

Advantis Global Employee Handbook Addendum

Employees Working in or Reporting to a Colorado Office



Dated 1/1/2021

About This Addendum

Advantis Global, LLC or an affiliated entity (“Advantis Global” or the “Company”) is committed to workplace policies and practices that comply with federal, state, and local laws. For this reason, employees reporting to a Colorado office will receive the Advantis Global Employee Handbook (the “Handbook”) and this Colorado Addendum to the Handbook (the “Colorado Addendum”).

This Colorado Addendum applies only to Colorado employees. It is intended as a resource containing specific provisions derived under Colorado law that apply to the employee’s employment. It should be read together with the Handbook and, to the extent that the policies in this Colorado Addendum are different from, or more generous than, those in the Handbook, the policies in this Addendum will apply.

This Colorado Addendum is not intended to create a contract of continued employment or alter the at-will employment relationship. No person other than an authorized officer of the Company has the authority to enter into an agreement contrary to this at-will employment policy. To be valid, such agreement must be specified, in writing, and signed by an authorized officer of the Company and the affected employee.

If you have any questions about these policies, please contact Human Resources.

The Healthy Families & Workplaces Act

Employers with at least 16 employees are required to provide paid leave under the HFWA.

- Employees earn 1 hour of paid leave per 30 hours worked (“accrued leave”), up to 48 hours a year.
- Up to 80 hours of supplemental leave applies in a public health emergency (PHE), until 4 weeks after the PHE ends.
- Regular hours and pay set the rate of accrual and compensation for leave, during which benefits continue.
- Up to 48 hours of unused accrued leave carries over for use the next year.

Employees can use accrued leave for the following safety or health needs:

- (1) a mental or physical illness, injury, or health condition that prevents work, including diagnosis or preventive care;
- (2) domestic abuse, sexual assault, or criminal harassment leading to health, relocation, legal, or other services needs;
- (3) has a family member experiencing a condition described in category (1) or (2); or
- (4) in a PHE, a public official closed the workplace, or the school or place of care of the employee’s child.

In a public health emergency (PHE), employees can use supplemental PHE leave for the following needs:

- (1) self-isolating or work exclusion due to exposure, symptoms, or diagnosis of the communicable illness in the PHE;
- (2) seeking a diagnosis, treatment, or care (including preventive care) of such an illness;
- (3) being unable to work due to a health condition that may increase susceptibility to or risk of such an illness; or
- (4) caring for a child or other family in category (1)-(3), or whose school or child care is unavailable due to the PHE.

During a PHE, employees still earn up to 48 hours of accrued leave and may use supplemental leave before accrued leave.

Employees may take leave in no less than 1-hour increments.

About Family Leave to Bond with a Child

As a parent or legal guardian, you can apply for family leave to bond with a child before your child is born, using your child's expected due date. To take leave to bond with a newborn child, you will need to submit any one of these three documents:

- A copy of the child's Birth Certificate, or
- A statement from child's health care provider stating child's date of birth, or
- A statement from mother's health care provider stating child's date of birth

To take family leave to bond with a child who has been recently adopted or placed in your home for foster care, you will need documentation from the child's health care provider, or the foster or adoption agency confirming the date of the child's adoption or placement.

What is a serious Health Condition?

A serious health condition is a physical or mental condition that prevents you from doing your job for more than 4 consecutive full calendar days.

Cosmetic surgery is not considered a serious condition and is not covered for family or medical leave unless inpatient hospital care is required or unless complications develop.

Substance Use Disorder may be considered a serious condition covered by family or medical leave if the patient is receiving treatment from a health care provider, by a provider of health care services on referral by a health care provider, or by a program licensed by the MA Department of Public Health.

In all instances where you are filing for a medical leave for a serious health condition you must provide certification from your health care provider by filling out and returning the Certification of a Serious Health Condition. The Human Resources Department can provide you with a copy of this form upon request by emailing hr@advantisglobal.com

The Company and HFWA

The Company is part of the claim approval process, but generally cannot reject your leave claim, except in some specific cases. The Company may require an Employee to provide documentation to show that leave was for a qualifying reason for the following reasons:

- (1) if the leave is taken for four (4) or more consecutive workdays.
- (2) To document leave to document leave for an employee's (or an employee's family member's) health-related need, an employee may provide:
 - a. A document from a health or social services provider if services were received and document can be obtained in a reasonable time and without added expense; otherwise,
 - b. The employee's own writing
- (3) To document leave to document leave for an employee's (or an employee's family member's) required leave for a need related to domestic abuse, sexual assault, or criminal harassment, an employee may provide:
 - a. A document from a provider of legal or shelter services; or,
 - b. A legal document such as a restraining order or police report

Documentation is not required to take paid leave but can be required as soon as an employee can provide it after returning to work or separating from work (whichever is sooner). No documentation will be required for PHE leave.

If the Company deems the Employee's documentation as deficient, the Company will notify the employee within seven days of either receiving the documentation or the employee's return to work or separation (whichever is sooner). The Company will give the employee at least seven days to cure the deficiency.

Employee Privacy & Records

The Company cannot require employees to disclose "details" about an employee's (or their family's) HFWA-related health or safety information; such information must be treated as a confidential medical record.

The Company must provide documentation of the current amount of paid leave employees have (1) available for use, and (2) already used during the current benefit year, including any supplemental PHE leave. Information may be requested once per month or when the need for HFWA leave arises.

Retaliation or Interference with HFWA Rights

- Paid leave cannot be counted as an "absence" that may result in firing or another kind of adverse action.
- An employee cannot be required to find a "replacement worker" or job coverage when taking paid leave.
- An employer cannot fire, threaten, or otherwise retaliate against, or interfere with use of leave by, an employee who: (1) requests or takes HFWA leave; (2) informs or assists another person in exercising HFWA rights; (3) files a HFWA complaint; or (4) cooperates/assists in investigation of a HFWA violation.

If an employee's reasonable, good-faith HFWA complaint, request, or other activity is incorrect, an employer need not agree or grant it, but cannot act against the employee for it. Employees can face consequences for misusing leave.

How to Claim Leave

Employees are required to provide at least 30 days' notice to their employer of the anticipated starting date of any leave, the anticipated length of the leave and the expected date of return. An employee who is unable to provide 30 days' notice due to circumstances beyond his or her control is required to provide notice as soon as practicable.

Sexual Harassment Prevention

The Company is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This policy is one component of the Company's commitment to a discrimination-free work environment. Sexual harassment is against the law and all employees have a legal right to a workplace free from sexual harassment and are urged to report

sexual harassment by filing a complaint internally with the Company. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

This policy applies to all Company employees, applicants for employment, interns (whether paid or unpaid), contractors and persons conducting business, regardless of immigration status, with the Company. In the remainder of this document, the term “employees” refers to this collective group.

Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).

No person covered by this policy will be subject to adverse action because they report an incident of sexual harassment, provide information, or otherwise assist in any investigation of a sexual harassment complaint. The Company will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees working in the workplace who believe they have been subject to such retaliation should inform their manager, Human Resources or any Company officer. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject the Company to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.

The Company will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. The Company will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

All employees are encouraged to report any harassment or behaviors that violate this policy. The Company will provide all employees a complaint form for employees to report harassment and file complaints. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the head of Human Resources.

This policy applies to all employees, paid or unpaid interns, and non-employees, such as contractors, subcontractors, vendors, consultants or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

What Is “Sexual Harassment”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment need not be severe or pervasive to be unlawful and can be any harassing conduct that consists of more than petty slights or trivial inconveniences. Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Massachusetts Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

Retaliation

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Preventing sexual harassment is everyone's responsibility. The Company cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment, or who witnesses or becomes aware of potential instances of sexual harassment, should report such behavior to their manager, Human Resources, or any Company officer.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is at the end of this policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual

harassment is occurring, are required to report such suspected sexual harassment to Human Resources or any Company officer.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

Complaint and Investigation of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The Company will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, Human Resources will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the complaint form attached to this policy in writing. If he or she refuses, prepare a complaint form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all 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 basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.

- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections And External Remedies

Sexual harassment is not only prohibited by the Company but is also prohibited by state, federal, and, where applicable, local law. Aside from the Company’s internal process, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney. In addition to those outlined below, employees in certain industries may have additional legal protections.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work 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 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Sexual Harassment Complaint Form

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to hr@advantisglobal.com. You will not be retaliated against for filing a complaint. If you are more comfortable reporting verbally or in another manner, we will complete this form, provide you with a copy and follow our sexual harassment prevention policy by investigating the claims.

COMPLAINANT INFORMATION

Name: _____

Work Address: _____ Work Phone: _____

Job Title: _____ Email: _____

Select Preferred Communication Method: Email Phone In person

SUPERVISORY INFORMATION

Immediate Supervisor’s Name: _____

Title: _____

Work Phone: _____ Work Address: _____

COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made about:

Name: _____ Title: _____

Work Address: _____ Work Phone: _____

Relationship to you: Supervisor Subordinate Co-Worker Other

2. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) sexual harassment occurred: _____

Is the sexual harassment continuing? Yes No

4. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

5. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information? (*This question is optional, but may help the investigation.*)

If you have retained legal counsel and would like us to work with them, please provide their contact information.

Signature: _____ Date: _____

Public Health Ability Whistleblower Law (PHEW)

Worker Rights to Express Workplace Health Concerns & Use Protective Equipment

Coverage: All Employers and Employees, Plus Certain Independent Contractors

PHEW covers not just “employers” and “employees,” but all “**principals**” (an employer **or** a business with at least 5 independent contractors) and “**workers**” (employees **or** independent contractors at a “principal”).

Worker Rights to Oppose Workplace Health/Safety Violations During Public Health Emergencies:

It is unlawful to retaliate against, or interfere with, the following acts during, and related to, a public health emergency:

- (1) **raising reasonable concerns**, including informally, to the principal, other workers, the government, or the public, about workplace violations of government health or safety rules, or a significant workplace health or safety threat;
- (2) **opposing or testifying, assisting, or participating** in an investigation or proceeding about retaliation for, or interference with, the above-listed conduct.

A principal need not address a worker's PHEW-related concern, but it still cannot fire or take other *action against* the worker for that reason, as long as the concern was reasonable and in good-faith.

Workers' Rights to Use Their Own Personal Protective Equipment ("PPE"):

A worker must be allowed to **voluntarily wear their own PPE** (mask, faceguard, gloves, etc.) if the PPE (1) provides **more protection** than equipment provided at the workplace, (2) is **recommended** by a government health agency (federal, state, or local), and (3) does not make the worker **unable to do the job**.

COMPLAINT RIGHTS (under both HFWA & PHEW)

Violations may be reported to the Division as complaints or anonymous tips or may be filed as in court after exhausting pre-lawsuit remedies.

For full versions of these laws, more detailed fact sheets, or questions, information, or complaints as to these or other labor laws, contact:

Division of Labor Standards and Statistics
coloradolaborlaw.gov
cdle_labor_standards@state.co.us
303-318-8441 / 888-390-7936

Confirmation of Receipt and Agreement

I have received my copy of the Colorado Addendum to the Advantis Global, LLC Employee Handbook. I understand and acknowledge that (except for the policy of at-will employment) this addendum is not a contract of employment and does not create contractual obligations, express or implied. I understand that except for employment at-will status, any and all policies or practices can be changed at any time by Advantis Global, LLC (“Advantis Global” or “the Company”). I understand that it is my responsibility to read and familiarize myself with the policies and procedures contained in the addendum. Since the information, policies, and benefits described in the addendum are subject to change at the Company's sole discretion, I acknowledge that revisions to the addendum may occur, except to the employment-at-will policy. All such changes will be communicated to me by the Company, and I understand that revised information may supersede, modify, or eliminate existing policies. I also understand that only an officer of Advantis Global has the authority to adopt revisions to the policies in this addendum, and only if such revisions are in writing.

I understand and acknowledge that there is no agreement to a specified length of my employment at Advantis Global and that my employment is at-will, which means that either the Company or I may terminate my employment at any time, with or without cause or advance notice. I also understand that the Company retains its discretion to make all other decisions concerning my employment (including, for example, decisions concerning job responsibilities, hours, pay, bonuses, or other compensation, or any other managerial decision) with or without cause or advance notice. I understand that nothing in this addendum creates or is intended to create a promise or representation of continued employment and that nothing in this addendum alters the at-will status of my employment relationship with Advantis Global. I understand that other than an authorized officer of the Company, no manager or representative of the Company has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement with me for employment other than at-will; only an authorized officer of the Company has the authority to make any such agreement with me and then only in writing, signed by me and the officer.

Employee's Printed Name: _____

Employee's Signature: _____

Date: _____