

New York Handbook Addendum

ABOUT THIS HANDBOOK

This New York Handbook Addendum applies to Stiles Machinery employees who work in the State of New York and supplements our Employee Handbook. The policies noted in this Addendum are in addition to those that make up the Employee Handbook, and the policies that reside within that Handbook still apply to all employees of Stiles Machinery. In the event of any inconsistency between the Handbook and this Addendum, this Addendum will control for our employees working in New York.

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New York-Specific Policies

EEO Policy and Prohibition of Unlawful Discrimination/Harassment

Equal Opportunity Statement

Stiles Machinery is committed to the principles of equal employment. We are committed to complying with all federal, state, and local laws providing equal employment opportunities, and all other employment laws and regulations. It is our intent to maintain a work environment that is free of harassment, unprofessional conduct, discrimination, or retaliation based on an individual's race, hair texture, protective hair styles, color, religion, national origin, ancestry, age, sex, gender expression, marital status, familial status, creed, pregnancy, predisposing genetic characteristics, domestic violence victim status, disability, military status, unfavorable discharge from military service, sexual orientation, citizenship status, work authorization status, criminal or arrest record, lawful use of products or lawful recreational activities when not at work, use of a service dog, reproductive health decisions, or any other characteristic protected under applicable federal, state, or local law.

Stiles Machinery is dedicated to the fulfillment of this policy in regard to all aspects of employment, including but not limited to recruiting, hiring, transfers, training, promotion, rates of pay and other compensation, termination, and all other terms, conditions, and privileges of employment. The Company will conduct a prompt and thorough investigation of all allegations of discrimination, harassment, or retaliation, or any violation of the Equal Employment Opportunity Policy.

Prohibition of Unlawful Discrimination/Harassment

Stiles Machinery is committed to maintaining a workplace free from harassment. This Policy is one component of Stiles Machinery's commitment to a discrimination-free work environment.

It is against Company policy for any employee, supervisor, manager, independent contractor, customer or vendor to discriminate against or harass another based on any protected classification protected by applicable state, federal, or local law or as set forth in the Equal Employment Opportunity Policy.

Sexual Harassment

Stiles Machinery has a zero-tolerance policy for any form of sexual harassment. All employees are required to work in a manner that prevents sexual harassment in the workplace. Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity, and the status of being transgender.

All employees have a legal right to a workplace free from sexual harassment. Employees can enforce this right by filing a complaint with Stout, with a government agency, or in court under federal, state, or local discrimination laws.

Sexual harassment includes unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment;
- (2) submission or rejection of the conduct is used as a basis for making employment decisions; or
- (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment could include, but is not limited to, the following:

Unwelcome sexual advances or sexual flirtations; physical conduct of a sexual nature; unwelcome physical contact; requests for sexual favors; verbal abuse of a sexual nature including subtle and not so subtle innuendo; unwelcome sexually suggestive remarks, jokes and gestures; graphic verbal commentaries about an individual's body; sexually degrading words used to describe an individual, including sexual nicknames; and display in the work place of sexually suggestive objects, pictures, or cartoons.

Other Unlawful Harassment

Unlawful harassment may also consist of conduct that disparages or shows aversion toward an individual because of his/her race, color, religion, gender (not limited to sexual harassment), national origin, age, sexual orientation, gender identity, physical or mental disability, protected veteran status or application, or any other basis protected by applicable local, state or federal law or because of such characteristics of a relative, friend or associate. Such harassment is illegal.

Examples of harassing conduct includes, but is not limited to, the following: (a) epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to a protected characteristic; and (b) written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of a protected characteristic and that is placed on walls, bulletin boards, or elsewhere on the Company's premises or circulated in the work place.

Reporting Harassment

Preventing harassment is everyone's responsibility. Stiles Machinery cannot prevent or remedy unlawful discrimination or harassment unless the Company knows about it. If you feel that you have been or are being discriminated against or harassed, you should immediately report the matter to your supervisor, the Human Resources Department, or any member of management. Reports of harassment may be made verbally or in writing.

Employees, paid or unpaid interns or non-employees who believe they have been a victim of harassment or discrimination may also seek assistance in other available forums. Aside from the internal process at Stiles Machinery, employees may also choose to pursue legal remedies with the following governmental entities **at any time**:

1. The New York State Division of Human Rights (DHR)
 - a. Complaints with the DHR may be filed at any time within one year of the harassment. If an individual does not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination.
 - b. DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8300 or 1-888-392-3644. www.dhr.ny.gov
2. United States Equal Employment Opportunity Commission (EEOC)
 - a. If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000, visiting their website at eeoc.gov, or via email at info@eeoc.gov
3. The New York City Commission on Human Rights:
 - a. An employee may report discrimination with the NYC Commission on Human rights by filing a complaint online at: <https://www1.nyc.gov/site/cchr/about/report-discrimination.page>.

Complaints and Investigations of Harassment

An investigation of any complaint, information, or knowledge of suspected harassment will be prompt and thorough. All persons involved, included complainants, witnesses, and alleged perpetrators will be entitled to due process to protect their rights to a fair and impartial investigation. To the extent practical with conducting an appropriate investigation, the complaint and its investigation will be kept confidential. In determining whether the alleged conduct violates this policy, the Company will look at the totality of the circumstances.

Any employee may be required to cooperate as needed in an investigation of suspected discrimination or harassment. Employees who participate in any investigation will not be retaliated against.

Investigations will be done in accordance with the following steps:

- Upon receipt of a complaint, Human Resources will conduct an immediate review of the allegations, and take any interim actions, as appropriate. If the complaint is oral, Human Resources will encourage the individual to complete the "Complaint Form" in writing. If the individual refuses, Human Resources will prepare a Complaint Form based on the oral reporting.
- If there are documents, emails, or phone records relevant to the allegations, the Company will take steps to obtain and preserve them.
- The Company will request and review all relevant documents, including electronic communications.

- The Company will interview all parties involved, including any relevant witnesses.
- The Company will document in writing the following:
 - A list of documents reviewed along with a detailed summary of relevant documents;
 - A list of names of those interviewed along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - The final resolution of the complaint, together with any corrective action(s).
- A copy of the records will be maintained.
- The Company will notify the individual who brought allegations and any other appropriate individual of the final determination and implement any corrective actions identified in the written document.

Penalty

Sexual harassment and prohibited harassment of any kind are forms of employee misconduct. An act found to have violated this policy will be subject to disciplinary action, up to and including immediate discharge. In addition, individuals in a supervisory or management position who knowingly allow prohibited harassment to take place will be subject to disciplinary action, up to and including immediate discharge.

Non-Retaliation

The Company believes that it is every employee's obligation to report complaints or incidents of possible discrimination or harassment. Retaliation against individuals who complain of sexual harassment or who testify or assist in any investigation or proceeding involving sexual harassment is unlawful. The Company will neither retaliate against nor tolerate retaliation against any employee who brings a complaint to the Company's attention or participates in an investigation or proceeding regarding a complaint. If an employee feels that he or she has been retaliated against in violation of this policy, the employee should follow the complaint procedure above.

Non-Employee

If you believe that you or another employee has been the subject of sexual or other unlawful harassment as defined in this policy by a non-employee, such as a client or vendor, you should immediately report the matter to the Human Resources Department. If it is more comfortable or convenient for you, you may instead go directly to your Manager.

If the Company, after appropriate investigation, finds that a non-employee has engaged in conduct toward an employee that violates this policy during work time or in relation to the employee's work, appropriate action will be taken.

Training

Every year, all employees must attend Sexual Harassment Prevention training aimed at increasing their understanding of and preventing workplace sexual harassment (including harassment on the basis of sexual orientation, gender identity, and gender expression) and their role in creating an underlying culture of mutual respect in our workplace. Specific components of the training will include how to promptly and effectively respond to sexual harassment when it occurs, the effects of abusive conduct in the workplace, and ways to appropriately intervene if one witnesses behavior that is not in keeping with this policy. You may access an example of such training here: <https://www.ny.gov/combating-sexual-harassment-workplace/sexual-harassment-prevention-model-policy-and-training>.

The training will be provided by trainers who, in addition to the other requirements provided by applicable state law and/or regulation, have the ability through training or experience to train supervisors on how to identify, investigate, report, and respond to unlawful harassment, discrimination, and retaliation in the workplace.

Reproductive Health Decisions

New York State law prohibits discrimination and retaliation in employment based on an employee's or an employee's dependent's reproductive health decision making, including but not limited to, the decision to use or access a particular drug, device or medical service (hereinafter "reproductive health decisions"). It is an unlawful employment practice for the Company to access an employee's personal information regarding their or their dependent's reproductive health decisions without the employee's prior informed affirmative written consent, or to require an employee to sign a waiver or other document, which purports to deny an employee the right to make their own reproductive health decisions. Any employee who feels there has been a violation of this policy should report their concern to Human Resources. The Company will investigate and take appropriate remedial action. An employee may also file a private legal action and can seek remedies to the extent available under applicable law. Discrimination and retaliation against employees who exercise rights under this policy is prohibited.

Paid Sick/Safe Leave

New York's paid sick leave requires employers to provide employees working in New York state with paid sick/safe leave (PSL) for either their own or their family member's health or safety issues. For purposes of this law, a family member is defined as an employee's child, spouse, domestic partner, parent, sibling, grandchild, grandparent, and the employee's spouse or domestic partner's child or parent.

Any employee who is not covered by the Company's PTO policy is eligible to earn sick time (not PTO) as described below. Eligible employees will begin to accrue PSL at a rate of one (1) hour for every thirty (30) hours worked up to a maximum fifty-six (56) hours per benefit year. Employees may use PSL for the following reasons impacting the employee or a member of their family for whom they are providing care or assistance with care:

Sick Leave:

- For mental or physical illness, injury, or health condition, regardless of whether it has been diagnosed or requires medical care at the time of the request for leave; or
- For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for medical diagnosis or preventive care.

Safe Leave:

- For an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:
 - to obtain services from a domestic violence shelter, rape crisis center, or other services program;
 - to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
 - to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
 - to file a complaint or domestic incident report with law enforcement;
 - to meet with a district attorney's office;
 - to enroll children in a new school; or
 - to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.
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If you know in advance that you will need to take sick leave, you are expected to provide as much advance notice as possible. Where advance notice is not possible, please notify the Company as soon as possible. Employees must use PSL in minimum increments of four (4) hours at a time and may use no more than fifty-six (56) hours per benefit year. Accrued time under this policy will carry over each year; however, an employee may not use more than the maximum annual accrual during a calendar year. Employees will be paid at their normal rate of pay for any PSL taken under this policy. The Company will not retaliate against employees in any way for exercising their rights to use sick/safe leave. Upon return from sick leave, employees will be restored to their position of employment as it had been prior to any sick leave taken.

The Company will maintain records of the amount of sick leave New York employees take for at least six (6) years.

Paid Family Leave

Employees in New York may be eligible for up to twelve (12) weeks of paid time off at sixty seven percent (67%) of their regular weekly wage, up to sixty-sever percent (67%) of the New York State Average Weekly Wage up to a cap of \$1,131.08 per week for 2023. An eligible employee is 1) an employee with a regular work schedule of twenty (20) or more hours after twenty-six (26) weeks of employment, or 2) an employee with a regular work schedule of less than twenty (20) hours per week after one hundred seventy-five (175) days worked. In limited circumstances, an employee whose regular work schedule is temporary or seasonal may opt out of paid family leave. Employees who have questions about opting out of paid family leave should contact Human Resources.

Leave under this policy may be taken for bonding with a newly born, adopted or fostered child, to care for a family member with a serious health condition, or to help out with obligations when a spouse, child, domestic partner or parent is on active military duty abroad or has been notified of an impending call or order of active military duty abroad. Leave for bonding with a child must be taken during the first twelve (12) months following the birth, adoption, or fostering of a child. For purposes of this policy, "family member" includes: spouses, domestic partners, children, siblings (including biological, adopted, half, or step siblings) parents, parents-in-law, grandparents and grandchildren. A "serious health condition" is an illness, injury, impairment or physical or mental condition that involves: inpatient care in a hospital, hospice or residential health care facility; or continuing treatment or supervision by a health care provider.

If you know in advance that you will need to take leave under this policy, you are expected to provide thirty (30) days advance notice, if possible. Where advance notice is not possible, please notify the Company as soon as possible. Eligible employees will be required to submit a completed claim package within thirty (30) days of their first day of paid leave, which includes supporting documentation of the need to leave.

Eligible employees may be required to contribute, through payroll deduction, an employee contribution for this benefit.

An employee's health insurance will be continued during a paid family leave. Any share of health insurance premiums that had been paid by the employee prior to commencing leave shall be paid during leave. If premiums are raised or lowered, the employee will be required to pay the new premium rates. Employees returning from a paid family leave under this policy are entitled to be reinstated to their same or comparable position.

Eligible employees wishing to take a paid family leave should contact Human Resources.

To the extent permitted by law, paid family leave will run concurrently with leave taken under other Company policies and under other laws.

Nursing Mothers

The Company is committed to supporting nursing mothers by accommodating a mother who wishes to express breast milk during her workday when separated from her newborn

child. The Company will not discriminate against nursing mothers. Employees who are nursing will be provided with reasonable breaks to express breast milk as needed. The Company will provide a place for employees to express milk, other than a bathroom, that is shielded from view and free from intrusion and that complies with applicable law. Nursing mothers should contact Human Resources so that the Company can promptly make appropriate arrangements to accommodate the employee's needs.

In New York City, the Company will also provide employees with access to seating, electricity, a surface to place a breast pump or other personal items, a sink with running water and a refrigerator suitable for storing breast milk that is close to the employee's workspace.

In New York City, nursing mothers will be provided with reasonable breaks to express breast milk for up to three (3) years. Such breaks will be provided pursuant to Section 206-c of the New York Labor Law and Section 7 of the Fair Labor Standards Act. Nursing mothers should request a lactation room by contacting Human Resources. If at any time two or more employees need to use a lactation room, the Company will discuss various options to determine what arrangements address each employee's needs such that each employee has access to the lactation room amenities. Please contact Human Resources if this situation should arise. If any request for a lactation room poses an undue hardship on the Company, the Company will engage in a cooperative dialog.

Crime Victim or Witness Leave

Stiles Machinery acknowledges that, on occasion, employees may have an obligation to participate in criminal legal proceedings either as a witness or because the employee or a close family member was victimized by a criminal act. Stiles Machinery authorizes leave to attend those proceedings under circumstances described in this policy.

If you are required to attend a criminal proceeding either as a witness or as a crime victim or a close family member of a crime victim, you must inform the Company as soon as possible and at least one day before taking leave to make arrangements for a leave of absence. Stiles Machinery reserves the right to require employees to provide proof of the need to attend the criminal proceedings to the extent authorized by law.

Time off under this policy is unpaid, however, employee may opt to use any available vacation time in place of unpaid leave.

For purposes of this policy, close family member includes: Spouse, Parent, Step-parent, Parent-in-law, Sibling, Brother-in-law, Sister-in-law, Child, Step-child, Son-in-law, or Daughter-in-law.

Employees are expected to return to work if you are excused from the criminal proceedings during regular working hours or released from the criminal 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.

Bone Marrow and Blood Donor Leave

Employees who work an average of 20 or more hours per week are eligible to take leave under the following policies.

Bone Marrow Donation Leave

Eligible employees may take up to 24 hours of unpaid leave to donate bone marrow per donation. Stiles Machinery reserves the right to request a written physician verification of the purpose and length of bone marrow donation leave.

Blood Donation Leave

Eligible employees may take up to 3 hours of unpaid leave per 12-month period to donate blood. Stiles Machinery reserves the right to request verification of the employee's blood donation.

The Company will not retaliate against employees who request or take leave in accordance with these policies.

Military Spousal Leave

Stiles Machinery provides up to 10 days of unpaid leave to employees who are spouses of military personnel who are home on leave during a period of military deployment. An eligible employee works at least an average of 20 hours per week and is the spouse of a member of the armed forces of the United States, National Guard or Reserves who has been deployed during a period of military conflict. To request leave under this policy, eligible employees must provide notice to Stiles Machinery within two business days of receiving official notice that their spouse will be on leave from deployment. Employees may, but are not required to, use accrued paid leave (e.g., Paid Time Off) concurrently with leave under this policy. The Company will not retaliate against employees who request or take leave in accordance with these policies.

New York Handbook Addendum Acknowledgment

This New York-specific Handbook Addendum is an important document intended to help our employees become acquainted with policies specific to the state of New York. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because the Company's operations may change, the contents of this Handbook Addendum may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this New York Handbook Addendum.

I have received and read a copy of Stiles Machinery' New York Handbook Addendum. I understand that the Addendum is not a contract, and that the policies, rules, and benefits described in it are subject to change at the sole discretion of the Company at any time.

I further understand that my employment is terminable at will, either by myself or the Company, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.

I understand that no representative of Stiles Machinery other than the President may alter "at will" status, and any such modification must be in a writing signed by the Head of Human Resources or President and me. I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of the Company's New York Handbook Addendum.

Employee's Printed Name: _____

Employee's Signature: _____ Date: _____

The signed original copy of this acknowledgment will be filed in your personnel file.