

FOR CONNECTICUT ASSOCIATES ONLY

This section of the Handbook applies to those FS Staffing Temporary Associates who work in Connecticut. It is intended to set forth additional Associate rights and notices applicable to Connecticut Associates by virtue of Connecticut specific laws. If there are differences between the laws and the summaries below, the laws will govern. To our Connecticut Associates: please note that wherever Connecticut law provides for or offers greater protections to our Associates, Connecticut law will govern.

CONNECTICUT FAIR EMPLOYMENT PRACTICES ACT (“CFEPA”)

The Connecticut Fair Employment Practices Act (“CFEPA”) is Connecticut’s primary employment discrimination statute. Under the statute, you cannot be denied employment, denied a promotion or a raise, or otherwise discriminated against based on your age, sex, race, color, national origin or religion. Moreover, the Act prohibits discrimination on the basis of “physical disability,” “mental disability,” “intellectual disability,” and/or “learning disability.”

- The alleged “physical disability” must be chronic, which substantially limits one or more major life activity.
- The alleged “mental disability” is defined as referring to a person who has a record of or is regarded as having a mental disorder.

Under CFEPA, you must show that you have a disability and that you are otherwise qualified to perform the essential functions of the job, with or without reasonable accommodations. A reasonable accommodation is a modification or adjustment that enables a qualified individual with a disability to be considered for a position; perform the essential functions of the job; enjoy equal benefits and privileges of employment and does not create an undue hardship. To do so, you must make a written request for an accommodation to Human Resources and/or your Manager. The parties will work to create a reasonable accommodation with your help.

[Conn. Gen. Stat. § 46a-60]

CROWN ACT

A new addition to Connecticut State law, the CROWN Act provides that you cannot be denied employment or otherwise discriminated against based on your hair texture or protective hairstyle. The Act changes the definition of the word “race” as it is used in Connecticut’s anti-discrimination statutes to specifically include “ethnic traits historically associated with race, including, but not limited to, hair texture and protective hairstyles.” Under the law, protective hairstyles include “wigs, headwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.”

If you feel you have been subjected to discrimination based upon an ethnic trait historically associated with race, please report the incident immediately to your supervisor or Human Resources.

COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES (“CHRO”)

The Commission on Human Rights and Opportunities (“CHRO”) enforces Connecticut’s anti-discrimination laws, as it is the agency with jurisdiction to take in and investigate complaints from employees.

To proceed with a claim under CFEPA, the complainant must first file with the CHRO within 300 days of the alleged discriminatory activity. Complaining internally to the Company does not extend your time to file with the CHRO or in court.

You do not need an attorney to file a complaint with CHRO. The CHRO will investigate your complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If there is a finding that reasonable causes exists, CHRO has the power to coordinate a settlement between the parties

The Commission’s Central Office is located at: 450 Columbus Boulevard in Hartford, Connecticut 06103. You can also visit its website at <https://portal.ct.gov/CHRO>.

Contact CHRO at (860) 541-3400 or visit <https://portal.ct.gov/CHRO> for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to CHRO. The website also contains contact information for CHRO’s regional offices across Connecticut.

CONNECTICUT FAMILY AND MEDICAL LEAVE

Connecticut’s Family and Medical Leave Act (CT FMLA) is largely similar to the Federal Family and Medical Leave Act (FMLA), but with a few key differences.

A. Eligibility

Unlike the FMLA, employees are eligible for leave under the CT FMLA if they have been employed for at least three months immediately preceding the request for leave. The employee’s earnings and number of hours worked are not considered.

B. Qualifying Reasons for CT FMLA Leave

Eligible employees may take CT FMLA leave for any of the following qualifying reasons:

- Your own serious health condition.
- To care for any of the following family members with a serious health condition:
 - A spouse;
 - A child;
 - A parent or parent-in-law;
 - A sibling or sibling-in-law;
 - A grandparent;

- A grandchild; or
- Any person related to you by blood or affinity who has a close association to you, equivalent to a family relationship.
- The birth of your child.
- The placement of a child with you by adoption or foster care arrangement.
- To serve as an organ or bone marrow donor.
- A qualifying exigency arising from the fact that your spouse, child, or parent:
 - Is on active duty; or
 - Has been notified of an impending call or order to active duty in the armed forces
- To address certain matters relating to family violence.

The CT FMLA defines “serious health condition” as “an illness, injury, impairment, or physical or mental condition that involves (A) inpatient care in a hospital, hospice, nursing home or residential medical care facility; or (B) continuing treatment, including outpatient treatment, by a health care provider.”

A child may include “a biological, adopted or foster child, stepchild, legal ward, or, in the alternative, a child of a person standing *in loco parentis*, who is (A) under eighteen years of age; or (B) eighteen years of age or older and incapable of self-care because of a mental or physical disability.” A “parent” means “a biological parent, foster parent, adoptive parent, stepparent, parent-in-law or legal guardian of an eligible employee or an eligible employee's spouse, an individual standing *in loco parentis* to an eligible employee, or an individual who stood *in loco parentis* to the eligible employee when the employee was a child.” A “spouse” includes a legal husband or wife. Connecticut does not recognize common law marriage.

Note that entitlement to leave may accrue prior to the birth or placement of a child when such leave is required because of such impending birth or placement.

C. Amount of Leave

The CT FMLA allows employees to take up to 12 weeks of unpaid, job-protected leave in a 12-month period for any of the qualifying leave reasons listed above, except that:

- Up to 26 weeks in a 12-month period can be used for military caregiver leave;
- Up to 12 days in a calendar year can be used for family violence leave under the Family Violence Leave Act; and
- An employee may be eligible for two additional weeks of leave for incapacity during pregnancy.

D. Requesting and Obtaining CT FMLA Leave

If your need for leave is foreseeable, you are required to provide the Company with at least 30-days’ written notice-prior to taking leave. If the leave is not foreseeable, you are required to provide notice as soon as practical under the circumstances, ordinarily at least the same day or next business day after the need for leave becomes known. In addition, absent unusual circumstances absolutely preventing it, you must also comply with the Company’s usual and customary notice requirements for requesting leave, including its call-in policy. In all circumstances, your notice of

the need for leave must provide sufficient information for the Company to be aware that the reason for leave qualifies for CT FMLA, and of the anticipated timing and duration of the leave.

If you fail to provide 30-days' notice for foreseeable leave, or the maximum possible and practical notice for unforeseeable leave, with no reasonable excuse for the delay, the leave request may be denied or postponed by the amount of notice that should have been provided, and any time missed before that point may be considered an unexcused and unprotected absence.

Once you notify the Company that an absence is for a CT FMLA qualifying reason, we will notify you of your eligibility for CT FMLA leave, provide you with a notice of rights and responsibilities, and begin the approval process. You may also be required to submit certain documentation, depending on the reason for the leave:

For your own serious health condition: Medical Certification for Employee's Serious Health Condition, issued by your health care provider.

For childbirth: the child's birth certificate, or alternatively documentation of the pregnancy or birth from the mother's health care provider. It must include the mother's name and the child's estimated due date or birth date. If the employee is not the birth mother, official documentation also must be submitted naming the employee as a parent or proving the employee is married to or in a civil union or domestic partnership with the birth mother.

For foster care: the letter of placement issued by the relevant department of social services or its designee that placed the child with the employee. If the employee is not named in the documentation, the employee must also provide a document verifying his or her relationship to the parent named in the foster care placement letter.

For adoption: a court document finalizing adoption, or if leave is taken before the adoption is complete, a document showing that the process is underway. If the employee is not named in the documentation, the employee must also provide a document verifying his or her relationship to the parent named in the adoption paperwork.

For care of a family member with a serious health condition: Medical Certification for Care of a Family Member's Serious Health Condition, completed by his or her health care provider, and a Family Member Verification Form.

For care of a current military servicemember with a serious injury or illness: Medical Certification for Serious Injury or Illness of a Servicemember for Military Caregiver Leave.

For military qualifying exigency: Certification for Military Family Leave for Qualifying Exigency, under the Family Medical Leave Act.

Forms for each kind of leave are available with Human Resources. It is the employee's responsibility to provide a complete and sufficient certification as required. Failure to do so may result in the denial of CT FMLA leave. Once a claim package is completed and submitted, the claim will be processed and a determination issued, ordinarily within 18 days.

During your leave of absence, you must take all accrued paid time available to you, such as vacation, sick, or personal days, except that you will be able to retain two weeks of paid time off. In addition, you are requested to report periodically to the Company while on leave regarding your status and intent to return to work. If more *or less* leave than originally anticipated is needed, you must notify the Company as soon as possible and practical after the changed circumstances.

E. Returning to Work

If the CT FMLA leave is for your serious health condition, the Company requires a doctor's release for you to return to work. You must be able to perform the essential functions of your job to return to work after leave for your serious health condition.

Employees are entitled to be reinstated to their same position or, if the same position is no longer available, to an equivalent position upon returning from CT FMLA leave. In the latter instance, the term "equivalent" means equivalent with regard to employment benefits, pay and other terms and conditions of employment. In the case of a medical leave, if the employee is medically unable to perform the employee's original job upon the expiration CT FMLA leave, the employee is entitled to be transferred to work suitable to such employee's physical condition if such work is available. An employee is not entitled to reinstatement if the employee has exhausted his or her CT FMLA leave entitlement, the employment relationship would have ended regardless of the employee's taking CT FMLA leave, or the employee obtains CT FMLA fraudulently.

FS Staffing is prohibited from interfering with, or retaliating or discriminating against, an employee for requesting or taking CT FMLA leave. However, FS Staffing may require an employee on leave to report periodically on the status and intention of the employee to return to work.

[See Connecticut General Statutes Sections 31-51kk to 31-51qq]

BREAST FEEDING ACCOMMODATIONS

Nursing female Associates are permitted to breastfeed their babies in places of public accommodation. Mothers can generally breastfeed at a time, place, and manner of their choosing while in a place of public accommodation. An Associate does not have to go to a special area or go into the restroom. They do not have to cover the baby with a towel or blanket. The owner, manager or employee of a place of public accommodation cannot request that the mother stop breastfeeding her baby, cover up, move to a different room or area, or leave.

[See Connecticut General Statutes §46a-64]; see also <https://portal.ct.gov/-/media/CHRO/faqbreastfeedingjoint10211pdf.pdf>]

Under Connecticut law, female Associates who wish to breastfeed or express breast milk for their infant child will be provided a reasonable amount of break time for that purpose. FS Staffing will make reasonable efforts to provide the use of a room or other location near the work area, other than a toilet stall, for the employee to express breast milk in private that: (1) is free from intrusion and shielded from the public, (2) includes or is near a refrigerator or employee-provided portable

cold storage device for the storage of expressed breast milk, and (3) includes access to an electrical outlet. You should notify your supervisor if you require lactation accommodations. FS Staffing prohibits any form of harassment, discrimination, or retaliation against any employee because the employee has elected to exercise her right to breastfeed or express breast milk at the workplace.

MILITARY LEAVE

Under Connecticut law, you are entitled to a leave of absence, without pay, if you are required to fulfill military obligations in any Armed Forces, National Guard, other uniformed services, or state military, as required by federal and state law. If you need to take military leave, you must give advance notice of your service obligations to your supervisor, unless military necessity makes advance notice impossible. You should present your supervisor with your military orders and make arrangements for leave as early as possible before the beginning of leave. You will not lose any employment privileges by taking leave. You will also not be prejudiced in promotions, continuing employment, reappointment, or reemployment for taking leave under this policy. If you feel that you have been denied the benefit of military leave, or if you feel you have been discriminated against as a result of your service as a member of the United States Armed Forces, please report your concerns to HR immediately.

[Conn. Gen. Stat. § 27-33&33a]

WHISTLEBLOWER LAW

Under Connecticut law, you are protected from discharge, discipline, or retaliation for reporting to a public body a violation of a federal, state, or local law regulation. Similarly, you are protected from retaliation occurring as a result of your participation in a public investigation, hearing, or inquiry.

[Conn. Gen. Stat. § 4-61dd(a)]

LEAVE FOR CRIME VICTIMS

Connecticut law provides a right to leave for employees who are victims of certain crimes to attend court proceedings and participate in a police investigation relating to the crime. In addition, employers are required to provide up to 12 days of leave to employees who are victims of family violence for the following reasons:

- To seek medical care or psychological or other counseling for physical or psychological injury or disability for the victim;
- To obtain services from a victim services organization on behalf of the victim;
- To relocate due to such family violence; or
- To participate in any civil or criminal proceeding related to or resulting from such family violence.

“*Family Violence*” is defined as an incident resulting in physical harm, bodily injury, or assault, or a threatened act of such violence, between family or household members.

All employees are eligible for leave due to family violence. The leave may be paid or unpaid and may include compensatory time, vacation time, personal days off or other time off.

[Conn. Gen. Stat. § 54-85b; Conn. Gen. Stat. § 31-51ss]

CONNECTICUT'S SEXUAL HARASSMENT PREVENTION RESOURCES (THE "TIME'S UP ACT")

The "Time's Up Act," effective as of January 1, 2021, modified existing Connecticut state law to extend greater protections to employees claiming sexual harassment and other kinds of workplace discrimination.

As a preliminary matter, "sexual harassment" is defined as any unwelcome sexual advances or request for sexual favors or any conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or,
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Please refer to FS Staffing's general guidelines regarding sexual harassment and the reporting thereof. Please also note that information regarding the illegality of sexual harassment and remedies available to victims of sexual harassment, including legal remedies, is available here:

<https://portal.ct.gov/-/media/CHRO/Sexual-Harassment-Prevention-Training/Sexual-Harassment-Written-Materials-English.pdf>

<https://portal.ct.gov/-/media/CHRO/Sexual-Harassment-Prevention-Training/Sexual-Harassment-Written-Materials-Spanish.pdf>

Contact the Local Police Department

If harassment involves physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. In that event, please contact local police.

Mandatory Training

- All existing employees must participate in at least two hours of sexual harassment prevention training by February 9, 2021.
- New employees must complete sexual harassment prevention training within six months of their start date. However, such training is not required for new employees who, within two years before being hired, received in-person or online training provided by the Commission on Human Rights and Opportunities while working for another employer.
- Periodic supplemental training will be required not less than every ten years.

- Because sexual harassment prevention training is required, any employee failing or refusing to timely complete sexual harassment prevention training may be subject to discipline, including termination from employment.

Protection from Retaliation

If you make a complaint of sexual harassment, FS Staffing cannot make any change to the terms and conditions of the complaining employee's employment (for example, change the employee's work location or work schedule) unless the employee consents to the change in writing.

[Conn. Gen. Stat. § 46a-56; Conn. Gen. Stat. 46a-60(b)(8)]

DISCLOSURE OF WAGE RANGES

A new Connecticut law, effective October 1, 2021, requires employers to disclose an existing employee's wage range (a) at the hiring of the employee, (b) a change in the employee's position with the employer, or (c) at the employee's first request for a wage range. [Conn. Gen. Stat. § 31-40z(b)(9)]

The law defines "wage range" as "the range of wages an employer anticipates relying on when setting wages for a position," and may refer to any applicable pay scale, previously determined range of wages for the position, actual range of wages for those employees currently holding comparable positions or the employer's budgeted amount for the position. [Conn. Gen. Stat. § 31-40z(a)(4)]

This law applies to remote employees that are located outside the physical confines of the state.

DRUG AND ALCOHOL FREE WORKPLACE POLICY

We believe that maintaining a workplace that is free from the effects of drug and alcohol abuse is the responsibility of all persons involved in our business, including our employees and clients. The use, possession, sale, or transfer of any controlled substance (including marijuana) or alcohol on Company or client property, in Company or client vehicles, or while engaged in Company or client activities is strictly forbidden. Being under the influence of drugs or alcohol while on Company or client property, in company or client vehicles, or while engaged in Company or client activities is also strictly forbidden.

Unless prohibited by law, FS Staffing reserves the right to conduct or require drug and alcohol testing on any employee on company or client premises, engaged in company or client business, or operating company or client equipment under certain circumstances. Specifically, testing may be required when a client requires pre-assignment testing, and/or where management has a reasonable suspicion that an employee is under the influence of alcohol or a controlled substance that adversely affects or could adversely affect the employee's job performance.

Some of the observable behaviors that may indicate that an employee is working in an impaired

condition or otherwise engaging in conduct that violates this policy include, but are not limited to:

- Observed use of alcohol or drugs;
- Smell of alcohol on breath;
- Fluctuating mood, unusual, aggressive, or abnormal behavior;
- “On-the-job” absenteeism (e.g., long or excessive breaks);
- Unsteady gait, slurred speech, poor coordination, or slowed reactions;
- Drowsiness or nodding off;
- Illogical and/or unrelated responses to questions.

FS Staffing may also require an employee to submit to a random urinalysis drug test if:

- Such test is authorized under federal law;
- The employee has been assigned to serve in an occupation which has been designated as a “high-risk or safety-sensitive occupation;” or
- The test is conducted as part of a voluntary employee assistance program.

Connecticut law defines “high-risk or safety-sensitive occupation” as an occupation which:

- Presents a clearly significant life threatening danger to the employee so occupied, his fellow employees, or the general public and is performed in a manner or place inherent with or inseparable from such danger;
- Requires the exercise of discriminating judgment or high degree of care and caution; and
- Is separate from the ability to discern impaired or enhanced performance by direct supervision and is not reasonably subject to other valid and available means of observation and evaluation which would preclude the necessity of random urinalysis.

FS Staffing will pay the costs associated with the drug test. FS Staffing will provide the employee with a reasonable opportunity to rebut or explain the results. A positive test will result in termination. A refusal to test will be considered the same as a positive test.

All drug testing-records will be treated as confidential.

The Company may search company or client premises or property, without prior notice, and reserves the right to search employees’ personal property brought onto company or client premises in order to investigate a reasonable suspicion that this policy has been violated.

Employees violating this policy are subject to disciplinary action up to and including immediate termination and, consistent with state laws, possible denial of any Workers’ Compensation benefits. Failure to consent to a test or any attempt to falsify or alter test results will also result in disciplinary action, up to and including termination.

RECREATIONAL MARIJUANA IN CONNECTICUT

Despite the legalization of recreational marijuana in Connecticut, the Company’s Drug and Alcohol Free Workplace Policy remains in effect. As such, Connecticut employees are not permitted to possess use, or consume recreational marijuana while performing job duties or on the Company’s or a client’s premises.

Connecticut employees are also strictly prohibited from performing job duties while under the influence of marijuana. FS Staffing will take adverse action against an employee, including termination, where there is:

- Reasonable suspicion of an employee's use of cannabis while performing job duties at the workplace or on call; or
- A determination that an employee manifests specific, articulable symptoms of drug impairment while working (either at the workplace or on call) that decrease the employee's performance of job duties, such as:
 - Symptoms of the employee's speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, negligence or carelessness in operating equipment or machinery;
 - Disregard for the safety of the employee or others;
 - Involvement in any accident that results in serious damage to equipment or property;
 - Disruption of a production or manufacturing process; or
 - Carelessness that results in any injury to the employee or others.

The Company will also take adverse employment actions based on positive marijuana drug test results when there is reasonable suspicion (as described above), or after a pre-employment drug test or random drug test (only as permitted by existing Connecticut law).