



## **EMPLOYEE HANDBOOK**

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## Table of Contents

EMPLOYMENT.....	1
A. EMPLOYMENT AT WILL.....	1
B. EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER.....	1
C. BACKGROUND CHECKS .....	2
D. IMMIGRATION COMPLIANCE .....	2
E. PAY TRANSPARENCY.....	2
F. EQUAL PAY FOR EQUAL WORK ACT .....	2
G. DATA DISPOSAL POLICY.....	2
H. HEALTH AND MEDICAL EXAMINATIONS .....	3
I. PAYMENT OF WAGES .....	3
J. LOANS AND ADVANCES .....	3
K. EMPLOYEE CLASSIFICATIONS.....	3
L. EXEMPT / NONEXEMPT – CLASSIFICATION OF OVERTIME PAY .....	4
M. TIMEKEEPING PROCEDURES.....	4
N. MEAL TIMES / BREAKS.....	5
O. TRAVEL TIME – NONEXEMPT EMPLOYEES.....	5
P. COMPANY CLOSURES.....	5
Q. HIRING RELATIVES .....	6
R. ROMANTIC RELATIONSHIPS.....	6
S. COLORADO COMPS ORDER NOTICE .....	7
WORKPLACE POLICIES .....	7
A. CORE VALUES.....	7
B. OPEN-DOOR POLICY .....	7
C. CODE OF ETHICS .....	8

D. DATA INTEGRITY – CODE OF CONDUCT .....	10
E. CONFLICTS OF INTEREST .....	11
F. DISCRIMINATION AND HARASSMENT POLICY .....	11
G. DIVERSITY, EQUITY AND INCLUSION (DEI) .....	13
H. DISCIPLINE .....	13
I. GUIDELINES FOR APPROPRIATE CONDUCT .....	14
J. DRUG & ALCOHOL CONTROL PROGRAM .....	14
K. PUNCTUALITY & ATTENDANCE .....	15
L. INVESTIGATIONS OF CURRENT EMPLOYEES .....	16
M. PERFORMANCE EVALUATIONS .....	16
N. PERSONNEL FILES .....	16
O. WORK ATTIRE GUIDELINES .....	17
P. PERSONAL VEHICLES.....	17
Q. REMOTE WORK ARRANGEMENTS .....	18
TOLMAR FACILITIES.....	19
A. WORKPLACE VIOLENCE .....	19
B. VISITORS ON COMPANY PROPERTY .....	19
C. COMMUNICATION SYSTEMS .....	20
D. SOCIAL MEDIA .....	22
E. MANAGEMENT OF COMPANY PROPERTY .....	23
F. BADGE POLICY .....	24
G. WORKPLACE MONITORING AND SURVEILLANCE .....	24
H. TOBACCO-FREE ENVIRONMENT .....	24
I. PANDEMIC RESPONSE .....	24

J. FRAGRANCE POLICY.....	25
K. QUIET ROOMS .....	25
L. SOLICITATION & DISTRIBUTION OF LITERATURE .....	25
M. NURSING EMPLOYEES IN THE WORKPLACE.....	26
COMPANY BENEFITS .....	26
A. PAID TIME OFF (PTO) .....	26
B. HOLIDAYS .....	28
C. FLOATING HOLIDAY .....	29
D. BIRTHDAY HOLIDAY .....	29
E. GIFTED TIME OFF .....	29
A. OTHER TIME OFF .....	30
1. SICK PAY .....	30
2. EXTENDED SICK LEAVE (ESL).....	31
3. BEREAVEMENT LEAVE .....	32
4. VOLUNTEER TIME OFF (VTO) .....	32
5. JURY AND WITNESS DUTY .....	33
6. VOTING.....	33
B. LEAVES OF ABSENCE .....	33
1. FAMILY AND MEDICAL LEAVE.....	34
2. COLORADO FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM (FAMLI) .....	35
3. MILITARY LEAVE .....	36
4. PERSONAL LEAVE .....	36
C. EDUCATION ASSISTANCE PROGRAM .....	36
D. RECRUITING / REFERRAL BONUS.....	37

SAFETY .....	38
A. SAFETY AND LOSS PREVENTION RULES .....	38
B. PERSONAL PROTECTIVE EQUIPMENT REIMBURSEMENTS .....	39
C. WORKERS' COMPENSATION .....	40
SEPARATION OF EMPLOYMENT .....	41
A. TERMINATIONS / RESIGNATIONS.....	41
B. REFERENCES .....	42
C. RE-EMPLOYMENT .....	42
D. EXIT INTERVIEWS.....	42
IN CLOSING .....	43
COLORADO COMPS ORDER NOTICE .....	43

**EMPLOYMENT****A. EMPLOYMENT AT WILL**

At Tolmar, neither the employee nor the employer is committed to an employment relationship for a fixed period of time. Employment with Tolmar is at-will. Either the employee or management has the right to terminate the employment at any time, for any reason. The language used in this employee handbook or any verbal statement by management is not intended to constitute a contract of employment, either expressed or implied, nor is there a guarantee of employment for any specific duration. No representative of Tolmar, other than the CEO of the organization, has authority to enter into an agreement of employment for any specified period. Such agreement must be in writing, signed by the CEO and the employee.

The contents of the employee handbook are summary guidelines for employees and therefore are not inclusive. This employee handbook supersedes all previously issued editions. Except for the at-will nature of the employment, the organization reserves the right to suspend, terminate, interpret or change any or all of the guidelines mentioned, along with any other procedures, practices, benefits or other programs of Tolmar. These changes may occur at any time, with or without notice.

**B. EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER**

Tolmar is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees on the basis of age 40 and over, color, creed, ancestry, disability, gender identity, gender expression, genetic information, military or veteran status, national origin, race, religion, sex, sexual orientation or any other applicable status protected by state or local law. This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. This policy applies to all employees, including managers, supervisors, coworkers, and non-employees such as customers, clients, vendors, consultants, etc.

Tolmar will make reasonable accommodation for qualified individuals with known disabilities and employees whose work requirements interfere with a religious belief unless doing so would result in an undue hardship to Tolmar or cause direct threat to health or safety.

Additionally, Tolmar will take affirmative action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required under Title 29 of the Code of Federal Regulations, part 30.

In support of our equal employment opportunity principle, Tolmar has developed written affirmative action plans for women, minorities, individuals with disabilities, and covered veterans. Tolmar's EEO/AA Officer is Robyn Vilkaitis, Senior Vice President Human Resources, located at 9351 Eastman Park Dr., Windsor, CO. She is responsible for compliance with state and federal EEO laws and affirmative action regulations. She is also responsible for implementing Tolmar's affirmative action plan, including equal employment practices, monitoring, and internal reporting. If you believe you have not been treated in accordance with this policy, please contact the EEO Officer. Our plan for Veterans and the Disabled is available to you in her office by appointment. All employees and applicants for employment are protected, by both Company policy and equal employment opportunity/affirmative action regulations and law, from coercion, intimidation, interference, or discrimination for filing a complaint or assisting in an investigation.

**C. BACKGROUND CHECKS**

Tolmar recognizes the importance of maintaining a safe workplace with employees who are honest, trustworthy, qualified, reliable, nonviolent and do not present a risk of harm to their coworkers or others. For purposes of furthering these concerns and interests, Tolmar reserves the right to investigate an individual's prior employment history, personal references, motor vehicle record and educational background, as well as other relevant information that is reasonably available to Tolmar. Tolmar may review an applicant's or an employee's criminal background, if any, as well as checking Government Exclusion Lists, such as the US Office of Inspector General (OIG), Food and Drug Administration (FDA) and Drug Enforcement Administration (DEA). In the event that a consumer report is obtained, Tolmar will comply with the federal Fair Credit Reporting Act and applicable state laws, including providing the job applicant or employee with any required notices and forms. Consistent with these practices, job applicants or employees may be asked to sign certain authorization and release forms. Consistent with legal requirements, Tolmar reserves the right to require job applicants or employees to sign the forms as requested as a condition of employment.

Tolmar will review the Motor Vehicle Record of any employee who requires approval for driving company vehicles for work purposes prior to their being approved to drive. The Motor Vehicle Records of approved drivers will also be requested and reviewed regularly thereafter.

**D. IMMIGRATION COMPLIANCE**

Tolmar will comply with applicable immigration law, including the Immigration Reform and Control Act of 1986 and the Immigration Act of 1990. As a condition of employment, every individual must provide satisfactory evidence of their identity and legal authority to work in the United States.

**E. PAY TRANSPARENCY**

Tolmar will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information. 41 CFR 60-1.35(c)

**F. EQUAL PAY FOR EQUAL WORK ACT**

The Equal Pay for Equal Work Act prohibits employers from paying different wages to employees who perform "substantially similar" work based on sex or sex plus another protected status. The law covers all private and public sector employers who employ a person in Colorado and became effective January 1, 2021.

Tolmar complies with all associated posting and recordkeeping requirements of this Act.

**G. DATA DISPOSAL POLICY**

Tolmar will collect certain information that is classified as "personal identifying information," or PII, under applicable laws. Such information may include, but is not limited to:

- Employees' first and last name or initials;

- Username(s) and password(s);
- Social security number;
- Driver's license or other identification card number;
- Medical documentation;
- Biometric data;
- And more.

Tolmar may keep these records in paper and/or electronic format.

When such documentation is no longer needed, pursuant to records retention requirements and best practices, Tolmar will either (a) destroy the records or (b) arrange for their destruction, e.g. by shredding, erasing or otherwise modifying the personal identifying information in such a manner as to render it unreadable or indecipherable through any means.

#### **H. HEALTH AND MEDICAL EXAMINATIONS**

Tolmar reserves the right to require an employee or applicant who has received a conditional job offer to undergo a physical examination by a Company appointed physician to determine if they are able to meet the physical requirements of the assigned job tasks. As part of the examination, applicants or employees may be asked to give body substances (e.g. blood, urine).

Information concerning an applicant's or existing employee's medical examinations, tests or other medical history is confidential and access to this information will be strictly limited.

#### **I. PAYMENT OF WAGES**

All employees are paid semi-monthly, on the 15<sup>th</sup> of the month and the last business day of every month. (If the pay date falls on a weekend or holiday, the pay date will be adjusted to the last business day prior to the weekend or holiday occurring).

If there is an error in a paycheck, it should be immediately reported to a member of the payroll department. No one other than the employee to whom the paycheck is written will be allowed to accept a paycheck unless written authorization has been given for that person to do so.

Upon termination of employment, a final check will be issued to the employee on their final day of employment in the case of involuntary terminations and on the next regularly scheduled pay day in the case of voluntary resignations. If the employee resides in a state with alternate regulations, final checks will be issued in accordance with applicable state law.

#### **J. LOANS AND ADVANCES**

Tolmar does not become involved in the personal financial affairs of employees. Accordingly, personal loans or advances in pay are not extended.

#### **K. EMPLOYEE CLASSIFICATIONS**

Employees at Tolmar are classified within the following categories:

- A. A full-time employee is one who works on average at least thirty (30) hours or more per week. All full-time employees are eligible for Tolmar's benefit package. If an employee's hours fall below



January 1, 2024

the required average of 30 hours weekly over the course of a three-month period, the employee may lose eligibility for Company benefits.

- B. A part-time employee is one who works fewer than thirty (30) hours per week. Part-time employees receive all legally mandated benefits, but they are ineligible for most of Tolmar's other benefit programs.
- C. A temporary employee is classified as one whose employment does not typically extend beyond a maximum of twelve (12) months. Temporary employees are not eligible for employee benefits, with the exception of the Medical Insurance Plan and the 401(k).

#### **L. EXEMPT / NONEXEMPT – CLASSIFICATION OF OVERTIME PAY**

Tolmar classifies all employees as either exempt or nonexempt from overtime wages in accordance with the provisions of Fair Labor Standards Act (FLSA); also known as the Federal Wage and Hour Law.

#### **Guidelines**

- A. Nonexempt employees receive overtime at a rate of one and one half (1 ½) their regular rate of pay for all time worked in excess of 40 hours in the work week or 12 hours per workday. The work week is from Sunday morning at 12:00 am to the following Saturday at 11:59 pm.

Paid Time Off (PTO), Sick Pay, Floating Holiday, Gifted Time Off (GTO), Volunteer Time Off (VTO), Extended Sick Leave (ESL), jury duty and bereavement leave **are not** included in the computation of overtime. However, paid Holiday (including Birthday Holiday) and Company-Designated Early Release time is included in the computation of overtime.

- B. Overtime must be pre-approved by the appropriate director, manager or supervisor requiring work to be performed in excess of the employee's regular work schedule. Unreported or "Off the Clock" time is prohibited.

#### **Pay for Exempt Employees**

Exempt employees must be paid on a salary basis. This means exempt employees will receive a predetermined amount of compensation each pay period. Tolmar is committed to complying with salary basis requirements which allows properly authorized deductions.

If an employee believes an improper deduction has been made to their salary, they should immediately contact Payroll.

#### **M. TIMEKEEPING PROCEDURES**

Nonexempt employees must record their actual time worked for payroll and benefit purposes using the established process for recording time using time clocks and/or punching in and out via computer terminal. Nonexempt employees must also record any departure from work for any non-work-related reason.

Altering, falsifying and tampering with time records or recording time for another employee is prohibited and subject to disciplinary action, up to and including termination of employment.

Exempt employees in all departments are required to report absences from work for reasons such as leaves of absence, sick leave or personal time off.

It is the employee's responsibility to enter their time record and certify the accuracy of all time recorded.

#### **N. MEAL TIMES / BREAKS**

Meal and break times are currently provided to relax and refresh employees for the day's work. Since each department's needs are different, the supervisors in each area will inform employees of the meal and break schedules for each area.

Generally, meal periods are 30 – 60 minutes in length and breaks are 15 minutes long. While meal periods are counted as unpaid time, break periods are included in paid work time.

For the duration of any paid break or meal period, employees must remain on the premises and are not allowed to leave their assigned worksite for any reason. Employees may leave the worksite only during their unpaid break or meal period.

#### **O. TRAVEL TIME – NONEXEMPT EMPLOYEES**

Travel, which keeps an hourly / nonexempt employee away from home overnight, is paid as hours worked when it cuts across the employee's workday (core scheduled hours). Time an employee spends traveling during their normal working hours is compensable even if traveling on a non-working day. Overnight travel time outside the normal daily work schedule is not considered hours worked.

Any work an employee performs while traveling, regardless of when it takes place, is counted as hours worked.

#### **P. COMPANY CLOSURES**

If the decision is made to close a Company facility by the CEO, COO, CFO, CCO or designate due to conditions such as storms, power failures or other emergency situations, the closure will be communicated by the employee's supervisor. No other employee has the authority to close a facility or send an employee home unless an immediate decision is necessary for employee safety.

If the facility is closed, employees will be paid for their regular shift. If an employee must work at the requirement of their supervisor during an emergency closure, their supervisor must notify EHS for safety purposes.

When an employee's assigned facility is open and an employee chooses not to report to work due to adverse weather conditions, then they should use available PTO. Management retains the right to modify and make exceptions to this policy.

If the facility must close due to conditions such as storms, power failures or other emergency situations, employees should call the main switchboard for information on facility closure. Those phone numbers in Colorado are: (877) 986-5627 or (970) 212-4500. The phone number in Illinois is (224) 880-5770.

January 1, 2024

Tolmar will, whenever possible, leave a message on the main voicemail as soon as the decision to close is made. However, if employees are unsure about leaving their home, they can continue to call the voice mail system to check for updates or contact their supervisor for clarification.

Employees who are assigned to work remotely full-time, who work remotely as part of a hybrid work agreement or who otherwise have the ability to feasibly work remotely from home are not eligible to receive company closure pay.

#### **Q.      HIRING RELATIVES**

Tolmar is committed to a policy of employment and advancement based on qualifications and merit and does not discriminate in favor of or in opposition to the employment of relatives.

Tolmar may hire relatives or spouses of current employees who are qualified for certain jobs. Should a relative or spouse be hired, or should an employee marry another employee, the following guidelines apply:

- A relative or spouse may not directly supervise each other.
- A relative or spouse may not be hired for a position that audits, verifies, receives or is entrusted with monies received or handled by the other relative or spouse.
- Neither a relative nor spouse may work in a department that handles confidential matters including payroll or personnel records, including any employee working in IT, Accounting or Human Resources.
- If there is another situation that may result in a potential conflict of interest, it will be reviewed and addressed on a case-by-case basis.
- Employment of residents of an employee's household is not permitted if the employee works in the IT, Accounting or Human Resources department.

In the event two employees marry or become related and one of the above situations applies, Tolmar will attempt to arrange a transfer. If no such transfer is available, one of the employees must end their employment with Tolmar within 90 days from the date of the event. The decision regarding which employee resigns will be left to the two employees.

#### **R.      ROMANTIC RELATIONSHIPS**

Management realizes that romantic relationships may develop between coworkers. Employees must behave in a professional manner while working at Tolmar and while at Company functions. It is important to keep romantic relationships separate from the work environment.

Tolmar prohibits romantic relationships between members of management and anyone in their reporting hierarchy. Such situations can create an actual or potential conflict of interest. They may also lead to potential charges of favoritism or sexual harassment or interfere with employee morale. Should such a relationship occur, the supervisor involved must notify management or the Human Resources Department immediately. Tolmar will try to arrange a transfer. If no such transfer is available, one of the employees must end their employment with Tolmar within 90 days. The decision regarding which one resigns will be left to the two employees.

## S. COLORADO COMPS ORDER NOTICE

In accordance with the Colorado Overtime and Minimum Pay Standards (COMPS) Order, an outline of the specifics is provided at the end of this document. For additional details, you may visit the COMPS Order web page at <https://cdle.colorado.gov/colorado-overtime-minimum-pay-standards-comps-order>. Posters containing this information are also posted in the break room of each of our facilities.

## WORKPLACE POLICIES

### A. CORE VALUES

Tolmar's Core Values define who we are and how we strive to advance patient care through science and service. They are the principles we live by, across every aspect of our company. Our values cultivate success and are at the heart of our productive and rewarding work environment. Tolmar's Core Values are as follows:

**Integrity:** We are truthful and honest in all we do. We consistently operate with the highest standards of ethics and compliance.

**Accountability:** We each play a vital role in our company's future and we take ownership of our actions, successes and setbacks. We hold ourselves accountable for delivering our very best.

**Transparency:** We think, act and communicate with candor, clarity and simplicity. We operate free of pretense and are upfront and clear in the actions we take and the decisions we make. We respect each other and understand that honest collaboration is at the heart of our company success.

**Hands On:** We are deeply engaged in our work. We are focused on the daily needs and operations of our business. We roll up our sleeves and go the extra mile to make things happen to serve our patients, provider communities and partners.

**Responsive:** We are a culture of thinkers in action. We are constantly in tune with our customers' needs. We strive to learn about and understand the needs of customers and patients and take action with great speed and efficiency no matter the task.

**Adaptability:** We expect and embrace change with enthusiasm. It's our flexibility and agility that allow us to fearlessly overcome new challenges and quickly act, refine and reinvent to best serve our patients, provider communities and partners.

**Passion for What We Do:** We are all here because we are passionate about science and service. We're committed to all we do and the patients we serve. Our passion fuels us to set high goals and inspires us in the constant pursuit of bigger and better.

### B. OPEN-DOOR POLICY

Effective two-way communication is fundamental to Tolmar's success. It is inevitable that during the course of operating, there will be occasions when misunderstandings occur regarding Company policy, a directive received from an employee's supervisor, work assignments or something an employee may have experienced or observed. It is to everyone's advantage that any such disagreements be promptly clarified or resolved.

If employees have a problem concerning a work-related matter, they should discuss it frankly with their supervisor. This discussion should occur as soon as possible after the incident occurs. Discussions held in a timely manner will enhance Tolmar's ability to resolve concerns while it is fresh in everyone's mind.

If employees are not satisfied after discussing the problem with their supervisor or if it is inappropriate to go to the supervisor, an "open door" guideline exists. Employees may discuss their concern with a representative of the Human Resources department and/or to higher levels of management. Should employees desire further resolution, they may speak to the CEO.

### **C. CODE OF ETHICS**

Tolmar is fortunate to have a reputation with our customers and employees for high standards of ethical business conduct. This company and the business climate in which we operate are dynamic and changing, but our commitment to lawful and ethical conduct in our business remains constant.

#### **Summary of Tolmar's Code of Ethics**

In this Code, "we" and "us" means all Tolmar employees.

Each of us is responsible and accountable for:

- acting in accordance with all applicable laws and regulations;
- adhering to the ethical standards set out in the Code;
- following Tolmar company policies and procedures;
- demonstrating openness, transparency, honesty, integrity and respect in all of Tolmar business activities and interactions;
- avoiding conflicts of interest between work and personal affairs.

No Code of Ethics can anticipate or address every situation or circumstance which might give rise to legal or business ethics issues and this Code is no substitute for good judgment and individual integrity. The statements in the remainder of this Code are intended to give more specific guidance, but anyone with a question as to whether certain conduct complies with or violates the Code should raise the issue with any manager or with the Chief Executive Officer. Guidance as to how issues may be raised anonymously is outlined below under the heading: "How to raise a concern with respect to the Code."

#### **Lawful Conduct**

**First and foremost, Tolmar is committed to complying fully with all applicable laws and regulations.**

We will conduct our business activities in strict compliance with the law. Anyone who is uncertain whether a contemplated activity complies with applicable statutes or regulations should obtain advice from Tolmar's Senior Management and act in accordance with that advice.

These areas of regulated business activity require particular attention:

- Laws and regulations governing safety and the environment
- Laws and regulations respecting human rights in the workplace
- Laws relating to drugs and medical devices

#### **Scientific Integrity**

All Tolmar research and development activities must be conducted in accordance with all applicable laws and regulations as well as the accepted ethical standards of the scientific and medical community.

### **Ethical Business Dealings with Third Parties**

Tolmar's interactions with consultants, suppliers, competitors, patients, potential patients, collaborators and government officials will be lawful and consistent with our Code of Ethics.

We will not give gifts or favors to suppliers or potential suppliers of goods or services or to their employees or to persons or companies (and their employees) with whom Tolmar has contractual obligations or is negotiating or intends to negotiate agreements, except gifts which are reasonable and in accordance with standard business practices.

We will not accept gifts or favors from underlying companies or from suppliers or potential suppliers of goods or services or from persons or companies (and their employees) with whom Tolmar has contractual obligations or is negotiating or intends to negotiate agreements, except gifts which are reasonable and in accordance with standard business practices.

We will not accept nor give personal gifts of cash or cash equivalent. Any entertainment, which we accept or provide, will be reasonable and consistent with standard business practices. As a general guideline, we will not accept any gift, which, by virtue of its value, could impair our business judgment in future dealings with the third party providing the gift. We will inform the Chief Executive Officer if we receive any personal gift which has an estimated value of \$250 or more. If we have any doubt about whether a gift, favor or entertainment, by virtue of its value, is customary or reasonable, we will seek the guidance of the Chief Executive Officer before accepting the gift or if that is not practicable, will inform the Chief Executive Officer of the gift.

### **Agreements with Third Parties**

Contractual agreements for Tolmar will only be entered into by officers of Tolmar in accordance with the authority given to such officers by the Chief Executive Officer and/or the Board of Directors.

If employees are being asked to sign any document or agreement on behalf of Tolmar, they should first contact the Legal Department for clarification and direction.

### **Commercial Compliance**

Compliance with commercial policies, rules and regulations regarding interactions with healthcare professionals is a Corporate Commitment of Tolmar. This commitment is communicated often and regularly, and all employees are required to complete in-depth compliance training upon hire, in addition to attending regular compliance training updates throughout their employment.

This compliance training supports Tolmar's formal Commercial Compliance Policy (last updated in March, 2023) and the PhRMA Code on Interactions with Healthcare Professionals, which outlines the ethical and compliance policies and procedures required when interacting with healthcare professionals on behalf of Tolmar. Employees to whom this is applicable are required to acknowledge their receipt and understanding of this policy during their onboarding process.

Compliance with commercial policies, rules and regulations regarding interactions with healthcare professionals is an obligation of all employees and agents of Tolmar. Each person is expected to consider

January 1, 2024

the proper ethical and legal implications of the decisions and actions they make. Furthermore, all employees are expected to notify the Compliance Department and actively report any instances that they reasonably believe violate company policy and pose a risk to Tolmar.

**Responsibility for Code of Ethics Compliance**

This Code of Ethics applies to all employees of Tolmar. Tolmar encourages each of us to report any situation or conduct that we believe is contrary to the Code of Ethics or constitutes a violation of any law or breach of another company policy. See the section headed: “How to Raise a Concern with Respect to this Code” below.

All supervisors are required to report any behavior which might constitute a breach of this Code of Ethics and must respond appropriately to any such report which they receive.

Tolmar will not tolerate any retaliation or reprisal against anyone who in good faith reports a potential breach of the Code of Ethics or raises a concern with respect to whether certain conduct constitutes a breach. (“In good faith” means a report, which is made honestly, whether or not the person has all of the facts or is certain a breach has occurred; a report, which is knowingly false, would not be in good faith.)

Tolmar will take disciplinary action, up to and including termination, in respect to breaches of this Code. The type of disciplinary action will be dependent upon the nature of the breach.

**How to raise a concern with respect to this Code**

Tolmar encourages all employees to report any conduct which might constitute a breach of this Code of Ethics by Tolmar or any employee or director of Tolmar. A report may be made to any member of management or to any executive officer, in writing or verbally.

While Tolmar is confident that this reporting method protects the anonymity of the person so reporting, a report can also be made by the more time-honored methods of leaving an anonymous message, such as by writing to the Chief Executive Officer or any member of management without identifying the employee. Mail for any of these people can be put in the internal mail system or by regular post to the Chief Executive Officer and/or Board of Directors care of the Tolmar business address.

Tolmar encourages employees to provide as much detail as possible in order to allow the matter to be thoroughly investigated.

**D. DATA INTEGRITY – CODE OF CONDUCT**

Tolmar considers all data generated in support of the development, manufacturing, testing, packaging, holding or distribution of drug product as corporate assets and relies on its accuracy, completeness and trustworthiness to ensure product quality. Data integrity encompasses the creation, modification, archival, retrieval and transmission of data. Employees are obligated to train and adhere to data integrity policy and procedures. Tolmar encourages every employee to directly report any and all instances of suspected violations of data integrity to appropriate personnel without fear of retribution of any kind. Any willful breach of data integrity with intention to defraud or misrepresent data by an employee shall result in disciplinary action, up to and including termination of employment.

**E. CONFLICTS OF INTEREST**

A conflict of interest arises when personal interests or activities do or may compromise one's ability to make an impartial business decision or when one's position at Tolmar is used for personal advantage. No conflict should exist or appear to exist between our private interests and our business duties. We are expected to arrange our private affairs in a manner that will prevent conflicts of interest arising.

If an employee finds themselves in a position which might constitute a conflict of interest or is considering an outside interest which might be seen to reduce their ability to perform their responsibilities to Tolmar, they should disclose the circumstances to their supervisor or to Tolmar's Chief Executive Officer or Chief Legal Officer and seek further guidance.

Employees may not solicit or compete with Tolmar's product or service offerings. Employees and their immediate family must be free of any significant investment or association with competitors or suppliers that might interfere or appear to interfere with Company interests.

No outside work should create or appear to create a conflict with Tolmar's business interests. For example, outside work must not compete with any current or planned products or activities at Tolmar, nor should any such outside venture involve working for a competitor of ours. Outside work cannot be performed on Tolmar's time. Employees may not use Tolmar's equipment, materials, paid time off, resources or "inside" information for outside work. Conflicts with a second job will not be acceptable excuses for failing to meet expectations or attendance requirements, including overtime work requirements.

Employees should notify Human Resources or an appropriate supervisor regarding any possible conflicts of interest.

**F. DISCRIMINATION AND HARASSMENT POLICY**

Tolmar prohibits unlawful discrimination against applicants or employees on the basis of age 40 and over, color, creed, ancestry, disability, gender identity, gender expression, genetic information, military or veteran status, national origin, race, religion, sex, sexual orientation or any other applicable status protected by state or local law.

This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees and applicants for employment are protected, by both Company policy and equal employment opportunity/affirmative action regulations and law, from coercion, intimidation, interference, or discrimination for filing a complaint or assisting in an investigation.

This policy applies to all employees, including managers, supervisors, coworkers, and non-employees such as customers, clients, vendors, consultants, etc. All employees and visitors are expected to conduct themselves in a professional and business-like manner at all times, including when they are off-duty and off-premises.

Tolmar will make reasonable accommodation for qualified individuals with known disabilities and employees whose work requirements interfere with a religious belief unless doing so would result in an undue hardship to Tolmar or cause direct threat to health or safety.



Prohibited behavior includes, but is not limited to the following:

- Written form such as cartoons, email, posters, drawings or photographs;
- Verbal conduct such as epithets, derogatory comments, slurs or jokes;
- Physical conduct such as assault or blocking an individual's movement.

### **Sexual Harassment**

Tolmar strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, when:

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

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, email;
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life or repeated unwanted requests for dates;
- Physical gestures and other non-verbal behavior; or
- Unwelcome touching such as grabbing, fondling, kissing, massages or brushing up against another's body.

### **Complaint Procedure**

Tolmar strives to create a work environment free of illegal discrimination and harassment and expects employees who are subjected to this to make a timely complaint to enable Tolmar to promptly investigate and correct any behavior which may be in violation of this policy. If an employee believes there has been a violation of the EEO policy or harassment based on the protected classes listed above, including sexual harassment, please use the following complaint procedure.

Employees should report the incident to their supervisor or a member of Human Resources, who will investigate the matter and take corrective action. Your complaint will be kept as confidential as practicable.

Tolmar prohibits retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation. If you believe there has been a violation of our EEO or retaliation standard, please follow the complaint procedure outlined above.

If Tolmar determines that an employee's behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment.

## **G. DIVERSITY, EQUITY AND INCLUSION (DEI)**

Tolmar is committed to fostering, cultivating and preserving a culture of diversity, equity and inclusion.

Our employees are the most valuable asset we have. The collective sum of the individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities and talent that our employees invest in their work represents a significant part of not only our culture, but our reputation and Company's achievement as well.

We embrace and encourage our employees' differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, sex, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make our employees unique.

Tolmar's diversity initiatives are applicable—but not limited—to our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; transfers; social and recreational programs; layoffs; terminations; and the ongoing development of a work environment built on the premise of gender and diversity equity that encourages and enforces:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Employer and employee contributions to the communities we serve to promote a greater understanding and respect for diversity.

All employees of Tolmar have a responsibility to treat others with dignity and respect at all times. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other Company-sponsored and participative events. Employees are also required to attend and complete annual Diversity Awareness training to enhance their knowledge and ability to fulfill this responsibility.

Any employee found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action.

Employees who believe they have been subjected to any kind of discrimination that conflicts with Tolmar's diversity policy and initiatives should seek assistance from a supervisor or an HR representative.

Tolmar prohibits retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation. If Tolmar determines that an employee's behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment.

## **H. DISCIPLINE**

Employees must comply at all times with Tolmar's expectations for work, performance and conduct. Failure to do so may result in any or all of the following actions, as Tolmar deems appropriate: coaching, verbal warning, written warning, final written warning, demotion, suspension or termination.

Management will decide in its judgment which of these actions would most effectively address the problem. The fact that Tolmar has or has not utilized any of these actions does not set any precedent and should not be relied upon in future disciplinary situations by any employee.

**I. GUIDELINES FOR APPROPRIATE CONDUCT**

As an integral member of the Tolmar team, employees are expected to accept certain responsibilities, adhere to acceptable business principles in matters of personal conduct and exhibit a high degree of personal integrity at all times.

This not only involves sincere respect for the rights and feelings of others, but it also demands that both in employee business and in their personal life that they refrain from any behavior that might be harmful to them, their coworkers and/or Tolmar or that might be viewed unfavorably by current or potential customers or by the public at large.

While traveling on Company business, whether employees are on or off duty, their conduct reflects on Tolmar. They are, consequently, encouraged to observe the highest standards of professionalism at all times.

Tolmar expects all employees to perform their jobs to the highest professional business standards at all times and will not tolerate inappropriate or insubordinate conduct. Tolmar therefore reserves the right, in all instances, to impose discipline, including termination, with or without prior warning, procedure or formality. While common sense is the best guide for determining whether conduct is appropriate, if employees have any questions concerning the permissibility of any action, they are responsible for contacting their manager/supervisor, in advance, for clarification.

Whether an employee's performance, conduct or behavior warrants disciplinary action is within the judgment and discretion of Tolmar, as is the appropriate type of discipline in a particular instance. Tolmar does not intend by these guidelines to create any expectation that any employees will be assured of any particular form of disciplinary action, such as warnings or notice or progressive discipline, prior to discharge. Rather, discipline shall in all cases be imposed at Tolmar's discretion, in consideration of factors Tolmar deems appropriate.

**J. DRUG & ALCOHOL CONTROL PROGRAM**

The abuse of drugs and alcohol is a serious threat to both Tolmar and its employees. Management and employees are equally responsible for maintaining a safe and healthy working environment. For that reason, Tolmar has adopted these policies:

- A. The possession, use or sale of unauthorized or illegal drugs or the misuse of any legal drugs or alcohol on Company premises or while on Company business is prohibited and will not be tolerated. Alcoholic beverages served in conjunction with an authorized Company event are an exception to this prohibition. In cases where alcohol is available or served, employees are reminded to be responsible and to control their consumption and the consumption of their guests. Although these events are not work related, inappropriate behaviors of employees at the events can adversely affect employment.
- B. Any employee who is found to have alcohol or drugs in their system while on Company premises or while on Company business will be subject to discipline, up to and including termination.
- C. Each employee is responsible for promptly reporting to Human Resources any use of prescribed drugs which may affect the employee's judgment, performance or behavior.

- D. New employees may be required to take a drug and alcohol test on a post-offer basis at Tolmar's expense. Management reserves the right to implement random testing at any time unless prohibited by law.
- E. Employees may be required to take a drug and alcohol test at Tolmar's expense following any job-related injury or accident if there is reasonable suspicion that an employee may be under the influence of drugs or alcohol and/or that drugs or alcohol could have contributed to the accident or injury.
- F. It is the responsibility of each employee to notify a supervisor or member of Human Resources if they suspect that another employee is under the influence of drugs or alcohol in the workplace or may be in violation of this policy in some way.

Refusal to take a drug/alcohol test will result in termination.

Tolmar has a number of jobs which present safety considerations to employees. These include the use of moving machinery, transportation of goods and persons and the handling of controlled substances. Employees therefore need to be of sound mind to perform their jobs accurately and safely.

Employees must cooperate in personal or facility searches when, in the opinion of Tolmar, there is a reason to believe drugs or alcohol are present. Refusing to cooperate with these procedures may be cause for disciplinary action, up to and including termination.

Tolmar strongly urges employees to use the community health and counseling facilities for help with alcohol or drug problems. It is each employee's responsibility to seek assistance before the problem affects judgment, performance or behavior.

Compliance with the above-stated policy is a condition of employment for all employees of Tolmar. Further, any employee who is convicted under a criminal drug statute for a violation or who pleads guilty or nolo contendere to such charges must notify Tolmar within five (5) days of such conviction or plea. Failure to do so will result in disciplinary action up to and including termination. Employees convicted or who plead guilty or nolo contendere to such drug-related violations are subject to disciplinary action, which may include termination.

#### **K. PUNCTUALITY & ATTENDANCE**

Reliability is very important to Tolmar. Overall reliability, which includes attendance and punctuality, as well as overall work performance, is considered in granting pay raises, promotions or transfers. Excessive unreliability, in the judgment of Tolmar, will not be tolerated.

Excessive unscheduled absences, including unscheduled PTO and unscheduled sick time, may be monitored and depending on frequency and nature, could constitute an attendance issue.

If it is necessary to be absent or late, employees must let their supervisor know as soon as possible before the start of their shift, so that other arrangements can be made to get the work done. If a direct supervisor is not available, employees should contact a manager or Human Resources. Leaving messages with other employees is not an acceptable means of communicating an absence.

January 1, 2024

If employees are absent for three consecutive work days without notifying their supervisor, it will be considered a voluntary resignation based on job abandonment. The employee's official resignation date in this circumstance will be their last day worked.

When a health issue is causing unscheduled absences, a medical leave of absence will be considered with supporting documentation from the attending physician. (See Leave of Absences, Family Medical Leave Act). Before returning to work, Tolmar may require employees absent because of illness or injury to submit a doctor's certification and/or a release from Tolmar's occupational health physician, stating the reason for the absence and the employee's ability to safely perform the duties of the job.

#### **L. INVESTIGATIONS OF CURRENT EMPLOYEES**

Tolmar may occasionally find it necessary to investigate current employees, where behavior or other relevant circumstances raise questions concerning, for example, work performance, reliability, honesty, trustworthiness or potential threat to the safety of coworkers or others. Employee investigations may, where appropriate, include motor vehicle record checks and investigations of criminal records, including appropriate inquiries about any arrest for which the employee is out on bail. In the event that a consumer report is obtained, Tolmar will comply with the federal Fair Credit Reporting Act and applicable state laws, including providing the employee with any required notices and forms.

Any employee who is convicted under a criminal statute for a violation or who pleads guilty or nolo contendere to such charges must notify Tolmar within five (5) days of such conviction or plea. Failure to do so will result in disciplinary action up to and including termination. Employees convicted or who plead guilty or nolo contendere to violations may be subject to disciplinary action up to and including termination.

Employees subject to or participating as a witness in an investigation related to the workplace and/or policy adherence are required to cooperate with Tolmar's lawful efforts to obtain relevant information and must remain truthful in the investigation process at all times. Failure to do so may result in disciplinary action up to and including termination of employment.

#### **M. PERFORMANCE EVALUATIONS**

Communication between employees and supervisors or managers is very important. Discussions regarding job performance are ongoing and often informal. Tolmar utilizes a Performance Management platform called "15Five" to facilitate ongoing communication between employees and their supervisor related to successes, challenges and general 1:1 discussions.

Generally, formal performance reviews are conducted annually via 15Five, and involve a structured performance appraisal and discussion between the employee and the supervisor about job performance, expectations for the coming year and growth and development opportunities.

#### **N. PERSONNEL FILES**

Personnel records will be maintained containing information on each employee to meet state and federal legal requirements and to assure efficient personnel administration. Important events in each employee's history with Tolmar will be recorded and kept in the employee's electronic personnel file. Performance reviews, change of status records and educational achievements are just a few examples of the records maintained.

January 1, 2024

To ensure that employment records and benefit program information remain accurate, employees should submit any changes regarding their personal information utilizing the online Human Resources / Payroll system (UKG). This includes changes to mailing address, contact information, marital status, dependents and other relevant information.

Access to personnel files is restricted to authorized employees of the Human Resources Department. Managers and supervisors, with a valid work-related reason, may examine active and terminated employee files. However, managers and supervisors may not examine non-work-related information in any personnel file such as medical information or information supplied in accordance with the Immigration Reform and Control Act of 1986. Personnel files are the property of Tolmar and may not be removed from the Human Resources Department. Access may also be given to third parties, including government agencies, pursuant to a court order or subpoena.

Upon the request of an employee, no more than once annually, Tolmar will permit an employee to inspect and obtain a copy of any part of their own personnel file or files at the employer's office and at a time convenient to both the employer and the employee. A former employee may make one inspection of their personnel file after termination of employment. The employee's or former employee's access to their files will occur only in the presence of a Human Resources representative. If employees are interested in reviewing their file, they should contact the Human Resources department to schedule an appointment. Employees may submit written comments in disagreement with any materials contained in their records.

#### **O. WORK ATTIRE GUIDELINES**

Tolmar offers a casual dress policy for employees, except where there are specific clothing requirements such as uniforms, safety shoes or other safety-related attire. Employees should also take their day's schedule into account when it comes to attire. It is expected that employees who have business meetings with outside customers dress in traditional business attire. This includes, but is not limited to, interactions with vendors, regulatory agencies, interviewees and other business visitors. A business casual dress code will be expected in the event of an FDA, marketing partner or foreign government inspection. Employees' attire while working is to be appropriate to the extent that no distracting or disruptive attention or reaction on the part of others is anticipated or caused.

It is expected that clothing be neat, clean and in good condition, i.e. no holes or frayed edges. Shorts, casual t-shirts, sweatpants, casual tank-tops or 'flip-flops' are not permitted at any time as they do not present a professional appearance. Employees' appearance should be consistent with good hygiene. In no event should casual appearance compromise the safety of employees.

There are specific clothing requirements within the Chemical Hygiene and Safety Procedures. Employees must adhere to those procedures when working in the laboratories, warehouse and clean room environments.

Employees who do not follow these guidelines will be asked by their supervisor to go home and change into more appropriate clothing. Lack of adherence to this policy may be cause for corrective action.

#### **P. PERSONAL VEHICLES**

Employees are permitted to use their personal vehicle for Company business. All employees are responsible for maintaining their personal vehicle and any related costs associated with owning and operating the vehicle, including insurance, licensing fees, preventive maintenance, etc.

All employees driving for work purposes must maintain insurance coverage that meets the employee's resident state requirements. Any costs associated with incidents or accidents while operating their vehicle are the responsibility of the vehicle's owner. Tolmar maintains Workers' Compensation coverage for all employees while conducting Company business. Workers' Compensation would apply in the event an employee is injured while operating a vehicle for Company business.

Employees are encouraged to consult with their insurance agent or carrier concerning the use of their vehicle for Company business.

#### **Q. REMOTE WORK ARRANGEMENTS**

Remote Work (telecommuting) is a work arrangement by which an employee performs job duties from an alternative location other than at the office on a regularly scheduled basis. Not every position is appropriate for this type of arrangement. Decisions about what positions may be considered for a Remote Work Arrangement will be made by members of Management and Human Resources.

Considerations taken into account when assessing the possibility of a Remote Work Arrangement include but are not limited to the following:

- the nature of the job or project requirements;
- whether the nature of the work lends itself to remote work;
- the amount of time to be spent working remotely;
- employee work performance;
- the ability of an employee to work independently; and
- the impact the arrangement may have on collaboration and coworkers.

Employees in positions that are approved for a Remote Work Arrangement must have the necessary equipment and technology to facilitate the arrangement, such as computers, printers, and sufficient Internet connection. All equipment provided by Tolmar must be used for business purposes only and promptly returned upon request.

Employees who telecommute must comply with all Company policies and procedures, including, but not limited to those set forth in this Handbook. Employees are expected to work and be generally available during their established core schedule. This includes timely response to voicemails, emails, and other requests. Remote employees must submit requests for PTO, sick pay or other available leave to address illness and/or personal matters just as if they were working in the office. Non-exempt remote employees must accurately record all hours worked and comply with all recordkeeping requirements, including documenting meal and break periods.

Employees who work remotely must follow all security measures to protect Company records or files, including electronic information. Employees must follow Company procedures related to computer use, network access, information security and storage of documents. No one other than the employee is permitted to access Company information or use Company equipment.

Employees who are approved for a Remote Work Arrangement must sign a written agreement which specifies the effective date of the arrangement, the employee's schedule, and the terms and conditions of

the arrangement. It is also required that an employee relocating to another state as part of a remote work arrangement notify a member of HR of their address change before relocation occurs.

Unless granted as an accommodation under federal or state law, Remote Work arrangements are granted in Tolmar's sole discretion and can be revoked at any time, with or without cause. Reasonable advance notice of the termination of such an arrangement will be provided where possible. Employees who fail to abide by the requirements set forth in this policy or otherwise, including any written agreement (if applicable), will not be permitted to continue the Remote Work arrangement.

This policy and any associated written agreement do not alter employment at-will relationship and either Tolmar or the employee can terminate the employment relationship at any time with or cause or notice.

## **TOLMAR FACILITIES**

### **A. WORKPLACE VIOLENCE**

Any action, which in management's opinion is inappropriate in the workplace, will not be tolerated. Such behaviors may include, but are not limited to, physical and/or verbal intimidation, threatening or violent conduct, vandalism, sabotage, arson or use of weapons. Also prohibited is the carrying of weapons onto Company property, regardless of whether the employee possesses a concealed carry permit.

Employees should immediately report any such occurrences to their supervisor or to the Human Resources Department so that we may investigate complaints. When employees are found to have engaged in the above conduct, management will take action that it believes is appropriate.

Employees should directly contact law enforcement, security and/or emergency services if they believe there is an imminent threat to the safety and health of themselves or coworkers.

### **B. VISITORS ON COMPANY PROPERTY**

Visitors (including family and friends) are welcome at Tolmar. However, to avoid or minimize the disruption of business activities, certain guidelines should be followed to ensure the safety of our visitors and employees.

#### **Guidelines for All Visitors**

- All visitors (including representatives from outside companies, vendors, repair persons, family and friends) must register with the receptionist, indicating whom they wish to see and their arrival time, and must sign out when they leave.
- All visitors must be issued a visitor badge by the receptionist or Tolmar employee. Visitor badges are located at the receptionist desk of each facility.
- The receptionist will notify the employee concerned that they have a visitor. The employee, if they wish to receive the visitor, will go to the reception area to greet the visitor and escort the visitor into the work area.
- When the visitor has completed their business, the employee must escort the visitor back to the reception area to be signed out by the receptionist or employee.
- If any employee encounters a visitor who has not registered or should not be in the business area of the building or a visitor who does not have a visitor's badge, they should ask the visitor to return to the lobby, sign the visitor's log, receive a badge and request an escort.



**Escorting of Visitors**

- The general rule is that all visitors should be escorted while inside our buildings. Regular vendors, family members and contractors assigned to work at Tolmar, may each be exempted from the escort requirement, at the discretion of the receptionist and/or employee receiving the visitor.

**Other Rules:**

- Manufacturing, laboratory and warehouse visits must be approved in advance by the supervisor on duty for the safety of those visiting and to prevent disruption of a production process.
- Visitation of a personal nature is discouraged during regular business hours, excluding lunch or break times, unless approved by the appropriate supervisor. Personal visitors are not allowed into work areas at any time without prior approval from management or a Human Resources representative.
- Family members or friends are not allowed in the buildings on weekends or during non-working hours.
- Children under the age of 18 are not allowed in the laboratory, manufacturing or warehouse areas at any time, with the exception of individuals participating in pre-arranged tours or an approved and qualified internship, apprenticeship or other educational program.

**C. COMMUNICATION SYSTEMS**

Tolmar's computer network, access to the Internet, email and voice mail systems are business tools intended for employees to use in performing their job duties. Therefore, all documents and files are the property of Tolmar. All information regarding access to Tolmar's computer resources, such as user identifications, phone numbers, access codes and passwords are confidential Company information and may not be disclosed to non-Company personnel.

All computer files, documents and software created or stored on Tolmar's computer systems are subject to review and inspection at any time. In this regard, employees should not assume that any such information is confidential, including email either sent or received.

Computer equipment should not be removed from Tolmar premises without written approval from a department head. Upon separation of employment, all communication tools must be returned to Tolmar.

**Personal Use of the Internet**

Some employees need to access information through the Internet in order to do their job. Use of the Internet is for business purposes during the time employees are working. Reasonable personal use of the Internet should not be on business time, but rather before or after work or during breaks or lunch periods. Tolmar prohibits the display, transmittal or downloading of material that is in violation of Company guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory or otherwise unlawful at any time.

**Software and Copyright Laws**

Tolmar fully supports copyright laws. Employees may not copy or use any software, images, music or other intellectual property (such as books or videos) unless the employee has the legal right to do so. Employees must comply with all licenses regulating the use of any software and may not disseminate or copy any such

software without authorization. Employees may not use unauthorized copies of software on personal computers housed in Company facilities.

**Unauthorized Use**

Employees may not attempt to gain access to another employee's personal file of email messages or send a message under someone else's name without the latter's express permission.

Employees are strictly prohibited from using the communication systems in ways that management deems inappropriate. If employees have any question whether their behavior would constitute unauthorized use, they should contact their immediate supervisor before engaging in such conduct.

**Email and Teams Messaging**

Electronic mail and messaging platforms (i.e. Microsoft "Teams") are to be used primarily for business purposes. While personal email is permitted, it is to be kept to a minimum. Personal electronic mail should be brief and sent or received as seldom as possible. Tolmar prohibits the display, transmittal or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory or otherwise unlawful at any time. No one may solicit, promote or advertise any outside organization, product or service through the use of electronic communication systems or anywhere else on Company premises at any time. Management may monitor email or messaging platforms as required.

Employees are prohibited from unauthorized use of encryption keys or the passwords of other employees to gain access to another employee's email or Teams messages.

**Voice Mail**

Tolmar's voice mail system is intended for transmitting business-related information. Although Tolmar does not monitor voice messages as a routine matter, Tolmar reserves the right to access and disclose all messages sent over the voice mail systems for any purpose. Employees must use judgment and discretion in their personal use of voice mail and must keep such use to a minimum.

**Telephones / Cell Phones**

Excessive personal phone calls can significantly disrupt business operations. Employees should use their break or lunch period for personal phone calls or for using their personal phones for other activities (texting, etc.).

Confidential information should not be discussed on a cell phone. Cell/camera phones should not be used in a way that violates other Company guidelines such as, but not limited to, EEO/Sexual Harassment and Confidential Information. Additionally, no photos should be taken with cell phones or other camera devices without prior permission from a member of management within any GMP-governed area of Tolmar.

For safety reasons, employees should avoid the use of cell phones while driving. Employees must park whenever they need to use a cell phone. Generally, stopping on the shoulder of the road is not acceptable.

Tolmar telephone lines should not be used for personal long-distance calls.

*Please refer to the IT Policy, Security of Computer Environments, for full details regarding this policy.*

#### **D. SOCIAL MEDIA**

Tolmar recognizes the importance of social media for its employees. However, use of social media by employees may become a problem if: it interferes with the employee's work; is used to harass coworkers or customers; creates a hostile work environment; violates any law or regulation; or harms the goodwill and reputation of Tolmar among its customers or the community at large. Tolmar takes reasonable steps to monitor employee use of social media to ensure that employees adhere to the provisions of this policy and all relevant laws and regulations. Tolmar supports employees' use of social media within the parameters of the following guidelines and in a way that does not produce the adverse consequences mentioned above.

Where no policy or guideline exists, employees are expected to use their professional judgment and take the most prudent action possible. If employees are uncertain about the appropriateness of a social media posting, they should check with a manager or supervisor or member of Human Resources.

**Note:** This policy provides guidance for employee use of social media, which should be broadly understood for purposes of this policy to include blogs, wikis, microblogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites, and other sites and services that permit users to share information with others in a contemporaneous manner. The following principles apply to professional use of social media on behalf of Tolmar as well as personal use of social media when referencing Tolmar:

- If employees' posts on social media mention Tolmar, its products or services, employees, customers and/or competitors, they must clearly and conspicuously note that they are an employee of Tolmar and that the views posted are theirs alone and do not represent the views of Tolmar.
- If an employee posts positive comments about Tolmar's products or services, they must also clearly and conspicuously state that they are an employee of Tolmar.
- Employees should not mention Company employees, clients, customers or partners without their express consent.
- Unless given written consent, employees may not use Tolmar's logo or trademarks in their posts.
- If there is a misrepresentation about Tolmar, employees should respond respectfully with factual information, not inflammatory comments.
- Employees can be disciplined and/or sued by other employees, competitors, customers and any individual that views their social media posts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment.
- All postings on social media must comply with Tolmar's confidentiality and disclosure of proprietary information policies. If employees are unsure about the confidential nature of information they are considering posting, they should consult with their manager, supervisor or a member of Human Resources.
- Employees must comply with copyright laws and cite or reference sources accurately.
- Employees must not link to Tolmar's website or post Company material on a social media site without written permission from the Legal Department.
- All Company policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to illegal harassment, code of conduct, noncompetition and protecting confidential and/or proprietary information.
- Violation of this policy may lead to discipline, up to and including termination of employment.

**E. MANAGEMENT OF COMPANY PROPERTY****Definition of Property Requiring Management**

- Computers of all types
- Printers
- Copy Machines
- Furniture of all types
- Ladders and various tools of all types
- Audio visual equipment of all types (TV, laser pointers, etc.)
- Vehicles

**Methodology for Scheduling and Reserving**

Prior supervisory approval and checkout is required for removal of property of any kind from the building for business use. Laptop computers should be checked out through IT.

**User Responsibility for IT Equipment**

Company equipment used outside Tolmar's premises – laptops, tablets, flash drives, or similar – is to be used for work-related purposes only, and only by Tolmar employees. To minimize loss risk and distribution of privileged information, the equipment should be handled with special care and in compliance with the usage agreement.

- This equipment belongs to the organization and must be immediately returned upon request or at the time an employee is separated from the organization.
- Users may be financially responsible for the value of equipment assigned to their care if it is not returned to the organization.
- Should IT equipment be lost, stolen or destroyed, users are required to provide a written report of the circumstances surrounding the incident. Users may be subject to disciplinary action for misuse or mishandling of equipment that causes loss or damage.

**Business Use Only**

- No employee may borrow Company property for personal use.
- Long-distance phone calls of a personal nature, the use of Tolmar's 1-800 number and personal use of the internet, email, telephone, faxes, photocopier and other business equipment should be limited.
- Federal Express and United Parcel Service may be used for shipping personal items. All charges for Federal Express and UPS are to be paid by check at the time of shipping. Please contact your building's Administrative Assistant for more information.
- The postage machine is for business use only. No postage should be used from the postage machine for personal items. Personal letters with stamps bought outside Tolmar may be included in the postage bins for the daily mail pick-up.
- The email system and bulletin boards are for the distribution of Company business information and constitute Company property. Employees must first clear special posting requests or emails with Human Resources. Employees should have no expectation of privacy in any Company property. See detailed Security of Computer Environments Policy.
- Violation of these rules may result in disciplinary action, up to and including termination.

**F. BADGE POLICY**

All Tolmar employees and assigned temporary employees are issued an access badge with their picture for identification purposes and access to company facilities. Access is granted through defined security access groups and managed via Tolmar's badge security system. All access to restricted access areas requires prior approval and completion of applicable training and/or qualification documents.

**Temporary Badge Requests**

A temporary badge will be issued when an employee does not have their assigned badge in their possession but has not lost their badge. A temporary badge will be issued for a 24-hour period, and will be pre-configured with general access only unless otherwise necessary. The temporary badges may be issued by the facility's Administration Assistant or a department Supervisor or Manager.

**Replacement Badge Requests**

If an employee has lost their badge, they should submit an IT ticket to: [itrequest@tolmar.com](mailto:itrequest@tolmar.com) or via Tolmar's intranet at <https://helpdesk.tolmar.com> and request a new badge. IT will create a new badge with the employee's picture, assign access based on the original badge, and disable the original badge. The employee will then be instructed where to obtain their new badge.

**Contractor / Vendor Badge Requests**

IT requests should be submitted in advance for badges required for vendors or contractors who will be working in a Tolmar facility. A badge will be created with required access and provided to the requesting Tolmar employee. An end date will be required for all vendor and contractor badge requests and will be applied to the badge in the system.

**G. WORKPLACE MONITORING AND SURVEILLANCE**

Tolmar engages in surveillance activities in the workplace, and has visible cameras placed in company parking lots, outside entrances, manufacturing areas and warehouses. There should be no expectation of privacy in the workplace except in private areas such as restrooms and locker rooms. Information obtained through video surveillance is confidential, and access is limited to those who would require access for legitimate business and security purposes.

**H. TOBACCO-FREE ENVIRONMENT**

Tolmar is a tobacco-free facility. Employees or visitors wishing to use tobacco products, including e-cigarettes, must do so in designated outdoor areas.

**I. PANDEMIC RESPONSE**

Tolmar maintains a Pandemic Influenza Outbreak Plan which applies to (1) traditional pandemic influenza outbreaks (such as the 2020 Covid-19 pandemic) as declared by International (World Health Organization (WHO)), or National Authorities (Center for Disease Control and Prevention (CDC)), or (2) smaller disease outbreaks that may occur in Illinois, Colorado or other states that could impact Tolmar's business and operations in a similar manner. Tolmar also maintains a separate policy outlining workplace policies and procedures related to Covid-19. Both of these documents can be accessed via Tolmar's intranet site (The Pharm) or by contacting a member of Human Resources.

**J. FRAGRANCE POLICY**

Tolmar strives to ensure the comfort and safety of our employees and visitors by maintaining an environment free from smoke, overpowering fragrances and other unpleasant smells. These odors can be distracting and may trigger allergic reactions or create health problems for some individuals. To ensure a comfortable work environment for all, it is requested that employees refrain from wearing or applying excessive amounts of perfume, cologne, scented lotions or body washes. Employees must also refrain from the use of hairsprays, air fresheners or other scented products (heated, scent generating plug-ins, etc.) in the workplace.

If an employee does not adhere to the above recommendations, a supervisor may ask the employee to leave the workplace or remove the source of the odor in question until the issue is resolved.

**K. QUIET ROOMS**

A Quiet Room is a room reserved as a space of silence, privacy and seclusion when an employee has a physical, mental, religious or medical need. At various Tolmar facilities, there are Quiet Rooms set aside for employees to utilize as needed that are supplied with prayer rugs, prayer beads, meditation cushions and kneeling pads. Specific information about locations of the Quiet Rooms by facility can be obtained from the building's Administrative Assistant.

The Quiet Rooms are intended for use by employees who:

- Need a private area for common religious practices (prayer room)
- Have prescribed medical needs requiring a private location during their workday
- Are in need of a recharge / opportunity to meditate or reflect

Quiet Rooms should be reserved in 15-minute increments through Outlook. Time spent utilizing the Quiet Rooms should coincide with break periods whenever possible. If an employee is using the Quiet Room, other employees should not interrupt their session.

**L. SOLICITATION & DISTRIBUTION OF LITERATURE**

In an effort to assure a productive and harmonious work environment, persons not employed by Tolmar may not solicit or distribute literature in the workplace at any time, for any purpose.

Tolmar recognizes that employees may have interests in events and organizations outside the workplace; however, employees may not distribute literature concerning these activities during working time. Working time does not include meal periods and breaks. Distribution of literature is prohibited in working areas at all times. In addition, Company bulletin boards are reserved for the exclusive use of Tolmar to display business information only.

The email system and bulletin boards are for the distribution of Company business information and constitute Company property. Employees must first clear special posting requests or emails with Human Resources.

During work time, employees are expected to devote their time to work activities. Social solicitation activities are to take place only during break times and non-work times in areas where employees will not

January 1, 2024

disturb other working employees. In addition, distribution of emails, flyers and literature must be done during non-work time and only with the express written permission of Human Resources.

#### **M. NURSING EMPLOYEES IN THE WORKPLACE**

Recognizing that for many employees and their babies, breastfeeding is important and in accordance with Colorado law, Tolmar will provide employees a private area to express breast milk (also called “lactation rooms”).

Tolmar has identified private locations for expressing milk within each of our facilities. Each of these identified rooms include a clean space with an electrical outlet (standard 110 Volt), a lock on the door accessible from inside the room, a chair, a table or flat surface to hold the breast pump, access to a nearby clean and safe water source and a sink for washing hands and rinsing out any breast-pump equipment; and access to hygienic/refrigerated storage alternatives for storage of breast milk.

In some Tolmar facilities, these spaces also serve as “Quiet Rooms” to be used by other employees and can be scheduled for use as needed. To reserve one of these rooms, employees should coordinate room availability and their required break times with their supervisor. The timing of the break can be altered to best accommodate the nursing parent and their work schedule. Generally, the amount of time for breaks will be the same as under the break policy. For employees regularly working outside of Tolmar’s main offices, they should see their supervisor to discuss their needs and to coordinate facilities at these locations.

### **COMPANY BENEFITS**

Tolmar offers a very competitive benefits package to employees, including Medical, Dental, Vision, Life, Short-Term Disability, Long-Term Disability, 401(k) retirement plan, Health Savings Account (HSA) and Flexible Spending Account (FSA). Employees will be provided with a separate Benefits Summary detailing these plans and eligibility criteria. If further information is needed, employees should contact Human Resources.

#### **A. PAID TIME OFF (PTO)**

Tolmar provides time off with pay for all full-time employees. A full-time employee is one hired to work a minimum of thirty (30) hours per week. PTO may be used for the purpose of vacation, illness or personal time off.

##### **PTO Eligibility & Accrual**

PTO begins to accrue at date of hire and is available for employees’ use as it is accrued. PTO will then continue to accrue at the rates indicated below and may be taken as earned.

##### **Maximum Accrual**

Employees are not eligible to accrue any additional PTO once they have reached the maximum accrual or “cap” as indicated below. Employees will begin to earn PTO at their scheduled rate once their PTO accrual falls below the maximum accrual.

Full-time employees accrue PTO as follows:

<b><i>Length of Employment</i></b>	<b><i>Accrual per Pay Period</i></b>	<b><i>Annual Accrual</i></b>	<b><i>Maximum Accrual</i></b>
Fewer than 5 years	5 hours	120 hours	200 hours
From 5 years to 10 years	6.67 hours	160 hours	240 hours
From 10 years to 25 years	8.33 hours	200 hours	280 hours
More than 25 years	10 hours	240 hours	320 hours

Employees working more than 30 hours per week, but fewer than 40 hours per week will accrue PTO on a pro-rated basis, in accordance with their regular schedule.

### **Employee Responsibilities**

- Each employee is expected to report to work every scheduled work day. However, if employees are unable to be at work for any reason, they must call to report their absence to the appropriate supervisor before the beginning of their shift. This contact should continue on a daily basis until they return to work. (Also, see the Attendance policy). Before leaving work because of illness or injury, employees must contact their supervisor.
- The immediate supervisor is responsible for the tracking of absences on employee time sheets.
- If PTO is used, the appropriate PTO request procedure must be followed via UKG. If PTO is unscheduled, the employee's supervisor should enter unscheduled PTO into the employee's time record.

### **PTO Pay Considerations**

- If a holiday occurs during the leave period, the day off is paid as a holiday and will not be recorded as PTO.
- PTO may be taken to coincide with Reserve "Active Duty Training"; however, it is not required that paid leave be used during that time.
- If the employee becomes hospitalized due to illness or injury while using PTO, the employee's immediate supervisor should be notified promptly. Verification of an incapacitating illness or injury may be required from a physician to change the use of leave time from PTO to Sick Pay or Extended Sick Leave (ESL) time.
- Accrued time off is to be used before unpaid time off is granted, unless otherwise approved by Human Resources or otherwise required by state law.
- An employee may request approval to use unaccrued PTO with the understanding that their accrual balance will be in the negative. These exceptions must receive prior approval from the employee's supervisor and Human Resources and a PTO Exception Form must be completed and approved. If the employee leaves Tolmar before their PTO is accrued, the negative balance will be withheld from their final paycheck if an applicable written agreement is in place.
- PTO may be taken in any increment for nonexempt employees. If a nonexempt employee works for a portion of a workday, PTO should be recorded to bring their total hours for that day to 8, 10 or 12 hours based on their schedule. An employee's schedule may be adjusted within the same workday to accommodate the need for time off, if approved ahead of time by the employee's supervisor.
- PTO must be taken in half-day or full-day increments (based on an employee's normal work schedule) for exempt employees, with a minimum of a half-day PTO to be taken in one work day.
- When an employee is on an approved leave of absence and has worked any time within the pay period, they will receive their accrual for that pay period. If an employee is on a leave of absence



during an entire pay period (regardless of whether the time is paid or unpaid), there will be no accrual received.

- If an employee submits their resignation with a 2-week notice period, they are discouraged from using PTO, VTO, scheduled Sick Pay or other paid time off during the notice period. If they choose to do so, they may be considered ineligible for rehire based on insufficient notice provided.

### **Scheduling**

A Time Off Request should be completed by the employee using UKG and approved by the supervisor. PTO requests should be completed as soon as the need for time off is determined. All employees should take their planned PTO at such times as can be conveniently arranged with their supervisors on a “prior approval” basis. It is the responsibility of the employee’s supervisor to ensure that time off is spread out so that the department can still function during the period of time when employees are gone.

### **Accrued PTO at Termination**

All unused and accrued PTO will be paid out on the final paycheck. **In the event an employee has a negative balance at termination, those hours will be deducted from their final paycheck.**

In the event that an exempt employee resigns and their last work day occurs after the payroll processing date for their final pay period, their unused and accrued PTO will be paid out separately.

## **B. HOLIDAYS**

Tolmar provides full-time employees the following paid holidays each year:

- New Year’s Day
- Martin Luther King Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Holiday Closure Week (December 24-31)
- Floating Holiday (see policy below)
- Employee’s Birthday (see policy below)

Employees must work the day before and after a holiday or have approved, scheduled time off to be eligible for the paid holiday. If an employee is unable to work all or part of the day the day before or after a paid holiday due to illness, that employee must submit documentation from a physician excusing them for that day in order to be eligible for holiday pay. Employees who are on approved leave will be eligible for holiday pay.

If an employee voluntarily terminates their employment and submits a resignation date prior to the Holiday Closure period that will occur after returning from the holiday period, the employee’s supervisor and Human Resources will determine if any modification to the employee’s end date will be requested. Accordingly, if an employee returns from the Holiday Closure period and submits their resignation, they must provide a full 2-week notice period in order for their holiday pay during the closure to be granted.

Employees working more than 30 but fewer than 40 hours per week will be paid Holiday Pay on a pro-rated basis, in accordance with their regular schedule.

If a nonexempt employee is required to work on a Company-designated holiday, they will receive holiday pay in addition to being paid one and one-half times their base hourly rate for hours worked.

On occasion, Management may decide to allow employees to leave early on their last scheduled shift prior to a Company-designated holiday. If this decision is made, notice will be provided to employees ahead of time and they should work with their supervisor to determine how the early release applies to their specific schedule. Generally speaking, employees will work their normally scheduled shift, take their standard meal period and then leave early as specified by the announcement made.

Management retains the right to modify this schedule at any time.

#### **C. FLOATING HOLIDAY**

Full-time, regular employees are eligible to be paid for one “floating” day off each calendar year to be used on a day that is important to them (i.e. Juneteenth, Veterans Day, etc.) or another day that they would like to have off throughout the year. This day off is to be used in full-day increments and should be requested at least 30 days prior to utilization if possible. Employees should request this day off through the UKG time management system prior to utilization to be approved by their supervisor. Tolmar reserves the right to amend or terminate this program at any time without prior notice. Unused Floating Holidays will not be carried over to the following year and are not payable upon termination of employment.

#### **D. BIRTHDAY HOLIDAY**

Full-time, regular employees are eligible to be paid for a day off on their birthday each year. If an employee’s birthday falls on a day that they are not regularly scheduled to work, it will be honored on the closest work day to that day. No other scheduling exceptions will be made unless business needs dictate an alternate date and the exception should be cleared with a member of Human Resources prior to approval and communication to employee.

Employees should request this day off through the UKG time management system prior to utilization to be approved by their supervisor. Tolmar reserves the right to amend or terminate this program at any time without prior notice. Unused Birthday Holidays will not be carried over to the following year and are not payable upon termination of employment.

#### **E. GIFTED TIME OFF**

Full-time, regular employees are eligible to receive Gifted Time Off (GTO). GTO may be issued for different purposes, including Company giveaways and other approved requests. Generally speaking, GTO is requested by a management employee and vouchers are issued by Human Resources. GTO is to be used in either full- or half-day increments and must be used by the date indicated on the voucher.

Employees should request this day off through the UKG time management system prior to utilization to be approved by their supervisor. Tolmar reserves the right to amend or terminate this program at any time without prior notice. Unused GTO is not payable upon termination of employment.

**A. OTHER TIME OFF****1. SICK PAY**

Tolmar provides Sick Pay to all full-time and part-time employees. For employees working in Colorado, temporary employees are also eligible to accrue Sick Pay. Sick Pay may be used in the event of illness or injury of the employee or employee's family member. Sick Pay may also be used for medical appointments, including doctor or dentist appointments, for the employee or employee's dependent child.

Full-time employees will receive 40 hours of Sick Pay each January 1. Those employees whose normal schedule is fewer than 40 hours per week but more than 30 hours per week will receive a pro-rated amount of Sick Pay based on their normally scheduled workweek. Employees who work fewer than 30 hours per week will earn one hour of sick pay for every 30 hours that they work. Unused Sick Pay will be forfeited at the end of each calendar year, unless otherwise regulated by state-specific laws.

Sick Pay hours are prorated based on the quarter in which an employee was hired:

- 1st Quarter hires receive 40 hours (January – March)
- 2nd Quarter hires receive 30 hours (April – June)
- 3rd Quarter hires receive 20 hours (July – September)
- 4th Quarter hires receive 10 hours (October – December)

Each employee is expected to report to work every scheduled work day. However, if an employee is unable to be at work due to an illness, injury or doctor's appointment, they must call to report their absence to the appropriate supervisor before the beginning of their shift. This contact should continue on a daily basis until they are able to return to work. Before leaving work because of illness, injury or an appointment in the middle of their work day, employees must contact their supervisor.

In the event an employee is absent for more than four calendar days due to an illness or injury, a medical certification from a healthcare provider may be required (see Leaves of Absence section). This certification should indicate that the employee was unable to work due to medical reasons and the length of time for this restriction.

**Sick Pay Considerations**

- Sick Pay may be requested in advance as "Scheduled" sick pay or may be entered by an employee's supervisor as "Unscheduled" sick pay in the event that it is not planned.
- Sick Pay may be taken in any increment for nonexempt employees. If a nonexempt employee works for a portion of a workday, Sick Pay should be recorded to bring their total hours for that day to 8, 10 or 12 hours depending on their schedule.
- Sick Pay must be taken in half-day or full-day increments for exempt employees, with a minimum of a half-day Sick Pay to be taken in one work day.
- If an employee is unable to work due to illness for all or part of the day before or after a paid holiday (whether using Sick Pay or not), that employee must submit documentation from a physician excusing them for that day in order to be eligible for holiday pay.
- If there is a concern about the legitimacy of Sick Pay utilization, requests may be closely monitored, and additional information / documentation may be required.
- Sick Pay will not be used in the calculation of overtime.
- All available Sick Pay will be applied to any qualifying absence prior to the utilization of ESL. This pertains to any related absence, including FMLA-qualifying absences.

- Additional rules will apply in the case of a public health emergency.
- Unused Sick Pay is not payable to the employee upon termination of employment.
- Employers shall not retaliate against an employee for requesting or using paid sick leave.
- Tolmar's Sick Pay and PTO policies are compliant with the requirements of Colorado's Healthy Families and Workplaces Act (HFWA) and other state-specific time-off regulations. Please contact a member of HR or the benefits team for additional information.

## **2. EXTENDED SICK LEAVE (ESL)**

Tolmar provides a program that covers employees against loss of income during extended periods of illness and family emergencies.

The Extended Sick Leave (ESL) policy provides each employee 56 hours per calendar year, granted each January 1<sup>st</sup>. ESL hours are prorated based on which quarter an employee was hired in:

- 1<sup>st</sup> Quarter hires receive 56 hours (January – March)
- 2<sup>nd</sup> Quarter hires receive 42 hours (April – June)
- 3<sup>rd</sup> Quarter hires receive 28 hours (July – September)
- 4<sup>th</sup> Quarter hires receive 14 hours (October – December)

Employees working more than 30 hours per week, but fewer than 40 hours per week will accrue ESL on a pro-rated basis, in accordance with their regular schedule. Accordingly, ESL for these employees will be paid on a pro-rated basis.

### **Maximum Accrual**

The maximum accrual for ESL is 240 hours.

### **Qualifying events for use of ESL days include:**

- Employee's hospitalization stay or documented outpatient surgery;
- Employee's illness of four (4) consecutive calendar days or more and a documented diagnosis by a physician requiring the extended leave;
- Qualified leave of absences as defined in the Family Medical Leave Act of 1993
- Domestic abuse - Up to five (5) workdays may be used

Prior to utilizing ESL for any of the qualifying events listed above an employee's available Sick Pay will first be applied except as otherwise required by state law.

Unused ESL is not payable to the employee upon termination of employment.

### **Physician's Release**

Employees will be required to obtain a physician's release before returning to work. If the leave extends more than fourteen (14) days for an injury or illness, the employee may be eligible for short-term disability benefits, which are paid by the insurance carrier. If the leave extends beyond 180 days and is still required by a physician, the employee becomes eligible for long-term disability benefits up to the latter of Social Security Normal Retirement Age or the maximum benefit period.

### **3. BEREAVEMENT LEAVE**

Dealing with the death of a loved one can be a traumatic experience, and Tolmar provides time off to full-time employees in the event of a death of an immediate family member to assist in this time of need. Bereavement leave is paid leave that allows an employee time off to deal with their personal needs and related arrangements and services following the death of an immediate family member. Immediate family is defined as: spouse, domestic partner, child, stepchild, parent, stepparent, sister, brother, stepsister, stepbrother, grandparent, grandchild, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-law.

An employee should notify their supervisor of the need for time off from work. An employee may take up to three working days with pay. Up to five days may be granted under certain circumstances, i.e. travel, executor of an estate, etc.

If an employee is normally scheduled to work 10- or 12-hour work days, their bereavement leave would be adjusted accordingly to coincide with the standard allotment.

If personal circumstances create a need for more time than what is provided above, employees should ask their supervisor about accommodation.

With supervisor approval, an employee may be paid for up to 4 hours (regardless of schedule) to attend a funeral for individuals not meeting the definition of "Immediate Family". If an employee takes more than 4 hours to attend a funeral, they must utilize PTO for the remainder of their absence.

Tolmar's Bereavement Leave policy also satisfies the requirements of Colorado's Healthy Families and Workplaces Act (HFWA).

### **4. VOLUNTEER TIME OFF (VTO)**

Tolmar recognizes it is our responsibility as a good corporate citizen to help enrich our surrounding communities of residence and work. We encourage our employees to become involved in their communities, lending their voluntary support to programs that positively impact the quality of life within these communities.

The following guidelines are for our employees who serve as volunteers in community programs that are either of personal interest or are corporate-sponsored initiatives:

Tolmar will offer one full day (which may be taken in increments of not less than 1/2 day) each calendar year for employees to contribute volunteer time in a community nonprofit organization. For employees working 8-hour shifts, they may request 4 or 8 hours; for those working 10-hour shifts, they may request 5 or 10 hours; for those working 12-hour shifts, they may request 6 or 12 hours. Regular part time employees will receive 4 paid hours off annually for volunteer work.

This time off must be requested through the online time management system and approved by an employee's supervisor and Human Resources prior to being taken. To earn the paid time off associated with volunteer activities, the volunteer opportunity must occur during a normally scheduled work day. Time spent on such activities will not be counted as hours worked for overtime purposes.

January 1, 2024

Employees who work on 2nd or 3rd shift should contact Human Resources prior to requesting VTO to discuss the process for time off related to their specific volunteer activity, but generally speaking it will be approved in accordance with the amount of time they are spending on the VTO activity (half or full day).

This time is refreshed at the beginning of each calendar year, unless the program is amended or discontinued and does not accrue from year to year. Usage of this time does not affect PTO accrual or ESL usage.

Employees may be ineligible to participate in the program if on a Performance Improvement Plan or under Corrective Action. Tolmar reserves the right to amend or terminate this program at any time without prior notice. Tolmar also reserves the right to revoke approval if it is felt that the employee is misusing the program.

Employees must complete the VTO Request Form and submit it to their supervisor at least one week before the requested time off. The supervisor should then submit the request to Human Resources. Approval is at the discretion of the employee's supervisor and HR. If the time off is approved, the employee should then request the VTO time through the online time management system.

Unused VTO is not payable to the employee upon termination of employment.

## **5. JURY AND WITNESS DUTY**

Tolmar recognizes that employees must respond to jury service. Tolmar supports the community and its citizens' responsibility by guaranteeing one's salary less any court compensation received for the work days spent as a juror or witness.

- The employee must bring the jury summons to their supervisor. A copy should be made for Human Resources.
- The employee will be paid for normal work hours while on jury duty, less any compensation received from the court. The employee must submit documentation of their actual court compensation to the Human Resources Department for any necessary payroll adjustments.
- In return for the partial salary, an employee is expected to come to work whenever it is reasonably possible, especially when one is excused before the completion of the required service time as a juror and on any day the jury is dismissed early.
- Employees who work on 2<sup>nd</sup> or 3<sup>rd</sup> shift should contact Human Resources prior to reporting to Jury Duty to discuss the process for time off related to their jury activity.

## **6. VOTING**

Voting is an important responsibility we all assume as citizens. We encourage employees to exercise their voting rights in all municipal, state and federal elections.

Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in any election, employees should arrange with their supervisor no later than the day prior to Election Day.

## **B. LEAVES OF ABSENCE**

## **1. FAMILY AND MEDICAL LEAVE**

For eligible employees, the Family Medical Leave Act of 1993 and Tolmar grant leaves of absence for the following reasons:

- Employee's serious health condition or pregnancy-related disability;
- Father's attendance at birth of a child;
- Parent's care of a child following birth if completed within 12 months following the birth of child;
- Placement of a child with employee for adoption or foster care;
- Serious health condition of employee's child under 18 years or older if disabled;
- Serious health condition of employee's spouse or parent;
- Any qualifying exigency if the employee's spouse, son, daughter or parent is on active duty or has been notified of an impending call or order to active duty in the Armed Forces.

Tolmar grants up to 26 weeks (1,040 hours) of leave to an eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member to care for that person while they are undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is otherwise on the temporary disability retired list, for a serious injury or illness. Qualifying military exigencies also apply toward the 26 week leave availability.

To be eligible for Family and/or Medical leave, an employee must be employed at least 12 months and have worked at least 1,250 hours (24 hours per week) during the 12 months preceding the commencement of leave. In addition, employees must work at a work site with 50 or more employees within a 75-mile radius to be eligible.

Whenever possible, notification must be provided to an employee's supervisor and Human Resources at least 30 days prior to the leave, so Tolmar can arrange for the necessary approval paperwork and to find someone to perform their work during the absence. Requests for leave must be made in writing to Human Resources, stating the reason for the leave, the starting date and the planned date of return to work. Appropriate certification for any serious health condition is also required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied or delayed.

The maximum time allowed for Family and/or Medical Leave is either 12 or 26 weeks (480 or 1,040 hours) in a 12-month period as explained above. Tolmar uses the 12-month rolling period measured backward from the first day of an employee's leave. Although most leaves would be taken in a single block of time, intermittent leaves or reduced leave schedules also may be approved as applicable.

In the event that two employees are requesting leave for the same FMLA event (i.e. birth or adoption of a child), they may each request up to 12 weeks (480 hours) of FMLA unless they are in the same department, in which case the details of the request will be reviewed by the management teams of each department and by Human Resources and a determination will be made on a case-by-case basis.

Employees taking intermittent leave or requesting reduced schedules may be required to temporarily transfer to another job with equivalent pay and benefits to their primary position that better accommodate that type of leave.

Tolmar continues insurance benefits for employees on leave. Employees must continue to pay their portion of any premiums for elected benefits while on an approved leave.

When on an approved unpaid leave of absence, available Sick, ESL and Paid Time Off (PTO) will be applied until those hours are exhausted, before allowing any unpaid time.

In the event that an employee becomes eligible for income replacement, either through Short-Term Disability, Workers' Compensation or any State Paid Medical and Family Leave, the use of available Sick Pay, ESL and PTO is optional during the time they are receiving supplemental payments and must be communicated prior to leave commencing.

PTO will not accrue during a leave of absence unless the employee works a portion of a pay period.

Intermittent leave will be applied in the smallest accepted payroll amount, which is a 15 minute increment.

If the leave is for an employee's own serious health condition, the employee must provide medical documentation verifying ability to return to work. Failure to return to work on the day after the expiration of leave may result in termination of employment. However, if an employee is unable to return to work at the end of FMLA, the employee may be entitled to additional accommodation under the Americans with Disabilities Act as Amended (ADAAA) or other law. The employee must supply sufficient information from their medical provider indicating that they are unable to return due to a disability and the likely date the employee will be able to return to work with or without reasonable accommodation. The employee must qualify for coverage under the Act and any accommodation provided must be reasonable and not result in any undue hardship to Tolmar. The scope and duration of the potential accommodation will be determined after an interactive dialogue between the employee and Tolmar.

Employees who are unable to return to work after exhaustion of their FMLA leave allotment may be eligible for an extension of leave under the ADAAA. If this extension is granted, the employee may be transferred to a COBRA status in order to continue applicable benefit programs.

Employees who return to work from Family or Medical Leave of Absence, except for certain highly compensated employees, will be returned to their same job or an equivalent position subject to the rules of FMLA.

## **2. COLORADO FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM (FAMLI)**

FAMLI is a state-run program. However, Tolmar elected and was approved to provide a private family and medical leave plan in lieu of the state-run FAMLI plan, providing at least the same benefits and protections available under FAMLI. This coverage includes partial income protection for eligible employees who are temporarily unable to work due to their or a family member's qualifying medical reason, specifically, for the care of a newborn, adopted child, or fostered child; to care for a family member with a serious health condition; for the employee's own serious health condition; for qualifying military exigency leave; or to address safety needs or the impact of domestic violence and/or sexual assault. Partially paid leave is available for up to 12 weeks in a calendar year or up to 16 weeks under certain circumstances related to pregnancy and childbirth.

FAMLI benefits are available to Tolmar employees who meet each of the following criteria:



- Reside in Colorado, or reside outside of Colorado but report to work on-site in Colorado for the majority of their hours worked, and
- Have earned at least \$2,500 in wages in Colorado in a specified base period.

It is Tolmar's policy to allow employees to utilize their accrued paid leave (Sick Pay, Extended Sick Leave or PTO) while on paid FAMLI leave to get the employee to 100% of wages if the employee elects to do so. However, FAMLI regulations prohibit an employee from receiving more than 100% of their total wages combined from FAMLI benefits, employer paid leave and employer-sponsored income replacement such as Short Term Disability.

For more information regarding this important benefit, including eligibility information, required documentation and waiting periods, please contact Human Resources.

### **3. MILITARY LEAVE**

Employees who are members of the U.S. Armed Forces Reserve or National Guard are granted an unpaid leave of absence when called for active duty training. While the leave is unpaid, the employee may choose whether or not they would like to utilize accrued PTO during the time they are on military leave.

If employees are inducted into a branch of the U.S. Armed Forces for an extended period, upon returning to Tolmar after separation from military service, they may be re-employed in accordance with the provisions of the Law.

### **4. PERSONAL LEAVE**

A personal leave of absence may be granted under the following provisions:

- The employee has completed ninety (90) days of employment with Tolmar.
- Primary consideration is Tolmar's ability to operate without the employee's services;
- Reasons for requesting the leave must be specifically stated in writing;
- Gainful employment outside Tolmar must not be engaged;
- The leave may be extended for reasons acceptable to Tolmar; however, the total leave cannot be for more than thirty (30) calendar days.

When on a personal leave of absence, all available PTO will be used until it is exhausted, before allowing any unpaid time. Paid Holidays are not granted when on unpaid leave. PTO will not accrue during unpaid leave time. Medical insurance may be continued during an unpaid personal leave of absence if the employee pays the entire premium in advance.

### **C. EDUCATION ASSISTANCE PROGRAM**

Tolmar is committed to encouraging employees to further their knowledge and skills to improve current performance and to help prepare for future opportunities within Tolmar. Tolmar's Education Assistance Program has been developed to provide financial assistance to offset the cost of tuition and books for those eligible employees who wish to pursue courses within undergraduate or graduate studies while continuing to work at Tolmar.

Courses must be through an accredited university, college or other approved institution. Funding for other types of training and continuing education (i.e. seminars, workshops, certifications, conferences and certain classes) may be available from individual Department budgets. The education assistance program does not apply to entrance preparation courses and exams.

Full-time employees (working more than 30 hours per week) and part-time employees (averaging 20 hours or more per week) are eligible to participate in the Education Assistance Program after completing one full year of employment. Pre-approved courses may commence prior to being employed for one year if the completion of those courses and subsequent reimbursement will take place after the one-year requirement is met.

If employees will need to request a schedule accommodation to attend courses as part of this program, they should propose the schedule modification prior to enrolling in the courses as any approval of a scheduling accommodation will be based on current business needs.

Additional details about the program and application process can be accessed on Tolmar's intranet (The Pharm) or by contacting a member of Human Resources.

#### **D. RECRUITING / REFERRAL BONUS**

To recognize the vital role employees play in the recruitment process, Tolmar has implemented a Recruiting Bonus Program. Tolmar strongly encourages all employees to work as ambassadors for Tolmar and to encourage applications from any qualified individual employees believe could add value to Tolmar. Referral should not be limited to open positions; general applications are also encouraged.

Under this program, Tolmar will pay \$3,000 to any eligible party (see definition of "Eligible Parties" below) who has referred the candidate who is subsequently employed by Tolmar and remains for six (6) months or more.

##### **Eligible Parties**

Company Executives and members of the Human Resources Department are ineligible to participate in the program. All other full-time employees and supervisors are eligible, except where the employee who has referred the candidate has the ultimate responsibility for deciding whether or not to hire the individual or is involved in the interview and selection process. Temporary employees working at Tolmar through an employment agency are not eligible to participate.

##### **Conditions**

The payment of a recruiting bonus is subject to the continued employment of the referring employee and the new employee and the successful completion of their six-month anniversary. If the new employee gives notice of resignation prior to their six-month anniversary, the bonus payment will not occur. In the event that more than one employee refers the same individual, the first application received by the Human Resources Department shall be deemed to be the only eligible application under the program.

The recruiting bonus is not applicable if a referred applicant is already working at Tolmar through an employment agency or under a contractor / consultant arrangement or was previously employed by Tolmar.

There is no limit to the number of recruiting bonuses any one individual may receive.

##### **Process**

To refer a candidate, employees should notify Human Resources of the referral and also have the applicant complete the online application and request that the applicant indicate the employee's name in the

appropriate field. If the applicant is hired, a referral form must be submitted to Human Resources by the referring employee.

### **Payment**

Provided all criteria are met, recruiting bonuses will be awarded in the month following the completion of the new hire's six-month anniversary. Payment will be subject to applicable taxes as required. The referring employee must be employed by Tolmar at the time of payout to be eligible to receive the bonus.

The Recruiting Bonus Program is subject to cancellation or modification at any time at the discretion of Human Resources and/or the CEO.

## **SAFETY**

### **A. SAFETY AND LOSS PREVENTION RULES**

Tolmar is dedicated to providing a safe and healthy work environment for its employees. In order to help accomplish this goal, the following is a list of safety rules that should be followed. These safety rules are not inclusive; they are intended as a guide to develop proper health and safety practices and procedures. If employees have questions or concerns about safety operations in the workplace, they should contact their supervisor or an Environmental Health & Safety (EHS) employee.

- Possession of firearms, alcoholic beverages or illegal drugs is prohibited in the workplace.
- If employees are required to take medication during work hours, they may be asked to produce a written medical statement identifying any restrictions they may have associated with the medication.
- Before beginning work, employees should notify their supervisor of any permanent or temporary impairment that may reduce their ability to perform in a safe manner.
- Employees should use personal protection equipment to protect themselves from potential hazards that cannot be eliminated.
- Employees should operate equipment only if they are trained and authorized to do so.
- Wrestling, running, pushing, throwing any item in play or other disorderly conduct is forbidden while on the job. Using equipment or supplies for purposes other than what they are meant for in the work environment is considered horseplay and is therefore forbidden.
- Hazardous Materials: Employees must follow proper use and handling procedures for all hazardous materials. Employees should not use chemicals if they are not familiar with the hazardous properties or have not received and been trained on the required protective equipment.
- Machinery / Equipment: Employees must report broken or malfunctioning equipment to their supervisor immediately. Only trained, authorized employees are permitted to service or repair equipment and then only after deactivating all energy sources and locking out equipment. Only authorized machinery with all required guards will be used. If employees are not familiar with the safety operation of a piece of machinery, they should ask their supervisor for instruction.
- Signs / Labels: Employees must pay attention to all signs and labels. They are present as reminders of safety.
- Hygiene: It is each employee's responsibility to maintain personal hygiene particularly when working with hazardous chemicals.
- Eating or smoking is permitted only in designated areas and hands should be washed before and after eating/smoking.

- Employees must inspect the workstation for potential hazards and ensure that the equipment or vehicle is in safe operating condition before using it.
- Any recognized potentially unsafe condition must be immediately reported to a supervisor.
- If there is any doubt about the safe work method to be used, employees must consult their supervisor before beginning work.
- Injuries, accidents, near misses and property damage must be reported immediately to a supervisor regardless of the severity.
- Recommended safe work procedures must be followed as outlined for the job.
- An orderly environment and work procedure must be maintained. All tools and equipment should be stored in a designated place. Scrap and waste material must be placed in a designated refuse container.
- Any smoke, fire, spills or unusual odors must be reported to a supervisor.
- Proper lifting techniques must be used. For objects exceeding 50 pounds in weight, the immediate supervisor must determine specific methods for safe lifting. Employees should never attempt to catch a falling object.
- If an employee's work creates a potential slip or trip hazard, they should correct the hazard immediately or use safety tape to tag the area before leaving it unattended.
- Restraint belts must be fastened before starting any motor vehicle. All driver safety instructions must be followed. All traffic signs, signals, markers and persons designated to direct traffic must be complied with. A separate Motor Vehicle Policy outlines additional details regarding motor vehicle safety.
- Employees must be aware of Company safety rules regarding first aid, evacuation routes and Fire Department notification.
- Rules and procedures specific to Departmental operations must be adhered to.
- Employees must assist and cooperate with all safety investigations and inspections and assist in implementing safety procedures as requested.
- Most accidents can be avoided by concentrating on the job to be done. Employees must always be aware of their surroundings and what is going on around them.

Tolmar has a thorough Safety Training Program. Details of this program can be obtained from an EHS employee.

## **B. PERSONAL PROTECTIVE EQUIPMENT REIMBURSEMENTS**

### **Prescription Safety Glasses**

Tolmar reimburses eligible employees up to \$190 for safety glasses per two-year period. Eligible employees are those who wear prescription eyeglasses in the laboratories, manufacturing areas or other areas where safety glasses are required. This policy applies only to the cost of the frames and lenses. See an EHS employee for the details of the program.

### **Safety Shoes**

Tolmar reimburses eligible employees for up to \$150 per year for covered safety shoes. Eligible employees working in areas where there is the danger of foot injuries due to falling or rolling objects or the danger of objects piercing the sole and where employees' feet are exposed to electrical hazards. See an EHS employee for the details of the program.

### **C. WORKERS' COMPENSATION**

#### **Reporting an Injury**

If employees are injured at work, they are responsible for reporting the injury as soon as possible to their supervisor. Their supervisor will complete the First Report of Injury to start the claim, which is submitted to the EHS Specialist or designee.

#### **Reporting a Claim**

The EHS Specialist will report Workers' Compensation claims to Tolmar's insurance provider. Employees are responsible for providing all necessary information to explain the circumstances of their injury.

#### **Claims Investigations**

When the insurance company receives the claim, a communication will be sent indicating the name and number of the assigned Claims Specialist. The insurance company may investigate to determine if the claim is work-related. If the insurance company accepts the claim, reasonable and necessary medical care will be paid.

#### **Employee Responsibilities**

Employees receiving Workers' Compensation benefits must:

- 1) Promptly report any injury or any change in physical or medical condition to their supervisor;
- 2) Provide all necessary information to explain the injury and circumstances;
- 3) Document their medical condition and treatment, in order to assist in handling the claim; and
- 4) Follow the treatment plan and restrictions ordered by the health care professional(s).

#### **Returning to Work**

Prior to returning to work, the physician must complete a "Physician's Report of Worker's Compensation Injury." Tolmar will work closely with the occupational health physicians for a prompt return to work. When possible, we will modify work assignments for a limited period to assist employees who are temporarily restricted from performing their regularly assigned duties. A Modified Duty position is a temporary position which may be assigned when employees are unable to immediately return to their regular position.

#### **FMLA and Workers' Compensation**

If an employee is unable to work or is on intermittent leave as a result of a work-related illness or injury and it qualifies under the FMLA, FMLA will be designated concurrently with the leave. FMLI benefits (Colorado only) are not payable to employees earning wage replacement through Workers' Compensation.

#### **Pay for Workers' Compensation Appointments**

If an employee is required to attend appointments related to a work-related illness or injury, they will be paid to attend those appointments.

### **WORKERS' COMPENSATION DESIGNATED PROVIDER PROGRAM**

Tolmar designates Concentra Medical Center and MBI Occupational Medicine as the only medical providers where Colorado-based employees should obtain treatment for work-related injuries or illnesses. Employees who work remotely or are based at a Tolmar location that is not in Colorado should obtain guidance on where to seek treatment for non-emergency work-related injuries or illnesses from their EHS or HR representative.

Employees should utilize the following providers as the severity of the injury / illness dictates:

- **Emergency Care** – For Life- or Limb- Threatening Injuries

**Nearest Emergency Room Facility**

24 hours/day

- **Walk-in Urgent Care** – To be used for non-emergency treatment of injuries that occur outside normal business hours of clinics below

**PVH Urgent Care Centre**

2127 E. Harmony Road

Phone: 970-297-6250

8am – 8pm, Monday – Sunday

- **Urgent Care and Appointments** – For all other incidents

**Concentra Medical Clinic / Urgent Care – Fort Collins**

620 South Lemay Avenue

Phone: (970) 221-5811

7am – 7pm Monday – Friday

9am – 1pm Saturday

**MBI – Fort Collins Clinic**

1600 Specht Point Rd., Suite 115

Phone: (970) 672-5100

8am – 5pm Monday – Friday

**MBI – Loveland Clinic**

1608 Topaz Drive

Phone (970) 593-0125

8am – 5pm Monday – Friday

**MBI – Greeley Clinic**

2528 W. 16<sup>th</sup> Street

Phone (970) 356-9800

8am – 5pm Monday – Friday

## **SEPARATION OF EMPLOYMENT**

### **A. TERMINATIONS / RESIGNATIONS**

Separation of employment is a part of personnel activity within any organization. Because employment with Tolmar is based on mutual consent, both the employee and Tolmar have the right to terminate employment at-will, for any reason or no reason at all, anytime, with or without advance notice. Some

common circumstances under which employment is terminated are resignation, layoff, termination and retirement.

Although advance notice is not required, we request that employees who wish to resign their positions notify Tolmar of their anticipated departure date and go over the “check out” procedures at separation (conversion of insurance, return of property, delivery of final paycheck, etc.) with Human Resources.

Employees may be considered for re-employment provided they qualify for the position of interest and maintained satisfactory performance and attendance while they were employed with Tolmar. Employees who do not provide at least two weeks’ notice prior to their separation are generally considered not eligible for re-employment. Please see the PTO policy for additional information regarding the notice period.

#### **B. REFERENCES**

All employment or performance inquiries regarding a current or former Tolmar employee must be referred to Human Resources.

Should an employee receive a written request for a reference, they should refer the request to Human Resources for handling. No Tolmar employee may issue a reference letter for any current or former employee without consulting Human Resources.

Under no circumstance should any Tolmar employee release any information about any current or former employee over the telephone. All telephone inquiries regarding any current or former employee must be referred to Human Resources.

In response to an outside request for information regarding a current or former Tolmar employee, Human Resources will furnish or verify only an employee’s name, dates of employment, job title and department. No other data or information regarding any current or former Tolmar employee or their employment with Tolmar, will be furnished unless the employee authorizes in writing to furnish this information which also releases Tolmar from liability in connection with the provision of this information. Tolmar reserves the right to deny any external request for employee information, except as may be required by law.

#### **C. RE-EMPLOYMENT**

If employees wish to seek re-employment with Tolmar after resignation, they may do so by contacting the Human Resource Department.

Re-employment is based on the same Company needs and qualifications as are considered in the employment of any other applicant. Employees who are involuntarily terminated from Tolmar will not be considered for re-employment.

In the event of re-employment, seniority for benefits purposes will be recognized for employees returning to work within 6 months of their previous employment end date. For service awards, total years worked for Tolmar will be combined.

#### **D. EXIT INTERVIEWS**

Before leaving, employees may be asked to participate in a voluntary exit interview. This will provide closure to their employment with Tolmar and will allow Tolmar to ensure that it has resolved various


January 1, 2024

administrative matters, answered any questions about continuation of benefits and listened to any of their comments or ideas about improving Tolmar's operations.

## IN CLOSING

Many of Tolmar's policies and employee benefits have been treated only briefly in this employee handbook. If employees have any questions or want more information, their supervisor will be glad to fill in the details for them or they may contact Human Resources with any questions.

## COLORADO COMPS ORDER NOTICE



**COLORADO**  
 Department of  
 Labor and Employment

**COLORADO OVERTIME & MINIMUM PAY STANDARDS ORDER**  
**("COMPS Order") #38, POSTER & NOTICE**

*Effective 1/1/22; must update annually;  
 new poster available each mid-December*

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**Colorado Minimum Wage: \$12.56/hour, or \$9.54 for Tipped Employees, in 2022 (Rule 3)**

- The minimum wage is adjusted each year for inflation, so the above amounts are for only 2022
- All employees must be paid at least the minimum wage (unless exempt in Rule 2), whether paid hourly or another way (salary, commission, piecework, etc.), except unemancipated minors can be paid 15% under full minimum wage
- Use the highest standard if other labor laws also apply, such as Denver's minimum wage (\$15.87 in 2022)

**Overtime: 1½ times regular pay rates for hours over 40 weekly, 12 daily, or 12 consecutive (Rule 4)**

- Overtime is required each week over 40 hours, or day over 12, even if 2 or more weeks or days average fewer hours
- Employers cannot provide time off ("comp time") instead of time-and-a-half premium pay for overtime hours
- Key variances/exemptions (all are detailed in Rules 2.3-2.4):
  - Modified overtime in a small number of health care jobs; exemption for certain heavy vehicle drivers
  - No 40-hour weekly overtime in downhill ski/snowboard jobs (but 56-hour overtime for many under federal law)
  - Agriculture, as of 11/1/22: overtime after 60 hours; half-hour paid break in days over 12 hours, extra pay if over 15

**Meal Periods: 30 minutes uninterrupted and duty-free, for shifts over 5 hours (Rule 1.9)**

- Can be unpaid, but only if employees are completely relieved of all duties, and allowed to pursue personal activities
- If work makes uninterrupted meal periods impractical, eating on-duty must be permitted, and the time must be paid
- To the extent practical, meal periods must be at least 1 hour after starting and 1 hour before ending shifts

**Rest Periods: 10 minutes, paid, every 4 hours (Rule 5.2)**

#Work Hours:	Up to 2	>2, up to 6	>6, up to 10	>10, up to 14	>14, up to 18	>18, up to 22	>22
#Rest Periods:	0	1	2	3	4	5	6

- Need not be off-site, but must not include work, and should be in the middle of the 4 hours to the extent practical
- Rest periods are time worked for minimum wage and overtime purposes, and if employers do not authorize and permit rest periods, they must pay extra for time that would have been rest periods, including for non-hourly-paid employees
- Key variances/exemptions:
  - In some circumstances, 10-minute rest periods can be divided into two of 5 minutes (Rule 5.2.1)
  - Agriculture: certain work requires more breaks; other is exempt (Rule 2.3, & Agricultural Labor Conditions Rules)

**Time Worked: Pay for time employers allow performing labor/service for their benefit (Rule 1.9)**

- All time on-premises, on duty, or at workplaces (but not just letting off-duty employees be on-premises), including:
  - putting on/removing work clothes/gear (but not clothes worn outside work), cleanup/setup, or other off-clock duty,
  - waiting for assignments at work, or receiving or sharing work-related information,
  - security/safety screening, or clocking/checking in or out, or
  - waiting for any of the above tasks.
- Travel for employer benefit is time worked; normal home/work travel is not (details in Rule 1.9.2)
- Sleep time, if sufficiently uninterrupted and lengthy, can be excluded in certain situations (details in Rule 1.9.3).

**Deductions, Credits, Charges, & Withheld Pay (Rule 6, and Article 4 of C.R.S. Title 8)**

- Final pay: Owed promptly (if a termination by employer) or at next pay date (if employee resigned)
- Vacation pay: Departing employees must be paid all accrued and unused vacation pay, including paid time off usable for vacation, without deducting or declaring forfeiture based on cause for termination, lack of resignation notice, etc.
- Deductions from pay: Allowed if listed below or in C.R.S. 8-4-105 (including deductions required by law, in a written agreement for the benefit of the employee, for theft in a police report, or for property loss after an audit)
- Tip credits: Employers can pay up to \$3.02 under minimum wage (\$9.54 in 2022, or \$12.85 in Denver), if:
  - (a) tips (not mandatory service charges) raise pay to full minimum, & (b) tips aren't diverted to non-tipped staff/owners
- Meal credits/deductions: Allowed for the cost or value (without employer profit) of voluntarily accepted meals
- Lodging credits/deductions: Allowed if housing is voluntarily accepted by the employee, primarily for the employee's (not the employer's) benefit, recorded in writing, and limited to \$25 or \$100 per week (based on housing type)
- Uniforms: Must be provided at no cost unless they are ordinary clothes without special material or design; employers must pay for any special cleaning required, and cannot require deposits or deduct for ordinary wear and tear

**Exemptions from COMPS (Rule 2.2 lists all; key exemptions are below)**

- Executives/supervisors, administrators, and professionals paid at least a salary (not hourly wages) of \$45,000 in 2022 (\$50,000 in 2023, \$55,000 in 2024, then inflation-adjusted), except \$28.92/hour for highly technical computer work
- Other highly compensated, non-manual-labor employees paid at least 2.25 the above salary (\$101,250 in 2022)
- 20% owners, or at a nonprofit the highest-paid/highest-ranked employee, if actively engaged in management
- Various (not all) types of salespersons, taxi drivers, camp/outdoor education field staff, or property managers

**Record-Keeping & Notices of Rights (Rule 7)**

- Employers must give all employees (and keep for three years) pay statements that include time worked, pay rate (including any tips and credits), and total pay
- This year's poster must be displayed where easily accessible, or if not practical (such as for remote workers), provided within one month of beginning work and when employees request a copy
- Employers must include a copy of this poster, or a COMPS Order, in any employment handbook or manual
- Violation of notice of rights rules (posting or distribution), including by providing information undercutting this poster, may yield fines and/or ineligibility for employee-specific credits, deductions, or exemptions in COMPS

**Complaint & Anti-Retaliation Rights (Rule 8)**

- Employees can send the Division (contact info below) complaints or tips about violations, or file lawsuits in court
- Employers cannot retaliate against, or interfere with, employees exercising their rights
- Anonymous tips are accepted; anonymity or confidentiality are protected if requested (Wage Protection Rule 4.7)
- Owners and other individuals with control over work may be liable for certain violations — not just the business, even if the business is a corporation, partnership, or other entity separate from its owner(s) (Rule 1.6)
- Immigration status is irrelevant to these labor rights: the Division will not ask or report status in investigations or rulings, and it is illegal for anyone to use immigration status to interfere with these rights (Wage Protection Rule 4.8)

***This Poster is a summary and cannot be relied on as complete labor law information. For all rules, fact sheets, translations, questions, or complaints, contact: DIVISION OF LABOR STANDARDS & STATISTICS, [ColoradoLaborLaw.gov](http://ColoradoLaborLaw.gov), [cdle\\_labor\\_standards@state.co.us](mailto:cdle_labor_standards@state.co.us), 303-318-8441 / 888-390-7936***