

## SECTION 2.0 | EMPLOYMENT POLICIES & PROCEDURES

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### 2.1 | Employment-At-Will

*Revised: 11/18/2022 | Effective: 04/30/2020*

Employment with Hindsight Electric, LLC is at-will which means the employment relationship may be terminated with or without cause and with or without notice at any time by you or Hindsight Electric, LLC. In addition, Hindsight Electric, LLC may alter an employee's position, duties, title, or compensation at any time, with or without notice and with or without cause. Nothing in this handbook or in any document or statement and nothing implied from any course of conduct shall limit Hindsight Electric, LLC's, or employee's right to terminate employment at-will.

Only Hindsight Electric, LLC's Owner is authorized to modify Hindsight Electric, LLC's at-will employment policy or enter into any agreement contrary to this policy. Any such modification must be in writing and signed by the employee and the Owner.

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### 2.2 | Equal Employment Opportunity

*Revised: 11/18/2022 | Effective: 04/30/2020*

Hindsight Electric, LLC adheres to all federal, state, and local laws regarding equal employment opportunity that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, or genetic information and any other legally protected status. It is also illegal to discriminate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

EEOC interprets and enforces Title VII's prohibition of sex discrimination as forbidding any employment discrimination based on **gender identity or sexual orientation**. These protections apply regardless of any contrary state or local laws.

Through investigation, conciliation, and litigation of charges by individuals against private sector employers, as well as hearings and appeals for federal sector workers, the Commission has taken the position that existing sex discrimination provisions in Title VII protect lesbian, gay, bisexual, and transgender (LGBT) applicants and employees against employment bias.

We provide equal opportunities for all employees and applicants for employment without regard to any service, past, present, or future, in the uniformed services of the United States. It is the responsibility of everyone in management to ensure that equal consideration be given to all applicants and employees in personnel actions, which include recruiting and hiring, selection for training, promotion, demotion, discipline, rates of pay or other compensation, transfer, layoff, recalls, and terminations.

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### 2.3 | Affirmative Action

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As part of Hindsight Electric, LLC's equal employment opportunity policy, Hindsight Electric, LLC will take affirmative action as called for by applicable laws and Executive Orders to ensure that minority group individuals, females, disabled veterans, recently separated veterans, other protected veterans, Armed Forces service medal veterans, and qualified disabled persons are introduced into our workforce and considered for promotional opportunities.

Employees and applicants shall not be subjected to harassment, intimidation, or any type of retaliation because they have (1) filed a complaint; (2) assisted or participated in an investigation, compliance review, hearing or any other activity related to the administration of any federal, state, or local law requiring equal employment opportunity; (3) opposed any act or practice made unlawful by any federal, state, or local law requiring equal opportunity; or (4) exercised any other legal right protected by federal, state or local law requiring equal opportunity.

The above-mentioned policies shall be periodically brought to the attention of supervisors and shall be appropriately administered. It is the responsibility of each supervisor of Hindsight Electric, LLC to ensure affirmative implementation of these policies to avoid any discrimination in employment. All employees are expected to recognize these policies and cooperate with their implementation. Violation of these policies will not be tolerated.

### **Specific to employees in Colorado**

- **Rule 80.9 - Affirmative Action:** The employer shall take affirmative action to recruit women to apply for those jobs where they have been previously excluded. Such affirmative action may include but is not limited to notifying employment referral agencies that women are welcome to apply for all positions, recruiting at women's colleges, and the use of advertising which is not classified by sex.
- **Veterans:** Veterans who have been honorably discharged from the armed services and who served during war or any other campaign for which a campaign badge was authorized are to have five points added to the passing score of an examination to qualify for employment with the state or any political subdivision. Disabled veterans are to have 10 points added to a passing score. Five points are to be added to the passing score of a surviving spouse of any person who would have been entitled to additional points or of any person who died during service or from a service-connected cause while on active duty.

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## **2.4 | ADA Accommodation**

*Revised: 09/21/2022 | Effective: 04/30/2020*

Reasonable accommodation is available to an employee with a disability when the disability affects the performance of job functions. We make our employment decisions based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists.

We make all types of leaves of absence available to all employees on an equal basis. Hindsight Electric, LLC is also committed to not discriminating against any qualified employee or applicant because the person is related to or associated with a person with a disability.

Hindsight Electric, LLC will follow any state or local law that gives more protection to a person with a disability than the ADA gives. Hindsight Electric, LLC is committed to taking all other actions that are necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and any other applicable federal, state, and local laws.

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## **2.5 | Immigration Reform and Control Act**

*Revised: 09/21/2022 | Effective: 04/30/2020*

It is Hindsight Electric, LLC's policy to fully comply with the regulations of the Immigration Reform and Control Act of 1986 (as amended) enforced by the Department of Homeland Security. We will hire only American citizens and aliens who are authorized to work in the United States.

The law requires Hindsight Electric, LLC to do five things:

1. All new employees must complete Section 1 of the I-9 form within three business days of hire.
2. Check documents establishing employees' identity and eligibility to work. (Note: You are not allowed to tell the employee which documents to present and cannot ask for more than is required.)
3. The person examining the documents must complete Section 2 of the I-9 Form and the Certification Section.
4. Retain the form for at least three years. (If Hindsight Electric, LLC employs the person for more than three years, Hindsight Electric, LLC must retain the form until one year after the person leaves employment.)
5. Present the form for inspection to the Department of Homeland Security or Department of Labor officer upon request. (At least three days advance notice will be given.)

If an employee is hired for less than three days, Hindsight Electric, LLC must complete Form I-9 before the end of the employee's first working day. The I-9 Form contains instructions for completion. The employee assigned to this task must follow those instructions completely.

I-9 Forms are to be kept separate from all other personnel records.

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## 2.6 | Employment Applications

*Revised: 09/21/2022 | Effective: 04/30/2020*

We rely on the accuracy of the information you put on your employment application. We expect that you and your references will give accurate and true information during the hiring process and employment. If we find that any information is misleading, false, or was left out on purpose, we may reject an applicant from further consideration. If the person has already been hired, it could result in termination of employment.

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## 2.7 | Background Checks - Arrests/Convictions

*Revised: 09/21/2022 | Effective: 04/30/2020*

To ensure that individuals who join Hindsight Electric, LLC are well qualified, and to ensure that Hindsight Electric, LLC maintains a safe and productive work environment, it is Hindsight Electric, LLC's policy to conduct pre-employment background checks on all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form.

All offers of employment are conditioned on receipt of a background check report that is acceptable to Hindsight Electric, LLC. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and anti-discrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process.

If information obtained in a background check would lead Hindsight Electric, LLC to deny employment, a copy of the report will be provided to the applicant, and the applicant will have the opportunity to dispute the report's accuracy. Background checks may include a criminal record check, although a criminal conviction does not automatically bar an applicant from employment.

Additional checks such as a driving record or credit report may be made on applicants for particular job categories if appropriate and job related.

Hindsight Electric, LLC also reserves the right to conduct a background check for current employees to determine eligibility for promotion or reassignment in the same manner as described above.

### **Specific to employees in Colorado**

- **Arrests:** Employers may not inquire about sealed records in an employment application or otherwise. In response to a question about a sealed record, an applicant may deny that the incident occurred. An employer may not reject an applicant solely because of a refusal to disclose information about a sealed record.
  - **Convictions:** Employers may not inquire about sealed records in an employment application or otherwise.
  - **Agency guidelines:** The Colorado Civil Rights Division's Guidelines provide that it's discriminatory to ask applicants about arrests or convictions that aren't job-related.
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## **2.8 | Right to Work**

*Revised: 09/21/2022 | Effective: 04/30/2020*

The "Right to Work" means that an employee cannot be compelled to join or pay the equivalent of dues to a union, nor can the employee be fired if he or she joins the union. In other words, the employee has the right to work, regardless of whether he or she is a member or financial contributor to such a union.

We believe that the work conditions, wages, and benefits we offer to Hindsight Electric, LLC employees are competitive with those offered by other employers in this area and in this industry. If you have concerns about work conditions or compensation, we strongly encourage you to express these concerns openly and directly to your supervisor.

Our experience has shown that when employees deal openly and directly with management, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that Hindsight Electric, LLC fully demonstrates its commitment to employees by responding effectively to employee concerns.

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## **2.9 | E-Verify**

*Revised: 09/21/2022 | Effective: 04/30/2020*

E-Verify is to be used only after an offer of employment has been made and we utilize the E-Verify System to ensure that every employee in the workforce is authorized to work in the United States.

Hindsight Electric, LLC is committed to employing only people who are United States citizens or who are aliens legally authorized to work in the United States in accordance with the Immigration Reform and Control Act of 1986. We do not illegally discriminate because of a person's citizenship or national origin. Every new employee at Hindsight Electric, LLC is required to complete the Employment Eligibility Verification Form I-9 and show documents that prove identity and employment eligibility.

Hindsight Electric, LLC follows federal and state requirements and utilizes E-Verify to provide further eligibility verification of employment. If E-Verify does not confirm eligibility, Hindsight Electric, LLC will notify the employee as required by law.

If you leave Hindsight Electric, LLC and are rehired, you must complete another Form I-9 if the previous I-9 with Hindsight Electric, LLC is more than three years old; if the original I-9 is not accurate; or if we no longer have the original I-9.

If you have questions or want information on the immigration laws, contact the Business Controller. Retaliation of any form is against the law and if you ask questions or want to complain about the immigration law compliance policy, you will not be punished in any way.

## **Specific to employees in Colorado**

Colorado requires every new hire to provide proof that they are lawfully present in the United States prior to starting work for the State and will produce the required form of identification prior to starting work.

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### **2.10 | Introductory Period**

*Revised: 09/21/2022 | Effective: 04/30/2020*

The first 90 days of employment are considered the introductory period. During this time, you will be evaluated by your supervisor on your job performance, personal traits, and general fitness for the job. Employees in their introductory period are not eligible for company benefits, apart from paid holidays.

After completing the introductory period, your continued employment will be determined by your job performance and adherence to Hindsight Electric, LLC's policies, and code of conduct.

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### **2.11 | Employment Categories**

*Revised: 12/08/2022 | Effective: 04/30/2020*

It is important that you understand the definitions of the employment categories at Hindsight Electric, LLC and know your classification. Your employment category helps determine your employment status and your eligibility for benefits. If you have questions or are not sure what your employment classification is, talk to your Supervisor/Manager.

These employment categories do not guarantee employment with Hindsight Electric, LLC for any specific period. You became an employee at Hindsight Electric, LLC voluntarily and your employment is at will. "At will" means that you may terminate your employment at any time, with or without cause or advance notice. Likewise, "at will" means that Hindsight Electric, LLC may terminate your employment at any time, with or without cause or advance notice, as long as we do not violate federal or state laws.

Depending on your job, you are either NONEXEMPT or EXEMPT from federal and state wage and hour laws. If you are a NONEXEMPT employee, you are entitled to overtime pay under the specific provisions of federal and state laws.

#### **Definition of Exempt Employee:**

- The Fair Labor Standards Act contains dozens of exemptions under which specific categories of employers and employees are exempted from overtime requirements. The most common exemptions are the white-collar exemptions for administrative, executive, and professional employees, computer professionals, and outside sales employees. There is also a lesser-known exemption for certain retail or service organizations.
- Your EXEMPT or NONEXEMPT classification may be changed only with written notification by Hindsight Electric, LLC management.

In addition to being a Nonexempt or Exempt employee, you may also belong to one of the following employment categories:

- You are a **Regular Full-Time** employee if you are not assigned to a temporary or introductory status AND you are regularly scheduled to work the Hindsight Electric, LLC full-time schedule. REGULAR FULL-TIME employees are employees who are not in a temporary or introductory status AND who are regularly scheduled to work the full-time schedule at Hindsight Electric, LLC. In most cases, regular full-time employees are eligible for all Hindsight Electric, LLC benefit programs, subject to the terms, conditions, and limitations of each benefit program.
- You are a **Part-Time** employee if you are not in a temporary or introductory status AND you are regularly scheduled to work 20 hours per week. Part-time employees receive all legally mandated benefits, such as

Social Security and workers' compensation insurance. Part-time employees are not eligible for the other Hindsight Electric, LLC benefit programs.

- You are a **Temporary** employee if you are hired to work on a temporary project or assignment. Such assignments may be of definite or indefinite duration. Most employers define a "temporary" employee as an individual who is not a regular employee and who will be scheduled to work for a limited period of definite or indefinite duration. Employment beyond the specified period should not in any way imply a change to the individual's employment status or benefit eligibility.
- You are a **Per Diem** employee if you are hired to routinely work scheduled hours but receive additional compensation in lieu of non-legislated benefits. "Per diem" employees may routinely work a full-time schedule and agree to accept additional pay (typically about 25% more) in lieu of all or part of the employer's usual benefit package.
- You are an **Introductory** employee if your performance is being evaluated to determine whether further employment in a specific position or with Hindsight Electric, LLC is appropriate. When you satisfactorily complete the Introductory Period, you will be told about your new employment classification.

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## 2.12 | Job Descriptions

*Revised: 09/21/2022 | Effective: 04/30/2020*

We strive to have accurate job descriptions for all jobs at Hindsight Electric, LLC. A job description includes the following sections:

- Job information
- Job summary (gives a general overview of the job's purpose)
- Essential duties and responsibilities
- Supervisory responsibilities
- Qualifications (includes education and/or experience, language skills, mathematical skills, reasoning ability, and any certification required)
- Physical demands
- Work environment

We use job descriptions to identify the requirements of a job, set up the hiring criteria, set standards for employee performance evaluations, and establish a basis for making reasonable accommodations for individuals with disabilities. The Business Controller will prepare a job description when a new job is created. We review existing job descriptions and update them when a job changes.

Your job description does not necessarily cover every task or duty that you might be assigned. You may be assigned additional responsibilities as necessary. If you have questions or concerns about your job description, contact your immediate supervisor.

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## 2.13 | Resignation

*Revised: 09/21/2022 | Effective: 04/30/2020*

Employees who choose to leave Hindsight Electric, LLC are asked to give at least two weeks' notice. Employees who do not give an appropriate notice will not be eligible for rehire.

All resigning employees will have an exit interview. The purpose of the interview is to be certain the reasons for the employee's resignation are not founded on a misunderstanding or erroneous situation. The interview will also cover what compensation the employee has coming and when termination of benefits will occur.

Employees are expected to turn in all company property on their last day of work with Hindsight Electric, LLC.

## 2.14 | Termination

*Revised: 09/21/2022 | Effective: 04/30/2020*

Termination may become necessary due to the employee's lack of ability or failure to fulfill the requirements of the job. Terminations are always unpleasant and costly, and Hindsight Electric, LLC does not take the decision to terminate lightly. Advance notice may or may not be given depending on the circumstances surrounding the termination.

All terminating employees will have an exit interview. The purpose of the interview is to be certain the reasons for the employee's termination are not founded on a misunderstanding or erroneous situation and to solicit information on what the employee understands of Hindsight Electric, LLC and Hindsight Electric, LLC benefits. The interview will also cover what compensation the employee has coming and when termination of benefits will occur.

Employees are expected to turn in all company property at the time of termination.

### **Specific to employees in Colorado**

When an employee leaves their position in Colorado for any reason, employers are required to provide notice of unemployment benefits. This notice requirement is now expanded to include specific provisions. Colorado recently passed legislation requiring employers in the state to provide each employee notice in writing regarding the potential availability of unemployment benefits. Senate Bill 22-234 was passed on May 25 and became effective immediately.

Colorado employers needed to provide employees with a notice containing the following:

- That unemployment insurance benefits are available to unemployed workers who meet the eligibility requirements under Colorado law
- Contact information to file a claim
- Information the worker will need to file a claim
- Contact information to inquire about the status of their claim after it is filed

Section 5 of the Act describes an employer's expanded notice requirements. Under the new law, at the time of separation from employment, the employer must now also provide written information that includes:

- Employer's name and address
- Employee's name and address
- Employee's ID number or the last four digits of their SSN
- Employee's first and last dates worked, year-to-date earnings, and wages for the last week worked
- Reason for separation

The notice requirements appear to apply to both voluntary and involuntary terminations, as the notice information must include the reason for separation.

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## 2.15 | Re-Employment Policy

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Employees who leave Hindsight Electric, LLC in good standing will be considered for open positions along with other applicants. Employees who leave without giving proper notice or who were terminated for cause will not be eligible for rehire.

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## 2.16 | Non-Disclosure

*Revised: 12/08/2022 | Effective: 04/30/2020*

It is very important to Hindsight Electric, LLC that we protect our confidential business information and trade secrets. Confidential information includes, but is not limited to the following:

- Compensation/Payroll Data
- Customer Lists
- Customer Preferences
- Financial Data and Information
- Marketing Strategies
- Pending Projects and Proposals
- Technological Data

You may be asked to sign a non-disclosure agreement as a condition of your employment. If you improperly use or disclose a trade secret or confidential business information, you will be subject to disciplinary action, up to and including termination of employment and legal action.

### **Specific to employees in Colorado**

House Bill 22-1317 will effectively eliminate all non-compete agreements, except for those applying to highly compensated employees (earning \$101,250/year) or more, if the non-compete agreement is for the protection of trade secrets and is no broader than reasonably necessary to protect trade secrets. Customer non-solicitation agreements will also be void, except for those entered into by a person who earns at least 60% of the threshold for highly compensated workers (\$60,750/year), and again only if the covenant is no broader than reasonably necessary to protect the employer's trade secrets. These new standards will apply to agreements entered into or renewed on or after the effective date of the law. Employers will not be required to amend existing agreements, but Colorado courts will likely not enforce non-compete agreements that violate the new law against their departing employees. In addition to changing which non-compete agreements are enforceable; the new law also contains specific requirements when a non-compete agreement is being presented to an applicant or employee. For applicants, notice of a non-compete agreement requirement and the applicable terms must be provided to a prospective worker before the worker accepts the offer of employment.

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## 2.17 | Open Door Policy

*Revised: 09/21/2022 | Effective: 04/30/2020*

The need to have open communication among all levels of an organization is essential. Recognizing that need, Hindsight Electric, LLC maintains an "Open Door" policy that allows you access to all levels of management to discuss any work-related questions or concerns.

The Open-Door policy says, very simply, that having failed to solve an important issue with your manager, you can address your problem with any manager in Hindsight Electric, LLC. Although we cannot guarantee you will always be satisfied with the solution to your problem, you will receive attention and action.

The Open-Door policy includes a problem resolution process which entitles the associate to a prompt, thorough review of their work-related problems.

### The Open-Door Philosophy

- Employees have the right to seek resolution of work-related problems at the highest levels of Hindsight Electric, LLC, if necessary.
- Employees who use the Open-Door policy will receive attention and action.
- Employees can use the Open-Door policy without fear of reprisal.

## **2.18 | Training and Development**

*Revised: 12/08/2022 | Effective: 04/30/2020*

It is Hindsight Electric, LLC's policy to ensure that employees are knowledgeable about their job and its requirements. Management should ensure that training is available to all employees periodically in various fashions, such as on-the-job training, training meetings, external seminars, and/or workshops as well as personal consultation. Managers and supervisors should also check the online webcasts that are available for a variety of skills training.

Managers/supervisors will determine what training employees are required to have and what training courses they should attend. If an employee has identified some training available to his/her job, the employee should contact his/her supervisor to discuss the feasibility of company participation and the expense of the training.

Managers are authorized to send employees to special training programs if the cost is within the budget and the manager's established spending authority. Otherwise, the manager must receive authorization from the Owner to incur the cost of employee training.

Managers should document any special training an employee receives and should ensure that this documentation is placed in the employee's personnel file.

Normally, training occurs on the job and Hindsight Electric, LLC absorbs all expenses associated with the training. If an hourly employee is required to attend a training session, the employee will be compensated for the time involved in the training. An employee who incurs any expenses associated with training must complete an expense report attaching the appropriate receipts and submit it to the Business Controller. Reimbursements such as vehicle mileage, meals, etc., should comply with the standard company policies.

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## **2.19 | Harassment Training**

*Revised: 09/21/2022 | Effective: 04/30/2020*

Hindsight Electric, LLC has zero tolerance for any form of harassment and provides appropriate, and required, Anti-Harassment training and Workplace Harassment training that will help employees to recognize situations that may involve harassment or discrimination and identify what to do when they experience or witness these situations in the workplace. Harassment training solutions are designed to minimize the likelihood of a harassment claim being filed and to protect Hindsight Electric, LLC. Employees and supervisors are trained to understand and to recognize harassment in the workplace and to appropriately respond to instances of harassment when they see them.

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## **2.20 | Harassment (Anti-Harassment) - Long Version**

*Revised: 12/08/2022 | Effective: 04/30/2020*

Hindsight Electric, LLC provides equal employment opportunity to all employees and applicants. This means that all employment decisions, including hiring, placement, discipline, promotion, leave of absence, job assignment, compensation, transfer, layoff, recall, and termination and access to benefits and training, are made without regard to race, color, creed, religion, sex, sexual orientation, alienage, citizenship status, marital status, status as a Vietnam era veteran, national origin, age, handicap, disability, or any other characteristic protected by federal, state, and/or local law.

Equal employment opportunity also encompasses Hindsight Electric, LLC's commitment to maintaining a work environment that is free of unlawful discrimination and harassment. In furtherance of this commitment, employees are not to display or electronically send pictures, cartoons, posters, e-mail, or jokes that may reasonably be deemed offensive because of race, color, religion, sex, sexual orientation, alienage, citizenship

status, marital status, status as a Vietnam era veteran, national origin, age, handicap, disability, or any other characteristic protected by federal, state, and/or local law. Similarly, employees are not to make comments, jokes, epithets, pranks, innuendos, gestures, touching's, nor to engage in any other form of conduct, that may reasonably be deemed offensive because of race, color, religion, sex, sexual orientation, alienage, citizenship status, marital status, status as a Vietnam era veteran, national origin, age, handicap, disability or any other characteristic protected by federal, state, and/or local law.

Sexual harassment is a form of unlawful harassment that is based on an individual's sex or is of a sexual nature. It includes, but is not limited to, the types of prohibited harassment identified above, as well as unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct. Such conduct constitutes sexual harassment when any of the following occur or are present: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submitting to or rejection of such conduct is used as the basis for employment decisions; and/or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile or offensive working environment. All unlawful harassment, including sexual harassment, is strictly prohibited.

The prohibitions above include discrimination and harassment in any workplace context, including conferences, meetings, social events, and work-related activities and trips. These prohibitions include unlawful harassment and discrimination from or towards managers, co-workers, and other employees as well as non-employees with whom Hindsight Electric, LLC has a business or professional relationship, including but not limited to vendors, visitors, customers, clients, etc.

If you believe that you have been subjected to or witnessed offensive, hostile, or any other conduct in violation of this policy, or if you believe that you have been subjected to unlawful discrimination in the terms or conditions of your employment, you must immediately report the matter as follows:

#### **Reporting Complaints of Discrimination or Harassment**

Hindsight Electric, LLC encourages and expects every employee to report incidents of discrimination or harassment, whether they are directly involved or are merely a witness. If any employee believes that he or she is being discriminated against or harassed or has been subjected to discrimination or harassment by a coworker, supervisor, manager or other individual at the workplace, or believes that his or her employment is being or has been adversely affected by such conduct, or believes that he or she has witnessed such conduct, the employee should report the concerns (orally or in writing) IMMEDIATELY to his or her supervisor, manager, next level manager, another manager, or the Human Resources department.

Once the matter has been reported, a prompt investigation will be conducted and, to the extent that it does not compromise the integrity of the investigation, confidentiality will be maintained concerning the allegations. Should the investigation establish that an individual has engaged in conduct prohibited under this Policy, disciplinary action warranted by the results of the investigation will be taken against the offending employee(s). To be clear, any employee found to be engaging in conduct prohibited under this Policy will be subject to discipline.

Employees who fail to cooperate with an investigation, or who knowingly provide false information in connection with a complaint or an investigation, will be subject to discipline as well.

#### **Prohibition Against Retaliation**

Hindsight Electric, LLC prohibits and will not tolerate any form of retaliation against an employee who has filed a complaint in good faith or an employee who, in good faith, has cooperated or participated in an investigation of a complaint. If you have filed a complaint, or have participated in an investigation, and believe that you are being or have been retaliated against, you **MUST** immediately report this matter to one of the persons mentioned above in the sub-section titled "Reporting Complaints of Discrimination or Harassment."

If you believe that you have been subjected to discrimination because of your race, color, religion, sex, sexual orientation, alienage, citizenship status, marital status, status as a Vietnam era veteran, national origin, age,

handicap, disability, or any other characteristic protected by federal, state and/or local law, or if you believe that you have been retaliated against for complaining about discrimination or participating in an investigation, it is your responsibility as an employee to utilize the complaint procedure established in this Policy for the purposes of preventing and correcting this unacceptable workplace behavior.

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## 2.21 | Workplace Bullying

*Revised: 09/21/2022 | Effective: 04/30/2020*

The purpose of this policy is to communicate to all employees, including supervisors, managers, and executives, that Hindsight Electric, LLC will not in any instance tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination. Hindsight Electric, LLC defines bullying as repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Such behavior violates Hindsight Electric, LLC's Code of Ethics, which clearly states that all employees will be treated with dignity and respect.

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

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

In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

- Persistent singling out of one person.
- Shouting or raising voice at an individual in public or in private.
- Using verbal or obscene gestures.
- Not allowing the person to speak or express himself or herself (i.e., ignoring or interrupting).
- Personal insults and use of offensive nicknames.
- Public humiliation in any form.
- Constant criticism on matters unrelated or minimally related to the person's job performance or description.
- Ignoring or interrupting an individual at meetings.
- Public reprimands.
- Repeatedly accusing someone of errors that cannot be documented.
- Deliberately interfering with mail and other communications.
- Spreading rumors and gossip regarding individuals.
- Encouraging others to disregard a supervisor's instructions.
- Manipulating the ability of someone to do his or her work (e.g., overloading, underloading, withholding information, assigning meaningless tasks, setting deadlines that cannot be met, giving deliberately ambiguous instructions).
- Inflicting menial tasks not in keeping with the normal responsibilities of the job.
- Taking credit for another person's ideas.
- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.
- Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings.
- Unwanted physical contact, physical abuse, or threats of abuse to an individual or an individual's property (defacing or marking up property).

## 2.22 | Medical Marijuana Card/Use Policy

Revised: 09/21/2022 | Effective: 04/30/2020

Employees who have been legally issued medical marijuana cards will not be discriminated against in the workplace. However, employees may NOT be under the influence of marijuana to the extent they are impaired in the workplace. **Smoking or possessing marijuana during work hours on the employer's or customer/client premises is strictly prohibited.** Should an employee exhibit signs of impairment, the situation will be treated under the Drug and Alcohol procedures outlined in our policies. Being impaired in the workplace may lead to termination of employment. Some positions are designated "safety sensitive" positions which are shown on your job description. If you are in a safety sensitive position, medical marijuana card protections are not applicable if you test positive for marijuana.

### Specific to employees in Colorado

The Colorado medical marijuana law does not require any employer to accommodate the medical use of marijuana in the workplace. The law does not discuss the issue of employment related drug testing. State law prohibits registered users from undertaking any task while under the influence of medical marijuana when doing so would constitute negligence or professional malpractice.

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## 2.23 | Driving | MVR | Distracted Driver | Vehicle Usage | Dash Cameras

Revised: 10/25/2023 | Effective: 04/30/2020

Hindsight Electric, LLC has made a commitment of safety, service, and quality to both our employees and customers. Hindsight Electric, LLC insists that both our employees and non-employees operate all vehicles owned by or used by Hindsight Electric, LLC in a safe and economical manner. The following summarizes policy guidelines:

- Vehicles are not to be operated unless in a safe operating condition.
- Drivers must be physically and mentally able to drive safely.
- Drivers must conform to all traffic laws and allowances made for adverse weather and traffic conditions.
- Respect the rights of other drivers and pedestrians. Courtesy is contagious.
- Drivers may not use drugs or alcohol, or be under the influence of drugs or alcohol, while operating a vehicle.

All current drivers of Hindsight Electric, LLC must have a signed copy of Hindsight Electric, LLC's Driving Policy retained in the employee's personnel file.

### Accidents

All accidents are to be reported to management within twenty-four (24) hours after the accident occurs. All accidents will be reviewed, and a determination made as either preventable or non-preventable which results from factors outside of a driver's control. *A preventable accident is defined as an accident in which the driver failed to do everything reasonably possible to avoid it.*

**Any employee that is involved in a preventable at-fault accident while driving a company vehicle will be terminated.**

### MVR Standards

Motor Vehicle Records (MVRs) will be checked periodically on all employees where driving is a part of their job. The MVR will be reviewed to ascertain the employee holds a valid license and their driving record is within the parameters set by company management. MVR checks which reveal the following will disqualify the employee from driving company operated vehicles, or those vehicles in the care and custody of Hindsight Electric, LLC:

1. Three (3) or more traffic violations and/or at fault accidents over a three-year period for drivers aged 25 and older, two (2) traffic violations and/or at fault accidents for drivers age 18 through 24, or one (1) traffic violation and/or at fault accident for drivers 17 and under; or

2. One or more of the following types of serious traffic convictions within the past 3 years will disqualify the employee from driving company operated vehicles, or those vehicles in the care and custody of Hindsight Electric, LLC:
  - Driving while under the influence or while disabled by use of drugs
  - Refusal to submit to test for alcohol (e.g., Failure to take a Chemical Test, Blood Test, or Breathalyzer Test)
  - Leaving the scene of an accident without reporting it
  - Homicide, assault, or criminal negligence resulting from the operation of a vehicle
  - Driving while license is suspended or revoked
  - Reckless or dangerous driving, which results in injury to a person
  - Racing
  - Passing a stopped school bus

*Violations include seat belt violations, but do not include such non-moving violations as weight violations or improper or inadequately maintained equipment.*

### **Distracted Driving and Mobile Devices**

We deeply value the safety and well-being of all employees. Due to the increasing number of accidents resulting from distracted driving and the use of mobile devices, it is Hindsight Electric, LLC's policy that you do not engage in activities that cause you to become distracted when driving, including, but not limited to:

- Sending or reading text messages
- Using a handheld mobile device for either outgoing or incoming calls
- Using a hands-free device for either outgoing or incoming calls
- Using cell phones and other devices for social media and other forms of entertainment
- Adjusting or programming controls of audio or navigation systems
- Searching for and/or reaching for items in the vehicle
- Eating or drinking beverages
- Reading maps or other printed material

The above restrictions apply anytime the vehicle is in motion. It is Hindsight Electric, LLC's policy that, in all circumstances, you pull the vehicle over to a safe area with the car in park prior to engaging in these activities. Employees are also expected to follow all state laws regarding mobile device usage.

### **Vehicle Usage**

Your primary responsibility when driving a motor vehicle for Hindsight Electric, LLC is driving the vehicle safely. Hindsight Electric, LLC has developed the following expectations for you as a driver to help ensure company-owned vehicles and/or those used by company employees will be operated in a safe and economical manner.

- Seat belts must be worn at all times when the vehicle is in motion.
- Avoid hard breaking and sudden stops.
- Always follow posted speed limits and speed limits set forth in the Colorado Driver Handbook.
- Defects and needed repairs of any company vehicle will be reported to management so necessary repairs can be made.
- Cargo must be secured, and doors locked while enroute and when company vehicles are parked.
- All accidents must be reported to the manager consistent with Hindsight Electric, LLC's Accident Reporting Policy. You, the employee, are responsible for reimbursing Hindsight Electric, LLC for all damage to the vehicle(s) and property not covered by insurance, if Hindsight Electric, LLC's accident review shows a preventable type of accident. Furthermore, a preventable, at-fault accident is grounds for termination.
- All traffic violations received will be paid for by you, the employee.
- Company vehicles are not to be used for personal use. Company vehicle usage is only authorized during your scheduled shift and is not authorized on weekends, holidays, or after your scheduled shift. No permission may be given to any other person, including family members, to drive company vehicles. Specific permission must be obtained from the owner in writing for any personal use of a company vehicle.
- The use of radar detectors is forbidden in all vehicles owned or used by Hindsight Electric, LLC. Use of a radar detector will result in revoked driving privileges.

- Hitchhikers and passengers, other than company employees or authorized persons, are not permitted in company vehicles.

### **GPS Fleet Tracking and Dash Cameras**

It is the policy of Hindsight Electric, LLC to safely operate company vehicles in adherence with all applicable laws and regulations. This policy reflects the requirements and standards to effectively manage our fleet of company vehicles through the implementation of GPS fleet tracking. Vehicle tracking is the use of GPS technology to identify, locate, and maintain contact with our vehicles in real-time.

Dash Cameras will be used in association with GPS monitoring software to protect both employer and employee by ensuring drivers are following company policies regarding safe driving practices. Employees will be assigned points towards their risk factor for any violation of company policies detected by the monitoring software. The following violations are assigned points towards an employee's risk factor:

- Distracted/On Mobile Device (5 points)
- Speeding 15+ miles over speed limit (4 points)
- Speeding 10-15 miles over speed limit (3 points)
- Hard Braking (2 points)
- Not Wearing Seatbelt (1 point)

An employee's total risk factor must remain below 75 within a quarter to continue driving a company vehicle and/or to receive a truck allowance. For additional information regarding risk factors, please see section *2.23.a | Consequences for Driving Policy Infractions* and *2.23.b | Incentive Program for Safe Driving*.

The following is expected regarding GPS Fleet Tracking devices and Dash Cameras

- That you do not destroy, tamper with, or disable the GPS Fleet Tracking device or the Dash Camera.
- That you do not block the view of the Dash Camera inside the vehicle or outside the vehicle.
- That you do not engage in unsafe driving behavior.

### **2.23.a | Consequences for Driving Policy Infractions**

Generally, the following are consequences for failing to follow company driving policies:

- Employees may be transferred to a non-driving position.
- Employees may be given warnings prior to being terminated for violation of the policy.
- Employees who violate driving policies may be subject to disciplinary action.
- Employees who violate driving policies may be subject to disciplinary action including termination.

### **Monitoring Software Violations**

Hindsight Electric, LLC has established additional consequences for risk factors due to violations reported from the monitoring software installed in company vehicles. As described above under *GPS Fleet Tracking and Dash Cameras*, drivers receive points for any policy infractions detected by the monitoring software. These points are used to assign a risk factor to each employee. Employees must have a risk factor of 75 or below within a quarter. If an employee's risk factor is above 75 within the quarter, the following additional consequences apply:

- Employees will be written up once their risk factor is above 75. If an employee's risk factor continues to increase within a quarter, the employee will be written up for each 25 points added to the risk factor (e.g., a risk factor of 100 within a quarter means the employee will have 2 violation write ups).
- Employees that have 3 write ups for any driving policy infraction within a quarter will lose the usage of a company vehicle, the usage of a company credit card for fuel, and any truck allowance reimbursement through the end of the quarter. If the 3<sup>rd</sup> write up occurs in the last month of the quarter, the employee will lose privileges through the end of the following quarter. Continued violation of driving policies is grounds for termination.
- Employees that have a risk factor of 300 or more within a quarter will be terminated.

### **Non-Working Hours Vehicle Usage Violations**

Hindsight Electric, LLC has established additional consequences for unauthorized usage of a company vehicle. As detailed above under Vehicle Usage, company vehicles are not to be used for personal use due to liability, excessive wear and tear on the vehicle and the potential negative perception of our company. For unauthorized usage of a company vehicle the following additional consequences apply:

- Employees will be written up for each unauthorized use occurrence.
- Employees that have 3 write ups for any driving policy infraction within a quarter will lose the usage of a company vehicle, the usage of a company credit card for fuel, and any truck allowance reimbursement through the end of the quarter. If the 3<sup>rd</sup> write up occurs in the last month of the quarter, the employee will lose privileges through the end of the following quarter.
- Continued violation of this policy is grounds for termination.

### **Damaging/Tampering/Disabling GPS Fleet Tracking and Dash Camera Violations**

Hindsight Electric, LLC has established additional consequences for damaging, tampering with, or disabling GPS Fleet Tracking devices or Dash Cameras. As detailed above under Fleet Tracking and Dash Cameras, you are not to damage, tamper with, disable, or block the view of GPS fleet tracking devices or dash cameras. If an employee violates this policy, the following additional consequences apply:

- Employees will be written up for each violation of this policy.
- Employees that have 3 write ups for any driving policy infraction within a quarter will lose the usage of a company vehicle, the usage of a company credit card for fuel, and any truck allowance reimbursement through the end of the quarter. If the 3<sup>rd</sup> write up occurs in the last month of the quarter, the employee will lose privileges through the end of the following quarter.
- Continued violation of this policy is grounds for termination.

### **2.23.b | Incentive Program for Safe Driving**

GPS Fleet Tracking software allows Hindsight Electric, LLC to accurately measure driving habits in company vehicles. We want to reward employees that are driving safely and are therefore a good representation of our company to the community. Positive driving behavior allows us to be more efficient and thus more profitable and we want to pass that back to our responsible drivers. For that reason, Hindsight Electric, LLC has implemented an incentive program for safe driving.

As described above under *GPS Fleet Tracking and Dash Cameras*, drivers receive points for any policy infractions detected by the monitoring software. These points are used to assign a risk factor to each employee. Employees must have a risk factor of 75 or below within a quarter. If an employee's risk factor remains below 25 in a quarter, the employee will receive a bonus as follows:

<b>Consecutive Quarter</b>	<b>Risk Factor</b>	<b>Bonus</b>
1	Below 25	\$50 Visa gift card
2	Below 25	\$50 Visa gift card and a bonus holiday
3	Below 25	\$100 Visa gift card and a bonus holiday
4	Below 25	\$100 Visa gift card, a bonus holiday, and 2 nights at approved hotel

## 2.24 | Discipline/Corrective Action Policy

*Revised: 09/21/2022 | Effective: 04/30/2020*

Violation of Company policies and rules may warrant disciplinary action. Hindsight Electric, LLC has established a policy of corrective action or discipline that may include verbal warnings, written warnings, and suspension. The system is not formal and Hindsight Electric, LLC may, in its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to, and including, termination of employment. Hindsight Electric, LLC's policy of discipline in no way limits or alters the at-will employment relationship.

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## 2.25 | Performance Improvement Policy

*Revised: 09/21/2022 | Effective: 04/30/2020*

An employee may be placed on probation for a designated period of time for significant performance deficiencies that are determined to be within the employee's ability to correct.

### **Procedure**

If the employee fails to complete performance improvement goals, the employee's immediate supervisor may place the employee on probation and counsel the employee regarding:

- Performance deficiencies
- Job performance standards
- An improvement plan
- Actions to be taken by the employee during the probationary period

The employee's immediate supervisor should document this probationary status and counseling using the designated form and give the employee a copy of the form, and have another copy placed in the employee's personnel file.

Employees on performance-related probationary status are not eligible to receive salary increases during the probationary period.

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## 2.26 | Performance Appraisal Program

*Revised: 09/21/2022 | Effective: 04/30/2020*

It is Hindsight Electric, LLC's policy to review each employee's performance on an on-going basis to ensure that you are performing your job to the best of your abilities as well as to suggest areas for improvement and development.

The initial performance review is conducted after the employee's introductory period which is 90 days. Thereafter, performance reviews are conducted on a semi-annual and annual basis. In the event you are promoted or transferred to another position, you will receive a performance review after 6 months.

Your review will be based on such factors as quality and quantity of work, knowledge of your job, initiative, attendance, personal conduct record and your attitude toward your job and the other employees. The review presents an opportunity to discuss your performance as well as to determine the areas for improvement or development.

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## 2.27 | Promotion Policy

*Revised: 12/08/2022 | Effective: 04/30/2020*

It is in the best interest of Hindsight Electric, LLC, and our employees to promote from within whenever qualified personnel are available within Hindsight Electric, LLC.

Jobs may be posted on Hindsight Electric, LLC bulletin board. The posting will contain the required qualifications and experience as well as instructions on how to apply. Employees who meet the job criteria are encouraged to apply or may refer external candidates who are qualified. Hindsight Electric, LLC reserves the right to advertise outside the company to ensure the most qualified person is selected for the position. Management will review the resumes and applications of all candidates and select those who are qualified for an interview.

Factors in the selection process are:

- Skills and ability to perform the position
- Required level of education and/or certifications
- Prior and current work performance
- Disciplinary/Attendance record

If an employee meets the requirements of the position, an interview may be arranged. Agreement will be made between all departments and supervisor/managers before any internal changes are made.

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## 2.28 | Expense Reimbursement Policy

*Revised: 12/08/2022 | Effective: 04/30/2020*

Employees who incur or approve business-related expenses must exercise prudent judgment to ensure the expenses are for legitimate company business. Employees may seek reimbursement for the following expenses:

- Food and refreshments, including alcoholic beverages
- Meals while in travel status or when travel extends the employee's workday (i.e., extended day travel)
- Conferences
- Business mileage
- Professional dues/memberships.

Equally important, is to specify what won't be reimbursed. Employees who incur the following expenses will not be reimbursed:

- The personal portion of any trip
- Family expenses, including those of a partner when accompanying the employee on a business trip, child, or pet care
- Entertainment expenses, including theater, shows, movies, sporting events, golf, or spa treatments
- Personal automobile expenses including repairs, insurance, gasoline, or traffic citations
- Personal losses incurred while on Company business.

Expense reimbursements must be submitted through the Google Form link below. If you do not have a google email account, you will need to set one up or contact the Business Controller.

<https://bit.ly/HindsightElectricExpenseReimbursmentRequest>

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