



To: RSD Employees  
From: Human Resources  
Date: February 2020  
Re: Emergency After-Hours Service

### **Purpose**

Refrigeration Supplies Distributor (the "Company") recognizes that employees may, on occasion, receive calls from customers or the Company during non-business hours, including on weekends, requesting service and/or parts ("After-Hour Calls"). Employees are not required to accept or respond to After-Hour Calls. Employees may at their sole and absolute discretion, accept and respond to such calls and will be compensated pursuant to this policy.

### **After-Hours Work is Voluntary**

Employees are not required or expected to perform any work for the Company including answering, making or responding to calls from the Company and/or its customers before or after their normal shift or on weekends. However, employees may voluntarily choose to provide their phone number to Company's customers in order to receive and respond to After-Hour Calls. Employees are not required to provide their phone number to any customer and may voluntarily choose which customers to provide their phone number to. Even when or if an employee provides their phone number to a customer, the employee is not required to answer an After-Hours Call from such customer.

If an employee voluntarily chooses to answer an After-Hours Call, they are not required to perform any work in response to such call and may respond that they are not available.

If an employee does not answer an After-Hour Call or declines to work in response to such call another employee will be called. Even if an employee voluntarily chooses to provide their phone number to customers, they are not restricted from engaging in personal activities during non-working hours. The Company places no restrictions on employees' activities or location before and after the employees' normal working hours or on weekends.

There will be no disciplinary or adverse actions taken against an employee who chooses not to provide their phone number to customers, who does not answer an After-Hours Call or who declines to respond to an After-Hours Call.

## **Compensation for After-Hour Calls**

Employees who voluntarily choose to answer and respond to an After-Hours Call will be paid for all time spent responding to such call. Employees must record all time spent responding to the call.

Employees are generally not expected to perform any work from their homes in response to an After-Hours Call. If any employee does perform any work from home in response to an After-Hours Call, including looking up a part, they must record the time they start and stop working.

Hourly employees who report to the Company's branch location in response to an After-Hours Call must record on the Company's timekeeping system the time they arrive at the Branch and begin working and record the time they stop working and leave the Branch.

Employees' travel time to and from the Company's branch location is not considered hours worked and employees will not be compensated for this time.

Hourly employees who answer and respond to After-Hour Calls will be paid as follows...

- Their hourly rate (which includes any applicable overtime rate for hourly employees) multiplied by hours worked for all time spent responding to that particular call.
- When reporting to the Company's branch location to respond to an After-Hours Call, employees will be paid at least one-hundred dollars (\$100) each time they report to the Company's branch for an After-Hours Call.
- If the calculated pay for a call is less than \$100, the Company will pay the employee an After-Hours Call bonus to bring their pay up to one-hundred dollars \$100.
- If the calculated pay for a call is at least one-hundred dollars \$100, the employee will be paid their hourly rate multiplied by their total time worked, without any After-Hours Call bonus.

For example, if an hourly employee earns \$20 per hour and they respond to one call on a Saturday for two hours (as overtime), the employee will be paid as follows:

$$\begin{aligned} \$20 \times 1.5 \text{ OT} \times 2 \text{ Hours} &= \$60. \\ \text{After-Hours Call Bonus} &= \$100 - \$60 = \$40 \\ \text{Total Pay for After-Hours Call} &= \$60 + \$40 = \$100. \end{aligned}$$

If an hourly employee makes \$24 per hour and responds to one call on a Saturday for three hours (as overtime), the employee will be paid as follows:

$$\begin{aligned} \$24 \times 1.5 \text{ OT} \times 3 \text{ Hours} &= \$108 \\ \text{After-Hours Call Bonus} &= \$0 \\ \text{Total Pay for After-Hours Call} &= \$108. \end{aligned}$$

Any After-Hours Call bonus paid to an hourly employee will be included in the employee's regular rate of pay in which the bonus is earned.

Salaried employees responding to an After-Hours Call will be paid a \$100 flat bonus each time they have to report to the Company's branch location.

**BY SIGNING BELOW, I ACKNOWLEDGE THAT I HAVE RECEIVED, READ, AND AGREE TO THIS AFTER-HOURS CALLS POLICY.**

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Employee's Printed Name: \_\_\_\_\_

Employees should direct any questions regarding this policy to Human Resources.