

# DeveloperTown Family of Companies Employee Handbook

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# **1. Employment Information**

## **1.1 Employment at Will**

Employment with DeveloperTown is at will. “At-will” means employees are free to terminate employment at any time for any or no reason, just as DeveloperTown is free to terminate an employee’s employment at any time, for any lawful reason or no reason. DeveloperTown’s handbook is intended only as an explanation of its general employment practices, policies, benefits, and a general guide to working for DeveloperTown. As such, the policies and benefits explained herein may be modified from time to time, with or without notice, as to active and inactive employees. The handbook does not represent contractual terms of employment and supersedes any previously issued handbook.

## **1.2 Equal Employment Opportunity**

DeveloperTown is proud to be an Equal Opportunity Employer. DeveloperTown provides equal employment opportunities to individuals who are qualified to perform job requirements regardless of their race, color, sex, religion, national origin, citizenship status, age, physical or mental disability, veteran, sexual orientation, gender presentation, or other legally protected status.

DeveloperTown strives to ensure that personnel policies, programs, and practices are administered in a nondiscriminatory manner in all aspects of the employment relationship, including recruitment, hiring, work assignment, promotion, transfer, termination, wage and salary administration, and selection for training.

Any person who believes this policy has been violated or is aware of any alleged improper treatment must report such concerns to DeveloperTown immediately by contacting HR via phone, email, or in person. Those who report discrimination or harassment and those who participate in investigations of complaints are legally protected from retaliation. Employees must report any perceived retaliation to HR for a prompt and thorough investigation. DeveloperTown will investigate and promptly resolve all such complaints in strict compliance with all applicable laws.

It is the policy of the Company to comply with all federal and state laws concerning the employment of individuals with religious accommodation requests and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is the company policy not to discriminate against individuals in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

When an individual requests religious accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, he or she will be given the same consideration for employment as any other applicant.

DeveloperTown will reasonably accommodate qualified individuals so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation or if the accommodation creates an undue hardship to the Company. Contact HR with any questions or requests for accommodation.

All employees are required to comply with the company's safety standards. HR is responsible for implementing this policy, including the resolution of reasonable accommodation, safety/direct threat and undue hardship issues.

### **1.3 Americans with Disabilities Act & Policy**

DeveloperTown complies with all federal and state laws concerning the employment of persons with disabilities, including, but not limited to, the Americans with Disabilities Act & Amendments Act. The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that require employers with 15 or more employees to not discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of DeveloperTown to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is the company policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

When an individual with a disability requests accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, he or she will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

DeveloperTown will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation or if the accommodation creates an undue hardship to the Company. Contact HR with any questions or requests for accommodation.

All employees are required to comply with the company's safety standards. Current employees who pose a direct threat to the health or safety of themselves or other individuals in the workplace will be placed on leave until an organizational decision has been made in regard to the employee's immediate employment situation. Individuals who are currently using illegal drugs are excluded from coverage under the company ADA policy.

The HR department is responsible for implementing this policy, including the resolution of reasonable accommodation, safety/direct threat and undue hardship issues.

#### **1.4 Anti-Discrimination and Anti-Harassment Policies**

DeveloperTown is committed to providing a productive working environment, where all employees can enjoy a workplace free from discrimination or harassment on the basis of race, color, religion, sex/gender, sexual orientation, national origin, age, disability, or any other legally protected class. Conduct that can be considered harassing, coercive, or disruptive; including, but not limited to, actions, words, jokes, or comments based on these characteristics will not be tolerated.

Any employee who believes he or she has been discriminated against or harassed should report the conduct immediately to HR at DeveloperTown. Employees can raise concerns and make reports without fear of retaliation or discrimination.

Any manager or manager who becomes aware of possible harassment must immediately advise HR, so it can be investigated in a timely and confidential manner.

A thorough and impartial investigation of all complaints will be conducted in as timely and confidential a manner as possible. The facts will determine DeveloperTown's response to each allegation. Substantiated acts of discrimination, harassment, and/or retaliation will be met with appropriate disciplinary action, up to and including termination of employment.

## 1.5 Family and Medical Leave Act Policy

DeveloperTown complies with the Family and Medical Leave Act of 1993 ("FMLA"). Generally, the FMLA entitles an eligible employee to receive up to 12 weeks of family and medical leave during any 12-month period. FMLA applies when DeveloperTown has more than 50 employees within a 75 mile radius of a given office location.

### Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical care or childbirth;
- To care for the employee's child after birth, or placement 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 makes the employee unable to perform the employee's job or requires serious medical treatment that necessitates an absence from work.
- Because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a military member who is on covered active duty or has been notified of an impending call or order to covered active duty in the Armed Forces of the United States; or
- To care for a covered service member (who is the employee's spouse, son, daughter, parent or next of kin) with a serious illness or injury ("military caregiver leave").

The total amount of FMLA leave an eligible employee is entitled to take for any of the purposes set forth in this Policy, or any combination of purposes, is 12 weeks during any rolling 12-month period, measured backward from the date the employee uses FMLA leave.

### Military Family Leave Entitlements

Eligible employees with a spouse, child, or parent being deployed to a foreign country as a member of the regular Armed Forces, or as a member of the Armed Forces reserves under a certain call or order to active duty, may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include short notice deployment, attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Eligible employees can take up to 26 workweeks of FMLA leave during a single 12-month period to care for a servicemember who is employee's' spouse, child, parent, or next of kin with a

serious illness or injury incurred in the line of duty while on active duty (or existed before the beginning of active duty and was aggravated by service in the line of duty on active duty) as a member of the Armed Forces, including the National Guard or Reserves, and who is undergoing medical treatment, recuperation, or therapy; in outpatient status; or on the temporary disability retired list. Employees also can take such leave to care for a servicemember who is employee's spouse, child, parent, or next of kin and a veteran with a serious injury or illness (as defined by the Secretary of Labor) that was incurred in the line of duty while on active duty in the Armed Forces (or existed before the beginning of active duty and was aggravated by service in the line of duty while on active duty in the Armed Forces ) and manifested itself before or after the servicemember became a veteran. The veteran must have been a member of the Armed Forces (including the National Guard or Reserves) at anytime during the five-year period preceding the date of the serious injury or illness for which they are undergoing medical treatment, recuperation, or therapy.

#### Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

#### Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a healthcare provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

#### Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

#### Substitution of Paid Leave for Unpaid Leave

Employees are to utilize paid leave concurrent with the FMLA unpaid time off in accordance with company time off policy.

#### Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and must comply with DeveloperTown's normal notification process.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a healthcare provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

#### Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

#### Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;



- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.
- Any employee who believes he or she has been discriminated against should report the conduct immediately to HR. Employees can raise concerns and make reports without fear of retaliation or discrimination. Any manager or manager who becomes aware of possible harassment must immediately advise HR, so it can be investigated in a timely and confidential manner. A thorough and impartial investigation of all complaints will be conducted in as timely and confidential a manner as possible. The facts will determine DeveloperTown's response to each allegation. Substantiated acts of discrimination, harassment, and/or retaliation will be met with appropriate disciplinary action, up to and including termination of employment.

#### Enforcement

- FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

## **1.6 Drug-Free Workplace Policy**

DeveloperTown is committed to promoting and maintaining a drug-free workplace to ensure the safety and productivity of employees, and the quality of service the company provides. To this end, each worksite must ensure all employees are informed of and understand the following policy.

#### Policy on Controlled Substances

The unlawful manufacture, distribution, possession or use of illegal drugs, prescription drugs or drug paraphernalia is strictly prohibited by DeveloperTown.

Employees who violate this provision will be subject to disciplinary action up to and including termination of employment.

An employee who reports to work (on the worksite or while conducting company business offsite) under the influence of any illegal drug which is not prescribed to the employee by authorized medical personnel will be subject to disciplinary action up to and including termination of employment.

An employee who is convicted of a drug violation (including an alcohol-related violation) on or off the job may be disciplined at the discretion of DeveloperTown.

An employee undergoing medical treatment with a prescribed or over-the-counter drug that may affect the individual's ability to effectively perform his/her job duties must report this fact to his/her manager. The manager should contact HR to assist in determining whether the employee can safely perform the essential functions of his/her position. If not, the manager may arrange for a reassignment to another job that the employee can safely and reasonably perform, or may place the employee on unpaid leave.

An employee who voluntarily requests assistance in dealing with a drug or alcohol problem may participate in a Drug/Alcohol Assistance program without jeopardy to his/her continued employment with DeveloperTown. However, such a request does not eliminate the company's right to take disciplinary action for a violation of this policy.

All employees are required to abide by the terms of this policy and notify HR no later than five (5) working days following conviction or no-contest plea for any criminal drug statute violation.

If applicable, DeveloperTown will notify the granting agency of any applicable grant or credit regarding any workplace drug abuse conviction within ten (10) days of receiving such notification from an employee. Within thirty (30) days of receiving notice from an employee of conviction, DeveloperTown will take appropriate action against the employee, up to and including termination of employment, or require the employee to satisfactorily participate in a drug abuse assistance program administered by federal, state, local health, law enforcement or other appropriate agency.

#### Disciplinary Action

- Depending upon the seriousness of the offense, any violation of the Policy will result in discipline, up to and including termination of employment, even for a first offense.
- The failure or refusal to complete the necessary paperwork, to submit to a drug test, or to undergo treatment pursuant to the requirements of the Substance Abuse Policy will be grounds for immediate termination of employment.
- Drug tests may be requested post-offer/pre-employment; random; post-incident/accident; or under reasonable suspicion circumstances
- All performance shortcomings, prohibited conduct, and attendance problems will result in discipline pursuant to DeveloperTown's normal policies independently of any drug or alcohol implications or causes.

DeveloperTown undertakes to make a good faith effort to continue to maintain a drug-free workplace through the implementation and adherence to this policy.

## **1.7 The Uniformed Services Employment and Reemployment Rights Act (USERRA) Leave**

USERRA provides certain protections for past and present members of the uniformed services. DeveloperTown is committed to complying with USERRA.

Military leave will be granted upon the employee's request for training, reserve duty, and/or active duty leave for up to the maximum allowance by law. The employee's employment rights will be preserved while the employee is on military leave.

Unless circumstances at DeveloperTown change so drastically while the employee is on annual or active duty military leave that reinstatement is impossible or impractical, when the employee returns to full-time employment after military leave, the employee will either be reinstated to the position the employee held before taking military leave or be given a similar position with the same seniority, status, and pay, if in either case the following conditions are met:

1. Proof of discharge from duty
2. Proof of ability to resume the position
3. Notice of intention to return is given

If the employee is unable to return to the same position after annual or active duty military leave, DeveloperTown will arrange for another position at the same seniority, status and pay. Notice of intention to return to work must reach the company timely, following the employee's discharge from military duty, as follows:

- Less than 31 days: Reporting due at the beginning of the first regularly scheduled work period on the first calendar day following the completion of service and the expiration of eight hours after a time for safe transportation back to his or her residence.
- Between 31 to 181 days: Application for reemployment due no later than 14 days following completion of service.
- More than 181 days: Application for reemployment due no later than 90 days following completion of service.

It is illegal to discriminate against or retaliate against any employee requesting military leave. Any employee who believes he or she has been discriminated against should report the conduct immediately to HR. Employees can raise concerns and make reports without fear of retaliation or discrimination. Any manager or manager who becomes aware of possible harassment must immediately advise HR, so it can be investigated in a timely and confidential manner. A thorough and impartial investigation of all complaints will be conducted in as timely and

confidential a manner as possible. The facts will determine DeveloperTown's response to each allegation. Substantiated acts of discrimination, harassment, and/or retaliation will be met with appropriate disciplinary action, up to and including termination of employment.

## **1.8 Drug Screening and/or Background Checks**

Employees may be asked at any time to be subject to a urine drug screening and/or a comprehensive background check, based upon the needs of a given client project. Timely and full compliance is expected, and failure to comply may result in termination of employment.

## **2. Pay, Hours, & Benefits**

### **2.1 Employment Categories**

#### Full-Time Employee

An employee who works 30 hours or more per work week is considered full-time. Full-time employees are eligible for all benefits offered.

#### Part-Time Employee

An employee who works 20-29 hours per week is considered part-time. Part-time employees are not eligible for health or life benefits. Part-time employees are eligible for dental and vision insurance, Employee Assistance Program (EAP).

#### Part-Time Under 20 Employee

An employee who works less than 20 hours per week is considered part-time under 20. PT<20 employees are not eligible for any benefits other than the Employee Assistance Program (EAP).

#### Temporary/Intern Employee

Temporary/Intern employees are hired for a specific period of time, project or assignment. This employee is paid for actual hours worked and is not eligible for benefits. Employees hired for a specific project or period of time will change to part-time status if employed beyond 120 days.

The decisions you make during your new hire eligibility time frame can have a significant impact on your finances. Please carefully review the information provided at the time of hire. Benefits deductions are pre-tax. Under Section 125, your benefit elections will remain intact until the next open enrollment period or 30 days of a qualifying life event, please be sure to notify FullStack HR for eligibility and assistance.

If you have any questions regarding these benefits or would like to request a copy of a summary plan description or explanation of coverage, please contact FullStack HR.

## **2.2 Exempt and Nonexempt**

Employees are also classified as nonexempt or exempt employees in accordance with the provisions of the Federal Fair Labor Standards Act (FLSA) and any applicable laws.

DeveloperTown pays overtime in accordance with the FLSA and any additional applicable law. Overtime pay will not be paid when positions meet the FLSA guidelines for exemption.

## **2.3 Hours of Work**

The standard workweek is Monday to Sunday. Punctual and consistent attendance is a condition of employment. All employees are expected to record 40 hours per week between a total of time worked and time off, and billable positions should bill close to 40 hours per week.

However, an employee should not log hours to a particular client based on their work assignments; instead, hours are based on actual time spent on a particular project. If, for whatever reason, a client does not have sufficient tasks to allow the employee to reach the 40 hour expectation, it is the employee's responsibility to speak with his or her manager to find other client or internal work. It is unacceptable for a billable employee to choose to remain idle because of a lack of client-related work.

## **2.4 Timekeeping for Payroll**

DeveloperTown requires employees to maintain accurate records of their hours worked. Unless a position is exempt from the overtime provisions of the FLSA, employees are required to record arrival and departure time each day, as well as recording periods "off-the-clock" for unpaid breaks (over 20 minutes) or meal periods. Employees should record 40 hours of work per week in the timekeeping system, between hours of work and time off.

Employees are responsible for making sure their time is recorded accurately. Accurate time entry will ensure that employees will be paid accurately, correctly, and promptly for the time actually worked. If employees find any errors, they are to contact their manager immediately.

Falsifying time records or completing another employee's time card are prohibited, and could subject the employees involved to severe disciplinary action, up to and including termination of employment.

## **2.5 Overtime Pay**

Overtime hours worked will be paid in accordance with the applicable law. Hours worked means time actually spent on the job. It does not include paid hours away from work due to vacation, sickness or holiday, even when these days fall during a workweek and are approved by the manager. Unpaid time away from work is also not considered hours worked. No overtime may be worked by nonexempt employees unless specifically authorized in advance by the

employee's manager or a managing partner. Nevertheless, non-exempt employees are required and expected to report all hours worked, regardless of whether any overtime was authorized in advance. Any violations of this policy shall subject the offending employee to corrective action and/or discipline up to and including termination of employment.

## **2.6 Payroll Deductions**

DeveloperTown is required to make certain deductions from employee earnings on the employee's behalf. Amounts withheld vary based upon earnings, marital status, government employment regulations, and other factors. These mandatory deductions are made until the maximum amount is reached. Mandated withholdings may include, but are not limited to, Federal, State, and Local Income Tax; Social Security and Medicare

Other voluntary deductions may be made from employee paychecks with permission; including, but not limited to Group Health, Dental, Vision, and Life Coverage Contributions; Supplemental Insurance Plan Contributions; and/or other services requested by the employee. Voluntary deductions will automatically be withheld on a pre-tax basis when eligible, in compliance with Section 125 of the Internal Revenue Code.

Additionally, DeveloperTown may be required by law to recognize certain court orders, liens, and wage assignments, such as child support payments.

If an inadvertent or improper deduction is made from an employee's paycheck, the employee must immediately report it in writing to HR and notify his/her immediate manager. Upon receipt of the report, DeveloperTown will conduct a prompt investigation to determine whether a mistake has been made. If the results of the investigation determine that an improper deduction was made, the employee will be appropriately reimbursed on the next payroll cycle.

DeveloperTown will pay exempt employees their full salary for any week in which they perform any work, except for the following circumstances:

- Absences for personal reasons other than sickness or disability of a day or more
- Absences of a day or more due to sickness or disability, if the deduction is made in accordance with a bona fide policy, plan or program of providing compensation for salary lost to sickness or disability
- Offsets for any amounts received as jury fees, witness fees or military pay
- Penalties imposed for infractions of safety rules of major significance
- Disciplinary suspensions for infractions of workplace conduct rules
- First or last week of employment

- Absences for leave under the Family and Medical Leave Act

Any exempt employee who believes that an improper deduction has occurred should inform HR, who will investigate the employee's complaint, and will reimburse the employee's salary, if the employee's complaint is valid. DeveloperTown will not retaliate against any employee for making a complaint concerning salary deductions or for cooperating in the investigation of such complaints.

## **2.7 Payday**

DeveloperTown mandates direct deposit of employee paychecks where possible. Paychecks are distributed on the 15th and final day of the month. The paycheck on the final day of the month covers hours worked for the 11th through 25th of the same month; and the paycheck on the 15th covers hours worked for the 26th of the prior month through the 10th of the same month. If a non-banking day (Saturday, Sunday, bank holiday) falls on either the 15th or last day of the month, the check date will be the banking day immediately prior.

In case of an error in a paycheck, employees should contact HR immediately to report the possible error. When appropriate, adjustments will appear on the next issued paycheck. Employees are responsible for ensuring accurate account information is on file for direct deposit at all times, and must update HR immediately in case of any bank account change. DeveloperTown must pre-note the new information with the financial institution(s) before the direct deposit can take place; therefore, a paper check may be issued if enough advanced notice is not given for pre-note to take place prior to the check issuance.

## **2.8 Paid Time Off**

DeveloperTown gives full-time employees a bank of 200 hours per calendar year on a "use it or lose it" annual basis. This PTO bank encapsulates vacation, sick and personal time. PTO must be taken in four hour (half-day) increments. When someone hires in the middle of a year, their available balance for the first partial year is prorated based on their date of hire. The maximum amount of time someone can take at one time is 80 hours (two weeks), unless prior authorization has been given by the supervisor. Paid Time Off is not paid out upon separation of employment and does not rollover from year to year.

Please make sure that your PTO is recorded in Harvest. PTO is the one time entry that can and should be entered into Harvest in advance. Most importantly, make sure that you are able to fulfill any billable commitments that are currently forecasted.

**Planned Absence:** If you'd like to use PTO on a future date, chat first with your project teams, manager, and EM to ensure there's a plan for your absence. This planning is your responsibility. *Once your project team and your manager have approved, you are "green lighted"*. Two-weeks' notice should be the goal for planned absences.

Parental and Maternity leave, short-term disability, and any type of federal, state, or local leave (including, but not limited to CRFA, FMLA, NPL, PDL) is concurrent with the PTO policy where applicable. Please refer to the leave of absence policy that applies to your specific situation as needed.

### Short-Term Disability

If an employee qualifies for FMLA (Section 1.5) for his/her own serious medical condition, DeveloperTown will pay for up to six (6) weeks (30 days) of time off in a 12 month rolling period from the start time of the first qualifying absence. Additional days may be approved at the employee's manager's discretion.

## **2.9 Parental Leave**

DeveloperTown will provide up to two (2) weeks of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave and Maternity Leave Policy as applicable. This policy will be in effect for births, adoptions or placements of foster children occurring on or after October 1, 2022.

### **Eligibility**

- Be a full-time, regular employee (temporary employees, part-time employees, and interns are not eligible for this benefit).
- In addition, employees must meet one of the following criteria:
  - Have given birth to a child.
  - Be a spouse or committed partner of a woman who has given birth to a child.
  - Have adopted a child or been placed with a foster child (in either case, the child must be age 17 or younger). The adoption of a new spouse's child is excluded from this policy.

### **Amount, Time Frame and Duration of Paid Parental Leave**

Eligible employees will receive a maximum of two (2) weeks of paid parental leave per



birth, adoption or placement of a child/children. The fact that a multiple birth, adoption or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than two (2) weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption or foster care placement event occurs within that 12-month time frame.

Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a bimonthly basis on regularly scheduled pay dates.

Approved paid parental leave may be taken at any time during the 12-month period immediately following the birth, adoption or placement of a child with the employee. Paid parental leave may not be used or extended beyond this 12-month time frame.

Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the 12-month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the 12-month time frame.

Upon termination of the individual's employment at the company, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

### **Coordination with Other Policies**

Any additional needed time can be taken through FMLA. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.

After the paid parental leave is exhausted, the balance of FMLA leave (if applicable) will be compensated through employees' PTO time. Upon exhaustion of PTO time, any remaining leave will be unpaid leave. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.

The company will maintain all benefits for employees during the paid parental leave period just as if they were taking any other company paid leave such as PTO time.

## **2.10 Maternity Leave**

Our company maternity leave policy outlines the company's provisions for female employees who are expecting a child and require time to recover.

DeveloperTown endorses the right of its employees to become parents. We are also aware that pregnancy may cause difficulties for them in relation to their job duties and responsibilities. We are, therefore, prepared to support pregnant employees and allow new mothers enough time to recover from childbirth.

DeveloperTown will offer at least the minimum benefits mandated by law and this policy if merely complementary to the existing legal guidelines. DeveloperTown offers ten (10) weeks of 100% paid maternity leave for an expectant mother who requires time off for pregnancy, childbirth, and recovery.

All female employees are entitled to maternity leave. In general, eligibility of an employee will be assessed according to legislative guidelines. It falls to the company's discretion to grant paid maternity leave or unpaid maternity leave for an employee deemed legally ineligible.

### **Eligibility**

- Be a full-time, regular employee (temporary employees, part-time employees, and interns are not eligible for this benefit).
- Have given birth to a child.  
The following Statements apply:
- An employee can begin their maternity leave prior or after the expected date of childbirth.
- All new mothers can petition for an extension of unpaid maternity leave on grounds of medical or other reasons that are subject to DeveloperTown's judgement. (e.g. complications during pregnancy) The FMLA (Family Medical Leave Act) will run concurrently.
- The positions of employees and the benefits associated with them will not be affected during the maternity leave. The company is allowed during that time to fill the position with a temporary replacement.
- Individual circumstances will be considered.

## **2.11 Bereavement Leave**

DeveloperTown gives full-time employees Bereavement Leave as follows:

- Immediate family (spouse, partner, child, parent, grandparent, sibling) up to 5 days with pay.
- Extended family (cousin, aunt, uncle, in-law) 1 day with pay.

## 3. Policies

### 3.1 Addressing Concerns

DeveloperTown is available to help employees resolve misunderstandings. If employees have a work-related problem, it should first be discussed with his/her manager. If the problem is not resolved, contact HR to address concerns.

### 3.2 Attendance and Punctuality

Should an employee be unable to report to work, he/she must notify his/her manager. If an employee is absent for three (3) consecutive workdays/shifts, the employee may be required to meet with HR and/or his/her manager before being permitted to return to work.

Employees regularly have team meetings as a part of their given project assignments and responsibilities. If an employee's absence is going to cause him/her to miss a meeting, it is the employee's responsibility to notify the Engagement Manager of the project at earliest opportunity and reassign any deliverables, or follow up on what was missed with the absence.

### 3.3 Other Employment

Employees must inform their manager of any other job appointment or position that might interfere with duties or assignments with the company.

### 3.4 Company Computers, Email, and Internet

Computers, email and Internet-use are essential to DeveloperTown's business. DeveloperTown provides employees with computers and other devices and technology services to be used for business purposes. Each user is personally accountable for his/her appropriate use of these devices and services in compliance with this policy.

The purpose of this policy is to reduce the misuse of company equipment and technology, limit company liability, and promote employee productivity. Nothing in this policy does or is intended to violate employees' privacy, communication-related or other rights, including those under the National Labor Relations Act.

#### Expectations for Employee Use

- DeveloperTown owns, operates and provides equipment and services to be used by employees for business purposes. DeveloperTown understands that employees may use company equipment and services for personal uses from time to time. However, **employees cannot and should not have any expectation of privacy** with respect to any electronic communication sent or received on the company network, using company

services or on company equipment, including public social media communications made using company equipment and services.

- Employees must delete personal messages as soon as they are read or replied to. Employees should not save or otherwise store copies of personal messages. Because electronic communications on company equipment or services is not private or guaranteed to be secure, employees should avoid saving or sending personal messages that are sensitive or confidential.
- Each person using the Internet and email services of DeveloperTown shall identify himself or herself honestly, accurately and completely, including company affiliation and function, where requested.
- Intentionally transmitting, storing, accessing and/or displaying of any kind of sexually explicit or otherwise objectionable image or document on the system or Internet is a serious violation of DeveloperTown's policies prohibiting harassment and is expressly forbidden. Sexually explicit or otherwise objectionable material may not be accessed, archived, stored, distributed, created, edited or recorded using the DeveloperTown network or computing resources. Objectionable material includes, but is not limited to, messages containing derogatory, harassing, or inflammatory remarks about an individual or group's race, color, national origin, gender, sexual orientation, religion, age, disability or other characteristic or attribute not related to job performance.
- The company's Internet, email, and electronic resources must not be used knowingly for any activity that would violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, city, province or other local jurisdiction in any way, including those related to disparagement, piracy, extortion, blackmail, trade secrets, copyright infringement, licensing, and hacking.
- Personal use must not:
  - Involve prohibited activity;
  - Interfere with the productivity of the employee or his/her co-workers;
  - Compromise the confidentiality or security of DeveloperTown documents or information;
  - Consume system resources or storage capacity on an ongoing basis; or
  - Involve large file transfers or otherwise deplete system resources available for business purposes.

#### Monitoring

- Users should be aware that software and systems are in place that can monitor and record all Internet and email usage, email messages, and each file transfer into and out of internal networks. DeveloperTown reserves the right to review information recorded and monitor information at any time.

- DeveloperTown reserves the right to monitor any laptop, desktop, or other workstation in order to ensure compliance with Company policy. Employees should not expect that applications or data resident on the hard drive, server or the Cloud will be private.

#### Security Measures

- To prevent viruses from being transmitted through the system, unauthorized downloads are prohibited. All downloads must be purchased legally when applicable and approved in advance. All software installed or downloaded must be registered in accordance with instructions from DeveloperTown. This action will be taken in order to protect DeveloperTown's liability with respect to software licensing agreements, as well as to minimize negative impacts on the network, such as viruses and excessive use of the network resources. Networks and workstations may be periodically audited for viruses and unlicensed software.
- Passwords and other security measures should be used at all times. Passwords should not be shared or distributed in a way which compromises security.
- Employees must notify DeveloperTown immediately of any lost, stolen or otherwise compromised devices or information belonging or related to the company.

#### Personal Devices

- DeveloperTown generally provides employees with the necessary computers and devices needed to perform their jobs. To the extent that employees choose to use personal devices, including cellular phones, tablets, or computers for work-related purposes or to otherwise access DeveloperTown's networks and services, on-site or remotely, the policies and expectations herein apply equally and employees should have no expectation of privacy as it relates to their personal devices. However, nothing in this policy does or is intended to mean or imply that DeveloperTown takes or has any responsibility for employees' personal devices.

### **3.5 Confidentiality and Non-Disclosure**

Upon employment, all employees are asked to sign a standard agreement regarding confidentiality and non-disclosure regarding DeveloperTown. Please refer to this agreement.

### **3.6 Resignation**

If an employee chooses to resign, he/she is requested to give 2 week advance notice in writing to the employee's manager, indicating the last day of work. DeveloperTown may elect to accept the resignation at anytime without completion of the notice period.

### **3.7 Company and Personal Property**

Upon termination of employment with DeveloperTown, whether voluntary or involuntary, employees are expected to return all DeveloperTown property, including, but not limited to, money, keys, computer equipment and any other tools which have been entrusted to the employee care or use during employment. All DeveloperTown property should be returned on or before the final day of employment.

DeveloperTown reserves the right to inspect company property at any time. Prior authorization must be obtained before any company property is removed from premises.

DeveloperTown is not responsible for loss or damage to personal property. Valuable personal items such as purses and all other valuables should not be left in areas where theft might occur. DeveloperTown may, at its discretion, inspect any house, vehicle or other personal belongings brought onto the company premises in connection with the investigation of any rule violation or in the maintenance of a safe workplace, within applicable law. Employees will cooperate in all investigations of suspected rule violations or of workplace safety.

## **4. Safety and Health**

DeveloperTown is committed to providing a safe and healthy working environment for all employees. DeveloperTown has developed some common sense rules designed to help identify workplace hazards and avoid accidents. Following these rules is an essential function of employment. Failure to follow these rules could result in disciplinary action; up to, and including, termination. If an employee has any questions about the rules below, he/she should ask his/her manager.

- Learn expected job duties and how to be safe in the workplace.
- Learn evacuation procedures and the location of fire alarm boxes, extinguishers, and employee responsibilities and duties in case of fire or other emergency.
- Employees must promptly report to their manager all unsafe or potentially hazardous conditions, such as wet or slippery floors, trash-laden or unsafe areas; equipment left in halls or walkways; exposed or unsafe electrical wiring; careless handling of equipment; and/or defective equipment or equipment lacking the proper safeguards
- Do not operate electrical equipment with wet hands.
- Immediately report all accidents to his/her manager.
- Use proper lifting procedures and get help when needed.
- Wear safety glasses and protective clothing when necessary.
- Handle hazardous chemicals with care.
- Do not operate any machinery or equipment without prior authorization (i.e. scissor lift, ladders)

## **4.1 Care of Equipment**

Employees are responsible for equipment used in performing work. Any damage or failure of this equipment must be reported to the employee's manager immediately. Equipment or supplies are not to be removed from work premises without proper authorization.

## **4.2 Hazardous Chemicals and Right-to-Know**

Employees must comply with all occupational safety and health standards and regulations established by the Occupational Safety and Health Act (OSHA). If employees believe they are being exposed to a known or suspected hazard, when working with toxic chemicals or substances, they have a right to know about such hazards through safety data sheets [SDS]. Managers are to review the SDS with employees. If a manager does not have this information available, contact HR immediately.

Employees who work with, or contact, hazardous chemicals or substances are to consult with their manager regarding the proper handling of such chemicals in the workplace during orientation and new employee training.

## **4.3 Smoking**

Smoking is prohibited at work, except at designated smoking areas, pursuant to applicable law. Do not smoke in any "No Smoking" areas. Exercise extreme care regarding the fire hazards associated with smoking at all times.

## **4.4 Anti-Workplace Violence Policy**

DeveloperTown is committed to preventing violence in the workplace. Accordingly, DeveloperTown has adopted the following guidelines to deal with intimidation, harassment or other threats of violence that may occur in the workplace.

DeveloperTown will not tolerate any conduct that threatens, intimidates or coerces an employee or customer, including off-duty periods. Additionally, firearms, weapons, and other dangerous or hazardous devices or substances are strictly prohibited from the premises of DeveloperTown without proper authorization, within applicable law.

All suspicious individuals or activities, including explicit acts of violence or threats of potential violence, both direct and indirect, must be reported immediately to their manager and HR. This includes threats by employees, as well as threats by customers, vendors, solicitors or other members of the public. Employees should not attempt to intercede or otherwise become involved with any actual or potentially intimidating, harassing or violent situation.

Employees are encouraged to bring their disputes or differences with other employees to the attention of an appropriate member of management before the situation escalates into potential violence. A thorough and impartial investigation will be conducted in as timely and confidential a manner as possible. In order to maintain workplace safety and the integrity of its investigation, DeveloperTown may suspend employees, either with or without pay, pending investigation. Any employee determined to have participated in any threatened or actual violence, or other conduct that violates these guidelines, will be subject to disciplinary action, up to and including termination of employment.

#### **4.5 Anti-Domestic Violence Policy**

Domestic violence is generally defined as violent or intimidating behavior committed by one partner in a marriage or other intimate relationship against another. The abusive behavior may be physical, sexual, economic, or psychological, with the primary purpose to control, dominate, or hurt the partner in the relationship. DeveloperTown is committed to providing a safe, productive environment for its employees and will do all it reasonably can to protect its employees while at work from the effects of domestic violence. However, this policy does not intend to create any obligation or liability on the part of DeveloperTown that is not otherwise required by law.

Any employee who is or suspects that another employee is being threatened or victimized by domestic violence is encouraged to report the matter to HR. DeveloperTown will discreetly investigate the alleged situation and discuss available options with the adversely affected employee. This discussion will include appropriate internal and community referral resources, a safety plan in the workplace to attempt to prevent violence or threatened violence to the victim at work or on premises, and available and appropriate utilization of any applicable health insurance benefits and/or leave policies. Any employee who engages in acts of domestic violence in the workplace, including using Company resources to engage in such behavior, will be subject to discipline up to and including termination of employment.

#### **4.6 Worker's Compensation**

DeveloperTown provides worker's compensation benefits to employees for job-related injury or illness. This benefit provides for medical care and temporary disability, and benefits for permanent disability. Creating a safe place to work, free of accidents, is everyone's goal. If an employee becomes injured or ill on the job, he/she is to notify his/her manager immediately. The manager will review the completed "First Report of Injury", which must be submitted within 24 hours following the accident or illness. Medical care will be provided as required by workers' compensation statutes. If an employee fails to report an accident that develops into a "lost time



accident” at a later date, the employee may have difficulty in obtaining workers’ compensation benefits.

Employees should be aware worker’s compensation insurance does not cover the payment of worker’s compensation benefits for any injury which arises out of voluntary participation in any off-duty work, recreational, social, or athletic activity which is not a part of work- related duties, regardless of potential company sponsorship of the activity.

## 5. Gross Misconduct

In addition, the following are some actions that are considered gross misconduct. We cannot possibly write down every acceptable or unacceptable action and encourage employees to utilize common sense. These examples simply serve as a reference guide during work and at company-sponsored activities. Employees who engage in gross misconduct are subject to immediate termination of employment. Gross misconduct includes:

- Bringing firearms or weapons, narcotic drugs or chemicals into the office or onto the premises of work, without proper authorization, within applicable law.
- Being on the job while impaired due to alcohol, unapproved unlawful prescription drugs, unapproved non-prescription drugs, or intoxicants.
- Falsifying information on DeveloperTown forms, reports, or records; including applications, personal absence, sickness, timecards and production records.
- Falsely stating or making claims of injury.
- Removing or using, without authority, property, records or other materials of DeveloperTown, or other relevant persons.
- Fighting, threatening, intimidating or coercing any visitor, employee, manager, vendor, or anyone else with whom employees come into contact as a result of work.
- Damaging or destroying DeveloperTown property, or wasting of materials.
- Refusing to follow manager’s directions or instructions, or other insubordinate conduct.
- Violating safety or health rules or practices, or engaging in conduct which creates a safety hazard.
- Recording time spent on other business as billable time.
- Soliciting or accepting tips from worksite visitors or other employees.
- Providing prescription drugs to others in the workplace, either at no cost or selling for profit.

Note: The foregoing rules are not intended to be inclusive of the required discipline, proper standards of conduct, or obligations which employees must observe at all times.

## State Addendums

### 6. California Addendum

#### 6.1 California Family Care and Medical Leave and Pregnancy Disability Leave Policy

The Company provides leave under the California Family Rights Act (**CFRA**), which provides unpaid, job-protected leave to covered employees in certain circumstances.

##### **Eligibility**

To qualify for CFRA leave, employees must have worked for the Company for at least 12 months and have worked at least 1,250 hours in the 12-month period before the date leave begins. If you have any questions about your eligibility for CFRA leave, please contact Human Resources.

##### **Leave Entitlement**

This leave may be up to 12 workweeks in a 12-month period, which is defined as a "rolling" method that is measured backward from the date you use any CFRA leave for any of the following reasons:

- The birth, adoption, or foster care placement of your child.
- To care for your own serious health condition.
- To care for the serious health condition of your child, spouse, [registered] domestic partner, parent, grandparent, grandchild, or sibling.
- the definition of child under CFRA includes a child of any age and the child of a [registered] domestic partner; and
- grandparent, grandchild, and sibling are additional family members covered under CFRA.
- a qualifying exigency related to the covered active duty or call to covered active duty of an employee's spouse, [registered] domestic partner, child, or parent in the US Armed Forces.

If both parents are employed by the same employer and are eligible for CFRA leave due to the birth, adoption or foster care placement of their child, each parent is entitled to take up to 12 workweeks in the one-year period after the child's birth, adoption, or foster care placement.

##### **Substitution of Paid Leave**

While the law provides only unpaid leave, employees may choose to substitute accrued and unused leave while taking CFRA leave under certain circumstances.

##### **Pregnancy Disability Leave**

Even if you are not eligible for CFRA leave, if you are disabled by pregnancy, childbirth, or a related medical condition, you are entitled to take pregnancy disability leave (**PDL**) of up to four months (the working days you normally would work in one-third of a year or 17-1/3 weeks) depending on your period(s) of actual disability. Please refer to your employer's separate California Pregnancy Disability Leave Policy for more details.

### **Right to Reinstatement**

If you are CFRA-eligible, you have certain rights to take **both** PDL and CFRA leave for the reason of the birth of your child. Both leaves contain a guarantee of reinstatement – for pregnancy disability it is to the same position, and for CFRA it is to the same or a comparable position – at the end of the leave, subject to any defense allowed under the law.

### **Notice of Leave**

You must provide at least 30 days' advance notice for foreseeable events (such as the expected birth of a child or a planned medical treatment for yourself or of a family member). For events that are unforeseeable, you must notify your employer, at least verbally, as soon as you learn of the need for the leave. When possible, your notice must include the estimated time and duration of the reasonable accommodation, transfer, or leave required.

Failure to comply with these notice requirements is grounds for, and may result in, deferral of the requested leave until you comply with this notice policy.

### **Certification of Need for Leave**

Medical certification from your healthcare provider may be required if you are requesting leave for either:

- Your serious health condition.
- Reasonable accommodation, transfer, or leave for your pregnancy disability.

If you are requesting leave to care for the serious health condition of your covered family member, medical certification from their healthcare provider is required. You may obtain a medical certification form to give to the appropriate health care provider from Human Resources to complete.

As discussed under the FMLA policy, the Company reserves the right to require certification in connection with military exigency leave.

### **Intermittent Leave and Reduced Work Schedule**

When medically necessary, leave may be taken intermittently or on a reduced work schedule. If you are taking a leave for the birth, adoption, or foster care placement of a child, the basic minimum duration of the leave is two weeks and you must conclude the leave within one year of the birth or placement for adoption or foster care.

### **Medical and Other Benefits**

During approved CFRA or PDL leave, your health insurance benefits are maintained as if you continued to be actively employed. Employees approved for CFRA or PDL leave will be informed in writing of the terms and conditions under which health insurance and other benefits will be continued during their leave.

### **Return-to-Work Release**

Employees on leave for their own serious health condition or returning from "PDL" will be required to obtain a release to return to work from their healthcare provider that the employee is able to resume work. This is a requirement of all employees returning from other types of medical leave. Otherwise, the employee will not be permitted to resume work until it is provided.

### **Contact Information**

For more information regarding this policy, including your eligibility for a leave and/or the impact of leave on your benefits and seniority, please contact the Human Resources Department. If you have been subjected to discrimination, harassment, or retaliation at work, or have been improperly denied PDL or CFRA leave, please contact the Human Resources Department.

You may also contact the Department of Fair Employment and Housing (DFEH) to file a complaint. If you have a disability that requires reasonable accommodation, the DFEH can assist you by scribing your intake by phone or, for individuals who are Deaf or Hard of Hearing or have speech disabilities, through the California Relay Service (711). Information is available from the DFEH at [www.dfeh.ca.gov](http://www.dfeh.ca.gov), toll-free at (800) 884-1684, TTY (800) 700-2320.

## **6.2 California Military Leave**

Employees who are members of the reserve corps of the US armed forces, the National Guard or the Naval Militia, or the California State Military Reserve who must be absent from employment on account of military duty – such as military training, drills, encampment, naval cruises, special exercise, or like activity, including travel time to and from duty – will be granted up to 17 calendar days of temporary unpaid leave per year. Employees may use accrued paid and unused vacation time during unpaid military leave.

Employees must immediately notify their supervisor or Human Resources once they know their dates of service and submit to Human Resources a copy of the official orders or other written certification that they have been called to military duty. On return, employees will be reinstated to their former positions, or another position of similar seniority.

### **6.3 California Disability Leave**

In addition to medical or pregnancy-related disability leaves, employees may take a temporary disability leave of absence if necessary to reasonably accommodate a workplace injury or an ADA or FEHA qualifying disability. Any disability leave under this Section may run concurrently with any medical leave to which the employee is entitled under the FMLA/CFRA. Disability leaves under this section will be unpaid.

Employees taking disability leave must comply with the FMLA provisions regarding substitution of paid leaves, notice, and medical certification. For the purpose of applying these provisions, a disability leave will be deemed to be a medical leave.

The duration of a leave under this section shall be consistent with applicable laws but in no event shall the leave extend past the date on which employees become capable of performing the essential functions of their positions, with or without reasonable accommodation. For a full explanation of leave duration and reinstatement rights, employees should contact Human Resources.

In addition, employees unable to work because they have to care for an ill or quarantined family member due to COVID-19 are eligible for a temporary disability leave of absence if certified by a medical professional.

### **6.4 California Pregnancy Disability Leave**

California law protects employees against discrimination or harassment because of an employee's pregnancy, childbirth, or any related medical condition (referred to below as "because of pregnancy"). California law also prohibits employers from denying or interfering with an employee's pregnancy-related employment rights.

The Company has an obligation to:

- Reasonably accommodate your medical needs related to pregnancy, childbirth, or related conditions (such as temporarily modifying your work duties, providing you with a stool or chair, or allowing more frequent breaks).

- Transfer you to a less strenuous or hazardous position (where one is available) or duties if medically needed because of your pregnancy.
- Provide you with pregnancy disability leave (PDL) of up to four months (the working days you normally would work in one-third of a year or 17 1/3 weeks) and return you to your same job when you are no longer disabled by your pregnancy or, in certain instances, to a comparable job. Taking PDL, however, does not protect you from non-leave related employment actions, such as a layoff.
- Provide a reasonable amount of break time and use of a room or other location in close proximity to the employee's work area to express breast milk in private as set forth in the Labor Code.

For pregnancy disability leave:

- PDL is not for an automatic period of time, but for the period of time that you are disabled by pregnancy. Your health care provider determines how much time you will need.
- Once the Company has been informed that you need to take PDL, the Company will guarantee in writing that you can return to work in your same position if you request a written guarantee. The Company may require you to submit written medical certification from your health care provider substantiating the need for your leave.
- PDL may include, but is not limited to, additional or more frequent breaks, time for prenatal or postnatal medical appointments, doctor-ordered bed rest, severe morning sickness, gestational diabetes, pregnancy-induced hypertension, preeclampsia, recovery from childbirth or loss or end of pregnancy, and/or postpartum depression.
- PDL does not need to be taken all at once but can be taken on an as-needed basis as required by your healthcare provider, including intermittent leave or a reduced work schedule, all of which counts against your four month entitlement to leave.
- Your leave will be paid or unpaid depending on our policy for other medical leaves. You may also be eligible for state disability insurance or Paid Family Leave (PFL), administered by the California Employment Development Department.
- At your discretion, you can use any vacation or other paid time off during your PDL.
- The Company may require or you may choose to use any available sick leave during your PDL.
- The Company is required to continue your group health coverage during your PDL at the same level and under the same conditions that coverage would have been provided if you had continued in employment continuously for the duration of your leave.
- Taking PDL may impact certain aspects of your benefits and your seniority date; please contact Human Resources for details.

- If possible, you must provide at least 30 days' advance notice for foreseeable events (such as the expected birth of a child or a planned medical treatment for yourself). For events that are unforeseeable, the Company needs you to notify us, at least verbally, as soon as you learn of the need for the leave. Failure to comply with these notice rules is grounds for, and may result in, deferral of the requested leave until you comply with this notice policy.

#### Notice Obligations as an Employee:

- Give the Company reasonable notice: To receive reasonable accommodation, obtain a transfer, or take PDL, you must give the Company sufficient notice for the Company to make appropriate plans. Sufficient notice means 30 days advance notice if the need for the reasonable accommodation, transfer, or PDL is foreseeable, or otherwise as soon as practicable if the need is an emergency or unforeseeable.
- Provide a Written Medical Certification from Your Healthcare Provider. Except in a medical emergency where there is no time to obtain it, the Company may require you to supply a written medical certification from your healthcare provider of the medical need for your reasonable accommodation, transfer or PDL. If the need is an emergency or unforeseeable, you must provide this certification within the time frame requested, unless it is not practicable for you to do so under the circumstances despite your diligent, good faith efforts. Developer Town must provide at least 15 calendar days for you to submit the certification. See FullStack Human Resources for a copy of a medical certification form to give to your health care provider to complete.

PLEASE NOTE that if you fail to give the Company reasonable advance notice or, if the Company requires it, written medical certification of your medical need, the Company may be justified in delaying your reasonable accommodation, transfer, or PDL.

This notice is a summary of your rights and obligations under the Fair Employment and Housing Act (FEHA). For more information about your rights and obligations as a pregnant employee, please contact Human Resources.

#### Additional Rights under California Family Rights Act (CFRA) Leave

- You also may be entitled to additional rights under the CFRA if you have more than 12 months of service with the Company and have worked at least 1,250 hours in the 12-month period before the date you want to begin your leave. This leave may be up to 12 workweeks in a 12-month period for the birth, adoption, or foster care placement of your child or for your own serious health condition (not related to pregnancy) or that of your child, parent, or spouse. While the law provides only unpaid leave, employees may

choose or the Company may require use of accrued paid leave while taking CFRA leave under certain circumstances. For further information on the availability of CFRA leave, please review the Company's Notice regarding the availability of CFRA leave.

- This notice is a summary of your rights and obligations under the Fair Employment and Housing Act (FEHA). For more information about your rights and obligations as a pregnant employee, please contact Human Resources, visit the Department of Fair Employment and Housing's website at [www.dfeh.ca.gov](http://www.dfeh.ca.gov), or contact the Department at (800) 884-1684. The text of the FEHA and the regulations interpreting it are available on the Department of Fair Employment and Housing's website at [www.dfeh.ca.gov](http://www.dfeh.ca.gov).

(Cal. Code Regs. tit. 2, § 11051(a).)

## **6.5 California Voting Leave**

The Company encourages all employees to fulfill civic responsibilities and to vote in official public elections.

You are not permitted to take voting leave if you have sufficient time outside of your normal work hours. However, if you must take time to vote during working hours, you must inform your supervisor at least two working days before the election. Approved time off to vote must be at the beginning or end of your work shift, whichever allows the most free time for voting and the least time off from work. You may take as much time as needed to vote, but only two hours of that time will be paid.

## **6.6 California Jury Duty and Witness Testimony Leave**

The Company recognizes employee obligations to serve on state and federal juries and to comply with court orders and subpoenas as a witness. When you are asked to serve on jury duty or as a witness, inform your supervisor immediately to provide reasonable advance notice of your intention or obligation to take time off. If advance notice is not feasible and an unscheduled absence occurs, you should provide certification (e.g., a police report or court order) to your supervisor within a reasonable time. You are expected to return to work, when reasonable, during your regularly scheduled business hours or if released earlier than anticipated.

Occasionally, employees may be legally compelled to attend a judicial proceeding. In these circumstances, employees' attendance at work will be excused. Employees must notify their supervisor immediately after receiving a summons or subpoena compelling attendance at a judicial proceeding and must present the summons or subpoena to the supervisor. Employees charged with a crime, who are required to attend a judicial proceeding, are not covered by this policy.



Leaves under this section will be unpaid. However, exempt employees who work any portion of a workweek in which they also serve on jury duty or appear as a witness will receive their full salary for that workweek. Employees may elect to substitute accrued vacation during any unpaid leave due to jury duty or a witness appearance.

## **6.7 California Witness and Victims of Crime Leave**

The Company acknowledges that, on occasion, employees may have an obligation to participate in judicial proceedings either as a witness or because the employee or a close family member was victimized by certain serious crimes. The Company authorizes leave to attend those proceedings under the circumstances described in this policy.

If you are required to attend a judicial proceeding either as a witness or as a crime victim (or a close family member of a crime victim), you must inform your Manager as soon as possible to make arrangements for a leave of absence. The Company reserves the right to require employees to provide proof of the need to attend the proceedings to the extent authorized by law.

Employees who are required to appear in court as a witness may take unpaid leave. Employees may opt to use any available accrued Paid Time Off or other compensatory time off in place of unpaid leave.

Any employee who is a victim of a crime or a close family member of a crime victim who takes leave to attend judicial proceedings related to that crime is unpaid. Employees may opt to use any available accrued Paid Time Off or other compensatory time off in place of unpaid leave.

For purposes of this policy, close family member includes:

- Spouse or [registered] domestic partner.
- Parent.
- Step-parent.
- Sibling.
- Step-sister or step-brother.
- Child or child of a [registered] domestic partner.
- Step-child.
- Parent-in-law
- Grandparent
- Grandchild
- Son-in-law or daughter-in-law

- Aunt or uncle
- Niece or nephew
- Brother-in-law or sister-in-law

You are expected to return to work if you are excused from the judicial proceedings during regular working hours or released from the judicial proceeding earlier than expected.

This policy does not extend leave to employees seeking leave because they have committed or are alleged to have committed a criminal act. Retaliation for an employee's taking leave permitted under this policy is strictly prohibited.

## **6.8 California Victims of Domestic Violence, Sexual Assault, or Stalking**

Employees who have been the victim of domestic violence, sexual assault, or stalking may take leave to:

- Seek any relief to help ensure the health, safety, or welfare of the employee or the employee's child.
- Seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
- Obtain services from a domestic violence shelter, program, or rape crisis center.
- Obtain psychological counseling for domestic violence, sexual assault, or stalking.
- Take safety measures, such as relocation, to protect against future domestic violence, sexual assault, or stalking.

To take advantage of this leave, you must provide the Company with advance notice of the leave. If advance notice is not possible, you must provide the Company with one of the following certifications upon returning to work:

- A police report showing that you were a victim of a covered crime.
- A court order protecting you from the perpetrator or other evidence from the court or prosecuting attorney that you appeared in court.
- Documentation from a medical professional, domestic violence or sexual assault victim advocate, health care provider, or counselor showing that your absence was due to treatment for injuries from domestic violence, sexual assault, or stalking.

Employees who take leave for reasons authorized by this policy take that leave unpaid. Employees may opt to use any available accrued Paid Time Off or other compensatory time off in place of unpaid leave.

## **6.9 California Leaves of Absence Policy**

Employees will be granted a leave of absence as required by law (e.g., jury duty, appearance as a witness in a legal proceeding, military reserve duty, appearance at school by a parent when requested pursuant to the Education Code, domestic violence leave, performance of emergency duty by a volunteer firefighter, etc.). Employees are required to provide reasonable advance notice of any need for such leave and are expected to return to work each day or portion of the day that they are able to work. For nonexempt employees, this leave will be unpaid (with the exception of time off to vote, for which nonexempt employees will be paid a maximum of two hours for time required to vote). For exempt employees, salary during leave will be offset by any amounts received as jury or witness fees or as military pay and no salary will be paid for workweeks in which no work is performed.

## **6.10 California Paid Family Leave**

California Paid Family Leave Law requires employers to provide the Paid Family Leave brochure to new employees and employees who request leave to:

- Care for a seriously ill family member.
- Bond with a new child.

Employers are not required to provide Paid Family Leave claim forms to current employees. Employees in California may receive paid family leave benefits when they stop working or reduce work hours for the purpose of caring for a child, spouse, parent, grandparent, grandchild, sibling, parent-in-law, or state-registered domestic partner with a serious health condition. Employees may also receive paid family leave benefits to bond with a new child (newborn, adopted, or foster care child) under the age of 18. This state program is funded 100% by employee contributions. The Company automatically deducts your contribution for this benefit from your pay as required by law. Benefits cover up to 55% of your normal pay and are payable for up to eight weeks in any 12-month period. There is normally a seven day waiting period. In addition, employees are eligible for up to eight weeks of paid leave to care for a seriously ill family member (due to COVID-19) or who are unable to work because they have to care for an ill or quarantined family due to COVID-19 (if certified by a medical professional). In such circumstances, employees do not have a waiting period.

Please note that paid family leave refers to the benefits available to eligible employees through the Employment Development Department (EDD). Paid family leave is not a leave of absence nor a benefit of the Company. Please contact the EDD for information regarding eligibility or to obtain a claim form.

### **6.11 California Parental Leave**

Employees are eligible for up to 12 weeks of unpaid parental leave to bond with a new child within one year of the child's birth, adoption, or foster care placement, provided they meet the following criteria:

The employee has worked at the Company for at least 12 months and for at least 1,250 hours during the previous 12-month period; and

The employee works at a worksite in which the Company employs at least 20 employees within 75 miles.

The Company will maintain and pay for its normal share of the employees' health insurance premiums during parental leave in order to maintain health insurance benefits at the level and under the same conditions as if such employees were not on parental leave. However, the Company is entitled to a reimbursement of health insurance premiums paid on an employee's behalf during parental leave if (1) the employee fails to return from parental leave after the leave period has expired, and (2) the employee failed to return from leave for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the control of the employee.

If the Company employs both parents and they are both entitled to leave pursuant to this policy for the same birth, adoption, or foster care placement, the parents' collective parental leave will be capped at 12 weeks.

Employees may use accrued vacation pay, paid sick time, or other accrued paid time off during the period of parental leave.

### **6.12 California Lactation/Breastfeeding Policy**

An employee will be provided reasonable break time to express milk for the employee's infant child while at work, as frequently as the employee needs to express milk. If possible, employees should use usual rest periods and meal periods for expressing milk. If this time is not adequate, employees will be provided with other [paid / unpaid] reasonable break time to express milk.

The Company will provide a place, other than a bathroom, that is shielded from view, free from intrusion from co-workers and the public, and is near the employee's work area, which employees may use to express milk.

Employees have a right to request a lactation accommodation by submitting a written request to their direct supervisors or Human Resources. If the Company is unable to comply with the employee's request, it will issue a written response to the employee identifying why it denied the request.

The Company prohibits retaliation against employees for requesting or utilizing a lactation accommodation. If the employee believes her rights concerning lactation accommodations have been violated, the employee may file a complaint with the California Labor Commissioner in accordance with Chapter 3.8 of the California Labor Code.

### **6.13 California OSHA Emergency Temporary Standards**

The Company will provide paid leave for employees who must stay away from the workplace due to a COVID-19 case or exposure. Employees with COVID-19 may not return to work until at least 24 hours have passed since their temperature has stayed below 100.4 without the use of fever-reducing medications; their symptoms have improved; and at least 10 days have passed since their COVID-19 symptoms first appeared.

An employee testing positive but never developing symptoms must stay away from the workplace for at least 10 days after the test specimen collection.

An employee with COVID-19 exposure must stay away from the workplace for 14 days after the last known exposure to a COVID-19 case.

Employees who are unable to work under these standards who cannot work from home will continue to receive all pay and benefits while excluded, but may be required to exhaust paid sick leave before receiving exclusion pay.

## **7. Colorado Addendum**

### **7.1 Colorado Pregnancy and Parental Leave**

An eligible employee who is unable to work as a result of pregnancy or a pregnancy-related disability will be entitled to paid or unpaid leave upon the same terms and conditions as employees who are similar in their ability or inability to work. An eligible employee may also be entitled to leave due to parental responsibilities following the birth of a child or placement of a child for adoption or foster care.

The Company will determine an employee's eligibility for leave as well as the terms and conditions of such leave depending on the particular circumstances at the time the employee requests leave in accordance with applicable law and Company policy. The Company will consider all types of leave to which the employee might be entitled, including but not limited to: family and medical leave, leave as a reasonable accommodation for a disability related to pregnancy or childbirth, and leave under the Company's sick leave policy.

Circumstances under which an eligible employee may qualify for leave pursuant to this policy include one or more of the following:

- Birth of or care for a newborn child of the employee
- Placement with the employee of a child for adoption or foster care
- Pregnancy-related medical appointments –or–
- Medical complication or disability related to an employee's pregnancy that affects the employee's ability to work

The Company will determine the terms, conditions, and duration of an employee's leave in accordance with applicable law and Company policy. For specific information about their entitlement to leave, employees may contact Human Resources or consult our policies regarding family and medical leave, disability accommodation, equal employment opportunity, and sick leave.

Generally, the Company will not pay for leave it provides pursuant to this policy unless applicable law or Company policy requires otherwise. An employee may substitute accrued paid sick or vacation leave for pregnancy and childbirth leave or accrued paid vacation leave for parental leave.

Employees seeking leave pursuant to this policy should contact HR to request it. Employees must provide advance notice of at least 30 days when the need for leave is foreseeable and

notice is practicable. When the need for leave is not foreseeable, the employee must provide notice to Human Resources as soon as practicable.

An employee requesting leave pursuant to this policy must provide certification and/or sufficient supporting information for the Company to determine whether any of our leave policies apply to the employee's leave request. The type of certification or supporting documentation the Company requires will depend upon the employee's reason(s) for seeking leave. For example, for an employee seeking leave due to a pregnancy-related medical complication, her medical provider must certify information regarding the employee's ability or inability to work. As another example, the Company may ask employees who seek leave to care for and bond with a newly adopted child to provide evidence of the adoption. Failure to provide certification or to do so in a timely manner may result in denial of leave. To learn what information you need to provide about your circumstances, contact Human Resources.

To the extent permissible by law, leave provided pursuant to this policy will run concurrently with all other qualifying forms of leave. However, employees are not required to use multiple forms of paid, employer-provided leave for the same leave period. For example, an employee who takes one day of leave under this policy may also be required to reduce by one day his or her leave entitlement under the family and medical leave policy, but will not be required to use both paid sick leave and paid vacation leave for the same day of leave.

To the extent required by law, the Company will permit employees who are on leave pursuant to this policy to continue group health benefits if the Company's group health benefits plan(s) covered them prior to their leave of absence.

Employees have no greater right to job restoration or other benefits and conditions of employment while they are on leave under this policy than they would if they were not on leave. To the extent required by law, employees who return from leave pursuant to this policy will be restored to their original jobs—or to equivalent jobs with equivalent pay, benefits, and other terms and conditions of employment—provided the employees continue to meet the qualifications for their positions.

The Company prohibits retaliation against employees for requesting or taking leave or otherwise exercising their rights under this policy.

## **7.2 Colorado Equal Employment Opportunity**

The Equal Pay for Equal Work Act amends the act to further prohibit wage discrimination on the basis of sex in combination with another protected status, including age, race, creed, color, national origin, ancestry, nationality, marital status, religion, sexual orientation (including gender identity or expression), sex (including pregnancy), and disability.

An employee subjected to any conduct that she/he believes violates this policy, the employee must promptly speak to, write, or otherwise contact a supervisor or manager or the designated or a member of the Company's senior management team (which includes [POSITIONS]) as soon as possible following the offending conduct. If the employee has not received a satisfactory response within five (5) days after reporting any incident of what the employee perceives to be discriminatory conduct, she/he should immediately contact the FullStack Human Resources Department. These individuals will ensure that a prompt investigation is conducted.

The complaint should be as detailed as possible, including the names of all individuals involved and any witnesses. The Company will directly and thoroughly investigate the facts and circumstances of all claims of perceived discrimination and will take prompt corrective action, if appropriate.

Additionally, any manager or supervisor who observes discriminatory conduct must report the conduct to the FullStack Human Resources Department so that an investigation can be made and corrective action taken, if appropriate.

## **7.3 Colorado Overtime**

Under the FLSA and COMPS Order, employers must pay nonexempt employees overtime compensation for any hours worked over 40 in a workweek. Colorado employers must also pay nonexempt employees overtime compensation for all work in excess of either:

- Twelve hours per workday.
- Twelve consecutive work hours.

The Company will use whichever overtime calculation results in the greatest payment of wages to the employee.

For purposes of determining when daily overtime pay is due, a workday is the consecutive 24-hour period beginning at 12:00 a.m. and ending at 11:59 p.m. each calendar day.



## **8. Florida Addendum**

### **8.1 Florida Military Leave**

DeveloperTown provides leave for all employees during military training or when volunteering for or called to active duty.

### **8.2 Civil Air Patrol Leave**

The Company will allow a Civil Air Patrol member to return to work after leave unless:

- The circumstances have so changed as to make employment impossible or unreasonable.
- The employment would impose an undue hardship on the Company.
- The Company engaged the employee for a brief, nonrecurring period without any reasonable expectation that the employment would continue indefinitely or for a significant period.
- The Company had legally sufficient cause to terminate the member at the beginning of the leave.

Employees returning from Civil Air Patrol leave will be entitled to the seniority they would have held or attained had they remained continuously employed.

The Company will not discharge, reprimand, or otherwise penalize an employee for taking a Civil Air Patrol leave or discharge the employee for one year after the employee returns from the leave, except for cause.

### **Compensation During Leave**

Military leave is unpaid. However, employees may use, but are not required, paid time off during their military leave.

### **Reinstatement and Benefits**

Employees in the military reserve and those who volunteer for, or are called to, active military duty are entitled to re-employment with DeveloperTown on returning from duty as required by applicable federal and state laws. In addition, employees who request military leave may choose to continue health care benefits during the leave period as allowed by federal and state law.

When service is completed, employees in the National Guard must promptly notify Human Resources of their intent to return to work. For specifics regarding military leave and rights available to employees taking leave, please contact Human Resources.

### **8.3 Florida Domestic Violence Leave**

DeveloperTown offers eligible employees up to 30 days of unpaid leave for a qualifying reason in any 12-month period if the employee or a family or household member is a victim of domestic violence.

#### **Eligible Employees**

You are eligible for domestic violence leave if you have been employed by DeveloperTown for three or more months.

#### **Qualifying Reasons**

You may take domestic violence leave to:

- Seek an injunction for protection against domestic violence or an injunction for protection in cases of repeat, dating or sexual violence.
- Obtain medical care or mental health counseling for yourself or your family or household member to address physical or psychological injuries resulting from the domestic violence.
- Obtain services from a victim services organization for yourself or your family or household member.
- Make your home secure from the perpetrator of domestic violence or seek new housing to escape the perpetrator.
- Seek legal assistance in addressing issues arising from the domestic violence or prepare for and attend court-related proceedings arising from the domestic violence.

#### **Notice of Need for Leave**

You must notify the Company in advance of the need for leave, except in the case of imminent danger to your health and safety or that of your family or household member. Domestic violence leave is unpaid leave. However, you may substitute paid time off.

#### **Certification of Need for Leave**

DeveloperTown may request documents supporting your need for leave. Any information supporting your need for leave will be kept confidential.

#### **No Discrimination or Retaliation**

DeveloperTown will not discipline, discriminate or retaliate against employees for requesting or taking domestic violence leave. DeveloperTown will not interfere with your attempt to exercise any rights under the Florida Domestic Violence Leave Law.

## **9. Oregon Addendum**

### **9.1 Oregon Lactation/Breastfeeding Policy**

The Company shall provide reasonable unpaid rest periods to accommodate an employee who needs to express milk for her child, aged 18 months or younger. When possible, an employee is to provide reasonable notice to the Company that she will need lactation accommodations upon returning to work after the child's birth. However, failing to provide such notice is not grounds for discipline.

The employer shall give the employee a reasonable rest period to express breast milk each time the employee has a need to express milk. If feasible, these breaks shall be taken at the employee's other rest or meal breaks.

However, if the Company is required by law or contract to provide the employee with paid rest breaks, break time used for expressing milk shall be treated as paid rest breaks, up to the amount of time given for paid rest breaks. If the employee takes unpaid breaks for expressing milk, the Company may allow her to work before or after her normal shift to make up the time taken for unpaid breaks. If the employee does not make up the time, she will not be compensated. Time for breaks taken for expressing milk will be counted as paid work time for the purposes of measuring hours worked if it is a factor in determining health insurance contributions.

The Company will make reasonable efforts to provide a location, other than a public restroom or toilet stall, in close proximity to the employee's work area for the employee to express milk in private. Such accommodations may include, but are not limited to

(A) the employee's work area if the work area meets the requirements of Or. Rev. Stat. § 653.077(5)(a)];

(B) a room connected to a public restroom, such as a lounge, if the room allows the employee to express milk in private; or

(C) a child care facility in close proximity to the employee's work location where the employee can express milk in private.

The Company may also allow an employee to temporarily change job duties if the employee's regular job duties do not allow her to express milk.

## **9.2 Oregon Military Leave**

Oregon complies with USERRA's five-year limit on eligibility for reemployment, but allows the Company an exception to the five-year limit on eligibility for reemployment after leave, which excludes the following services from the five-year limit calculation:

- imposed by law;
- due to inability of the officer or employee to obtain orders relieving the officer or employee from active duty;
- voluntary service overseas; or
- voluntary service within the United States during or in response to an emergency or disaster declared by the local, state or federal government.

## 10. Tennessee Addendum

### 10.1 Tennessee Abusive Conduct Prevention Policy

The Company is firmly committed to a workplace free from abusive conduct as defined herein. We strive to provide high quality products and services in an atmosphere of respect, collaboration, openness, safety and equality. All employees have the right to be treated with dignity and respect. All complaints of negative and inappropriate workplace behaviors will be taken seriously and followed through to resolution. Employees who file complaints will not suffer negative consequences for reporting others for inappropriate behavior.

This policy applies to all full-time and part-time employees of DeveloperTown including interns. It does not apply to independent contractors, but other contract employees are included. This policy applies to any sponsored program, event or activity including, but not limited to, sponsored recreation programs and activities; and the performance by officers and employees of their employment related duties. The policy includes electronic communications by any employee.

Abusive conduct includes acts or omissions that would cause a reasonable person, based on the severity, nature, and frequency of the conduct, to believe that an employee was subject to an abusive work environment, which can include but is not limited to

- Repeated verbal abuse in the workplace, including derogatory remarks, insults, and epithets;
- Verbal, nonverbal, or physical conduct of a threatening, intimidating, or humiliating nature in the workplace; or
- The sabotage or undermining of an employee's work performance in the workplace.

A single act generally will not constitute abusive conduct, unless such conduct is determined to be severe and egregious.

Abusive conduct does not include

- Disciplinary procedures in accordance with adopted policies of DeveloperTown
- Routine coaching and counseling, including feedback about and correction of work performance
- Reasonable work assignments, including shift, post, and overtime assignments
- Individual differences in styles of personal expression

- Passionate, loud expression with no intent to harm others
- Differences of opinion on work-related concerns
- The non-abusive exercise of managerial prerogative

Supervisors and others in positions of authority have a particular responsibility to ensure that healthy and appropriate behaviors are exhibited at all times and that complaints to the contrary are addressed in a timely manner. Supervisors will

- provide a working environment as safe as possible by having preventative measures in place and by dealing immediately with threatening or potentially violent situations;
- provide good examples by treating all with courtesy and respect;
- ensure that all employees have access to and are aware of the abusive conduct prevention policy and explain the procedures to be followed if a complaint of inappropriate behavior at work is made;
- be vigilant for signs of inappropriate behaviors at work through observation and information seeking, and take action to resolve the behavior before it escalates;
- respond promptly, sensitively and confidentially to all situations where abusive behavior is observed or alleged to have occurred.

Employees shall treat all other employees with dignity and respect. No employee shall engage in threatening, violent, intimidating or other abusive conduct or behaviors. Employees are expected to assume personal responsibility to promote fairness and equity in the workplace and report any incidents of abusive conduct in accordance with this policy.

Employees should cooperate with preventative measures introduced by supervisors and recognize that a finding of unacceptable behaviors at work will be dealt with through appropriate disciplinary procedures.

Retaliation is a violation of this policy. Retaliation is *any* act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or individuals exercising rights under this policy.

All supervisors and employees are encouraged to undergo training on abusive conduct prevention conduct as directed by DeveloperTown. Training should identify factors that contribute to a respectful workplace, familiarize participants with responsibilities under this policy, and provide steps to address an abusive conduct incident.

**Employees:** Any employee who feels he or she has been subjected to abusive conduct is encouraged to report the matter orally or in writing to a supervisor including his or her supervisor, manager, appointing authority, elected official, or to HR. Employees should not feel obligated to report their complaints to their immediate supervisor first before bringing the matter to the attention of one of the representatives identified above.

Any employee seeking to file a complaint should ensure the complaint consists of precise details of each incident of abusive conduct including dates, times, locations and any witnesses. Formal complaints should be documented in writing, but are not required to be in writing.

**Witnesses:** An employee who witnesses or is made aware of behavior that may satisfy the definition of abusive conduct (as defined herein) should report any and all incidents as set forth herein.

**Supervisors:** Supervisors must timely report known incidents involving workplace abuse, intimidation, or violence to HR. Supervisors and appointing authorities are required to take reasonable steps to protect the complainant, including, but not limited to, separation of employees involved.

The person complained against will be notified that an allegation has been made against him or her and informed of the investigative procedure.

Investigations of abusive conduct shall be conducted as soon as practicable and in accordance with the policies and practices of DeveloperTown. The objective of the investigation is to ascertain whether the behaviors complained of occurred, and therefore will include interviewing the complainant, accused, and witnesses with direct knowledge of the alleged behaviors. All interviews will be appropriately documented. The investigation will be conducted thoroughly, objectively, with sensitivity, and with due respect for all parties. The investigator will provide a copy of the investigative report to the appointing authority for further action. All affected parties will be informed of the investigation's outcome.

In the event of a finding of abusive conduct, the employer will take immediate and appropriate corrective action. Remedies may be determined by weighing the severity and frequency of the incidences of abusive conduct and in accordance with existing disciplinary policies of DeveloperTown.

Any employee who engages in conduct that violates this policy or who encourages such conduct by others will be subject to corrective action. Such corrective action may include but is not

limited to participation in counseling, training, and disciplinary action up to and including termination, or changes in job duties or location.

Supervisory personnel who allow abusive conduct to continue or fail to take appropriate action upon learning of such conduct will be subject to corrective action. Such corrective action may include but is not limited to participation in counseling, training, or disciplinary action up to and including termination, or changes in job duties or location.

While the Company encourages all employees to raise any concern(s) under this policy and procedure, the Company recognizes that intentional or malicious false allegations can have a serious effect on innocent people. Individuals falsely accusing another of violations of this policy will be disciplined in accordance with the disciplinary policy of DeveloperTown.

Any employees exhibiting continuing emotional or physical effects from the incident in question should be informed of established employee assistance programs or other available resources. When abusive conduct has been confirmed, the employer will continue to keep the situation under review and may take additional corrective actions if necessary. Preventative measures may also be taken to reduce the reoccurrence of similar behavior or action.

To the extent permitted by law, the Company will maintain the confidentiality of each party involved in an abusive conduct investigation, complaint or charge, provided it does not interfere with the ability to investigate the allegations or to take corrective action. However, state law may prevent the employer from maintaining confidentiality of public records. Therefore, the Company cannot guarantee confidentiality.

## **10.2 Veteran's Day Leave**

Per Tennessee state law, DeveloperTown will provide employees who are veterans to have the entirety of Veteran's Day (November 11) as a non-paid holiday under certain conditions.

A veteran includes former members of the U.S. armed forces and members (former or current) of a Reserve or a Tennessee National Guard unit that was called into active military service of the United States.

Employees must provide DeveloperTown with at least one-month's written notice of their intent to have the entirety of that day as a non-paid holiday; and 1 Proof of their veteran status (DD Form 214 or other comparable certificate of discharge from the armed forces.)



Per the state law, DeveloperTown has sole discretion to determine whether providing time off from work to veteran employees on this holiday causes significant economic or operational disruption.



## Employee Acknowledgments & Agreements

### **A. Acknowledgement of Co-Employment Relationship**

I acknowledge, and I have been notified, that FullStack, Inc. ("FullStack") entered into a written Service Agreement with the entity that employed me prior to this date (referred to herein as the "DeveloperTown") whereby FullStack will provide professional employer services to the Company. Pursuant to this Service Agreement, both the Company and FullStack will employ me. The Company compensates FullStack for the services provided under the Service Agreement. I agree that an employee at the Company shall continue to direct and supervise my day-to-day duties and assignments, and will be primarily responsible for determining my wages or salary levels. In the event that the Company fails to pay FullStack fully under the terms of the Service Agreement, and as a result, does not transmit funds to FullStack to pay my wages, I agree to seek the balance of any wages owed solely from the Company. If I am not paid wages for hours actually worked at the Company, and I have sought payment unsuccessfully from the Company, I agree that the maximum amount that FullStack can be held responsible for in any such action (and only if FullStack is held to be legally responsible for the payment of any wages) is an amount equal to the number of hours that I have worked, but for which I have not been paid, times the federal or state hourly, minimum wage, whichever is applicable. Under the terms of the Service Agreement, the Company has the right to request termination of an employee. If requested by the Company, FullStack will terminate my employment with the Company and with FullStack. I understand and agree that FullStack does not pay, and shall have no obligation to pay, severance pay to me. Only the Company can pay severance payments, if applicable. I further understand and agree to notify FullStack of my availability to work within twenty four hours of my termination of employment for any reason.

### **B. Employee Handbook and Employment-At-Will Acknowledgement and Agreement**

I acknowledge that I have received a copy of the FullStack Employee Handbook, IRS Form W-4, and I-9 Employment Eligibility Verification. I understand that the Employee Handbook sets forth the duties, responsibilities, and obligations of employment with FullStack. I understand and agree that it is my responsibility to read the Employee Handbook and any subsequent additions, revisions, and/or addendum(s) and to abide by the rules, policies, and standards set forth in the Employee Handbook. I further acknowledge and agree my employment with FullStack is at-will and therefore not for a specified period of time, and can be terminated at any time for any reason, with or without cause or notice, by FullStack or me. I acknowledge that no oral or written statements or representations regarding my employment can alter the at-will nature of this employment. I also acknowledge that no supervisor or employee has the authority to enter into an employment agreement, express or implied, between FullStack and me. My employment by FullStack shall not affect, modify or amend any existing employment agreements(s) between the Company and me. I also acknowledge that, except for the policy of at-will employment, FullStack reserves the right to revise, delete, and add to the provisions of this Employee Handbook. No oral statements or representations can change the provisions of this Employee Handbook. Neither this Employee Handbook, nor any

policy or practice described herein constitutes or gives rise to a contract, express or implied, of employment. I also acknowledge that, except for the policy of at-will employment, terms and conditions of employment with FullStack may be modified at the sole discretion of FullStack with or without cause or notice at any time.

**C. Anti-Harassment / Discrimination Policy Acknowledgement**

As an Equal Opportunity Employer, FullStack strives to comply with all applicable laws prohibiting discrimination and unlawful harassment because of race, sex, color, national origin, religion, physical or mental disability, age or any other basis protected by federal, state or local law.

All such discrimination is unlawful and all persons employed by or involved in the operation of FullStack are prohibited from engaging in this type of conduct.

By my signature below, I acknowledge that if I am discriminated against or harassed on the job, or if I am aware of discrimination or harassment of others, I will immediately notify Dawn Lively 317-969-7703. Furthermore, I acknowledge that I will review the FullStack harassment policy in the Employee Handbook and will comply with all provisions. Lastly, by my signature below, I certify that if I fail to follow FullStack complaint procedure, FullStack will not be responsible for any harm suffered as a result of the discrimination.

**I have read and I understand all of the above provisions, and I agree to each of them as a condition of my employment. I hereby certify that all information given on this document or any supporting documents is true and correct, and I understand that any misrepresentation or omission of my information may result in immediate termination of employment.**

Employee Name Jason Melis

Employee Signature 

Client Company - Developer Town

Date 11/21/2022