

SECTION 3.0 | HOURS OF WORK AND PAY

3.1 | Hours of Work

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

Hindsight Electric, LLC will maintain work hours for its employees in accordance with federal and state regulations, production needs, and the maintenance of an efficient and effective schedule of work.

The Fair Labor Standards Act requires employers to maintain an accurate record of hours worked and to pay one and one-half times the regular hourly rate of pay to every nonexempt employee who works overtime. Overtime will be defined as all hours worked over forty *regular pay* hours in a work week. The Fair Labor Standards Act permits exemption of certain professional, administrative, and executive positions, and certain sales positions, as defined in the statutes, from compliance with the act.

The official workweek for all employees begins at 12:01 a.m. on Monday and ends at 12:00 midnight the following Sunday.

The regular business day is from 8:00am to 4:00pm. There will be worksites that require alternate business hours.

Training Time: Any meetings, lectures, and training programs that an employee is required to attend will be considered compensable time.

3.2 | Timekeeping

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Accurately recording time worked is the responsibility of every employee. Federal and state laws require Hindsight Electric, LLC to keep an accurate record of time worked to calculate employee pay and benefits. Time worked is the time actually spent on the job performing assigned duties.

Nonexempt employees must accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They must also record the beginning and ending time of any split shift or departure from work for personal reasons. They must make notes about their time when leaving the job site for materials, when switching jobs, when departing for personal reasons, and when taking a break or lunch, etc. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment. Falsifying time records is time theft and includes, but is not limited to the following

- Clocking in before being on the job site with the Hindsight Electric, LLC foreman ready to work
- Clocking out after you are done performing work for Hindsight Electric, LLC or after you have left the job site

If an employee is scheduled to work and is unable to make it to their scheduled shift, the employee must notify their supervisor AND enter a time off request for vacation, PTO, or unpaid time with the reason for being unable to work their scheduled shift (e.g., "sick", "vacation", "personal").

Supervisors and Human Resources will review the time records before submitting for payroll processing and may adjust the time record. Employees are responsible for reviewing their time records to verify accuracy and to notify Human Resources of any discrepancies.

3.3 | Breaks & Lunches

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Hindsight Electric, LLC provides an official rest break of no more than 15 minutes duration twice a day. Rest breaks must be taken 2 ½ - 3 hours after the scheduled start time and 2 ½ - 3 hours before the scheduled end time to ensure proper coverage. Employees must clock in and out for each break period. Break periods over 15 minutes in duration will be converted to an unpaid lunch. Employees are requested to remain on the company premises or job site during the break periods.

Hindsight Electric, LLC provides an unpaid lunch break of no more than 30 minutes. Lunch breaks must be taken 4 – 5 hours after the scheduled start time for both 8 and 10-hour workdays. Employees must clock in and out for each lunch period. Hindsight Electric, LLC does not require employees to remain on the company premises or job site during the lunch period.

Specific to employees in Colorado

Certain employers in Colorado shall allow employees a paid 10-minute rest break for each four-hour work period. Those employers covered include retail and service, commercial support services, food and beverage, and health and medical. Administrative, executive, professional, sales, and elected officials and their staff are not covered.

3.4 | Overtime

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It is company policy that work shall be completed, whenever possible, with one shift only. When overtime work must be scheduled, equal opportunity for participation will be given among the employees who can perform the work to be done.

Definition of Terms

- **Casual Overtime:** Means overtime of an irregular nature, not expected to continue for more than a day or so. An example of casual overtime is overtime authorized to meet an emergency or unexpected absenteeism. Casual overtime includes daily, or Saturday work provided the above conditions are met.
- **Regularly Scheduled Overtime:** Means overtime that occurs at regular intervals and that is usually accurately predicted for any given period of time. For instance, if because of production needs a department head announces to his/her department that a certain number of people would be required to work ten hours overtime each week for the next six weeks, this would be classed as regularly scheduled overtime.
- Employees assigned overtime work must be judged by Hindsight Electric, LLC as capable of performing the work to be done. Opportunity for casual overtime on a particular job will normally be given to the employee who has been working on that job during the regular shift. Opportunity for Saturday overtime of a casual nature will normally be given to the employee who does this work during the regular week.

There will be no partiality shown to any employee in the distribution of overtime. As a condition of employment, an employee is expected to work overtime and, on any shift when assigned by his/her immediate supervisor. In the event an employee has a justifiable excuse and is unable to work overtime, he/she should notify his/her immediate supervisor so that an alternate may be selected.

All overtime requests must be approved by management. Overtime will be paid to hourly and salaried (nonexempt) payroll employees for those hours worked over and above forty hours in a workweek at the rate of 1-1/2 times regular base rate.

For the purpose of this policy, paid vacations will not be treated as time worked. No other absence will be counted as time worked. Sunday will be considered as a regular workday.

Miscellaneous

No employees will be asked or required to take time off from his/her regular work schedule due to his/her having worked overtime.

Any hourly or salaried (nonexempt) employee found on the premises at other than normal work hours without an approved overtime authorization request will be asked to clock out.

Specific to employees in Colorado

Colorado industries, such as retail and service, commercial support service, food and beverage, and health and medical are required to pay employers time and a half for all hours worked in excess of 40 hours per workweek or 12 hours per workday or 12 consecutive hours without regard to starting or ending times, whichever calculation results in the greatest amount of wages.

3.5 | Flextime

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Hindsight Electric, LLC will work with employees to establish effective flexible scheduling, or flextime, so long as it does not adversely affect the operations of Hindsight Electric, LLC, or service to our customers.

Flextime allows you to vary the times you start, and end work each day within certain time limits. There will usually be a core period when all employees are expected to be present. For example: All employees will work on site from 10:00 a.m. to 2:00 p.m. daily.

Before we approve flextime, we will look at our staffing needs, your performance, and the requirements of your job. If you wish to be considered for flextime, talk with the Owner.

3.6 | Pay Equity

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No employee shall be paid a wage at a rate less than the rate at which an employee of the opposite sex in the same establishment is paid for equal work on a job where the performance of which requires equal skill, effort, and responsibility, and which is performed under similar working conditions.

Specific to employees in Colorado

No employer shall make any discrimination in the amount or rate of wages or salary paid or to be paid his employees in any employment in this state solely on account of the sex thereof.

The director of the division of labor standards and statistics in the department of labor and employment may not enforce wage discrimination complaints based on an employee's sex and instead authorizes the director to create and administer a process to accept and mediate complaints of, and provide legal resources concerning, alleged violations and to promulgate rules for this purpose. An aggrieved person may bring a civil action in district court to pursue remedies specified in the act.

The Equal Pay Act allows exceptions to the prohibition against a wage differential based on sex if the employer demonstrates that a wage differential is not based on wage rate history and is based upon one or more of the following factors, so long as the employer applies the factors reasonably and they account for the entire wage rate differential:

- A seniority system
- A merit system
- A system that measures earnings by quantity or quality of production
- The geographic location where the work is performed

- Education, training, or experience to the extent that they are reasonably related to the work in question
- Travel, if the travel is a regular and necessary condition of the work performed

The act prohibits an employer from:

- Seeking the wage rate history of a prospective employee or requiring disclosure of wage rate as a condition of employment
- Relying on a prior wage rate to determine a wage rate
- Discriminating or retaliating against a prospective employee for failing to disclose the employee's wage rate history
- Discharging or retaliating against an employee for actions by an employee asserting the rights established by the act against an employer
- Discharging, disciplining, discriminating against, or otherwise interfering with an employee for inquiring about, disclosing, or discussing the employee's wage rate

The act requires an employer to announce to all employees any employment advancement opportunities and job openings and the pay range for the openings. The director is authorized to enforce actions against an employer concerning transparency in pay and employment opportunities, including fines of between \$500 and \$10,000 per violation.

Employers are also required to maintain records of job descriptions and wage rate history for each employee while employed and for 2 years after the employment ends. Failure to maintain these records creates a rebuttable presumption, in a lawsuit alleging wage discrimination based on sex, that the records not maintained contained information favorable to the employee's claim.

3.7 | Paydays

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

Hourly employees, salaried employees, and contract employees are all paid weekly on Friday. If a holiday falls on a regular scheduled payday, the payday will be moved to Monday.

Direct deposit is available, and employees are encouraged to utilize this service.

3.8 | Direct Deposit

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

Hindsight Electric, LLC encourages direct deposit of your paycheck to your bank account(s). You can choose to have your check deposited in more than one account. For example, you may elect to have some money put into checking as well as a savings account.

Please submit a voided check or bank deposit slip with the bank's routing number to the Business Controller to initiate direct deposit. It may take one or two pay periods before the transaction can be completed. In the meantime, you will receive a manual check.

Remember to notify payroll before you change the financial institutions where your checks are being sent. It takes a week or two to retrieve a check that has been sent via electronic mail!

Specific to employees in Colorado

Colorado employees must authorize the use of direct deposits and the financial institution of their choosing.

3.9 | Payroll Deductions

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Hindsight Electric, LLC is required by law to deduct Federal and State Withholding Tax (where applicable) from your paycheck. The amount of tax is determined by your earnings and the number of dependents you claim. At year end you will receive a W-2 form showing your total earnings and the amount of taxes withheld.

Deductions for Social Security at the rate established by law are deducted from your paycheck. Hindsight Electric, LLC matches your contributions to the Social Security tax. Other deductions may include premiums for insurance, savings plan, garnishments, etc. If an employee believes that there has been an error in pay, he/she should contact the Business Controller.

3.10 | Child Support/New Hire Law

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Hindsight Electric, LLC complies with the law of the land regarding New Hire/Child Support Law. If you are subject to a child support order, monies will be withheld from your paycheck in accordance with our state's regulations.

Child support is the court-ordered payment by the non-custodial parent to the custodial parent for the care and welfare of the child.

3.11 | Garnishments

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A court-ordered legal claim against the wages of an employee by a creditor for nonpayment of a debt and served by the constituted legal authority is called a garnishment, and it must be recognized and executed by Hindsight Electric, LLC.

When a garnishment is received by Hindsight Electric, LLC, we will advise the employee that a garnishment has been served on Hindsight Electric, LLC. The employee will be counseled to seek assistance in working out his/her financial problems.

3.12 | Travel Expenses

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

- Obtain approval from your supervisor before incurring an expense.
- Spend Hindsight Electric, LLC's money wisely - make an effort to save money and use approved vendors, when possible.
- Keep a receipt or some other proof of payment for every expense. Please purchase personal items separately so that receipts submitted reflect only items purchased for Hindsight Electric, LLC.
- Submit your receipts, along with an expense report, to your supervisor for approval within 30 days of incurring an expense.

Your supervisor is responsible for submitting your expense report for reimbursement. If your report is approved, you will receive your reimbursement by the next payroll.

Mileage Reimbursement

Employees who use their own vehicle to conduct Company business will be reimbursed at the then current IRS approved rate for mileage reimbursement. Employees are not entitled to separate reimbursement for gas, maintenance, insurance, or other vehicle-related expenses. The reimbursement rate above is intended to encompass all these expenses.

Before using a personal vehicle for work-related purposes, employees must demonstrate that they have a valid driver's license and adequate insurance coverage.

To claim mileage reimbursement, you must follow these procedures:

- Keep a written record of your business-related travel, including the total mileage of each business trip, the date of travel, the location to which you traveled, and the purpose of your trip.
- If you anticipate having to travel an unusually long distance, get your supervisor's approval before making the trip.
- Submit your record to your supervisor for approval on the last day of the month.
- If your record is approved, you will receive your reimbursement payment with your next paycheck.

Hindsight Electric, LLC does not reimburse employees for their commute to and from the workplace, nor for expenses related to parking their vehicle, such as tickets.

3.13 | Final Paycheck

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Hindsight Electric, LLC follows the state regulations regarding deadlines for employees to receive their final paycheck.

Specific to employees in Colorado

If Hindsight Electric, LLC terminates an employee, all unpaid wages are due immediately. If the employee terminates or quits, wages must be paid on the next regularly scheduled payday.
