intermittent weeks or for 42 intermittent days during a 12 month period beginning with the first date of the claim. Family member means a child, spouse, domestic partner, civil union partner or parent of a covered individual. Child means a biological, adopted, or foster child, stepchild or legal ward of a covered individual, child of a domestic partner of the covered individual, or child of a civil union partner of the covered individual, who is less than 19 years of age or is 19 years of age or older but incapable of self-care because of mental or physical impairment.

## **Jersey City, New Jersey**

*The following notice is being provided pursuant to Jersey City, New Jersey municipal ordinances. The leave and/or vacation policies contained in the Company's Handbook provide benefits which meet or exceed the benefits referenced in the municipal ordinance below. This Notice shall not be construed to confer any additional benefits beyond those contained therein.*

The Jersey City Municipal Council passed the Jersey City Earned Sick Time Ordinance (the "JCESTO") requiring that all local businesses operating in Jersey City with 10 or more employees provide up to 5 paid sick days to their employees each year and that companies with fewer employees provide 5 unpaid sick days. Employees may earn one hour of earned sick time for each 30 hours worked, with a maximum of 40 hours (or five days) annually.

If you have concerns about your sick time, you can call the Jersey City Department of Health and Human Services, (201) 547-6800, which may be able to help. Or you can file a complaint with the Jersey City Municipal Court.

## **Newark, New Jersey**

*The following notice is being provided pursuant to Newark, New Jersey municipal ordinances. The leave and/or vacation policies contained in the Company's Handbook provide benefits which meet or exceed the benefits referenced in the municipal ordinance below. This Notice shall not be construed to confer any additional benefits beyond those contained therein.*

Newark, New Jersey ordinances require private employers conducting business in Newark with 10 or more employees in Newark to provide employees with 40 hours of paid sick leave annually. Private employers conducting business in Newark with fewer than 10 employees in Newark must provide 24 hours of paid sick leave annually.

Employees accumulate sick leave at a rate of one hour of paid sick time for each 30 hours worked, up to a maximum of 24 or 40 hours (depending on the size of the employer), beginning as of an employee's first day of work. Employees are not, however, entitled to use accrued time until their 90th day of employment.

Up to 40 hours of accrued, unused sick leave will carry over to the following calendar year, but employers are not required to allow employees to use more than 40 hours of accrued sick leave in any given year. Employers are prohibited from interfering with, restraining or denying the exercise of, or the attempt to exercise, any right protected under the

Ordinance. Employers are also prohibited from retaliating against employees for exercising their rights under the Ordinance. Employees may file an action with the municipal court if they believe their rights under this ordinance are being infringed upon.

## **East Orange, New Jersey**

*The following notice is being provided pursuant to East Orange, New Jersey municipal ordinances. The leave and/or vacation policies contained in the Company's Handbook provide benefits which meet or exceed the benefits referenced in the municipal ordinance below. This Notice shall not be construed to confer any additional benefits beyond those contained therein.*

East Orange, New Jersey ordinances require private employers conducting business in East Orange with 10 or more employees in East Orange to provide employees with 40 hours of paid sick leave annually. Private employers conducting business in East Orange with fewer than 10 employees in East Orange must provide 24 hours of paid sick leave annually.

Employees accumulate sick leave at a rate of one hour of paid sick time for each 30 hours worked, up to a maximum of 24 or 40 hours (depending on the size of the employer), beginning as of an employee's first day of work. Employees are not, however, entitled to use accrued time until their 90th day of employment.

Up to 40 hours of accrued, unused sick leave will carry over to the following calendar year, but employers are not required to allow employees to use more than 40 hours of accrued sick leave in any given year. Employers are prohibited from interfering with, restraining or denying the exercise of, or the attempt to exercise, any right protected under the

Ordinance. Employers are also prohibited from retaliating against employees for exercising their rights under the Ordinance. Employees may file an action with the municipal court if they believe their rights under this ordinance are being infringed upon.

## **Irvington, New Jersey**

*The following notice is being provided pursuant to Irvington, New Jersey municipal ordinances. The leave and/or vacation policies contained in the Company's Handbook provide benefits which meet or exceed the benefits referenced in the municipal ordinance below. This*

*Notice shall not be construed to confer any additional benefits beyond those contained therein.*

Irvington, New Jersey ordinances require private employers conducting business in Irvington with 10 or more employees in Irvington to provide employees with 40 hours of paid sick leave annually. Private employers conducting business in Irvington with fewer than 10 employees in Irvington must provide 24 hours of paid sick leave annually.

Employees accumulate sick leave at a rate of one hour of paid sick time for each 30 hours worked, up to a maximum of 24 or 40 hours (depending on the size of the employer), beginning as of an employee's first day of work. Employees are not, however, entitled to use accrued time until their 90th day of employment. Up to 40 hours of accrued, unused sick leave will carry over to the following calendar year, but employers are not required to allow employees to use more than 40 hours of accrued sick leave in any given year.

Employers are prohibited from interfering with, restraining or denying the exercise of, or the attempt to exercise, any right protected under the Ordinance. Employers are also prohibited from retaliating against employees for exercising their rights under the Ordinance. Employees may file an action with the municipal court if they believe their rights under this ordinance are being infringed upon.

### **Montclair, New Jersey**

*The following notice is being provided pursuant to Montclair, New Jersey municipal ordinances. The leave and/or vacation policies contained in the Company's Handbook provide benefits which meet or exceed the benefits referenced in the municipal ordinance below. This Notice shall not be construed to confer any additional benefits beyond those contained therein.*

Montclair, New Jersey ordinances require private employers conducting business in Montclair with 10 or more employees in Montclair to provide employees with 40 hours of paid sick leave annually. Private employers conducting business in Montclair with fewer than 10 employees in Montclair must provide 24 hours of paid sick leave annually.

Employees accumulate sick leave at a rate of one hour of paid sick time for each 30 hours worked, up to a maximum of 24 or 40 hours (depending on the size of the employer), beginning as of an employee's first day of work. Employees are not, however, entitled to use accrued time until their 90th day of employment. Up to 40 hours of accrued, unused sick leave will carry over to the following calendar year, but employers are not required to allow employees to use more than 40 hours of accrued sick leave in any given year.

Employers are prohibited from interfering with, restraining or denying the exercise of, or the attempt to exercise, any right protected under the Ordinance. Employers are also prohibited from retaliating against employees for exercising their rights under the Ordinance. Employees may file an action with the municipal court if they believe their rights under this ordinance are being infringed upon.

### **Passaic, New Jersey**

*The following notice is being provided pursuant to Passaic, New Jersey municipal ordinances. The leave and/or vacation policies contained in the Company's Handbook provide benefits which meet or exceed the benefits referenced in the municipal ordinance below. This Notice shall not be construed to confer any additional benefits beyond those contained therein.*

Passaic, New Jersey ordinances require private employers conducting business in Passaic with 10 or more employees in Passaic to provide employees with 40 hours of paid sick leave annually. Private employers conducting business in Passaic with fewer than 10 employees in Passaic must provide 24 hours of paid sick leave annually.

Employees accumulate sick leave at a rate of one hour of paid sick time for each 30 hours worked, up to a maximum of 24 or 40 hours (depending on the size of the employer), beginning as of an employee's first day of work. Employees are not, however, entitled to use accrued time until their 90th day of employment. Up to 40 hours of accrued, unused sick leave will carry over to the following calendar year, but employers are not required to allow employees to use more than 40 hours of accrued sick leave in any given year. Employers are prohibited from interfering with, restraining or denying the exercise of, or the attempt to exercise, any right protected under the Ordinance. Employers are also prohibited from retaliating against employees for exercising their rights under the Ordinance. Employees may file an action with the municipal court if they believe their rights under this ordinance are being infringed upon.

### **Paterson, New Jersey**

*The following notice is being provided pursuant to Paterson, New Jersey municipal ordinances. The leave and/or vacation policies contained in the Company's Handbook provide benefits which meet or exceed the benefits referenced in the municipal ordinance below. This*

*Notice shall not be construed to confer any additional benefits beyond those contained therein*

Paterson, New Jersey ordinances require private employers conducting business in Paterson with 10 or more employees in Paterson to provide employees with 40 hours of paid sick leave annually. Private employers conducting business in Paterson with fewer than 10 employees in Paterson must provide 24 hours of paid sick leave annually.

Employees accumulate sick leave at a rate of one hour of paid sick time for each 30 hours worked, up to a maximum of 24 or 40 hours (depending on the size of the employer), beginning as of an employee's first day of work.

Employees are not, however, entitled to use accrued time until their 90th day of employment. Up to 40 hours of accrued, unused sick leave will carry over to the following calendar year, but employers are not required to allow employees to use more than 40 hours of accrued sick leave in any given year.

Employers are prohibited from interfering with, restraining or denying the exercise of, or the attempt to exercise, any right protected under the

Ordinance. Employers are also prohibited from retaliating against employees for exercising their rights under the Ordinance. Employees may file an action with the municipal court if they believe their rights under this ordinance are being infringed upon.

### **Trenton, New Jersey**

*The following notice is being provided pursuant to Trenton, New Jersey municipal ordinances. The leave and/or vacation policies contained in the Company's Handbook provide benefits which meet or exceed the benefits referenced in the municipal ordinance below. This*

*Notice shall not be construed to confer any additional benefits beyond those contained therein.*

Trenton, New Jersey ordinances require private employers conducting business in Trenton with 10 or more employees in Trenton to provide employees with 40 hours of paid sick leave annually. Private employers conducting business in Trenton with fewer than 10 employees in Trenton must provide 24 hours of paid sick leave annually.

Employees accumulate sick leave at a rate of one hour of paid sick time for each 30 hours worked, up to a maximum of 24 or 40 hours (depending on the size of the employer), beginning as of an employee's first day of work. Employees are not, however, entitled to use accrued time until their 90th day of employment. Up to 40 hours of accrued, unused sick leave will carry over to the following calendar year, but employers are not required to allow employees to use more than 40 hours of accrued sick leave in any given year. Employers are prohibited from interfering with, restraining or denying the exercise of, or the attempt to exercise, any right protected under the Ordinance. Employers are also prohibited from retaliating against employees for exercising their rights under the Ordinance. Employees may file an action with the municipal court if they believe their rights under this ordinance are being infringed upon.

### **Bloomfield, New Jersey**

*The following notice is being provided pursuant to Bloomfield, New Jersey municipal ordinances. The leave and/or vacation policies contained in the Company's Handbook provide benefits which meet or exceed the benefits referenced in the municipal ordinance below. This Notice shall not be construed to confer any additional benefits beyond those contained therein.*

Bloomfield, New Jersey ordinances require private employers conducting business in Bloomfield with 10 or more employees in Bloomfield to provide employees with 40 hours of paid sick leave annually. Private employers conducting business in Bloomfield with fewer than 10 employees in Bloomfield must provide 24 hours of paid sick leave annually.

Employees accumulate sick leave at a rate of one hour of paid sick time for each 30 hours worked, up to a maximum of 24 or 40 hours (depending on the size of the employer), beginning as of an employee's first day of work. Employees are not, however, entitled to use accrued time until their 90th day of employment. Up to 40 hours of accrued, unused sick leave will carry over to the following calendar year, but employers are not required to allow employees to use more than 40 hours of accrued sick leave in any given year.

Employers are prohibited from interfering with, restraining or denying the exercise of, or the attempt to exercise, any right protected under the Ordinance. Employers are also prohibited from retaliating against employees for exercising their rights under the Ordinance. Employees may file an action with the municipal court if they believe their rights under this ordinance are being infringed upon.

### **Pregnancy and Lactation Accommodation**

Employees may, based on the advice of their physician, request a reasonable workplace accommodation in connection with their own pregnancy, childbirth, related medical conditions, including recovery from childbirth. Employees who are breastfeeding an infant child can also request a workplace accommodation. A reasonable accommodation will be provided unless it would impose an undue hardship on the Company's ordinary operations.

Reasonable accommodations for pregnancy may include job modifications such as additional bathroom breaks, water breaks, periodic rest breaks, assistance with manual labor, job restructuring, modified work schedules and temporary transfers to less-strenuous or -hazardous work. Reasonable accommodations

for employees who are breastfeeding their infant children include reasonable daily break time and a suitable room or other location with privacy, other than a toilet stall, in close proximity to the work area, for the employee to express breast milk for her infant child.

The Company will not treat a pregnant or breastfeeding employee less favorably than it would treat non-pregnant/non-breastfeeding individuals who are similar in their ability or inability to work.

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

The Company will not tolerate any retaliation against any employee who makes a good-faith request for or uses an accommodation in accordance with this policy.

### **Domestic or Sexual Violence Victim Leave**

Eligible employees who are victims of domestic violence or a sexually violent offense or who have a qualifying family member who is a victim of domestic or sexual violence may take up to 20 days of unpaid leave in the 12-month period following an incident of domestic or sexual violence to:

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

For purposes of this policy, a "family member" is an employee's child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, domestic or civil union partner, any other individual related by blood to the employee or any other individual who has a close association with the employee that is the equivalent of a family relationship.

Employees are eligible for leave under this policy if they have been employed with the Company for at least 12 months and for at least 1,000 base hours during the 12-months immediately preceding the leave.

When the need for leave is foreseeable, employees must provide written notice of the need as far in advance as is reasonable and practical under the circumstances, unless an emergency or other unforeseen circumstance precludes prior notice. Advance notice is not required for emergency situations.

Leave may be taken intermittently in intervals of no less than one day.

Employees will be required to submit documentation verifying the need for leave, such as:

- A domestic violence restraining order or other documentation of equitable relief issued by a court;

- A letter or other written documentation from the county or municipal prosecutor documenting the domestic violence or sexually violent offense;
- Documentation of the conviction of a person for the domestic violence or sexually violent offense;
- Medical documentation of the domestic violence or sexually violent offense;
- Certification from a certified domestic violence specialist or the director of a designated domestic violence agency or rape crisis center confirming that the employee or employee's family member is a victim of domestic violence or a sexually violent offense; or
- Other documentation or certification of the domestic violence or sexually violent offense provided by a social worker, clergy member, shelter worker or other professional who has assisted the employee or employee's family member in dealing with the domestic violence or sexually violent offense.]

All information provided to the Company concerning a domestic violence or sexually violent incident and leave under this policy will be kept confidential, unless disclosure of this information is authorized in writing by the employee or is required by law.

Employees can choose to use any accrued [insert available paid time off, such as paid sick and safe time, vacation, personal, medical or sick time or medical leave] or any available family temporary disability leave benefits during their leave. Any paid time off or family temporary disability leave benefits will run concurrently with the unpaid leave. When applicable, time off under this policy will run concurrently with a leave of absence covered by the federal Family and Medical Leave Act or New Jersey Family Leave Act.

The Company prohibits harassment, discrimination or retaliation against employees because they take or request leave in accordance with this policy or refuse to authorize the release of confidential information.

## **New York**

### **Leave Policy**

*The following notice is being provided pursuant to New York City, New York municipal ordinances. The leave and/or vacation policies contained in the Company's Handbook provide benefits which meet or exceed the benefits referenced in the municipal ordinance below. This Notice shall not be construed to confer any additional benefits beyond those contained therein.*

Employees who are hired to work more than 80 hours a calendar year in New York City will be entitled to up to 40 hours paid sick leave. Eligible employees will accrue sick leave at the rate of one hour for every 30 hours worked up to a maximum of 40 hours per calendar year.

You will begin to accrue sick leave on April 1, 2014 or on your first day of employment, whichever is later.

- You can begin using sick leave on July 30, 2014 or 120 days after you begin employment, whichever is later.

### **ACCEPTABLE REASONS TO USE SICK LEAVE:**

You can use sick leave when:

- You have a mental or physical illness, injury, or health condition; you need to get a medical diagnosis, care, or treatment of your mental or physical illness, injury, or condition ; you need to get preventative medical care.
- You must care for a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or who needs preventive medical care.
- Your employer's business closes due to a public health emergency or you need to care for a child whose school or child care provider closed due to a public health emergency.



**FAMILY MEMBERS:**

The law recognizes the following as family members:

- Child (biological, adopted, or foster child; legal ward; child of an employee standing in loco parentis)
- Grandchild
- Spouse
- Domestic Partner
- Parent
- Grandparent
- Child or parent of an employee's spouse or domestic partner
- Sibling (including a half, adopted, or step sibling)

**ADVANCE NOTICE:**

If the need is foreseeable, you must provide seven days advance notice of your intention to use sick leave.

If the need is not foreseeable, you must give notice as soon as practicable.

**DOCUMENTATION:**

If you use more than three consecutive workdays as sick leave, you must provide documentation from a licensed health care provider. The Paid Sick Leave Law prohibits employers from requiring the health care provider to specify the medical reason for sick leave.

**UNUSED SICK LEAVE:**

Up to 40 hours of unused sick leave can be carried over to the next calendar year.

Retaliation is prohibited for:

- Requesting and using sick leave.
- Filing a complaint for alleged violations of the law with DCA.
- Communicating with any person, including coworkers, about any violation of the law.
- Participating in a court proceeding regarding an alleged violation of the law.
- Informing another person of that person's potential rights.

Retaliation includes any threat, discipline, discharge, demotion, suspension, or reduction in your hours, or any other adverse employment action against you for exercising or attempting to exercise any right guaranteed under the law.

Sexual Harassment

### EMPLOYEE COMPLAINT FORM FOR REPORTING SEXUAL HARASSMENT

Please provide the requested information so that the Company may investigate and resolve your complaint. You are not limited to the space provided and may attach additional pages. Once you have completed this form, please provide a copy of it to **[insert at least two internal recipient names with contact information OR "any member of the Human Resources team" OR "any member of the Human Resources team or any manager"]**.

Name \_\_\_\_\_ Title \_\_\_\_\_  
Department/Location \_\_\_\_\_ Supervisor \_\_\_\_\_  
Preferred Communication Method \_\_\_\_\_ E-mail \_\_\_\_\_ Phone \_\_\_\_\_ In-person \_\_\_\_\_

A. Complaint(s) - Please describe your complaint(s), including the name of the person(s) about whom you are complaining and when the conduct occurred. If your complaint involves specific comments, please include a description of the comments.

B. Related Material - Please list, and if possible, provide copies of, any emails, text messages, letters, notes, memos, diary entries, calendars, reports, or other items that relate to your complaint(s).

C. Persons With Information - Please list any individuals who you believe may have information about your complaint(s):

D. Prior Report(s) - Have you reported your concerns to anyone else at the Company? If so, please provide the name and position of the person to whom you reported the concerns, and the date of the report].

**I understand that if I become aware of additional relevant information, I must promptly provide such information to Human Resources. I also am aware that the Company prohibits retaliation against me for filing this complaint, and I agree that I will immediately report any incident I believe is retaliatory using the Company's procedures for reporting retaliation.**

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

Date completed by Employee: \_\_\_\_\_

HR or Manager Signature: \_\_\_\_\_

Date received from Employee: \_\_\_\_\_

### **Crime Victim Leave**

Eligible employees may take time off from work to comply with a subpoena to (1) testify in a criminal proceeding (including time off to consult with the district attorney); (2) give a statement at a sentencing proceeding; (3) give a victim impact statement at a pre-sentencing proceeding; or (4) give a statement at a parole board hearing.

Time off under this policy is unpaid except that exempt employees will not incur any reduction in pay for a partial week's absence for leave under this policy.

### **Leave Eligibility**

Employees are eligible for time off under this policy if they are:

- The victim of the crime at issue in the proceedings;
- The victim's next of kin;
- The victim's representative (a person who represents or stands in the place of another person, including an agent, attorney, guardian, conservator, executor, heir or parent of a minor) if the victim is deceased as a result of the offense;
- A good Samaritan (someone who acts in good faith to: (1) apprehend a person who has committed a crime in his or her presence; (2) prevent a crime or an attempted crime from occurring; or (3) aid a law enforcement officer in effecting an arrest); or
- Pursuing an application or the enforcement of an order of protection as provided under relevant law.

### **Notice and Certification**

Employees must notify their supervisor the need to take a leave under this policy no later than the day before the absence. In addition, employees must provide their supervisor [or insert name/contact details for appropriate company representative or department] with verification of their service upon request.

## No Retaliation

The Company will not retaliate or tolerate retaliation against any employee who seeks or obtains leave under this policy.

## **Pennsylvania**

### Pregnancy Accommodation (Philadelphia)

Employees, working in Philadelphia, with needs related to pregnancy, childbirth or a related medical condition, may request a reasonable accommodation to enable them to perform the essential functions of their job. A reasonable accommodation may include, but is not limited to, the following: (1) restroom breaks; (2) periodic rest for those who stand for long periods of time; (3) assistance with manual labor; (4) leave for a period of disability arising from childbirth; (5) reassignment to a vacant position; and (6) job restructuring. The Company will provide a reasonable accommodation for needs related to pregnancy, childbirth or a related medical condition so long as the requested accommodation does not impose an undue hardship on the company's business operations.

If leave is an accommodation, to the extent leave under this policy also qualifies as leave under the Family and Medical Leave Act, the two leaves will run concurrently.

Employees who wish to request an accommodation under this policy should contact Human Resources.

### **Pregnancy Accommodations (Pittsburgh)**

The Company does not discriminate against employees or applicants for employment on the basis of pregnancy, childbirth or medical conditions and events that are related to or caused by pregnancy or childbirth (whether they occur before, during or after pregnancy or childbirth).

This policy applies to individuals who are pregnant; experience pregnancy-related conditions (including seeking to become pregnant or any condition or event related to or caused by pregnancy or childbirth); or are the partner (i.e., someone who has a relationship of mutual emotional and/or physical support) of a person who is pregnant or affected by such an event.

Employees have the right to request one or more reasonable accommodations for their pregnancy, childbirth or related medical condition or when they are the partner of a person who is pregnant or affected by a related medical condition. The Company will provide a reasonable accommodation that enables the employee to perform the essential duties of the employee's job. A reasonable accommodation for purposes of this policy is one that can be made without causing an undue hardship on the Company's business.

Employees who wish to request a reasonable accommodation under this policy should contact Human Resources. Human Resources will promptly communicate with the employee and engage in good faith in an interactive process to determine the employee's needs and explore possible ways of accommodating the employee. In some cases, the interactive process may be triggered without a request from the employee, such as when the Company receives notice from its own observation or another source that the pregnancy, childbirth or pregnancy-related condition of the employee or the employee's partner may be impacting the employee's work performance or conduct.

At the conclusion of the interactive process, the Company will inform the employee in writing if a reasonable accommodation has been granted or deemed impossible. Employees can make additional requests for accommodation if their condition changes.

The Company may, in some instances, require that employees provide medical documentation when requesting certain accommodations, such as working from home or time off from work.

The Company will not retaliate or tolerate retaliation against an employee because the employee requests an accommodation under this policy, makes a complaint of discrimination, files a complaint alleging unlawful discrimination or expresses an intent to file such a complaint, or participates in an investigation or proceeding related to a complaint of discrimination. Employees who believe they have been subjected to retaliation should promptly report such concerns to his or her supervisor, any management team member or to Human Resources. Any report of retaliatory conduct will be investigated in a thorough and objective manner. If a report of retaliation is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken.

### **Tennessee**

The following notice is being provided pursuant to Tennessee state law.

#### **Tennessee Maternity Leave Law**

Under the Tennessee Maternity Leave Law, a female employee who has been employed for at least 12 consecutive months on a full-time basis may be eligible to take an unpaid maternity leave for up to 4 months for pregnancy, childbirth and nursing the infant. Leave taken under the Tennessee Maternity Leave Law must be taken concurrently with FMLA leave. You should notify the Human Resources if you have any questions or believe you may be eligible for maternity or other leave.



**California Local Law Supplements**

## **California**

The California Family Rights Act of 1993 (“CFRA”) provides for family and medical leave that is substantially similar to the leave provided by the federal Family and Medical Leave Act. CFRA leave will run concurrently with FMLA leave.

Even if you are not eligible for CFRA or FMLA leave, if you are disabled by pregnancy, childbirth or related medical conditions, you may be eligible to take an unpaid pregnancy disability leave of up to 4 months, depending on your period of actual disability. If you are eligible for CFRA leave, you may also be eligible to take both a pregnancy disability leave and a CFRA leave for the reason of the birth of your child. You should notify the human resources manager if you have any questions or believe you may be eligible for family, medical or pregnancy disability leave.

In addition, under the California Paid Family Leave Act, if you take leave to care for a seriously ill child, spouse, parent or domestic partner, or for bonding with a child following birth or adoption, you may qualify for partial wage replacement benefits. If you have questions, would like more information, or believe you may be eligible for benefits pursuant to the California Paid Family Leave Act, you should contact your Human Resources Manager.

## **California Sick Leave Rights**

An employee may use paid sick leave rights beginning the 90th day of employment with Dent Wizard and after the employee has worked for Dent Wizard in California for 30 or more days within a year and the sick leave is needed for absences occurring on days the employee is scheduled to work in California.

Sick leave may be used for diagnosis, care, or treatment of an existing health condition, to address domestic violence or sexual assault, or preventative care for the employee or a qualified member of the employee’s family. A qualified member of the employee’s family includes the following:

spouse

- a registered domestic partner
- a child, regardless of age, (which includes biological, adoptive, foster child, step-child or legal ward);
- a parent of the employee or the employee’s spouse or registered domestic partner, including biological, adoptive, foster parents, step-parent;
- a grandparent; 6) a grandchild; or 7) a sibling.

## **Paid Time Off**

Effective July 1, 2015, this Paid Time Off (“PTO”) policy will replace the Company’s prior Vacation policy. PTO is provided as a benefit to regular fulltime employees to recognize service. PTO will not be considered as time worked for the purpose of computing overtime for

non-exempt employees. On July 1, 2015, all existing employees will be credited with 10 days of PTO to be used in the next 12 months. Thereafter, employees will receive PTO based on the following schedule:

- First 5 years of employment – Each July 1st, you will be credited with an amount of PTO which results in a total amount of 10 days of PTO. Unused PTO will roll over into the following year, but at all times your PTO is capped at 10 days. For example, if you have 3 days remaining on June 30th, you will be credited with 7 days on July 1st so your total PTO for the next 12 months is 10 days.
- New employees – After 30 days of employment, you will be credited with 10 days of PTO, but you may not use this PTO until you have worked with the Company for 90 days. On the July 1st following your date of hire, you will be credited with PTO as described above.
- 5 years or more – Each July 1st, you will be credited with an amount of PTO which results in a total amount of 15 days of PTO. Unused PTO will roll over into the following year, but at all times your PTO is capped at 15 days. For example, if you have 3 days remaining on June 30th, you will be credited with 12 days on July 1st so your total PTO for the next 12 months is 15 days.

Requests to use PTO should be made at least thirty (30) days prior to the desired use of the time. If the need for PTO is to address domestic violence or sexual assault, or for sickness/medical treatment of yourself or a qualified family member, such as a spouse/registered domestic partner, (grand)child, (grand)parent, or sibling, reasonable advance notice is required if foreseeable; if not foreseeable, notice should be given as soon as practical. Except new employees as described above, PTO may be taken at any time after being accrued. Other PTO considerations include:

- A Company holiday that falls during the time PTO is taken will be considered as a holiday and not PTO time. This PTO time may be taken at another approved time.
- Job requirements will always have precedent over vacation schedules, unless otherwise required by law, such as for sickness/medical care or the need to address domestic violence or sexual assault.
- Seniority will be considered in the event a conflict of PTO schedules arises, unless otherwise required by law, such as for sickness/medical treatment or the need to address domestic violence or sexual assault.

Pay in lieu of unused vacation at any time will be provided only at the discretion of the Company when approved in advance by Management, and upon separation from employment under certain conditions or as required by state law.

Available PTO will be identified on the itemized wage statement that accompanies an employee's payment of wages or on a separate document that accompanies the itemized wage statement.



Any accrued, unused time employees have pursuant to the Company's prior vacation policy shall be grandfathered and will be governed under that policy.

### **Oakland, California**

The following notice is being provided pursuant to Oakland, California municipal code. The Company's Sick Leave Policy for employees working in California meets the requirements of Oakland Municipal Code 5.29.030. This notice should not be construed to provide additional benefits beyond those provided in the Company's California Sick Leave Policy.

Pursuant to Measure FF and Oakland Municipal Code Section 5.29.030, all employers must provide paid sick leave to each employee (part-time, full-time, and temporary) who performs at least two (2) hours of work within the geographic limits of the City of Oakland. Employees begin accruing paid sick leave on March 2, 2015 for employees working for an employer on or before that date. Employees who are hired after March 2, 2015 commence accruing paid sick leave after ninety (90) calendar days of employment.

Employees accrue one (1) hour of paid sick leave for every thirty (30) hours worked in the City of Oakland. Employees of employers for which fewer than ten (10) persons (including full-time, part-time, and temporary employees) work for compensation during any given week may have up to forty (40) hours of accrued paid sick leave saved at any time. Employees of other employers may have up to seventy-two (72) hours of accrued paid sick leave at any time. Employers may provide greater sick leave benefits than that mandated by Section 5.92.030. An employee's accrued paid sick leave will carry over from year to year but is not paid out at the time of separation of employment. Employees may use their accrued paid sick leave for their own medical care or to aid or care for a family member or designated person.

Under Section 5.92 et seq., employees who assert their rights to paid sick leave are protected from retaliation. Employees may file a civil lawsuit against their employers for any violation of this law and may seek remedies in the form of back pay, reinstatement and/or injunctive relief. Employees may also file a complaint with the City's Contracts and Compliance Division. The City will investigate possible violations and will have access to payroll records. Employers who violate Section 5.92 et seq. will be liable for civil penalties for each violation up to a maximum of \$1,000.00 per violation.

If you have questions, need additional information, or believe you are not being paid correctly, please contact your employer or the City of Oakland's Contracts and Compliance Division at:

#### **Contracts and Compliance**

250 Frank H. Ogawa Plaza, Suite 3341, 3rd Floor

Oakland, CA 94612

Telephone: 510-238-6258

E-Mail: [minwageinfor@oaklandnet.com](mailto:minwageinfor@oaklandnet.com)

# **DENT WIZARD EMPLOYEE HANDBOOK:**

## **CALIFORNIA SUPPLEMENT – 2018 UPDATE**

### **BACKGROUND AND CREDIT CHECKS**

Dent Wizard will not inquire into a job applicant's criminal record or conviction history until and unless such individual has been offered a conditional offer of employment. However, Dent Wizard requires that all candidates selected for hire successfully complete a comprehensive background screening. The nature of this screening will vary depending on the position applied for and applicable law. This is done to ensure that all individuals who join Dent Wizard are well qualified, have the potential to be productive and successful and have honestly presented their background and professional qualifications in all forms – both orally and in written form (including the employment application, resume, etc.). Background screening may include credit check(s) at Dent Wizard's discretion.

While conducting a background screening pursuant to a conditional offer of employment, Dent Wizard will not distribute, disseminate, or consider information regarding an arrest not followed by a conviction, referral to or participation in a pre-trial or post-trial diversion program, or convictions that have been sealed, dismissed, expunged or statutorily eradicated pursuant to law.

After a conditional offer of employment is made, Dent Wizard may assess whether any conviction history not specifically excluded by law as described above could have a direct and adverse relationship with the specific duties of the job such that it would justify denial of the position. Such assessment will include, without limitation, a consideration of the nature and gravity of the offense(s) at issue, the time since the commission of the offense(s), whether the individual has completed the punishment for said offense(s), and the nature of the position the applicant has been conditionally offered.

If Dent Wizard determines to withdraw its conditional offer of employment, Dent Wizard will inform the applicant, in writing, of the action being considered, including identifying the conviction(s) forming the basis for the decision being contemplated, and will provide the individual with a copy of the conviction history report, if any. Dent Wizard will notify the individual of the right to appeal the decision by a specified date at least five business days from the date of notification. Dent Wizard will then consider the applicant's response, if any. If, however, Dent Wizard determines that the criminal history in question, as a matter of business necessity, poses an unacceptable level of risk, the contemplated action may still be taken.

In addition, Dent Wizard requires all employees to notify their supervisor within 3 days of a felony conviction of any kind or a misdemeanor involving the following: abuse or neglect of a vulnerable person, violence, theft, possession of drugs or firearm violations. This includes indicated child abuse and neglect hotline reports. Post-employment (after employees have been hired) screening may also be conducted with or without cause.

Dent Wizard complies with the Fair Credit Reporting Act (FCRA) which regulates the use of information gathered by consumer reporting agencies that may determine an individual's eligibility for employment, credit or insurance, as well as with California laws regarding background and credit checks.

Dent Wizard retains the right to discipline and/or terminate any employee who has made false representations in oral statements, employment applications, resumes or other documents related to their employment, qualifications or credentials.

### **PERSONNEL RECORDS**

Dent Wizard allows an employee may inspect or receive a copy of certain portions of the employee's personnel file concerning evaluations and/or grievances. Such request will be granted within thirty (30) days of receipt of a written request from an employee. Inspection will not be allowed during an employee's scheduled work time.

### **PAY HISTORY**

Dent Wizard does not, at any time during the application, interview, or hiring process, inquire as to an individual's salary or pay history. In the event an applicant's pay history becomes known, including through voluntary disclosure by the applicant, such information will not be used by Dent Wizard in any way in determining whether to offer a position to the individual in question and/or, in the event Dent Wizard decides to make an offer of employment to the applicant, what salary or rate of pay will be offered to the applicant.

### **EQUAL EMPLOYMENT OPPORTUNITY**

In addition to the equal employment protections set forth in Dent Wizard's Employee Handbook, Dent Wizard also does not discriminate, in any way prohibited thereby, on the basis of sex (including pregnancy, childbirth, breastfeeding or related medical conditions), gender, gender identity, gender expression, sexual orientation, AIDS/HIV status, or political affiliation or activity.

### **ANTI-HARASSMENT POLICY**

In addition to the prohibitions on harassment set forth in Dent Wizard's Employee Handbook, Dent Wizard also prohibits harassment on the basis of sex (including pregnancy, childbirth, breastfeeding or related medical conditions), gender, gender identity, gender expression, sexual orientation, AIDS/HIV status, or political affiliation or activity.

If you believe that you have been the subject of, have witnessed, or have information concerning harassment, discrimination, retaliation or other prohibited conduct, bring your complaint to [Name/Title] or [Name/Title] at [Contact Info] as soon as possible.



## **EQUAL ACCESS RESTROOM POLICY**

Dent Wizard recognizes an employee's right to use the restroom of their choice. Dent Wizard, where applicable, will not restrict restroom usage to any individual on the basis of sex or gender identity.

## **WITNESS SERVICE**

If you are called to appear in court as a witness, including, without limitation, as a victim of a crime, you will be allowed time off of work in which to testify. Employees are required to notify their supervisor or the Human Resources representative as soon as possible, but not less than seven (7) days prior to the date on which you are to testify. In the event that an Employee is given less than seven (7) days' notice by the Court or body before which the employee is to testify, the employee's supervisor or Human Resources representative should be notified as soon as the Employee knows that date and time the employee is needed. An Employee may use accrued vacation time when taking witness leave if the employee has any available, in order to avoid being unpaid for that time. If the employee has no accrued vacation time available, leave will be made available on an unpaid basis.

## **FAMILY AND MEDICAL LEAVE (FMLA) AND CALIFORNIA FAMILY RIGHTS ACT (CFRA)**

In addition to the qualified family and medical situations set forth in the existing CFRA policy, Dent Wizard recognizes the following qualifying cause.

1. For the care of or bonding with the employee's child within one year of the birth of the child, or placement for adoption or foster care with the employee. (FMLA/CFRA).

## **PREGNANCY DISABILITY LEAVE**

Employees who are disabled by pregnancy, childbirth, or related medical conditions may take pregnancy disability leave (PDL) for a "reasonable period of time," up to four months. Employees are eligible for up to four months of leave per pregnancy, not per year.

The employee must actually be disabled to be entitled to PDL. There is no eligibility requirement, such as minimum hours worked or length of service, before an employee affected or disabled by pregnancy is eligible for disability leave, reasonable accommodation, or transfer.

Dent Wizard may request certification of qualifying pregnancy-related disability. Dent Wizard may require employee to use, or employee may elect to use, any accrued sick leave during an otherwise unpaid portion of PDL. Employee may also elect, at the employee's option, to use vacation or other personal time off that the employee is eligible to take during the unpaid portion of the employee's PDL.

## **VOLUNTEER EMERGENCY DUTY AND TRAINING LEAVE**

An Employee who is an officer, employee or member of a fire department, fire protection or firefighting agency of the federal government, California state government, local government, special district or other public or municipal corporation or political subdivision of California, an officer of a sheriff's department, police department or private fire department are allowed to take temporary leaves of absence to perform emergency duty. In addition, employees are allowed to take up to a total of 14 days per calendar year, to engage in fire, law enforcement or emergency rescue training.

## **DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING VICTIMS' LEAVE**

Employees that are a victim of domestic violence, stalking and/or sexual assault are allowed to take time off for certain purposes, including medical care and court appearances. For time off related to domestic violence or sexual assault, an employee may use earned vacation.

Reasonable accommodations will be made for employees who are victims of domestic violence, sexual assault or stalking, and who request an accommodation for their safety while working.

**[See Supplemental Handout at Back of this Employee Handbook for Further Explanation of Rights]**

## **LITERACY LEAVE**

Any Employee who believes that the employee has a problem of illiteracy and wishes to improve that condition may notify Dent Wizard's Human Resources Department of the employee's desire to do so. To the extent that Dent Wizard is able to reasonably grant leave in order for the employee to work towards improvement in this area it will do so. To the extent that the requested leave might present a hardship, Dent Wizard will work with the Employee in order to see if it is possible to accommodate the leave in some way. Dent Wizard will respect the privacy of any individual who chooses to utilize a literacy leave to the extent it is practically able to do so, as long as the Employee continues to adequately perform the employee's work.

## **RIGHTS OF VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING**

### ***Your Right to Take Time Off:***

- You have the right to take time off from work to get help to protect you and your children's health, safety or welfare. You can take time off to get a restraining order or other court order.
- If your company has 25 or more workers, you can take time off from work to get medical attention or services from a domestic violence shelter, program or rape crisis center, psychological counseling, or receive safety planning related to domestic violence, sexual assault, or stalking.
- You may use available vacation, personal leave, accrued paid sick leave or compensatory time off for your leave unless you are covered by a union agreement that says something different. Even if you don't have paid leave, you still have the right to time off.
- In general, you don't have to give your employer proof to use leave for these reasons.
- If you can, you should tell your employer before you take time off. Even if you cannot tell your employer before, your employer cannot discipline you if you give proof explaining the reason for your absence within a reasonable time. Proof can be a police report, court order or doctor's or counselor's note or similar document.

### ***Your Right to Reasonable Accommodation:***

- You have the right to ask your employer for help or changes in your workplace to make sure you are safe at work. Your employer must work with you to see what changes can be made. Changes in the workplace may include putting in locks, changing your shift or phone number, transferring or reassigning you, or help with keeping a record of what happened to you. Your employer can ask you for a signed statement certifying that your request is for a proper purpose, and may also request proof showing your need for an accommodation. Your employer cannot tell your coworkers or anyone else about your request.

### ***Your Right to Be Free from Retaliation and Discrimination:***

Your employer cannot treat you differently or fire you because:

- You are a victim of domestic violence, sexual assault, or stalking.
- You asked for leave time to get help.
- You asked your employer for help or changes in the workplace to make sure you are safe at work.

***You can file a complaint with the Labor Commissioner's Office against your employer if he/she retaliates or discriminates against you.***

For more information, contact the California Labor Commissioner's Office. We can help you by phone at 213-897-6595, or you can find a local office on our website: [www.dir.ca.gov/dlse/DistrictOffices.htm](http://www.dir.ca.gov/dlse/DistrictOffices.htm). If you do not speak English, we will provide an interpreter in your language at no cost to you. This Notice explains rights contained in California Labor Code sections 230 and 230.1. Employers may use this Notice or one substantially similar in content and clarity.