







# **Employee Handbook**

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#### **FOREWORD**

Whether you have just joined our staff or have been at one of our Companies (Enviro Clean Services, Enviro Clean Waste, Cardinal Engineering, Lemke Land Surveying, or Altamira) ("Company") for a while, we are confident that you will find our Company a dynamic and rewarding place in which to work, and we look forward to a productive and successful relationship. We consider the employees of our Company (ies) to be one of our most valuable resources. This handbook has been written to serve as the guide for the employer/employee relationship.

There are several things to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to the Human Resource (HR) department. Neither this handbook nor any other company document confers any contractual right; either expressed or implied, to remain an employee of the Company. We are an at-will employer; your employment does not guarantee any fixed terms or conditions of your employment. Your employment is not for any specific time and may be terminated at will with or without cause and without prior notice by the company, or you may resign for any reason at any time. No supervisor or other representative of the company (except the President/CEO) has the authority to enter into any agreement for employment for any specified period of time or to make any agreement contrary to the above.

The procedures, practices, policies and benefits described here may be modified or discontinued from time to time. We will try to inform you of any changes as they occur.

This handbook and the information in it should be treated as confidential. No portion of this handbook should be disclosed to others, except Company employees and others affiliated with the Company whose knowledge of the information is required in the normal course of business.

#### **DIVERSITY**

## **Equal Employment Opportunity Statement**

The Company provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. The Company complies with applicable state and local laws governing nondiscrimination in employment in every location in which the company has facilities. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

The Company expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, genetic information, disability or veteran status. Improper interference with the ability of Company employees to perform their expected job duties is absolutely not tolerated.

## **Immigration Law Compliance**

The Company is committed to employing only United States citizens and aliens who are authorized to work in the United States. We will not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility within three days of the date of hire. Former employees who are rehired must also complete the form if they have not completed an I-9 with our company within the past three years, or if their previous I-9 is no longer retained or valid.

If you have any questions or would like more information on immigration law issues, please contact the HR Department. You may raise questions or complaints about immigration law compliance without fear of reprisal.

## **Anti-harassment and Complaint Procedure**

The Company is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, the Company expects that all relationships among persons in the office will be business-like and free of bias, prejudice and harassment.

It is the policy of the Company to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran. The Company prohibits any such discrimination or harassment.

The Company encourages reporting of all perceived incidents of discrimination or harassment consistent with the policies and procedures set forth herein. It is the policy of the Company to promptly and thoroughly investigate such reports. The Company prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

#### **Definitions of Harassment**

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law or that of his/her relatives, friends or associates, and that a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

#### **Individuals and Conduct Covered**

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the Company (e.g., an outside vendor, consultant or customer). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

#### **Complaint Process**

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with their immediate supervisor, HR or any member of management.

When possible, the Company encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. The Company recognizes, however, that

an individual may prefer to pursue the matter through complaint procedures. The Company encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with state and federal law, adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. If a party to a complaint does not agree with its resolution, that party may appeal to the Company's President/CEO or designee.

False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action, up to and including termination.

## Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that when needed, provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of the Company to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our company policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, termination, compensation, training or other terms, conditions and privileges of employment.

The Company will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to the Company. Contact the HR department with any questions or requests for accommodation.

#### **EMPLOYMENT**

## **Employee Classification Categories**

All employees are designated as either nonexempt or exempt under state and federal wage and hour laws. The following is intended to help employees understand employment classifications and employees' employment status and benefit eligibility. These classifications do not guarantee

employment for any specified period of time. The right to terminate the employment-at-will relationship at any time is retained by both the employee and Company.

Nonexempt employees are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are NOT exempt from the law's requirements concerning minimum wage and overtime.

Exempt employees are generally managers or professional, administrative or technical staff who ARE exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.

The Company has established the following categories for both nonexempt and exempt employees:

- Regular, full time: Employees who are regularly scheduled to work the company's full-time schedule of 29-40 hours per week. Generally, these employees are eligible for the full benefits package, subject to the terms, conditions and limitations of each benefits program.
- **Regular, part time:** Employees who are regularly scheduled to work less than the full-time schedule but at least 20 hours each week.

## **Background and Reference Checks**

To ensure that individuals who join the Company are well qualified and to ensure that the Company maintains a safe and productive work environment, it is our policy to conduct pre-employment background checks on all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form.

All offers of employment are conditional on receipt of a background check report that is acceptable to the Company. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and antidiscrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process.

If information obtained in a background check would lead the Company to deny employment, a copy of the report will be provided to the applicant, and the applicant will have the opportunity to dispute the report's accuracy. Background checks may include a criminal record check, although a criminal conviction does not automatically bar an applicant from employment.

Additional checks such as a driving record, physical, degree verification, or credit report may be made on applicants for particular job categories if appropriate and job related.

The Company also reserves the right to conduct a background check for current employees to determine eligibility for promotion or reassignment in the same manner as described above.

The HR Department is the only authorized department to respond to employment verification or reference checks. The HR Department will respond in writing only to those employment verification inquiries that are submitted in writing. Responses to such inquiries will confirm only dates of employment, employment status, and last position held. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

#### **Work Schedules**

Work schedules vary throughout our organization. Your supervisor will advise you of your individual work schedule. The schedule is subject to change based on the workload within a given period of time.

#### **Personal Changes**

It is the employee's responsibility to promptly notify HR of any changes in personal data. Personal mailing addresses, telephone numbers, benefit beneficiary assignments or benefit changes, individuals to be contacted in the event of emergency, educational accomplishments, and other such status reports should be accurate and current at all times.

### **Employment Applications**

We rely upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in your exclusion from further consideration for employment or, if you have already been hired, disciplinary action, up to and including termination.

### **Job Descriptions**

We will make every effort to create and maintain accurate job descriptions for positions within the organization where the Company deems it necessary. We will maintain job descriptions to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

New job descriptions are prepared as necessary when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are up to date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. You will be expected to help ensure that your job description is accurate and current, reflecting the work being done.

Remember that job descriptions do not necessarily cover every task or duty that might be assigned. Additional responsibilities may be assigned as necessary. Contact your Supervisor if you have any questions or concerns about your job description.

#### **Internal Transfers/Promotions**

Employees with more than 90 days of service may apply to other jobs as vacancies become available and will be considered along with other applicants. At the same time, the company may initiate transfers of employees between departments and facilities to meet specified work requirements and reassignment of work requirements.

The Company offers employees promotions to higher-level positions when appropriate. Management prefers to promote from within and may first consider current employees with the necessary qualifications and skills to fill vacancies above the entry level, unless outside recruitment is considered to be in the Company's best interest.

To be considered, employees must have held their current position for at least 90 days, have a satisfactory performance record, HR's approval, and have no disciplinary actions during the last 90 days.

Management retains the discretion to make exceptions to the policy. All internal transfers/promotions must be processed and approved through HR.

## **Progressive Discipline**

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her job description or as otherwise established.

The Company reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including verbal warnings and Performance Improvement Plans (PIPs), suspension with or without pay, demotion and termination. The Company's discipline policy is not a guaranteed approach to every disciplinary matter and does not alter the employee's employee-at-will status.

The company may make use of progressive discipline to address issues such as poor work performance, misconduct, or tardiness. Our progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. Our progressive discipline policy has been designed consistent with our organizational values, HR best practices and employment laws.

## **Separation of Employment**

Management shall contact the HR Department as soon as notice of resignation is given by an employee. Separation of employment within an organization can occur for several different reasons.

- Resignation: Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide two weeks' notice, preferably in writing, to facilitate a smooth transition out of the organization. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.
- **Job abandonment:** Employees who fail to report to work or contact their supervisor for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The supervisor shall notify HR at the expiration of the third workday and initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible for rehire.
- **Termination:** Employees of the Company are employed on an at-will basis, and the company retains the right to terminate an employee at any time. If your employment is terminated, you will receive your final pay in accordance with applicable state law.

#### **Return of Company Property**

The separating employee must return all company property at the time of separation, including uniforms, cell phones, keys, assigned equipment, technical devices, and/or log books. Failure to return some items may result in deductions from the final paycheck. An employee will be required to sign the Wage Deduction Authorization Agreement to deduct the costs of such items from the final paycheck.

#### Rehire

Former employees who left the Company in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted to the HR department, and the applicant must meet all minimum qualifications and requirements of the position.

Supervisors must obtain approval from the HR Director or designee prior to rehiring a former employee. Rehired employees begin benefits just as any other new employee. Whether previous tenure will be considered in calculating longevity, leave accruals or any other benefits is within the sole discretion of the CEO/President or designee.

An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation will be ineligible for rehire.

### **Performance and Salary Review**

Performance appraisals may be conducted on a cycle determined by each Department or Manager. The performance appraisal will be discussed, and both the employee and manager will sign the form to ensure that all strengths, areas for improvement and job goals for the next review period have been clearly communicated. Performance evaluation forms will be retained in the employee's personnel file located in the HR Department.

Merit increases are based on company performance and financials, and are not guaranteed. A performance review does not always result in an automatic salary increase. The employee's overall performance and salary level relative to his/her position responsibilities are evaluated to determine if a salary increase would be warranted.

Salary adjustments are occasionally requested or warranted at times other than the employee's scheduled annual performance review. Out-of-cycle salary increases must be preapproved by the department manager, HR and the CEO/President or designee. HR will review all salary increase/adjustment requests to ensure internal equity and compliance with company policies and guidelines.

#### **WORKPLACE EXPECTATIONS**

## **Employee Conduct and Work Rules**

Whenever people gather together to achieve goals, some rules of conduct are needed to help everyone work together efficiently, effectively, safely, and harmoniously. By accepting employment with the Company, employees have a responsibility to the organization and to their fellow team members to adhere to certain rules of behavior and conduct. The purpose of these rules is not to restrict the employee's rights, but rather to be certain all understand what conduct is expected and necessary of each team member.

When each employee is aware that he/she can fully depend upon every team member to follow the rules of conduct, the Company will achieve a positive working environment full of rewards and successes, providing maximum benefit to the organizations we serve.

To ensure orderly operations and provide the best possible work environment, the Company expects each employee to follow rules of conduct that will protect the interests and safety of all employees and the organization. Generally speaking, we expect each person to act in a mature and responsible manner at all times. If an employee has any questions concerning any work or safety rule or any of the unacceptable activities listed below, please see the appropriate Supervisor or Manager.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination:

- Disclosure of confidential information.
- Violation of any Company rule, any action that is detrimental to the Company's efforts to operate efficiently and effectively.
- Violation of security or safety rules; failure to observe safety rules or Company's safety practices; or tampering with Company's equipment, or safety equipment.
- Negligence or any careless action that endangers the life, or safety of another person.
- Non-exempt employees working overtime without manager approval.
- Being intoxicated or under the influence of a controlled substance while at work, use, possession or sale of a controlled substance in any quantity while on Company or Client premises except medications prescribed by a physician that do not impair work performance.
- Insubordination or refusing to follow instructions properly issued by your Supervisor or Manager
  pertaining to your work, refusal to assist on a special assignment or refusing to work overtime
  when directed.
- Fighting, threatening, intimidating or coercing fellow employees on or off Company premises at any time, for any purpose; which includes verbal, physical or gesture bullying.
- Theft or unauthorized possession of Company property or the property of fellow employees, unauthorized possession or removal of any Company property, including documents, from Company premises without prior permission from management, unauthorized use of company equipment or property for personal reasons, using Company equipment for profit.
- Dishonesty, falsification or misrepresentation on your work records (including timesheets), lying about personal leave, falsifying reason for a leave of absence or other data requested by Company administration, alteration of company records or other Company documents.
- Spreading malicious gossip and/or rumors, engaging in behavior which creates discord and lack
  of harmony, interfering with another employee on the job, restricting work output or
  encouraging others to do the same.
- Any act of harassment, sexual, racial, or other, telling sexist or racist jokes, making racial or ethnic slurs.
- Unsatisfactory or careless work, failure to meet quality standards as explained to you by your Supervisor or Manager.
- Negligence or improper conduct leading to damage of Company property.
- Unauthorized disclosure of business "secrets" or confidential information.
- Violation of personnel policies.

#### **Business Ethics and Conduct**

The Company's successful business operation and reputation is built upon the principles of fair dealing and ethical conduct of our employees. The Company's reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable state and federal laws, as well as a scrupulous

regard for the highest standards of conduct and personal integrity. If an employee is aware of unethical or inappropriate conduct by another employee; it must be reported to HR as soon as reasonably possible. Proper reporting and investigating will allow the Company to ensure we are conducting ourselves as an ethical business.

## Confidentiality

The Company's clients and other parties with whom we do business entrust the company with important information relating to their businesses. If an employee questions whether certain information is considered confidential, he/she should first check with his/her immediate supervisor. Such confidential information includes, but is not limited to, the following examples:

- compensation and bonus awards for one's self or any other employees
- computer processes
- computer programs and codes
- financial information
- pending projects and proposals
- technological data
- employee/personnel information

The foregoing list applies whether the confidential information is the property of the Company, Company employees, affiliates, vendors, or those who have provided the Company with confidential information for the purpose of evaluating a potential transaction.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications. All inquiries from the media must be referred to the President/CEO.

#### **Conflicts of Interest**

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with situations in which business actions taken on behalf of the Company may conflict with the employee's own personal interests. Company property, information or business opportunities may not be used for personal gain. Employees with a conflict-of-interest question should seek advice from HR.

Conflicts of interest could arise in the following circumstances:

- Being employed by, or acting as a consultant to, a competitor or potential competitor, supplier or contractor, regardless of the nature of the employment, while employed with the Company.
- Serving as a board member for a client of our Company without approval from the President/CEO.
- Owning or having a substantial interest in a competitor, supplier or contractor.
- Accepting gifts, discounts, favors or services from a customer/potential customer to the extent it violates policies of the customer's company.

## **Outside Employment**

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions and provided their supervisors have approved.

## Attendance and Punctuality

Employees are expected to report to work on time every day. Should punctuality issues become excessive, or interfere with workload or job performance, necessary disciplinary action may be taken up to and including termination.

Vacations must be scheduled with one's supervisor in advance. In the absence of available Sick leave, Vacation leave may be used in the case of emergency or sudden illness without prior scheduling. Patterns of absenteeism or tardiness may result in discipline even if the employee has not yet exhausted available paid time off. Absences due to illnesses or injuries that qualify under the Family and Medical Leave Act (FMLA) will not be counted against an employee's attendance record. Medical documentation within the guidelines of the FMLA may be required in these instances.

Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. Additionally a no call/no show lasting three days may be considered job abandonment and may be deemed an employee's voluntary resignation of employment.

## **Attire and Grooming**

It is important for all employees to project a professional image while at work by being appropriately attired. Company employees are expected to be neat, clean and appropriately groomed while on the job. Clothing must be consistent with the standards for a business environment and must be appropriate to the type of work being performed.

The Company is confident that employees will use their best judgment regarding attire and appearance. Management reserves the right to determine appropriateness. Any employee who is improperly dressed will be counseled or in severe cases may be sent home to change clothes. Continued disregard of this policy may be cause for disciplinary action, which may result in termination. When necessary, reasonable accommodation may be made to a person with a disability. Examples of clothing that are inappropriate for our office work environment include:

Tank or tube tops Mini-skirts

Muscle shirts Halter or other backless tops

Torn clothing Clothing with foul language/obscene images

Spaghetti straps and see-through blouses House Shoes
Any top that does not cover the midriff Short Shorts

Those employees who work on-site or on-location must dress accordingly to manager direction and job safety requirements.

#### **Electronic Communication and Internet Use**

The following guidelines have been established for using the Internet, company-provided cell phones and e-mail in an appropriate, ethical and professional manner:

- Internet, company-provided equipment (e.g., cell phone, laptops, and computers) and services may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane or offensive language; creating, viewing or displaying materials that might adversely or negatively reflect upon the Company or be contrary to the Company's best interests; and engaging in any illegal activities, including piracy, hacking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and company-provided equipment such as cell phones and laptops.
- Employees obtaining copyrighted materials may not copy, retrieve, modify or forward, except with permission or as a single copy to reference only.
- Employees should not open suspicious e-mails, pop-ups or downloads. Contact IT with any questions or concerns to reduce the release of viruses or to contain viruses immediately.
- Internal and external e-mails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the company.
- Unless authorized by the software developer, neither you nor the company has the right to reproduce such software for use on more than one computer. You may only use software on local area networks or on multiple machines according to the software license agreement. The company expressly prohibits the illegal duplication of software and its related documentation.

Employees should notify their Supervisor or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination.

The information contained in any email sent from a Company-provided e-mail account and any attachment is confidential and is the property of the Company. It is intended only for the use of the individual or entity to which it is addressed and may contain information that is non-public, proprietary, privileged, and exempt from disclosure under applicable law or may constitute attorney work product. Our e-mail footer includes language notifying recipients that if they are not the intended recipient, they are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If they have received a communication in error, they are instructed to notify us immediately by replying to the email and permanently delete the message. If an employee becomes aware that this e-mail footer does not appear on an outgoing e-mail, notify the IT department immediately.

## **Cell Phone/Tablets**

Corporate-issued cell phones/tablets are distributed to employees who are on-call and required to travel, in an effort to enhance business efficiency and provide safety and/or security while on required business travel. They are to be considered a privilege and are allocated at the discretion of Management. These cell phones/tablets are company property, including all information stored on the device. Upon the employees termination or resignation day the device will be forfeited.

For the safety of our employees and other motorists, the use of cell phones while driving (including texting, instant messaging, and emailing) is strongly discouraged. Employees are required to comply with all applicable state and local laws governing cell phone use. Any violation of this policy is subject to employee disciplinary action.

#### **Right to Monitor**

All Company-supplied technology and related work records belong to the Company and not to the employee. The Company routinely monitors use of Company supplied technology. Inappropriate or illegal use or communications may be subject to disciplinary action up to and including termination of employment.

Company employees have **no expectation of privacy** when using Company computing resources. The employee's use of Company computing resources and network connections constitutes an **express consent** to monitoring, recording, and auditing for the purposes identified above.

## Social Media—Acceptable Use

The following are guidelines for Company employees who participate in social media. Social media includes personal blogs and other websites, including Facebook, LinkedIn, MySpace, Twitter, YouTube or others. These guidelines apply whether employees are posting to their own sites or commenting on other sites:

- Write in the first person. Where the employee's connection to the Company is apparent, make it
  clear that the employee is speaking for themselves and not on behalf of the Company. In those
  circumstances, the employee should include this disclaimer: "The views expressed on this [blog;
  website] are my own and do not reflect the views of my employer." Consider adding this
  language in an "About me" section of the employee's blog or social media profile.
- If the employee identifies their affiliation to the Company, their social media activities should be consistent with the Company's high standards of professional conduct.
- Be professional, use good judgment and be accurate and honest in the communications. Be respectful and professional to fellow employees, business partners, competitors and customers.
- Ensure that the social media activity does not interfere with work commitments.
- Unless approved by the CEO/President or designee, the employee's social media name, handle and URL should not include the Company's name or logo
- Employees may not post financial, confidential, sensitive or proprietary information about the Company, clients, employees or applicants.
- Employees may not post obscenities, slurs or personal attacks that can damage the reputation of the Company, clients, employees or applicants.
- The Company may monitor content out on the Internet. Policy violations may result in discipline up to and including termination of employment.

## **Employee Personnel Files**

Employee files are maintained by the HR department and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis. A manager or supervisor considering the hire of a former employee or transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with antidiscrimination laws.

Personnel file access by current employees and former employees upon request will generally be permitted within three days of the request unless otherwise required under state law. Personnel files are to be reviewed in the HR department. Personnel files may not be taken outside the department or copied. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

#### **COMPENSATION**

## **Payment of Wages**

Employees are paid biweekly, 26 pay periods per year. Each paycheck includes earnings for all work performed through the end of the previous pay period. Paydays are on every other Friday.

It is the company's policy that all employees will receive their check through direct deposit to either a savings or checking account at the financial institution of their choice or a debit card provided by the payroll vendor. The initial processing of direct deposit may take up to two pay periods; during this time employees will continue to receive a check. Employees will be able to view their payroll stub showing current and year to date earnings when the Company makes direct deposits to the employee bank account though the payroll provider's website.

If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to the HR department.

The Company does not provide pay advances to employees.

## **Time Reporting**

Accurately recording time worked is the responsibility of every employee. Federal and State laws require the Company to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. A work hour is any hour of the day that is worked and should be recorded to the nearest quarter of an hour. The workday is defined as the 24-hour period starting at 12:00 a.m. and ending at 11:59 p.m. The workweek covers seven consecutive days beginning on Saturday and ending on Friday. The standard workweek period is 40 hours.

Overtime is defined as hours worked by an hourly or nonexempt employee in excess of 40 hours in a workweek and should be recorded to the nearest quarter of an hour. Overtime must be approved in advance by the manager to whom the employee reports.

Employees will submit their time record weekly as directed by their manager. Each employee is to maintain an accurate daily record of his or her hours worked. Timesheet Administrators are assigned to each group. Employees may contact them if they are unable to complete their timesheet. Falsification of timesheets is strictly prohibited; if an employee is asked to falsify a timesheet by a supervisor, contact HR immediately. All absences from work schedules should be appropriately recorded. All required documentation for vacation leave or leave without pay utilized during the pay period must be signed and accompany the timesheet for your payroll to be processed.

## **Reimbursement for Expenses**

The Company will directly pay or reimburse properly substantiated business expenses. "Business expenses" are (1) reasonable and necessary for Company purposes, (2) consistent with Company policies and practices, and (3) compliant with applicable laws and regulations. A "necessary and reasonable" expense is one with a clear business reason and the cost is not excessive.

## **Pay Deductions and Setoffs**

The law requires that we make certain deductions from every employee's compensation. Among these are applicable state and federal income taxes. We also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The company matches the amount of Social Security taxes paid by each employee.

The Company offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize (in-writing) deductions from their paychecks to cover the costs of participation in these programs.

Pay setoffs are pay deductions taken by the Company, usually to help pay a debt or obligation to the company or to others. Examples include child support, garnishments, etc. If you have questions concerning why deductions were made from your paycheck or how they were calculated, the HR Department can assist in having your questions answered. Any outstanding balances owed to the Company upon your separation of employment, whether voluntary or involuntary, where permitted by applicable laws, will be withheld from your final paycheck.

## Payroll

The Company will take all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the unlikely event that there is an error in the amount of pay, or anything associated with their pay, employees should promptly bring the discrepancy to the attention of the HR Department so that corrections can be made as quickly as possible through the third party payroll provider.

## Overtime pay (nonexempt employees)

Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off for vacation leave, bereavement, jury duty, holiday and time off to vote or any leave of absence will not be considered hours worked for purposes of performing overtime calculations. Nonexempt employees who exceed 40 hours of work time in a workweek will be paid time and one half for all hours worked over 40. The workweek begins at 12:00 a.m. on Saturday morning and ends at 11:59 p.m. on Friday night.

Employees are required to obtain approval from managers prior to the use of overtime. All overtime work <u>MUST</u> receive your Supervisor or Manager's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

During busy periods employees may be required to work extended hours.

#### **Bereavement Leave**

An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor immediately. Bereavement leave will be granted unless there are unusual business needs or staffing requirements. Paid bereavement leave is not deducted from an employee's vacation leave balance and is granted according to the following schedule:

- Employees are allowed five days of paid leave in the event of the death of the employee's spouse, child, father, father-in-law, mother, mother-in-law, brother, sister, stepfather, stepmother, stepbrother, stepsister, stepson or stepdaughter.
- Employees are allowed three days of paid leave in the event of death of the employee's brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle, grandparent, grandchild or spouse's grandparent.
- Employees are allowed up to four hours of bereavement leave to attend the funeral of an employee or retiree of the company.

## **Jury Duty**

The Company encourages employees to fulfill their civic responsibilities by serving jury duty when required. Jury duty pay will be calculated on the employee's base pay rate multiplied by the number of hours you would otherwise have worked on the day of absence. Employees must show the jury duty summons to their Supervisor as soon as possible so that the Supervisor may make arrangements to accommodate the absence. Of course, employees are expected to report for work whenever the court schedule permits. Employees must provide their Managers the court attendance schedule prior to being paid for their jury duty.

Either the Company or the employee may request an excuse from jury duty if, in the Company's judgment, the employee's absence would create serious operational difficulties. The Company will continue to provide health insurance benefits (should these benefits be available) for the full term of the jury duty absence. Vacation leave will continue to accrue during jury duty leave.

## **Military Leave of Absence**

The Company is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the Company's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or company policy. If any employee believes that he or she has been subjected to discrimination in violation of company policy, the employee should immediately contact HR.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

Employees requesting leave for military duty should contact HR to request leave as soon as they are aware of the need for leave. For request forms and detailed information on eligibility, employee rights while on leave, and job restoration upon completion of leave, refer to the policies, procedures and forms within the HR department.

## Lactation/Breastfeeding

For up to one year after a child's birth, any employee who is breastfeeding her child will be provided reasonable break times as needed to express breast milk for her baby. The Company will provide a designated room for this purpose. A small refrigerator reserved for the specific storage of breast milk will be available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage or refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting HR. Additional rules for use of the room and refrigerator storage will be provided. Employees who work off-site or in other locations will be accommodated with a private area as necessary.

Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

#### **WORKPLACE SAFETY**

## **Drug-Free Workplace**

The Company has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our equipment and facilities. For these reasons, the Company is committed to the elimination of drug and/or alcohol abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment of the Company.

#### **Work Rules**

Whenever employees are working, are operating any company vehicle, are present on company premises, or are conducting related work off-site, they are prohibited from:

- Using, possessing, buying, selling, manufacturing or dispensing an illegal drug; including possession of drug paraphernalia.
- Being under the influence of an illegal drug or alcohol. The presence of any detectable amount
  of any illegal drug or illegal controlled substance in an employee's body while performing
  company business or while in a company facility is prohibited.

The Company will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.

Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

#### **Required Testing**

The Company retains the right to require the following tests:

- Pre-employment: Job specific candidates for employment must pass a drug test before beginning work. Refusal to submit to testing will result in disqualification as a candidate of employment.
- Random Testing: Employees who are required to pass a pre-employment drug screen and those
  who are permitted to drive a Company vehicle are subject to random drug testing on a quarterly
  basis. This is administered by a third party provider.
- Reasonable belief: Employees are subject to testing based on observations by a supervisor of apparent workplace use, possession or impairment. HR must be consulted before sending an employee for reasonable suspicion testing.
- Post-accident: Employees are subject to testing when they cause or contribute to accidents that
  seriously damage a company vehicle, machinery, equipment or property and/or result in an
  injury to themselves or another employee requiring off-site medical attention. In any of these
  instances, the investigation and subsequent testing must take place within two (2) hours
  following the accident, if not sooner.
- **Follow-up:** Employees who have tested positive, or otherwise violated this policy, are subject to discipline up to and including termination. Depending on the circumstances and the employee's work history/record, the Company may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies for a minimum of one (1) year but not more than two (2) years. If the employee either does not complete his/her rehabilitation program or tests positive after completing the rehabilitation program, he/she will be subject to immediate termination from employment.

#### Consequences

Candidates for employment who refuse to cooperate in a drug test or who test positive will not be hired. Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated.

Employees will be paid for time spent in alcohol/drug testing and then suspended pending the results of the drug/alcohol test. After the results of the test are received, a date/time will be scheduled to discuss the results of the test; this meeting will include a member of management and HR. Should the results prove to be negative; the employee will receive back pay for the times/days of suspension.

#### Confidentiality

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the medical review officer (MRO) shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files.

#### **Inspections**

The Company reserves the right to inspect all portions of its premises for drugs, drug paraphernalia, or other illegal contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including termination.

#### **Crimes Involving Drugs**

The Company prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on company premises or while conducting company business. Employees are also prohibited from misusing legally prescribed, over-the-counter (OTC) drugs, or alcohol. Law enforcement personnel shall be notified, as appropriate, when criminal activity is suspected.

#### **Surveillance in the Workplace**

The Company believes that safeguarding the personal welfare of its employees and visitors is of paramount importance at all locales and in all buildings. In an effort to discourage those behaviors which threaten personal safety or a potential loss of company resources, selective use of video surveillance is in use. Video surveillance may also be used by managers as an additional resource to monitor their employees and their work behaviors.

#### **Workplace Searches**

To protect the property and to ensure the safety of all employees, clients and the Company, the Company reserves the right to conduct personal searches consistent with state law, and to inspect any packages, parcels, purses, handbags, brief cases, lunch boxes or any other possessions or articles carried to and from the Company's property. In addition, the Company reserves the right to search any employee's office, desk, files, locker, vehicles, equipment or any other area or article on our premises. In this regard, it should be noted that all offices, desks, files, lockers, vehicles, equipment, etc. are the property of the Company, and are issued for the use of employees only during their employment. Inspection may be conducted at any time at the discretion of the Company.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy may not be permitted to enter the premises. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property or illegal substances, will be subject to disciplinary action, up to and including termination, if upon investigation they are found to be in violation of the company's security procedures or any other Company rules and regulations.

#### **Visitors in the Workplace**

To provide for employee safety and security, and for the safety and security of other employees and of the Company's facilities, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

#### **Driving Record/Company Vehicle**

When an essential duty of an employee's position involves the operation of a motor vehicle, the employee must present a valid driver's license and maintain a driving record acceptable to our insurer.

Changes in the employee's driving record must be reported to the employee's supervisor immediately. Violations of this policy may result in immediate termination.

Operators of Company vehicles are responsible for the safe operation and cleanliness of the vehicle. Accidents involving a Company vehicle must be reported to the employee's Supervisor immediately.

Employees are responsible for any moving and parking violations and fines that may result when operating a Company vehicle. Company vehicles should be operated by the employee only and may only be used for job-related travel. Smoking is prohibited in Company vehicles and the use of seat belts is mandatory for operators and passengers. The Company is not responsible for the loss of any personal items from their fleet of vehicles. Employees should remove all personal items and Company property, which is deemed necessary by your manager, when leaving the vehicle. All Company property must be stored in the appropriate warehouse or office, when necessary.

#### **Use of Equipment**

Equipment essential in accomplishing job duties is expensive and may be difficult to replace. When using Company property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Supervisors must be notified if any equipment, machines, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees. The employee's Supervisor will answer any questions about the responsibilities for maintenance and care of equipment used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment may result in disciplinary action, up to and including termination.

## **Emergency Closings and Inclement Weather**

At times, emergencies such as severe weather, fires, power failures, or other emergencies, can disrupt the Company's operations. In the event of delayed openings or closure, the employee's supervisor or management shall make a determination whether to alter work hours. No loss of pay will occur as a result of early dismissal for this reason.

#### **Smoke-Free Workplace**

It is the policy of the Company to prohibit smoking inside company premises in order to provide and maintain a safe and healthy work environment for all employees. The law defines smoking as the "act of lighting, smoking or carrying a lit or smoldering cigar, cigarette or pipe of any kind." This policy applies equally to all employees, guests, and visitors. Employees who violate the smoking policy will be subject to disciplinary action up to and including immediate termination.

## **Employee Handbook Acknowledgment and Receipt**

I have received my copy of the Employee Handbook.

The employee handbook describes important information about the Company, and I understand that I should consult my manager or Human Resources regarding any questions not answered in the handbook. I have entered into my employment relationship with the Company voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or the Company can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

I understand and agree that, other than the President/CEO of the company, no manager, supervisor or representative of the Company has any authority to enter into any agreement for employment other than at will; only the President/CEO of the company have the authority to make any such agreement and then only in writing signed by the President/CEO of the Company.

This handbook and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with the Company. By distributing this handbook, the Company expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein.

I understand that, except for employment-at-will status, any and all policies and practices may be changed at any time by the Company and the Company reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Only the President/CEO or designee of the Company has the ability to approve and adopt any revisions to the policies in this handbook.

I understand and agree that nothing in the Employee Handbook creates, or is intended to create a promise or representation of continued employment and that employment at the Company is employment at will, which may be terminated at the will of either the Company or myself. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I understand and agree that employment and compensation may be terminated with or without cause and with or without notice at any time by the Company or myself.

I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

Employee's Signature	Date
Employee's Name (Print)	

TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE