

Personnel Policies and Procedures



**Sheet Metal and Air Conditioning Contractors'
National Association, Inc.**

www.smacna.org

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By

**Sheet Metal and Air Conditioning Contractors'
National Association, Inc.**

4201 Lafayette Center Dr.
Chantilly, VA 20151-1209

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IMPORTANT NOTICE:

The purpose of providing this sample manual to our members is to provide general guidelines and general policies to assist in the preparation of employee handbooks or manuals. Some of your own company's policies may contain more decisive actions and consequences (where not constrained by Federal or other legal mandates). Each state has specific laws which may require specific modification of the general policies outlined below. In addition, State and Federal laws are constantly changing. We strongly encourage you to consult with a local attorney who is familiar with your specific state laws and who can review your handbook for compliance with applicable state and federal law.

You should use caution in modifying or editing any policies you adopt from this manual and you should not adopt and/or finalize policies without final legal review.

SMACNA hereby disclaims all responsibility and liability for any loss or damage that may arise from the adoption and/or modification of the policies outlined in this manual. Under no circumstances shall SMACNA be liable for incidental or consequential damages.

CONTRACTOR OPERATIONS MANUAL TASK FORCE

Thomas E. Martin, Chair

T. H. Martin Inc.
Cleveland, OH

Heath J. Allard

Climate Engineers
Eldridge, IA

Paul Candelaria

Miller Bonded Inc.
Albuquerque, NM

Curtis Harbour

The Brandt Companies LLC
Houston, TX

Todd W. Hill

Ventcon Inc.
Allen Park, MI

Paul Le Bel, II

Walsh Mechanical Contractors
Abington, MA

James Lowder

All Temperature Service Air Conditioning Inc.
Milpitas, CA

Bobby McCally

The Brandt Companies, LLC
Houston, TX

Steven L. Streimer

Streimer Sheet Metal Works Inc.
Portland, OR

Thomas J. Soles, Jr.

Staff Liaison

Bridgette Bienacker, CAE

Staff Liaison

Michael McLin

Consultant
Maxim Consulting Group, LLC

PERSONNEL POLICIES AND PROCEDURES

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SECTION 1: PERSONNEL POLICIES & PROCEDURES

A Rationale for Written Policies

There are many business reasons to have a written Personnel Policy and Procedure Manual. Written policies take expediency, snap judgment, and emotion out of the company's decision-making. Spur-of-the-moment action is unnecessary when fundamental, carefully worded company procedures are available to guide a supervisor's behavior. Employees know what's expected of them.

Employees can no longer excuse inappropriate conduct due to ignorance and supervisors become more effective because work conduct is clearly defined, resulting in fairness and consistency. A clear and comprehensive statement of company policies can offer these precise benefits.

Reduce New Employee Turnover

Too often, employees are lost within six months of their hiring. This sudden turnover is costly and counterproductive, and is frequently due to inadequate information and less-than-enthusiastic orientation. Written policies help new employees realize a quick appreciation of the potential rewards of longevity with the company.

“Written policies help new employees realize a quick appreciation of the potential rewards of longevity with the company.”

Communicate Expectations

A written Manual provides employees a clear understanding of their responsibilities regarding safety, timekeeping, reporting, etc. The Manual accurately communicates your organization's policies regarding employment, conduct and behavior, compensation, etc. It is the resource that employees can refer to for any questions related to employment pay and benefits. From the employee's perspective, searching for and starting a new job is a stressful exercise and many do not have a clear picture of what they should ask about a company's policies, procedures, and benefits; or are afraid to ask.

Showcase Company Benefits

Company benefits such as vacation time, continuing education, 401(k), health insurance, flexible scheduling can help you retain the best and brightest employees. The Manual should clearly define these policies and the eligibility requirements. This is an important document to share with candidates for employment as many consider benefits as important as salary.

Compliance with Federal and State Employment Laws

Regardless of the state where you operate or the number of employees you employ, as a Company you are subject to Federal and State employment laws. The Manual defines these obligations to employees, and demonstrates that your organization strives for compliance through consistency in the handling of discipline, leaves of absence, hiring, promotion, layoffs, etc. Written guidelines make legal defense much easier should employment complaints be filed.

“Regardless of the state where you operate or the number of employees you employ, as a Company you are subject to Federal and State employment laws.”

Support for Supervisors and Managers

A company’s managers and supervisors have as much to gain from the Manual as do the employees. The Manual clarifies company procedures and expectations that foster healthy management-employee relationships and eliminates confusion and inconsistency. Managers and Supervisors can refer to the handbook when answering questions or making decisions regarding your policies, and ensure their answers and actions are consistent with Company policies and best practices.

Enhance Productivity

Clearly defined policies and procedure allow everyone in the company to perform the job at hand. Everyone understands the demands of responsibility and the rewards of good performance. Employees can’t waste time complaining when there is a clear policy or procedure statement. The Manual serves as a tool to reduce waste of time and resources caused by conflict.

How to Prepare a Policy Manual

Creating a policy manual can be a daunting task, which is the reason that SMACNA is providing this template for your company to customize. The Personnel Policy & Procedure Manual, available only for SMACNA members, addresses most of the topics necessary to provide employees a solid understanding of their obligations and opportunities. Naturally, some modification will be necessary to fit the exact policies and procedures of your business and regulations of your state. You will need to adjust quantities (number of days of paid vacation, for example) or other specific ingredients of a policy (insurance coverage for dependents, for example) in order to make the template work for your company. Sections which do not apply can simply be omitted and you can modify statements to reflect your Company thinking more directly.

SMACNA believes that the language used here is based on current industry standards and workable for most members’ purposes. Certain sections like the initial disclaimer, for example, contain language that has been defensible in court; changes in the verbiage there

“The Personnel Policy & Procedure Manual addresses most of the topics necessary to provide employees a solid understanding of their obligations and opportunities.”

SECTION 1: PERSONNEL POLICIES & PROCEDURES *Continued*

should be considered very carefully. Worded incorrectly, your employee handbook could unwittingly constitute a binding employment contract, impinging on your ability to terminate employees. The disclaimer establishes that your handbook is not a contract for employment.

Company History

One of the most important aspects of your Manual is the introduction of new employees to your Company. There are two sections in this template that your Company will need to produce. The first is a brief company history that helps provide employees a sense of belonging in organization. We recommend that your history read more like a narrative story than an outline of dates. Focus on the highlights of the company's founding, physical locations, key projects or clients and the addition of new products or services. This is an appropriate place to introduce the current owners and top management, including a brief discussion of their qualifications and background. The Company history should help employees understand:

- How did the Company get here?
- What sets us apart?
- What are we passionate about?
- How to become part of the culture?
- Mission, vision and values

Organizational Chart

The second section that your Company needs to produce is an organizational chart for your company. This chart will make clear the reporting relationships within your company: The chart defines the ultimate policy-making authority (board, owner, CEO or president) and

then progress downward through all employee positions.

List the various positions within your company, and then opposite each position indicate to whom that employee reports. Use titles, not names of individuals. Ensure that your chart:

1. Includes all company functions (sales, marketing, accounting, etc.)
2. Identifies only one immediate supervisor for each position
3. Provides clear and distinct reporting relationships

Additional information such as supervisory responsibility and line of authority will be addressed in the section on Job Descriptions.

Refer to Appendix A for a sample Organization Chart that you can customize.

Collective Bargaining Agreements

This Manual has been prepared for employees working at Company Name who are not covered by a collective bargaining agreement. We rely on our relationships with the following labor organizations to provide our skilled trades professionals:

Trade Name, Local # and link to website

Business Manager and/or Benefit

Administrator contact information

Company Name participates in Collective Bargaining, the process in which workers, through their labor unions, negotiate contracts with employers to determine the terms of employment, including pay, benefits, hours, leave, job health and safety policies, etc.

SECTION 1: PERSONNEL POLICIES & PROCEDURES *Continued*

Employees covered by collective bargaining agreements should refer to those agreements for information regarding benefits and terms and conditions of employment. Please direct all questions on the collective bargaining agreement to your Business Manager. If your Business Manager does not have an answer to your question, please contact the Human Resources or Labor Relations Department.

Code of Conduct

The success of our business is dependent on the trust and confidence we earn from our employees and customers. We gain credibility by adhering to our commitments, displaying honesty and integrity and reaching company goals solely through honorable conduct. It is easy to say what we must do, but the proof is in our *actions*. Ultimately, we will be judged on what we do.

Company Name leaders are committed to fostering a culture in which compliance with Company policy and applicable law is at the core of our business activities. A sense of fair play, honesty, transparency and ethical business practice are the foundation of our operating philosophy. These values help create the basis for our positive working environment and reputation in the construction industry. It is important that the policies and principles set forth in this section be understood and followed on a consistent basis by each of us. The integrity of each individual and a shared commitment to excellence in all aspects of our business is fundamental to Company Name's success.

- Obey the applicable laws and regulations governing our business conduct.

- Be honest, fair and trustworthy in all your Company activities and relationships.
- Avoid all conflicts of interest between work and personal affairs.
- Foster an atmosphere in which fair employment practices extend to every member of the diverse Company Name community.
- Strive to create a safe workplace and to protect the environment.
- Sustain a culture where ethical conduct is recognized, valued and exemplified by all Employees.
- Support the dignity of each individual, encourage professionalism, nurture innovation and reward achievement.

Sample Welcome Letter

This Manual is written to help each one of us work together in a spirit of cooperation, understanding, and mutual respect. This Manual sets forth employment guidelines which employees are expected to follow and lets employees know what can be expected from the Company Name. It is your responsibility to read this manual carefully and become acquainted with its contents. It will provide you with information about your benefits as well as the policies and procedures of our company.

“ This Manual sets forth employment guidelines which employees are expected to follow. ”

SECTION 1: PERSONNEL POLICIES & PROCEDURES *Continued*

This policy manual contains only general information and guidelines. None of the statements or policies outlined in this employee handbook are meant to imply that Company Name is guaranteeing employment and this Manual is not nor is it intended to be construed as an employment contract. Neither this manual nor any other Company document, confers any contractual right, either express or implied, to remain in the Company's employ. Nor does it guarantee any fixed terms and 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) 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.

Policies are applied at the discretion of management and may be withdrawn, or amended at any time. This Manual becomes effective Date and replaces any prior manual. Questions you may have on the contents should be discussed with your supervisor or the Human Resources Director.

“Policies are applied at the discretion of management and may be withdrawn, or amended at any time.”

Please sign the Acknowledgement of Receipt in the Appendix of this Manual and return to Human Resources. By doing so, you are documenting receipt of this Manual and an understanding of the employment guidelines for Company Name.

Welcome! Your suggestions for improvements in the organization or operation of our business are always welcome. We are glad to have you as part of our team.

The Customer

The customer is:

- the single most important person in the business life of this company
- not dependent on us – we are dependent on them
- the purpose of our work – never an interruption
- a human being with feelings and ideas - not just a project number
- a person who brings us a set of wants and needs

It is our ability to serve both our customers internally and externally efficiently and respectfully that determines the success of our Company. A happy and satisfied customer is our best advertisement.

The care we share with our customers cannot be found in the building where we do business, in the machines we use or the equipment we install. They can only be found in the PEOPLE who are the Company. We are proud of our people and their ability to build customer relationships.

SECTION 1: PERSONNEL POLICIES & PROCEDURES *Continued*

We must continue to devote our full attention to servicing our customer better than anyone else, keeping a positive attitude regarding customer service in everything we do. This customer service responsibility extends equally from members of the management team to the most recently hired staff member.

Company Employee Objectives

Company Name understands that our employees are our most valuable asset. We seek to provide our employees job satisfaction, recognition of achievement, and opportunities for personal and professional advancement. Our company commits to fair employment practices, including the prohibition against all forms of illegal discrimination. By providing equal access and fair treatment to all Employees on the basis of merit, we improve our success while enhancing the progress of individuals and the communities where we are located.

If an employee believes that these general principles have not been followed, he/she should follow the process outlined in Employee Concerns.

Recruitment & Hiring Policies

Immigration Reform Act Compliance

In compliance with the **Immigration Reform and Control Act**, Company Name will only hire persons who are legally permitted to work in the United States. This definition includes citizens and nationals of the U.S. and aliens authorized to work in the U.S.

“Employees are our most valuable asset.”

It is our responsibility to verify the identity and employment eligibility of anyone to be hired, which includes completing and retaining the *Employment Eligibility Verification Form (I-9)*. We are also required to keep I-9s on file for at least three years or one year after employment ends, whichever is greater. In order to verify employment eligibility, you will be asked to provide the necessary identity documents (such as passport, driver’s license, social security card, birth certificate, etc.). Refer to the following site for the complete listing of acceptable identity documents: <https://www.uscis.gov/i-9>.

Equal Employment and Affirmative Action Policy

Company Name offers equal employment opportunity to all qualified persons and is committed to those principles for all employees, without regard to age, race, creed, color, religion, sex, sexual orientation, gender identity, age, national origin, disability, veteran status, genetic information or any other status protected by federal, state and local laws. All matters pertaining to employment, including recruiting, hiring, transfer and promotion will be based on the principle of equal employment opportunity. In addition, we will ensure that employee benefits, compensation, Company-sponsored training, education, social and recreational programs, etc., offered by Company Name, will be administered based on the principle of equal employment opportunity.

SECTION 1: PERSONNEL POLICIES & PROCEDURES *Continued*

Company Name will strive to maintain a hostile-free work environment for all employees and will commit the necessary time and resources to carry out its Equal Employment obligations as well as Affirmative Action obligations if applicable. Company Name will comply with all applicable affirmative action laws, directives, and regulations. Company Name maintains affirmative action plans for minorities, women, disabled persons and veterans, and is committed to affirmative action in its hiring and employment policies.

Reasonable Accommodation Policy

It is Employer's intention to treat disabled and pregnant (including employees disabled by pregnancy or childbirth) employees in a manner consistent with its positive employee relations practices throughout the company. Employer does not discriminate against qualified applicants for employment or employees with disabilities, including pregnancy and pregnancy-related conditions, with regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment. It is Employer's intention to reasonably accommodate qualified employees and/or applicants with a known disability if they can perform the essential functions of the position with or without reasonable accommodation unless the accommodation would pose an undue hardship.

Definition of Key Terms

- **Qualified individual.** An individual with a disability, including pregnancy and pregnancy-related conditions, is qualified if the employee satisfies the requisite skill, experience, education and other job related requirements of the position and can perform the essential functions of the position with or without reasonable accommodation.
- **Reasonable accommodation.** Any change in the work environment or in the way things are customarily done that would allow a qualified individual with a disability, including pregnancy and pregnancy-related conditions, to enjoy equal employment opportunities. It is the responsibility of individual employees to identify themselves as an individual with a disability when seeking an accommodation or modification to the working environment.
- **Essential functions.** Those job duties that are so fundamental to the position that the individual holds or desires that he or she cannot do the job without performing them. A function can be essential if, among other things, the position exists specifically to perform that function; there are limited number of other employees who could perform the function; or the function is specialized and the individual is hired based on his or her ability to perform it. Determination of the essential functions of a position must be done on a case-by-case basis so that it reflects the job as it is actually performed and not simply the components of a job description.

SECTION 1: PERSONNEL POLICIES & PROCEDURES *Continued*

- **Undue hardship.** If a specific type of reasonable accommodation causes significant difficulty or expense, then the employer does not have to provide that particular accommodation. Determination of undue hardship is always made on a case-by-case basis, considering factors that include the nature and cost of the reasonable accommodation needed and the impact of the reasonable accommodation on the operations of the employer.
- **Direct threat.** A direct threat is a significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation.
- **Fitness for duty.** A fitness for duty examination may be requested of an employee if it is job related and consistent with business necessity.
- **Requests for Accommodation and the Interactive Process.** If you need reasonable accommodation to perform the essential functions of your job, you should contact your supervisor or _____.

Employment Advertising and Hiring Procedures

Company Name will make every effort to inform all employees about vacant positions within the Company. We will work under the terms of the Collective Bargaining agreements as applicable for the recruitment and/or temporary placement of skilled trade personnel. We will utilize the following practices to advertise for and hire new employees.

1. All vacancies and new positions will be posted internally

2. Vacancies and new postings will be posted through the appropriate employment services (web-based, newspaper, local job center, etc.)
3. The company will accept personal referrals (if employee recruitment incentive is available – make reference here)
4. Employment or placement agencies will be used only as needed and in accordance with the terms of the Collective Bargaining agreements;

Employee Classifications

Each job within Company Name is classified in compliance with the Fair Labor Standards Act (FLSA) as either:

Exempt from overtime under provisions of the US Department of Labor wage and hour laws. Exempt Employees are paid a salary and are not eligible for overtime executive, professional, administrative, computer or outside sales.

Non-Exempt (hourly) are covered by the minimum wage and overtime laws. Non-exempt (hourly) Employees will receive minimum wage and overtime pay (according to the Fair Labor Standards Act) for work over 40 hours per week.

Any Employee who feels he/she has been incorrectly classified should immediately notify the Human Resources Department.

Regular Full Time: An employee who is normally scheduled to work thirty (30) or more hours per week. Regular full-time employees are generally eligible for Company Name benefits, subject to eligibility requirements of the specific benefit plan.

SECTION 1: PERSONNEL POLICIES & PROCEDURES *Continued*

Regular Part Time: An employee who is normally scheduled to work twenty (20) or more hours per week. Regular part-time employees may be eligible for Company Name benefits, subject to eligibility requirements of the specific benefit plan.

Temporary/Intern: An employee who holds a position, either part-time or full-time, for a limited time only. Temporary employees and interns are not eligible for Company Name benefits.

At Will Employment

Employment at the Company Name is at will, meaning that the employee or the employer can terminate the employment relationship at any time for any reason. No manager or supervisor has authority to alter an employee's at-will status. Only the Company President is authorized to modify the Company's at-will employment policy or enter into any agreement contrary to this policy. Any such modification must be in writing and signed by the Employee and the President.

New Employee Orientation/Introductory Period

The first 90 days of employment are considered an Orientation Period to acquaint you with your fellow employees and job requirements. During this orientation, you are observed to determine your aptitude for the work and your attitude toward the Company, your co-workers and customers. During this time you will receive on-the-job training and guidance from an experienced employee who will be responsible for instructions, demonstrating and reviewing each step involved in your job duties. This training is instrumental in the development of your job knowledge, work habits and attitudes, so be sure to ask questions concerning your job. This period benefits you and the Company Name by allowing both to determine whether you are suited for a particular position.

“ The first 90 days of employment are considered an Orientation Period to acquaint you with your fellow employees and job requirements. ”

SECTION 1: PERSONNEL POLICIES & PROCEDURES *Continued*

On the first day of employment, Human Resources will explain personnel policies and benefits. This includes:

1. Compensation
2. Group Insurance
3. Holidays, Vacations, Sick Leave
4. Completion of necessary paperwork
5. Company rules and regulations in Personnel Policies and Procedures Manual
6. Drug Testing (if necessary)

During the first week of employment, the employee's supervisor will:

1. Introduce the new employee to co-workers
2. Identify the facilities such as lavatory, lunch/break room, lockers, etc.
3. Explain the normal working schedule
4. Explain the procedures for breaks, lunch, wash-up periods, etc.
5. Discuss the job's requirements, responsibilities and procedures
6. Arrange for any special training that is required
7. Help the employee with any procedures that seem to be creating difficulty
8. Ensure that the employee has read and understands the company's rules and regulations as outlined in this Manual.

Completion of the introductory period does not alter an employee's at-will status. Employees remain at-will during and after the introductory period.

(A sample 90-day performance review form can be found in Appendix C.)

Employee Bonding

The company reserves the right to require bonding of all employees who occupy positions that require the handling of company funds or other valuables. The company will bear the cost of such bonding.

Employees who apply for positions requiring bonding must be eligible for standard coverage by an independent bonding company

Employee Referral Program

Company Name's future depends on our ability to attract and retain a motivated and skilled workforce. Our employee referral program encourages you to introduce your talented friends, family members, or former colleagues to new career opportunities at Company Name. You can share in the success of identifying and recruiting the right talent and earn a referral bonus of \$500.00 (less taxes and withholdings).

Requirements:

- Recruitment of former employees of the Company does not qualify
- Applicants must use your name when applying for a position. No exceptions.
- Employee must notify HR of the name of the candidate that was referred prior to applicant applying.
- Applicants must complete 90 days of employment before bonus is paid out.
- Employee receiving the bonus must be employed on the date the bonus is paid.

SECTION 2: COMPANY RULES & REGULATIONS

General Policies: Work Regulations

Hours of Work

The normal work week (Monday – Friday) for all full time employees consists of 40 hours. Non-exempt employees will be paid for hours actually worked each week. Pay for any weekly period will be based on an hourly rate for the number of hours actually worked.

The normal workday is eight (8) hours excluding lunch but including two fifteen (15) minute breaks during each four-hour segment of an eight-hour shift. Lunch breaks may be from one half-hour to one hour, depending on the needs of your department. Non-exempt employees are to be completely relieved of duties during unpaid breaks. Adjusting lunch hour schedules may have an impact on the department and customer service. For these reasons, changes in your normal lunch break schedule should have prior approval from your supervisor.

Note to Employers:

We encourage employers to adopt meal and rest break policies, in accordance with the rules and regulations of your state. The rules should include a process on how to report missed meals. This will help you to avoid wage and hour claims. A sample meal and rest break policy is contained in the Appendix.

“ We encourage employers to adopt meal and rest break policies, in accordance with the rules and regulations of your state. ”

Recording Hours Worked

The regular work week for all regular full-time Employees is forty hours. Your work schedule may vary based on Company or customer needs. Daily and weekly work schedules may be changed at the discretion of Company Name to meet business needs. Changes in your work schedule will be announced as far in advance as possible.

Time cards are to be submitted on day of the week, time and/or location. Your time card must accurately reflect all regular and overtime hours worked, any absences, late arrivals, early departures and meal breaks. At the end of each week, your supervisor is to verify and approve your hours. It is a violation of this policy for any employee to falsify their own, or another employee's hours, or to under-or over-report hours worked. Any employee found falsifying work time will be subject to disciplinary action up to and including termination.

Overtime

Non-Exempt: Non-exempt employees will be paid at their straight hourly rate up to 40 hours worked and at one and one-half times their regular rate of pay for hours worked in excess of 40 hours in one week. If overtime is anticipated during a workweek, advance

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

approval is to be requested from your supervisor. Paid hours for a holiday, vacation, float day, sick leave, etc., are not considered hours worked for overtime purposes.

Exempt: Exempt employees are not entitled to receive overtime pay. Exempt employees receive a salary which is intended to compensate them for all hours they may work.

Company Holidays

Company holidays will be determined each year based on where the holiday falls on the calendar and customer needs. The following holidays will be observed:

New Year's Day	Veteran's Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Eve (1/2 day)
Labor Day	Christmas Day

When a holiday falls on a day the Company would normally be open for business, full time employees (working at least 30 hours or more) will be paid on an eight-hour basis. Eligible part-time employees (those working at least 1,000 hours per year and 20 hours per week) receive prorated holiday pay based on their regularly scheduled work hours for that day. If a holiday falls on a day the Company is not normally open for business (i.e., Sunday), the Company may observe the holiday on Monday and therefore be closed for business OR remain open. Temporary employees, interns or employees working less than 20 hours each week are not eligible for holiday pay.

Attendance and Leaves of Absence

Attendance and Tardiness

The successful operation of the Company depends largely upon the attendance of each of its Employees. Employees who do not conscientiously accept this responsibility affect not only daily operations, but also the way in which fellow Employees are able to perform their duties. Most Company work is of such a nature that it cannot be carried over from one day to another. Tardiness and absences place an extra burden on the remaining staff and may also seriously affect the Company's service to its customers.

This Manual identifies the proper procedures for reporting absences and will ensure consistent and equitable treatment of absences and late arrivals, throughout the organization. These guidelines are by no means all-inclusive of every occurrence. Managers must use discretion.

Regular attendance is expected of every employee. It is your responsibility to be on the job on time each day, fully able and ready to work. We realize you may find it necessary to be absent from time to time and you are not expected to work when ill or when an emergency arises.

“ The successful operation of the Company depends largely upon the attendance of each of its Employees. ”

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

If you are unable to report to work you should notify your supervisor as soon as reasonably possible. Whenever possible, notification should be no later than your regularly scheduled starting time. Employees should speak directly with their supervisors when possible and are not to leave voice or text messages. If messages are left, supervisors may follow up with employees.

If it appears that you will be absent for more than one day, it is your responsibility to keep your supervisor advised. Absences for reasons other than sickness or emergency must be arranged before the absence occurs. If you are absent due to accident or illness, management may request a release for your return to work, signed by a licensed physician.

Excessive absenteeism and/or excessive tardiness may lead to discipline including termination. See “Employee Separation” section for more information regarding this policy.

Acceptable Reasons for Absence

Whenever possible, employees are required to obtain authorization prior to the date of the absence. The following are acceptable reasons for absence:

1. Vacation Day
2. Sick or Medical Leave or FMLA, if applicable.
3. Jury Duty
4. Military Service
5. Death of a Family Member
6. Voting

“ Whenever possible, employees are required to obtain authorization prior to the date of the absence. ”

Refer to Paid Time Off in this manual for definitions on each of the above absences and notification requirements. All other absences, unless authorized by a supervisor or Human Resources, are considered unpaid time off.

Note to Employers:

Some states have specific rules and guidelines related to accrual and forfeiture of vacation, paid time off and/or Sick Days. Please check state law before issuing a policy on Paid Time Off or Sick Days and have your policies reviewed by your counsel.

Paid Time Off

Note: Some companies elect to offer Paid Time Off instead of separate recording of personal days, vacation, and sick time. If you elect to use PTO, delete the conflicting verbiage in this section.

Company Name believes that employees should have opportunities to enjoy time away from work to help balance their lives. Company Name recognizes that employees have diverse needs for time off from work. Company Name has established this paid time off (PTO) policy

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

to meet those needs. The benefits of PTO are that it promotes a flexible approach to time off. Employees are accountable and responsible for managing their own PTO hours to allow for adequate reserves if there is a need to cover vacation, illness or disability, appointments, emergencies, or other situations that require time off from work.

Eligibility: PTO is not available to employees covered by a collective bargaining agreement. PTO is accrued upon hire or transfer into a benefits-eligible position. Eligible employees must be scheduled to work at least 20 hours per week on a regular basis. Employees working less than 20 hours per week on a regular basis, on-call and temporary employees are not eligible to accrue PTO.

PTO accruals are available following completion of the 90 day orientation period. All hours thereafter are available for use in the pay period following the pay period in which they are accrued.

Accrual and Payment of PTO: Accruals are based upon paid hours up to 2,080 hours per year, excluding overtime. Employees working less than 40 hours per week and at least 20 hours per week will earn PTO hours on a prorated basis, according to the accrual rate. Length of service determines the rate at which the employee will accrue PTO. PTO does not accrue on unpaid leaves of absence or PTO cash outs upon termination. Employees become eligible for the higher accrual rate on the first day of the pay period in which the employee's anniversary date falls.

Years of Service	Accrual Rate per Hour	Annual PTO Accrual*	Maximum Accrual**
Less than 1 year	.06538	17 days (136 hours)	25.5 days (204 hours)
1-3 years	.08462	22 days (176 hours)	33 days (264 hours)
4-10 years	.10385	27 days (216 hours)	40.5 days (324 hours)
10 or more years	.12307	32 days (256 hours)	48 days (384 hours)

**Annual PTO Accruals are based on an employee having 2,080 paid hours per year (40 hours per week).*

***No additional PTO hours will accrue beyond the maximum accruals listed.*

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Use and Scheduling of PTO: Employees are required to use available PTO when taking time off from work with the exception of a company-required absence due to low workload or absences occasioned by the company. PTO may be taken in increments of as low as one hour. However, PTO may not be used for missed time because an employee reports late to work, except during inclement weather.

Whenever possible, PTO must be scheduled in advance. PTO is subject to supervisory approval, department staffing needs and established departmental procedures. Unscheduled absences will be monitored. An employee will be counseled when the frequency of unscheduled absences adversely affects the operations of the department. The supervisor may request that the employee provide a statement from a health care provider concerning the justification for an unscheduled absence.

When PTO is used, an employee is required to request payment of PTO hours according to his or her regularly scheduled workday. For example, if an employee works a six-hour day, he or she would request six hours of PTO when taking that day off. PTO is paid at the employee's straight time rate. PTO is not part of any overtime calculation.

Employees may not borrow against their PTO banks; therefore, no advance leave will be granted.

Payment Upon Termination: (CHECK YOUR STATE STATUTE FOR PAYOUT RULES)

In accordance with [State] law, after [xx number of days] of employment, an employee will be paid upon resignation, separation or retirement for all PTO hours accumulated but not used. Employees whose positions are eliminated through a reduction in force or reorganization or are whose hours drop below 20 hours per week are paid PTO on the effective date of the termination.

Cash Out: After one year of service, employees are eligible to cash out their leave. Leave balances in excess of 40 hours may be cashed out. For leave cash out, eligible employees are required to indicate the cash out amount on their time sheet. The benefit will be paid in the next regular pay cycle.

Personal Days

When an employee's work performance, and absence record are satisfactory, personal time off with or without pay may be provided on an individual basis and in the sole discretion of Company management. This is not to be considered sick leave and may include, but not be limited to, funeral days or special appointments. This time off must not interfere with normal Company operations and must be approved by your supervisor in advance.

Vacation/Optional instead of PTO (CHECK YOUR STATE STATUTE FOR PTO/VACATION RULES)

Paid vacation time is available to full time employees working 30 hours or more who have successfully completed their introductory period (first 90 days) of employment. For 40-hour per week employees, vacation is paid based

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

on an 8- hour day. For employees working less than 40 hours per week, vacation pay is prorated based upon the average number of compensable hours per week during the previous year.

Full-time employees accrue vacation annually in accordance with the following schedule.

New Hires (prorated based on date of hire)

Less than 1 year	5 days
1 – 5 years	10 days
5-8 years	15 days
8+ years	20 days

Employees hired to work at least 30 hours but less than 40 hours each week will accrue prorated vacation leave based on regularly scheduled hours each week at the time of hire. At the beginning of each calendar year, eligibility for vacation time will be reviewed.

Regular part-time employees working a minimum of 20 hours a week are eligible for prorated paid vacation following one year of employment, in accordance with the schedule listed above. Vacation pay is prorated based on the average compensable hours per week during the previous year.

The Company prefers that vacation be used prior to the end of the calendar year. However, if state law permits, employees are permitted to carry over up to 5 days of vacation into the next calendar year. Vacation days can be used in quarter hour increments up to 8 hours per day. If one of the paid holidays as defined in our HOLIDAY POLICY falls during an employee's scheduled vacation, the paid holiday will be applied in lieu of the paid vacation day.

If illness or disability occurs during a vacation, the time off is still considered vacation time and shall not be paid as sick time, except as required by law.

Vacation time accrues in equal amounts monthly. Upon termination, any unused accrued vacation time will be paid out on the employee's final paycheck.

Scheduling of Vacation: Vacations are to be approved in advance by the employee's supervisor. Vacation scheduling will be determined on a departmental basis. In scheduling, the supervisor will consider the employee's date requests, length of service and the needs of the department. Management reserves the right to deny vacation requests when scheduling does not permit.

All employees eligible for more than ten days of vacation are encouraged to take at least five days consecutively that the Company is open for business.

Some states have specific rules and guidelines related to accrual and forfeiture of Sick Days. Please check your state's laws before issuing a policy on Paid Time Off or Sick Days and have your policies reviewed by your counsel.

“ Vacations are to be approved in advance by the employee's supervisor. ”

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Sick Days

The purpose of Company's' Name Sick Leave Policy is to prevent any significant loss of pay due to personal illness, injury or temporary medical disability. Sick leave benefits are effective after completing 90 days of employment. Sick leave is available for excused absences including your illness, injury or medical appointments or for members of your immediate family (members of immediate family include those individuals covered under State and Federal Family Medical Leave Act), and for temporary medical disabilities.

Medical appointments should be scheduled outside working hours when possible. Medical appointments scheduled during working hours may need to be approved in advance by your supervisor. Depending upon the needs of the department, employees may be allowed to “make up” time out of the office due to illness or medical appointments. If makeup time is permitted, any time missed must be made up within the same workweek and must be arranged in advance with your immediate supervisor. Employees who are making up for missed time may not reduce their lunch hour to less than one half-hour.

Full-time employees receive ten (10) sick days per calendar year, awarded on the first pay cycle of the year. Part time employees who work more than 20 hours per week will be awarded sick days based on regularly scheduled hours each week at the time of hire. At the beginning of each calendar year, eligibility for sick time is reviewed.

As a courtesy to fellow employees and to expedite staffing needs, employees using sick leave are requested to contact their supervisor daily unless a prior arrangement has been made. Whenever possible, notice should be given before your scheduled start time. Employees should speak directly to their supervisors and should not leave voice mail messages.

“ Sick time is a benefit to be used only in time of need. ”

Sick time is a benefit to be used only in time of need. If it is felt there is an abuse of the benefit, the supervisor may specifically request proof of absences due to illness in the form of a doctor's statement. When employment is terminated, all accumulated sick leave will automatically be canceled. No payment will be made for unused sick leave.

Family & Medical Leave

A sample FMLA policy is contained in the Appendix.

The Company will comply with all applicable state and federal laws concerning family and medical leave (FMLA). This policy describes the federal FMLA laws and addresses certain differences between the two laws. When both laws apply, the laws under state and federal law will run concurrently and the provisions more beneficial to the employee will apply. Medical leaves that qualify under the FMLA will also run concurrently with leaves under worker's compensation, short term disability and other

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

laws, as applicable and as allowed by law.

To qualify for FMLA, employees must be employed by the Company for a total of at least twelve (12) months and have actually worked at least 1,250 hours in the preceding 12-month period. Employees on FMLA leave may not engage in any other employment that is inconsistent with the reason for the employee's FMLA leave.

The Company will not use the taking of FMLA leave in compliance with the law as a basis for any adverse employment decision. Employees should direct any questions regarding FMLA leave to Human Resources.

Federal FMLA.

Under the federal FMLA, eligible employees are allowed up to 12 workweeks of unpaid leave per 12-month period for the following reasons (see also Military Family Leave below):

- The employee's own serious health condition that makes the employee unable to perform the functions of his or her position.
- To care for the employee's spouse, child or parent with a serious health condition
- For the birth of the employee's child, or placement of a child for adoption or foster care with the employee
- For incapacity due to pregnancy, prenatal medical care or child birth

The Company calculates the federal FMLA 12-month period on a _____ basis. (NOTE: Employers can change the FMLA calendar year with proper notice.)

Definitions of "Child" and "Parent"

Under federal FMLA law, "child" means a biological, adopted or foster child, step child, legal ward, or a child for whom the employee provides day-to-day care. Also, the child must either be under age 18, or be 18 years or older and unable to care for him/herself because of a mental or physical disability or serious health condition. Under federal law, "parent" means biological parent, foster parent, adoptive parent, step parent or an individual who was responsible for the day-to-day care of the employee when the employee was a child. Under federal FMLA law, "parent" does not include parents of spouses or domestic partners.

*Many States have their own FMLA laws. Use the following link to obtain state specific laws: <http://www.ncsl.org/research/labor-and-employment/state-family-and-medical-leave-laws.aspx>

Serious Health Condition

A serious health condition is an injury, illness, impairment or physical or mental condition that involves:

- Inpatient care in a medical care facility; or
- Continuing treatment by a health care provider for a condition that either prevents the employee from performing

“A serious health condition is an injury, illness, impairment or physical or mental condition.”

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

the functions of the employee's job or prevents a qualified family member from participating in school or other daily activities. Continuing treatment by a health care provider includes:

1. A period of incapacity of more than three (3) consecutive full calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen or continuing treatment under the supervision of a health care provider (time limits apply to health care provider visits);
2. Any period of incapacity due to pregnancy or prenatal care;
3. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition;
4. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective; or
5. Any period of absence to receive multiple treatments by a health care provider or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment.

Notification and Certification

Whenever possible, employees must give at least 30 days' written notice of the need for FMLA leave. When 30 days' notice is not possible, employees are expected to give as much written notice as is practical. Please see Human Resources for FMLA request forms.

“ Whenever possible, employees must give at least 30 days' written notice of the need for FMLA leave. ”

Normal call-in procedures must also be followed for all FMLA absences.

When requesting FMLA, employees must give sufficient information to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees must also inform the Company if the requested leave is for a reason for which FMLA leave was previously taken or certified.

The Company does require an employee who is requesting FMLA leave to provide medical certification for the leave. Employees will have 15 days in which to provide the certification, except in extenuating circumstances. If an employee fails to provide adequate certification in a timely manner, the employee's leave request or continuation of leave may be delayed or denied altogether. The Company may require a second medical opinion at its expense regarding a serious health condition from a health care provider of its choice. If the first two opinions differ, the Company may obtain a third

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

opinion at its expense from a mutually agreed upon health care provider. The third opinion shall be binding on the parties. Recertification and periodic reports regarding the employee's status and intent to return to work may also be required as allowed by law.

The Company will inform employees who have requested leave whether they are eligible for leave, specify any additional information needed, and inform the employee of his/her rights and responsibilities. If the employee is not eligible for leave, the Company will provide a reason for the ineligibility. The Company will also inform eligible employees whether requested leave will or will not be designated as FMLA leave and the amount of leave that will be counted against the employee's leave entitlement.

How Leave May be Taken

FMLA leave may be taken in 12 (or less) consecutive weeks, may be used intermittently (a day periodically when needed) or may be used to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks.

Intermittent Leave may be taken when medically necessary for the employee's serious health condition or to care for a seriously ill family member. Intermittent leave must be documented in the medical certification form as medically necessary.

If an employee is taking leave intermittent or leave on a reduced schedule for planned medical treatment, the employee must make a

reasonable effort to schedule the treatment so as to not disrupt the Employer's business.

In instances when intermittent or reduced schedule leave for the employee or employee's family member is foreseeable or is for planned medical treatment, including recovery from a serious health condition, the Employer may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

Intermittent/reduced scheduled leave may be taken to care for a newborn or newly placed adopted or foster care child only with the Employer's approval.

Substituting Paid Time Off

During the federal-only portion of an FMLA leave, an employee is required to substitute any paid leave the employee would be eligible to take in compliance with the Company's normal paid leave policies. During the federal-only portion of an FMLA leave, the Company requires employees to substitute accrued paid leave for unpaid FMLA. (NOTE: You must advise employees if you require substitution paid leave. If you do not advise on this, employees can choose the use of accrued paid leave or unpaid FMLA.)

Benefits During Leave

An employee's coverage under group health plans (i.e., group health and dental coverage) will be maintained during the period of an FMLA leave as required by the federal FMLA laws and in accordance with the applicable terms of the plans.

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Employees who normally pay a portion of the premium for insurance coverage must continue to do so during the period of FMLA leave. If paid leave is substituted for unpaid leave, the employee's portion of the premium will be deducted from the employee's paycheck. For those employees on unpaid leave, payment arrangements must be made prior to the start of the leave, or as soon as practicable. A 30-day grace period will apply to premium payments. If payment is not made within the grace period, the employee's group health/dental insurance may be terminated.

If the Company maintains an employee's insurance during an FMLA leave, and the employee does not return from FMLA leave, under certain circumstances the Company will have the right to recover the total cost of the insurance premiums paid during the employee's leave, as allowed by law.

Use of FMLA cannot result in the loss of any employment benefit that accrued prior to the start of the employee's leave. Other benefit accruals may be suspended during the period of the leave and will resume upon return to active employment. Check with Human Resources regarding other benefit continuation provisions.

Returning to Work at the End of Leave

Employees who return to work from FMLA leave within the timeframes protected by the FMLA laws will be returned to their former position or, if that position is no longer available, an equivalent position with equivalent pay, benefits and other employment terms. If an employee wishes to return to work before his/

her leave is to end, and work is available, the employee must notify Human Resources at least 2 days prior to the desired return date. If an employee took FMLA leave for his/her own serious health condition, a fitness for duty certification will be required before the employee may return to work. In such cases, an employee's return will be delayed until such a certification is received.

Failure to Return to Work at End of FMLA-Protected Leave

If the employee's inability to return to work is due to the continuation, recurrence or onset of the employee's own serious health condition, or of the serious health condition of the employee's spouse, child or parent, the Company will consider a request for a further unpaid medical leave. However, the employee must submit a written request for consideration of a further leave as soon as the employee realizes that he/she will not be able to return at the expiration of the FMLA-protected leave period. The Company will consider each such request on a case by case basis.

Maternity Leave (Check with State laws on parenting leave)

Under federal FMLA, leave for birth, adoption or foster care placement must be concluded within 12 months of the birth or placement for adoption or foster care. If both parents work for the Company, the employees will share one 12 week leave for the birth or placement of a child.

Military Family Leave

An employee will be granted a military leave of absence without pay to serve in the United

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

States Armed Forces, in accordance with federal and state regulations. An employee may elect to use available vacation time while on a military leave but is not required to do so for that purpose.

The Company will comply with all reinstatement and other obligations under applicable state and federal military leave laws. Any questions regarding a military leave can be directed to Human Resources.

The federal FMLA provides for military family leave. Several provisions of this FMLA policy (including employee notice provisions and certification requirements) apply to military family leave as well.

There are two types of military family leave:

Qualifying Exigency Leave: Eligible employees with a spouse, son, daughter or parent on covered active duty or called to covered active duty status may use their 12-week FMLA entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare or parental care, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. The 12 weeks of leave afforded for a qualifying exigency is not in addition to the general 12 weeks afforded under the federal FMLA. An employee is entitled to no more than 12 total weeks of leave for any combination of personal, family or qualifying exigency military FMLA.

“The federal FMLA provides for military family leave.”

Servicemember Care Leave. Eligible employees may also take up to 26 weeks of leave during a single 12-month period to care for an ill or injured service member who is the employee’s spouse, parent, child, or “next of kin” who is a covered servicemember. A covered servicemember is a current member of the Armed Forces (including National Guard or Reserves) or a covered veteran who has a serious injury or illness incurred in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member’s or veteran’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces that may render the servicemember medically unfit to perform his or her duties and for which the servicemember is undergoing medical treatment, recuperation, therapy, is on outpatient status, or is otherwise on the temporary disability retired list. The 26 weeks of leave afforded for servicemember care is not in addition to the general 12 weeks afforded under the federal FMLA.

Medical Leave of Absence

If you are ineligible for FMLA leave, or you have exhausted your FMLA leave benefits, you may be eligible for an unpaid medical leave of absence. Normally, unpaid medical leaves will be granted for up to 12 weeks if the employee is not FMLA eligible, or for an additional 12 weeks

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

beyond FMLA if the employee has exhausted FMLA benefits. However, the exact amount of medical leave available to each employee beyond 12 weeks will be determined on a case-by-case basis depending on the position held, staffing requirements, the reasons for the leave and the anticipated return-to-work date.

Employees seeking a medical leave of absence will be required to present medical documentation to support the need for the leave, along with any applicable return-to-work documentation.

During a Medical Leave, employees will be expected to keep in regular contact with human resources. When you anticipate your return to work, please notify human resources of your expected return date at least one week before the end of your leave.

Depending on the laws of Company Name's state, employees on an unpaid medical leave of absence who are not eligible for FMLA may continue medical and dental insurance during the 12 weeks of leave. Employees who have exhausted their FMLA leave may continue medical and dental insurance for an additional 12 weeks beyond FMLA. Employees eligible for continued insurance benefits during medical leave are responsible for paying their portion of the premium.

“ During a Medical Leave, employees will be expected to keep in regular contact with human resources. ”

Failure to keep in touch with management during your leave, failure to advise management of your availability to return to work, failure to return to work when notified or your continued absence from work beyond the time approved by the company will be considered a voluntary resignation of your employment.

Bereavement Leave

Company Name cares for our employees and as such we provide employees three work days of bereavement leave for the death of your parent, grandparent, sibling, child, spouse, spouse's parent or sibling, grandchild, aunt or uncle.

The Company will consider requests to extend the bereavement leave by utilizing sick or vacation days, based on consideration of employee needs and the Company's operational needs. Employees should provide proper documentation to the Human Resource Department to schedule leave and ensure proper payment of time.

Jury & Witness Duty

The Company encourages all employees to be civic minded. If you receive notification to serve on a jury or are subpoenaed as a witness, notify your supervisor immediately and present the official documentation. Full-time employees who serve on a jury will be paid the difference between his/her wage and the amount received for jury duty.

The employee must present authorized evidence to the Human Resources Department of jury attendance and the amount paid. Employees must return to work on any day

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

when jury or witness duty dismisses prior to the end of the employee's regularly scheduled workday.

Weather Related Closure

If an office location closes due to inclement weather, Exempt Employees will be paid for the time the Company is closed. Employees are responsible to call in if weather will prohibit their coming to work. Time lost due to weather conditions can be made up during the same week, vacation time can be used, or the time can be taken without pay. If an employee

“Employees are responsible to call in if weather will prohibit their coming to work.”

scheduled a vacation or sick leave day on the same day as the Company closes due to inclement weather, the original designation will remain.

Workplace Expectations

Confidentiality

Employees are obligated to protect Company's Name, its' business partners, vendors and customers' proprietary information. Information about Company Name its' business partners, vendors and customers must be treated as highly confidential and must not be disclosed to, or discussed with, third parties. Employees must also maintain the confidentiality of the Company's proprietary information (i.e. business strategies, marketing or product development plans) and trade secrets.

“Employees are obligated to protect Company's Name, its' business partners, vendors and customers' proprietary information.”

The Company owns the rights to all confidential information. Unauthorized use or distribution of this information would violate Company policy. It could also be illegal and result in civil or even criminal penalties. Confidential information includes, but is not limited to:

- business plans, strategies, operating methods, processes, practices or systems
- asset or stock purchases or sales
- customer lists
- pricing information
- vacancy rates
- terms and conditions of contracts
- construction costs
- prospective property sites and/or related development information
- finances
- Employee information
- resident/customer information
- travel plans of Employees
- other matters not publicly disclosed
- personnel or payroll information
- information from, or contracts with, third parties that the Company has agreed to keep confidential
- systems, policies, procedures, practices, plans or processes

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Employee Confidentiality: Any requests for information regarding a current or former Company Name employee, either written or over the telephone, must be referred to the Human Resources Department. Under no circumstances should any employee other than Human Resources release any information about a current or former Company Name employee.

Customer Confidentiality: Any and all confidential information regarding a customer must be treated as confidential and not disclosed to anyone outside the Company unless proper authorization has been received. The use of such information for personal or other gain is unethical and may be illegal. All information in the Company's files concerning customers or potential customers should be presumed to be confidential. Employees who must use or disclose confidential customer information must take all reasonable steps to protect the confidentiality of such information.

Anti-Trust Laws

United States antitrust laws apply to Company Name's operations. Employees must comply with these laws by avoiding collusion, illegal price fixing, or other unfair competitive practices. Questions regarding antitrust matters should be brought to the attention of your supervisor or Human Resources.

“ United States antitrust laws apply to Company Name's operations. ”

Conflict of Interest

Company Name encourages participation in community events and membership in outside organizations. However, participation in any activities that may present a conflict of interest, or the appearance of conflicts of interest, involving financial and/or personal interest is prohibited. Prior to engaging in any activities that may present a conflict of interest, employees must report and get approval of such activities. Specific types of outside activities that raise conflict of interest questions include the following:

1. Employment by a company that is competitive with Company Name.
2. Use of Company Name equipment, supplies or facilities for personal financial gain.
3. Performing a service that Company Name itself could perform.
4. Serving as a Director, Board Member, Officer, Partner, Consultant, or in a managerial or technical capacity with an outside enterprise which does or is seeking to do business with Company Name.

You must disclose to your supervisor any potential conflict of interest. A conflict of interest is subject to approval of Company management.

Outside Employment

Company Name does not encourage employees to have more than one full-time position; however, we do recognize that circumstances may make it necessary for an employee to consider outside employment on

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

“ You must disclose to your supervisor any potential conflict of interest. ”

occasion. Working for another entity or an active personal business requires formal approval from Company Name. Outside employment will not be considered an excuse for poor position performance, tardiness, absenteeism, or refusal to work overtime. Failure to obtain written approval or violation of any of the above conditions may result in disciplinary action up to and including termination.

Personal Appearance & Attire

Your appearance creates a long lasting impression on how the Company is perceived by the public. We expect all employees to dress in an appropriate, tasteful manner that is suitable for their position. Departments may have unique standards and/or level of dress which they will manage accordingly.

Proper attire, neatness, cleanliness and good personal health habits are important to the impression we leave with our customers, as well as the overall image of the Company. Employees are expected to wear clothing that demonstrates good taste and judgment. These guidelines are to be followed in regard to business appearance and grooming. This list is not all-inclusive, but reflects what the Company considers good judgment in maintaining a professional appearance.

- Employees must report to work clean
- Hair must be worn in a style that is neither offensive nor presents any safety hazards
- Jewelry should be worn in moderation and not present safety concerns. You may be asked to remove gages and body piercings if visible.
- You may be asked to cover tattoos
- Shoes should be appropriate for your position.

The Company may require different business appearance standards for different employees, depending on the employee's position. For example, employees with high levels of customer contact may be held to higher business appearance standards than employees whose positions do not involve significant client contact.

Employees who do not meet the standards of these dress code guidelines may be required to take corrective action, including leaving the premises to correct the problem. For hourly employees, any work missed because of failure to comply with the dress code will not be compensated and time must be made up. Violations may also result in disciplinary action, up to and including, termination.

“ Employees are expected to wear clothing that demonstrates good taste and judgment. ”

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Appropriate Conduct

All Company Name employees must respect and obey the laws, rules and regulations of the federal government and the cities and states in which they operate. All Employees are required to conduct themselves in a professional manner that enhances the Company's reputation and refrain from any behavior that might be harmful or offensive to co-workers, the Company, or current or potential customers.

The Company does not allow behavior which is abusive, disruptive, unsafe, illegal, dishonest, unethical, or detracts from the quality of the office environment. Being insubordinate, threatening, intimidating, disrespectful or assaulting a manager/supervisor, coworker, customer or vendor will result in discipline.

Corrective action may include any of the following, in any order, depending on the supervisor's perception of the severity of the Employee's misconduct or performance issues: verbal warning, written warning, probation, suspension, demotion, transfer, or termination.

Employees are expected to report to their direct supervisor of the Human Resource Director, any known or suspected criminal activity of any nature, or any dishonest or fraudulent act, which may affect the Company, its employees, associates or customers. Any person or person(s) reporting such activities in good faith shall be free from retaliation or retribution of any kind by Company Name. All employees are advised that any failure to comply with these procedures will be viewed as a violation of their duty to obey applicable laws.

Alcohol & Drug Usage and Testing

Company Name is committed to providing and maintaining a safe, productive and drug-free environment. The abuse of alcohol and or drugs poses a serious threat to productivity, the quality of our products and services, and our image of public trust. It is our policy to prohibit the use, possession, distribution, sale, manufacture, or being under the influence of illegal drugs during working hours, including lunch or other break periods, or while on the Company's property, including locations where Company work is being performed. (Illegal drugs include, but are not limited to: marijuana, amphetamines, cocaine, barbiturates and opiates.) (NOTE: Refer to the alcohol & drug testing policies in your state.)

“Company Name is committed to providing and maintaining a safe, productive and drug-free environment.”

Unless authorized, employees are also prohibited from being under the influence, using, possessing, distributing, or selling alcohol during working hours, including lunch or other break periods, or while on the Company's property, including locations where Company work is being performed.

In addition, in the event alcohol or drug use, whether on or off the position, negatively affects position performance, discipline up to and including termination can result.

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

The lawful use of prescription medication prescribed by a physician or dentist licensed to prescribe drugs is not prohibited. Employees will promptly inform Human Resources of any prescription medications they are taking which may affect safe operations. You do not have to identify the medication or the medical condition for which it is prescribed, but may be requested to provide a physician's certificate of safety to work and of any work restrictions caused by the medication. You have a duty to ask your physician whether any medication may create a work safety issue.

If there is reasonable cause to believe that an employee is either using or under the influence of alcohol and/or illegal drugs during working hours, the employee may be required to submit to a reasonable medical evaluation which may include urinalysis, blood test, or a breath screening test. Any employee who refuses to submit to a reasonable medical examination shall be considered insubordinate and subject to disciplinary action, up to and including termination.

If you are experiencing a problem with alcohol or drugs, we encourage you to check with your health insurance provider to see what assistance may be available. You may wish to contact our Employee Assistance provider, or the Human Resources Department. All information will be kept confidential to the degree possible.

We encourage employees to seek alcohol or drug treatment before work performance is affected. If an employee violates this policy, discipline up to and including termination could result.

Tobacco Usage

For the overall health and welfare of our employees and customers, all Company facilities and client sites are tobacco-free environments. Each location has a designated area where employees may smoke. Please dispose of smoking materials properly to avoid littering. The use of e-cigarettes and 'vaping' are included in this policy and must be used only in designated smoking areas.

“ All company facilities and client sites are tobacco-free environments. ”

Unlawful Harassment

Company Name is committed to providing a work environment in which employees and customers are treated with courtesy, respect and dignity. Workplace conflicts and disrespectful behaviors can jeopardize an individual's dignity, self-esteem and well-being and possibly undermine work relationships, friendships and productivity. A truly respectful workplace requires the cooperation and support from each and every employee in the organization. Everyone has a responsibility to behave in a manner, which will not offend, embarrass or humiliate others, whether deliberate or unintentional.

Company Name prohibits any form of harassment based on race, color, religion, sex/gender, national origin, age, disability/handicap, status or service as a veteran, sexual

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

orientation, gender identity, arrest or conviction record, genetic information and any other status protected by applicable law. This policy applies to the conduct of all employees, independent contractors, owners and third parties who interact with employees, such as customers, vendors, or other members of the public.

Harassment may include:

- Verbal or physical abuse or bullying
- Threats
- Mimicry
- Offensive jokes or email messages
- Epithets, name-calling, slurs
- Vulgar, obscene or derogatory language
- Lewd or offensive gestures or pranks
- Display of offensive or graphic pictures, cartoons, jokes, photos, etc.

Sexual Harassment

Sexual harassment is one type of harassment and includes unwelcome sexual advances, or visual, verbal, or physical conduct of a sexual nature. Sexual harassment includes many forms of offensive behavior and can include behavior toward someone of the same or opposite gender as the harasser. The following is a partial list of sexual harassment examples:

- Unwanted sexual advances, verbal, written, physical, or otherwise.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.

“Harassment can include social media transmissions that are composed, transmitted, or received.”

- Verbal conduct that includes making derogatory or sexual comments, or jokes.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.
- Offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties or shifts, etc., in exchange for sexual favors.

Harassment (both sexual and harassment based on other protected class status) can include social media transmissions that are composed, transmitted, or received. Such messages must not contain content that could be considered discriminatory, obscene, threatening, harassing, or intimidating to our team members, guests, vendors, or any other person a team member has contact with during the course of employment. Abuse of social media in violation of law or company policies will result in disciplinary action, up to and including termination of employment. Team members may also be held personally liable for any violations of this policy.

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Reporting Harassment:

1. If an employee feels that he/she is being harassed, the employee, if comfortable doing so, should communicate to the individual that the behavior is unwelcome and that it must stop immediately. If the employee does not feel comfortable confronting the individual or if this does not resolve the matter, the employee should report the harassment immediately to his/her immediate supervisor or to the Human Resources Director.
2. Complaints will be investigated in a timely manner and with such assistance as is deemed necessary for a complete investigation. Complaints and investigations of such claims will be treated as confidentially as possible in light of the Company's need to fully investigate the matter and take appropriate corrective action.
3. Company Name will take action to correct harassing conduct as is appropriate under the circumstances. If the investigation reveals that an employee has engaged in harassment, that employee will be subject to disciplinary action, up to and including termination.
4. Company Name prohibits any form of retaliation against an employee who has made a complaint of harassment. If an employee who has reported harassment feels that he/she is being retaliated against, the employee should report the retaliatory conduct to his/her immediate supervisor or to the Human Resources Director.

5. If after investigating any complaint of harassment or unlawful discrimination, the Company determines that any employee has provided false information regarding the complaint, appropriate disciplinary action will also be taken.

Personal Romantic Relationships

Company Name recognizes it is possible for personal romantic relationships to develop in the workplace. We respect every Employee's right to romantically socialize with whomever they choose; however, in certain cases, these relationships could harm the Company's legitimate business interests and impact the ability to maintain a professional and efficient workplace.

The Company does not forbid these relationships as long as:

- both parties can continue to perform his/her position effectively
- the relationship does not constitute any type of harassment
- a Supervisor/Manager is not engaging in a personal romantic relationship with his/her subordinate
- the relationship does not involve an Employee who has any kind of authority to make employment-related decisions over the other Employee

In order to ensure all parties are protected, Employees who work together and enter into a personal, non-work related romantic relationship should notify their respective supervisors or Human Resources of the relationship.

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

The Company reserves the right to take prompt action if the Company believes that the situation might create an actual, potential or perceived conflict of interest. This action could include asking the Employees to end the relationship, separating or reassigning the Employees, or terminating employment.

Disrespect for fellow employees, customers or vendors hurts our workplace and business relationships and can lead to disruption and violence. Such behavior will not be tolerated. Verbal abuse, yelling, bullying, overt intimidation, undermining of others' efforts and reputations, and physical confrontation and assaults are all completely prohibited. If you witness any behavior that appears to be confrontational or disrespectful, promptly inform your supervisor or management. Concerns/complaints will be promptly and thoroughly investigated. Employees should contact law enforcement authorities if they believe there is an immediate threat to their own health and safety, or the health and safety of others.

Company Name prohibits any form of retaliation against an employee who has made a complaint concerning a violation of this policy. If an employee who has made such a report believes that he/she is being retaliated against, the employee should report the retaliatory conduct to his/her immediate supervisor or to the Human Resources Director.

All managers and supervisors are responsible for the implementation of this policy and for ensuring that employees know and understand this policy. All employees will be held responsible and accountable for avoiding or eliminating prohibited conduct.

Violence & Weapons (Check local and state laws)

Company Name strives to provide a safe and secure work environment for all Employees and customers. All employees are prohibited from possessing or carrying weapons, whether open or concealed, at the workplace. Our workplace is defined as all company owned or leased buildings, company owned vehicles and locations employee is sent to perform services as a representative of Company Name (position, site, client offices, vendor facilities, etc.). For purposes of this policy, a weapon includes, but is not limited to, firearms, handguns, knives and explosive devices. This policy applies even if the employee is licensed to carry a concealed weapon under state law. (NOTE: Refer to your state specific laws regarding concealed carry or open carry.)

Personal Use of Company Resources

Employees should not use Company resources, equipment or materials for non-Company related activities. This also includes, without limitation, photocopying services, delivery services, and postage metering. Requests to use Company resources for non-business purposes must receive prior approval from an authorized Company representative.

Use of Company Vehicles

Company Name wants to ensure the safety of those individuals who drive company vehicles and to provide guidance on their use. Vehicle accidents are costly to our company, but more importantly, they may result in injury to you or others. It is the employee's responsibility to operate the vehicle in a safe manner and

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

to drive defensively to prevent injuries and property damage.

Company Name requires adherence to all applicable state motor vehicle regulations relating to driver responsibility. The Company expects each driver to drive in a safe and courteous manner pursuant to the following safety rules.

In addition to the Driving Safety policies in this Manual, the following apply to Company-Owned Vehicles:

1. Company vehicles are to be driven by authorized employees only.
2. Employees must carry personal insurance coverage.
3. No unauthorized personnel are allowed to ride in company vehicles.
4. Drivers are responsible for the security of company vehicles assigned to them. The vehicle must be locked whenever the vehicle is left unattended.
5. All accidents in company vehicles must be reported to the police and the Company supervisor immediately.
6. Drivers must report all ticket violations received during the operation of a company vehicle, within 72 hours

“Company Name requires adherence to all applicable state motor vehicle regulations relating to driver responsibility.”

Anti-Bribery & Corruption

Company Name has a strict policy against bribery and corruption in any form. All Company personnel are expected to conduct Company business legally and ethically. The U.S. Foreign Corrupt Practices Act (the “FCPA”) makes it illegal for U.S. persons, including U.S. companies and their subsidiaries, to bribe foreign officials. The FCPA also requires U.S. companies and their subsidiaries to keep accurate and complete books and records and to maintain proper internal accounting controls.

“Company Name has a strict policy against bribery and corruption in any form.”

The recordkeeping provisions of the FCPA require publicly held U.S. companies, and their subsidiaries to keep their books, records and accounts in reasonable detail, accurately and such that they fairly reflect all transactions and dispositions of assets. Thus, the FCPA prohibits the mischaracterization or omission of any transaction on a company’s books or any failure to maintain proper accounting controls that result in such a mischaracterization or omission. Keeping detailed, accurate descriptions of all payments and expenses is crucial for this component of the Act.

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Accordingly, Employees must follow applicable standards, principles, laws and Company practices for accounting and financial reporting. In particular, Employees must be timely and complete when preparing all reports and records required by management.

Acceptance of Gifts

No employee or any member of his or her immediate family shall accept cash, gifts, loans, gratuities, entertainment, trips, employment of household members, or other favors having more than a nominal value (greater than \$50) that could influence or appear to influence that person's impartial performance of his or her duties to the company or that could place him or her under an obligation to a party dealing (or attempting to deal) with the Company.

If you receive invitations to events/activities (i.e. tickets to sporting events, golf tournaments, fishing or hunting trips) or gifts in excess of \$50, you must disclose any of these types of invitations or gifts to your supervisor. You may be allowed to occasionally participate in these activities at the sole discretion of the Company. Your participation cannot be frequent, excessive or create a conflict of interest. Additionally, you should not solicit these types of invitations or gifts.

Community Involvement

Company Name encourages community involvement/volunteerism among its employees. Involvement in community activities benefits the employee, the community and the image of the company. Employees are urged to take part in community affairs that enhance the quality of life of the community. Wherever possible, the

“Company Name encourages community involvement/volunteerism among its employees.”

company will lend support to such activities by approving time off during work hours, or access to company materials and equipment.

Requests for Community Involvement that impact work hours or donated materials/equipment should be submitted to your supervisor or Human Resources at least two weeks in advance of the event.

Use of Bulletin Boards and Solicitation and Distribution Policy

Employees may not engage in solicitation during working time. “Working time” does not include breaks or meal time (whether paid or unpaid), or the time immediately before or after the start of your shift. “Working time” refers to the working time of the person doing the soliciting as well as the working time of the individual being solicited.

Employees may not distribute literature during working time or in working areas.

Individuals who are not employed by _____ may not solicit or distribute literature for any purpose at any time on company property.

This policy does not restrict solicitation or the distribution of literature related to _____'s business functions or limited employer-sponsored charitable solicitation.

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

_____ maintains bulletin boards at various sites to post information of interest and importance to employees. Employees and non-employees are prohibited from posting or hanging literature or other materials on these bulletin boards, or on the walls, windows, or other surfaces located on company property.

Employee Concerns & Suggestions

Communication is a joint responsibility shared by the Company Name and you. Each employee is responsible for contributing to our work environment. In order to maintain a pleasant working environment, we are committed to the prompt and fair resolution of your problems and concerns.

Your opinions, suggestions and questions are important to us and we will attempt to provide you with honest, straightforward responses. Feel free to talk to your supervisor about issues at work that concern you. However, if your supervisor cannot adequately reach a solution, you are encouraged to talk with the Human Resources Director or any member of the Executive Team. At any time you feel it is necessary, you may bypass a level of authority to discuss the matter. A problem or concern can be solved only if it is brought out in the open and discussed. We hope that our open door policy will encourage you to air your concerns so that an early solution may be found.

Company Events

Company Name believes that the culture of our organization is enhanced when employees spend time together for social purposes. Employees will be invited to various optional Company sponsored events. Some events are intended to bolster Company awareness such as job fairs and community functions and other events are for the enjoyment of our employees.

Employees are not required to attend company events. No accidents, injury or illness as a result of a company event may be considered to have occurred “at work”. The only exception is if non-exempt employees are being paid or exempt employees are working during their regular work hours when the injury occurred. (NOTE: Refer to your state-specific laws regarding compensation for injuries at company-sponsored events.)

If alcohol is available or served at a company event, employees are reminded to be cautious and to control their consumption. Although these events are not work related, over indulgence of alcohol can result in extreme behavior that can compromise your professional reputation and your employment.

“ *Company Name believes that the culture of our organization is enhanced when employees spend time together for social purposes.* **”**

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Safety

NOTE: It is recommended that the verbiage found in this Personnel Policy & Procedure Manual **not** replace a formal Safety Process and Procedure Manual.

General Safe Practices

Company Name places the highest emphasis on employee safety and strives to ensure that working areas are safe and healthful. Our safety policy is designed to be in full compliance with all Occupational Safety and Health Act (OSHA) regulations.

Each employee has the responsibility to work safely and do everything possible to prevent accidents or injuries. Every employee is expected to report unsafe conditions, to think before acting, and to conscientiously avoid unnecessary risks. The Company firmly believes in preventative safety measures and encourages all employees to participate in the development of our safety program by making safety recommendations. Failure to comply with established safety rules can be cause for disciplinary action.

Supervisory personnel and Risk Management/Safety will familiarize employees with the hazards of all assigned jobs, instruct employees in the safe performance of all jobs, and enforce

“ Each employee has the responsibility to work safely and do everything possible to prevent accidents or injuries. ”

the rules of safety among employees under their supervision.

Generally accepted practices for accident prevention on construction job sites include the following:

- Employees should pay strict attention to their work;
- Report to work rested, and mentally and physically fit to perform your work.
- Observe all warning signs and signals posted to designate dangerous conditions;
- Do not take shortcuts through or over dangerous place;
- Do not jump from elevated places unless absolutely necessary to the performance of duty;
- Do not run unless it is absolutely necessary to the performance of duty;
- Wear hard hats at all times on job sites;
- Wear the appropriate Personal Protective Equipment (safety glasses, safety shoes, eye protection, a respirator, hearing protection, etc.) directed by a supervisor or whenever required;
- Take precautions before beginning any work and never perform a task that you feel is unsafe. Report to your supervisor immediately.
- Pile and remove material in a slow, deliberate manner;
- Lift correctly knees bent, back erect and seek help for lifting heavy loads;
- Alert co-workers to any forthcoming action that might affect them;
- Practice good housekeeping, insuring that work areas and walkways are clean and free of stumbling or slipping hazards;

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

- Watch for protrusions, nails or other obstructions capable of causing injury;
- Issue a warning before raising or lowering material on a crane or lift;
- Never ride loads carried by a crane nor stand under such loads;
- No scuffling or horse-play on the job;
- When entering any confined space, use special safety precautions including lifebelts;
- Report any injuries immediately to your supervisor.

Driving Safety

Company Name wants to ensure the safety of those individuals who drive company vehicles or their own vehicles for company business. It is the driver's responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage. The attitude you take when behind the wheel is the single most important factor in driving safely. The Company expects adherence to all applicable state motor vehicle regulations relating to drive responsibility. Employees are to drive in a safe and courteous manner pursuant to the following safety guidelines:

- All employees operating a vehicle during work hours must be licensed in the state of State. Your driving record will be checked and all driver's records are checked periodically.
- All employees that receive a car allowance for driving their own vehicle for company business are responsible to maintain proper vehicle license and insurance coverage. The company has the right to

“ It is the driver's responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage. ”

request documentation to demonstrate such coverage.

- The use of vehicle during work hours while under the influence of intoxicants and other drugs is forbidden and is sufficient cause for discipline, including dismissal.
- No driver shall operate a vehicle during work hours when his/her ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.
- The driver and all passengers riding in vehicles driven during work hours must wear seat belts, even if air bags are available.
- Fire extinguishers and first aid kits are to be kept in every vehicle used for company transportation. It is the employee's responsibility to keep them current.
- All other state laws, local laws, or D.O.T. motor carrier safety regulations must be obeyed.
- Legal load limits must be observed. If you receive a citation for overweight because of your negligence, you may be asked to pay the included fines.
- Any employee who has a driver's license revoked or suspended shall immediately

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

notify the supervisor. Failure to do so may result in disciplinary action, including dismissal.

- All accidents, regardless of severity, must be reported to the police and to supervisor
- Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, including dismissal.
- Fines for traffic violations will be paid by the offender.

Cell Phone Usage

Company Name has a zero tolerance policy regarding using a cell phone while driving. For the safety of our employees and others it is imperative that you pull over and stop at a safe location to dial, text, receive or converse on the cell phone in any way.

Company name reserves the right to amend or alter the terms of this policy. Employees who violate this policy will be subject to discipline, including termination.

“Company Name has a zero tolerance policy regarding using a cell phone while driving.”

Site Specific Safety

Company Name is committed to providing a safe and healthy work environment for all employees and subcontractors. Understanding that each project site is unique, the Company actively requires the following for each project. If a customer provides a specific safety plan,

the stricter of the two policies should be followed.

1. **Safety and Health Plans:** Company Name and its' subcontractors will identify and document all potential site hazards.
2. **Emergency Preparedness:** Each Company Name jobsites will develop an Emergency Plan that outlines the actions necessary in the event of an emergency.
3. **Training:** Company Name and its' subcontractors will provide the training necessary to meet federal, state, and client-specific training.
4. **OSHA Records:** Company Name will maintain OSHA required records (typically an OSHA 300 Log) to record and all OSHA recordable injuries.
5. **Orientation:** All employees working on a Company Name project shall attend a project specific safety orientation prior to executing any work. Upon client request, a hardhat identification or badge may be issued and required to work on site.
6. **Safety Meetings:** Company Name conducts weekly safety meetings and all employees must attend.

Personal Safety

Every employee takes personal responsibility to prevent accidents for self and others. Accidents not only impact the employee and the company; family, coworkers, and customers are also impacted. Employees are responsible to adhere to the following Personal Safety Guidelines:

1. To report all injuries immediately, no matter how slight.

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

2. To know and obey safety rules.
3. To understand the consequences for violating established company safety rules.
4. To caution fellow workers performing unsafe acts.
5. To discuss questions or concerns with your supervisor when there is any doubt concerning safety.
6. To report all unsafe conditions or equipment to your supervisor or management immediately.

Reporting Injuries

In the event of a work-related injury or illness, you must immediately report such injury or illness to your supervisor and Risk Management/Safety. This will ensure that the Company can assist you in filing a claim timely and offer information on obtaining the appropriate medical treatment. Failure to follow this procedure may result in the appropriate workers' compensation report not being filed in accordance with the law, which may jeopardize your right to benefits in connection with your injury or illness. Therefore, it is important that all work-related injuries and illnesses be reported within twenty-four (24) to forty-eight (48) hours of their occurrence.

In the event you sustain a serious work-related injury and need to be treated at a medical facility, you may be drug tested. A urinalysis sample may be requested. Positive test results and/or refusal to submit to a drug test will result in immediate termination.

If you are absent due to a work-related injury or illness you may qualify for FMLA leave. In

“ It is important that all work-related injuries and illnesses be reported within twenty-four (24) to forty-eight (48) hours of their occurrence. ”

order to qualify for FMLA, you must work at a Company Name location with at least 50 employees within a 75 mile radius, have been employed with the Company for 12 months consecutively, and have accumulated 1,250 hours. Your FMLA leave will run concurrently with your workers' compensation leave and you would be subject to the provisions of FMLA. Refer to the Family & Medical Leave Act section of this policy manual for more information regarding FMLA leave.

Workers Compensation Insurance

In accordance with our State's Worker's Compensation Law, the Company carries insurance for all its employees for injuries or illness arising from or occurring during the course of employment. The Company pays for premiums for this insurance.

Any accident or injury should be reported immediately to your supervisor, Risk Management and the Human Resources Department. Proper forms must be filed with the

“ Any accident or injury should be reported immediately. ”

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

insurance company and the State within certain time limits in order to be eligible for benefits.

In the event of lost time due to a work-related injury or illness, you must use sick or vacation for the waiting period as defined by the state in which the injury or illness occurred (or as defined by the state in which you were hired, if reciprocity exists). Any time used during working hours for treatment or doctor visits will be treated as sick time.

If you have been absent from work due to a work-related injury or illness, you are required to obtain a physician's release specifically stating that you are capable of performing your normal duties or assignments before returning to work. If temporary modified duties or assignments are required you will be given, to the extent modified duties exist or are available, a modified list of duties to perform with respect to your current limitations/restrictions. The physician's release must be given to your supervisor within twenty-four (24) hours of your appointment or the next business day to ensure a prompt return to work transition.

Environmental & Liability Reporting

Company Name strictly enforces compliance with environmental laws in order to:

- Protect against unnecessary costs, and
- Ensure that it is a respected corporate citizen

Notify your supervisor or Human Resources if you are aware of an environmental condition relating to the Company's property, work area, investment, or a material risk of a claim against the Company.

Technology Policies

Company provided technology or devices are to be used for work-related communications only. Employees who are provided these devices are expected to protect them from loss, damage or theft. In addition, these devices must be password protected at all times. Upon employment separation, the employee will return the company provided device. All company provided devices will be made available for inspection at any time with or without notice. (NOTE: A sample computer and internet usage policy is included in the Appendix).

Computer

The Company provides our employees with access to our electronic communication system, which includes, for example, computers, scanners, pagers, printers, fax machines, e-mail, Internet access and voice mail. This system is provided to assist employees in the performance of work assignments and to communicate with business partners and customers. Access to the system is a privilege and not a right.

The Company expects that employees will use the system in a responsible and ethical manner and in conformance with the rules outlined in Electronic Information Policy, separate from this handbook (refer to Information Technology Manual). We reserve the right to restrict or revoke an employee's authorization for use and access to the system at any time for any reason.

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

“ All information transmitted by, received from or stored in the Company’s system or files are owned by the Company. ”

Please be aware that all information (including electronic, paper or other medium on which copies are stored) transmitted by, received from or stored in the Company’s system or files are owned by the Company. Employees should have no expectation of privacy with regard to any information, messages, files and other data stored on the Company’s electronic communications system or in files. The Company may access, search, monitor and/or disclose to appropriate authorities any communications at any time without prior notice being given. Nothing residing in the employee’s computer system or files or the Company’s e-mail system will be considered personal, private or confidential.

Usage of Company computers for personal or non-Company business should be kept to minimum. Employees should report any misuse or loss of Company property immediately to their immediate supervisor and to the Information Technology Department.

Network Security

Data network access is provided to authorized Company Name Employees and is subject to the following guidelines to protect the safety and security of Company files and information:

- Accessing a computer system or modifying or retrieving any stored information is prohibited unless authorized to do so. Access to protected information must be approved by your direct supervisor or Human Resources.
- Sharing usernames, user identification numbers or passwords with anyone, including fellow Employees, outside consultants or service providers or other outside parties is prohibited.
- Passwords must be changed according to the Company’s password security protocol and guidelines.

All questions or concerns about breach of the Company’s network security should be reported immediately to the Information Technology Department.

Electronic Devices

Company Name wants to ensure the safety and security of not only our employees but our business operations. This policy covers all electronic devices including but not limited to cell phones, smart phones, PDAs, tablet devices, etc.

While at work, employees are expected to exercise the same discretion in using personal electronic devices as is expected for the use of company phones. Excessive personal calls/texts/emails during the work day, regardless of which device used, can interfere with employee productivity and be distracting to others. Employees should use non-work time when possible for personal matters.

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Proper attention must be taken concerning the cameras and audio/video recording capabilities within electronic devices. The use of camera or other audio/video recordings within the Company office or client facilities is strictly prohibited without the express permission of management and of the person(s) present at the time. This prohibition is specifically applicable to company meetings, customer or company information, restrooms or other areas where personal privacy or company information is expected to remain confidential.

Use of Electronic Devices while Driving

Employees are expected to follow all applicable state or federal laws regarding the use of electronic devices while driving. The Company requires that employees refrain from using devices while driving. The Company recommends employees pull off to the side of the road, safely stop the vehicle before using devices. Employees who are charged with traffic violations resulting from the use of electronic devices while driving will be solely responsible for all liabilities resulting from such actions.

Violations of this policy will be subject to discipline, including termination of employment.

Internet

Usage of the internet for personal or non-business purposes should be limited during work hours. Company Name ensures security by using web filtering software to detect and block hacking sites, phishing attacks, malware, spyware and other unsafe content sites. All requests by an Employee for a site to be unblocked must have the approval their direct supervisor or Human Resources.

Do not download or install any programs not purchased or licensed through the Company. No Employee may download or install any program or software without written permission from the IT Department. This includes demos of programs, screen savers, programs for personal use (example: iTunes), etc.

Social Media Policy

At [Company], we recognize that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

Guidelines

In the rapidly expanding world of electronic communication, social media can mean many things. "Social media" includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with [Company], as well as any other form of electronic communication.

“ Ultimately, you are solely responsible for what you post online. ”

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, customers, suppliers, people who work on behalf of [Company] or [Company]’s legitimate business interests may result in disciplinary action up to and including termination.

Know and Follow the Rules

Carefully read these guidelines, [insert other policies that may apply, e.g., Ethics Policy, Privacy Policy, Discrimination and Harassment Policy, Bullying Policy, etc.,¹] and ensure your postings are consistent with these policies. Be thoughtful in all your communications and dealings with others, including email and social media. Never harass (as defined by our Discrimination and Harassment Policy), threaten, libel or defame fellow professionals, employees, clients, competitors, or anyone else. In general, it is always wise to remember that what you say in social media can often be seen by anyone. Accordingly, harassing comments, obscenities or similar conduct that would violate [Company]’s policies is discouraged in general and is never allowed while using [Company]’s equipment or during your working time. Inappropriate postings that may include discriminatory remarks, harassment, and

threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Be Respectful

Be courteous and respectful to a customer or any member of the public while acting in the course and scope of [Company]’s business. Always be fair and courteous to fellow employees, customers, members, suppliers or people who work on behalf of [Company]. Also, keep in mind that you are more likely to resolved work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet.

Nevertheless, if you decide to post complaints or criticism online, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, members, employees or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone’s reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

Be Honest and Accurate

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings

¹ *Your other policies may themselves be unlawful. Each individual policy should be independently reviewed to ensure compliance with state and federal law.*

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

can be searched. Never post any information or rumors that you know to be false about [Company], fellow employees, members, customers, suppliers, people working on behalf of [Company] or competitors.

Post Only Appropriate and Respectful Content

- Maintain the confidentiality of [Company] trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications.
 - Do not disclose confidential financial data, or other non-public proprietary company information. Do not share confidential information regarding business partners, vendors or customers.
 - Respect financial disclosure laws. It is illegal to communicate or give a “tip” on inside information to others so that they may buy or sell stocks or securities. For example, do not post launch dates, release dates, and pending reorganizations.
 - Do not create a link from your blog, website or other social networking site to a [Company] website without identifying yourself as an employee.
- Do not make negative comments about our customers in any social media.
 - Respect copyright, trademark and similar laws and use such protected information in compliance with applicable legal standards.
 - Express only your personal opinions. Never represent yourself as a spokesperson for [Company]. If [Company] is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of [Company], fellow employees, members, customers, suppliers or people working on behalf of [Company]. If you do publish a blog or post online related to the work you do or subjects associated with [Company], make it clear that you are not speaking on behalf of [Company]. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of [Company].”
 - Do NOT create a blog or online group related to [Company] (not including blogs or discussions involving wages, benefits, or other terms and conditions of employment, or protected concerted activity) without the advance approval of the Legal and Communications Departments. If a blog or online group is approved, it must contain a disclaimer approved by the Legal Department.
 - All uses and disclosures of protected health information (“PHI”) shall be carried out in a manner compliant with applicable

“Respect financial disclosure laws.”

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

patient privacy policies, regulations, and standards. In accordance with federal and state laws regarding patient privacy, you are prohibited from posting any content that is considered PHI, including patient names, images, and diagnoses, without a written authorization for the use and disclosure of the information from the patient/patient's legal representative.

- Due to the potential for issues such as invasion of privacy (employee and customer), sexual or other harassment (as defined by our harassment/discrimination policy), protection of proprietary recipes and preparation techniques, employees may NOT take, distribute, or post pictures, videos, or audio recordings while on working time. Employees also may not take pictures or make recordings of work areas. An exception to the rule concerning pictures and recordings of work areas would be to engage in activity protected by the National Labor Relations Act including, for example, taking pictures of health, safety and/or working condition concerns or of strike, protest and work-related issues and/or other protected concerted activities.
- Do NOT use [Company]'s (or any of its affiliated entities) logos, marks or other protected information or property for any business/commercial venture without the Communications Director's express written authorization.

- Do NOT make knowingly false representations about your credentials or your work.

Using Social Media at Work

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager and consistent with the [insert Equipment/Computer Usage Policy]. Do not use [Company] email addresses to register on social networks, blogs or other online tools utilized for personal use.

Media Contacts

Employees should not speak to the media on [Company]'s behalf without contacting the Communications Director. All media inquiries should be directed to them.

Events may occur at work that will draw immediate attention from the news media. It is imperative that one person speaks for the Company to deliver an appropriate message and to avoid giving misinformation in any media inquiry. Good reporters will identify themselves prior to asking questions. If a reporter asks you a question, respond like this: "I am not authorized to comment for [Company] (or I don't have the information you want). Let me have our Communications Director contact you."

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Enforcement

The company strongly urges employees to report any violations or possible or perceived violations to the [HR department]. Managers, or other appointed representatives, may take any of the following actions reasonably appropriate to the nature of the offense:

- Reprimand of the offending party or parties,
- Temporary reduction or suspension of computer system or mobile device privileges,
- Termination of employment, or
- For misuse amounting to criminal behavior, referral to the appropriate law enforcement agencies.

“The company strongly urges employees to report any violations or possible or perceived violations to the [HR department].”

Amendments

This Policy may be amended or revised from time-to-time. Employees will be provided with written copies of all amendments and revisions to this Policy. If you have questions or need further guidance, please contact your HR representative.

Employees may not list their company e-mail address unless the social networking site (such as LinkedIn), is used purely for professional purposes.

- All social media activities are subject to all existing Company policies and may be accessed by the Company for compliance monitoring at any time without prior notice. You are responsible for what you write or present electronically, including on social media. You can potentially face personal legal actions for the views and images you post that are defamatory, pornographic, proprietary, harassing, libelous, or create a hostile work environment. Failure to follow the guidelines stated here and other applicable Company policies in your social media activities can result in disciplinary action, up to and including termination of employment.

External Communications

Communication with all external audiences, including but not limited to reporters from newspapers, magazines and other media should be handled by authorized representative of Company Name (CEO, HR, Marketing Director, etc.). This external communication policy applies to press releases, reports to investors, speeches to industry groups, or any requests for information related to the operation of Company Name.

No Employee is authorized to respond to inquiries or discuss the financial or operating affairs of the Company with external audiences without specific authorization from one of the authorized persons.

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

“ No Employee is authorized to respond to inquiries or discuss the financial or operating affairs of the Company with external audiences without specific authorization. ”

Disciplinary Issues

Employee Concerns/Complaints

Company Name will handle all employee concerns/complaints as swiftly and confidentially to the extent possible in order to take appropriate corrective action. Lodging a complaint will not be used against the employee or have an adverse impact on the employee's employment status.

However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation and could result in termination of employment.

Company Name has established the following procedure for lodging a complaint:

1. An individual may file a complaint in writing with his/her supervisor or Human Resources (HR). No formal action will be taken against any person under this policy unless HR has received a written and signed complaint containing sufficient details to determine if the policy may have been violated. The employee may obtain the complaint form from the HR department.
2. Upon receiving a complaint or being advised by a supervisor or manager that violation of this policy may be occurring, HR will notify the company and review the complaint, with legal counsel if necessary.
3. Within five working days of receiving the complaint, HR will notify the person(s) charged of a complaint and initiate the investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred. HR, together with legal counsel or other management employees, will interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred.
4. Within 15 business days of the complaint being filed (or referred to HR), HR or the person conducting the investigation will conclude the investigation and submit a written report of his or her findings to the company.
5. If it is determined that violation of policy has occurred, HR will recommend appropriate disciplinary action.
6. If the investigation is inconclusive or if it is determined that there has been no violation of policy but potentially problematic conduct may have occurred, HR may recommend appropriate preventive action.
7. Within five days of conclusion of the investigation, HR will meet with the complainant and the respondent separately, notify them of the findings of the investigation, and inform them of the action being recommended.

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

8. Either party may submit statements to HR challenging the factual basis of the findings, within five days of the meeting
9. Within 10 days the notification of findings HR will report the company's decision to both parties and the appropriate management. The company's decision will be in writing and will include findings of fact and a statement for or against disciplinary action. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.

Disciplinary Action (Note: This disciplinary policy relies on specific conduct and levels of discipline. Attachment I contains an alternative policy.)

Company Name has adopted the following progressive discipline guidelines to provide a process to improve employee performance and prevent undesirable behavior and performance issues. Factors that will impact the disciplinary intervention include repeat offenses, work record, and the impact the offense has on the organization. The company reserves the right to impose disciplinary action, up to and including discharge, for other forms of misconduct that are not set forth in this section.

“ Factors that will impact the disciplinary intervention include repeat offenses, work record, and the impact the offense has on the organization. ”

It should also be understood that these four levels of disciplinary action are only a guide. The company reserves the right to decide, in its sole discretion, the level of discipline, including discharge, that it believes is appropriate based upon the particular facts. The Company reserves the right to combine or skip steps based on the nature of the offense and immediately terminate the employee, if it is appropriate to do so.

Level I	Verbal Warning
Level II	Written Warning
Level III	Suspension
Level IV	Termination

Verbal Warning

The following offenses will generally lead to the issuance of a Verbal Warning:

1. Being absent from work (without informing the supervisor)
2. Excessive Tardiness
3. Sleeping during working hours
4. Intoxication and/or consumption of alcoholic beverages or illegal drugs on company property.
5. Willful destruction or defacing of company property, or property of a fellow employee or a contractor of the company.
6. Failure to report an accident occurring on the job to the immediate supervisor
7. Failure to dress in a manner consistent with the professional requirements of the position as defined in this Manual
8. Failure to adhere to allotted time for lunch and breaks

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

9. Performing personal work during regular working hours without permission
10. Engaging in solicitation or distribution of literature during working time and/or in working areas
11. Removing company property without authorization

Written Warning

1. A second occurrence of any of the above violations initially warranting a verbal warning
2. Intoxication and/or consumption of alcoholic beverages or illegal drugs on company property.
3. Using violent or threatening language or behavior.
4. Threatening, intimidating, coercing, or otherwise interfering with the job performance of co-workers.
5. Use of profanity in the presence of a client or fellow employee
6. Possession of any weapons, explosives, or firearms while on the premises, or while engaged in business on behalf of the Company.
7. Gambling on company property.

Immediate Suspension

The following actions shall be sufficient grounds for the immediate suspension of the employee:

A third occurrence of any violation initially warranting a verbal warning or a second occurrence of any violation initially warranting a written warning.

1. Intoxication and/or consumption of alcoholic beverages or illegal drugs on

company property. An act of dishonesty, or failure to report an act of dishonesty, directed toward the company or its customers

2. Fighting on company premises
3. Deliberate destruction or damage to company property
4. Gross discourtesy to a client, or customer

Suspension shall be for a period of not less than two (2) days and not more than five (5) days, depending upon the nature of the infraction.

Immediate Termination

A fourth occurrence of any violation initially warranting a verbal or written warning, or the second occurrence of any violation initially warranting an immediate suspension.

1. Intoxication and/or consumption of alcoholic beverages or illegal drugs on company property.
2. Theft of Company property, or property of a fellow employee or client or customer of the Company.
3. Performance of any sexual or immoral act or activity on company property
4. Intentionally falsifying time record sheets or other official company records
5. Intentionally giving false or misleading information to obtain employment with the company
6. Possession of a weapon on company or customer property

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Whistleblower Policy

Sound governance policies and practices of Contractor Name require that its employees observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and directors of Contractor Name must practice honesty and integrity in fulfilling their responsibilities in complying with all applicable laws and regulations.

Reporting Responsibility

It is the responsibility of all employees of Contractor Name to report violations or suspected violations of Contractor Name's policies or applicable state or federal law in accordance with this Whistleblower Policy.

No Retaliation

No employee who in good faith reports a violation of Contractor Name's policies or applicable federal or state law, shall suffer harassment, retaliation or adverse employment consequence. Any retaliation against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment with Contractor Name or termination of their position as a director. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within Contractor Name prior to seeking resolution outside Contractor Name.

Reporting Violations

Any suspected violations of policies or law are to be reported in writing to Contractor Name's Executive Director.

If it is suspected that a member of management has violated this Policy, a report of this shall be made to the _____ board of directors. The person to whom a report is to be made under the preceding sentences is termed the "Investigator" in the following paragraphs.

Investigation

Contractor Name's Investigator is responsible for investigating and resolving all reported complaints and allegations concerning violations of this Policy and, at his/her discretion, shall advise the Board of Directors.

Confidentiality

Confidentiality cannot be guaranteed to an individual making a report. Reports of violations or suspected violations may be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation and find an adequate resolution of the matter.

Handling of Reported Violations

The Investigator will notify the sender and acknowledge receipt of the reported violation or suspected violation within _____ business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation. Legal counsel will be used as appropriate to the situation by

“Confidentiality cannot be guaranteed to an individual making a report.”

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

the Investigator to ensure that Contractor Name is protected from the legal risks arising out of any whistleblower claim.

Wage & Salary Policy

General Policies

Wages and salaries are an integral part of the Company's strategy for attracting and retaining skilled and motivated people. Wages and salaries are based on the needs of the company, the availability of qualified personnel in the local labor market, prevailing wage, and salary trends of the industry.

Adjustment to the wage and salary rates are made as needed based on labor market conditions, the cost of living, company financial performance, or other factors deemed appropriate by management.

Exempt Pay Policy

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455

per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

Salary Basis Requirement (As of November 2018)

To qualify for exemption subject to Department of Labor FLSA regulations, employees generally must be paid at not less than \$455 per week on a salary basis. These salary requirements do not apply to outside sales employees, teachers, and employees practicing law or medicine. Exempt computer employees may be paid at least \$455 on a salary basis or on an hourly basis at a rate not less than \$27.63 an hour.

Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Circumstances in Which the Employer May Make Deductions from Pay

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions (see Company Policy on penalties for workplace conduct rule infractions). Also, an employer is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

Company Policy

It is our policy to comply with the salary basis requirements of the FLSA. Therefore, we prohibit all company managers from making any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that the company does not allow deductions that violate the FLSA.

What to Do If an Improper Deduction Occurs

If you believe that an improper deduction has been made to your salary, you should

immediately report this information to your direct supervisor, or to [insert alternative complaint mechanism(s)].

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

Paydays

Employees are paid on a biweekly basis with payday being every other Friday. It is our policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws.

Review Your Pay Stub:

We make every effort to ensure our employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to our attention, we will promptly make any corrections necessary. If you believe a mistake has occurred or if you have any questions, please contact Human Resources.

Bonus & Incentive Compensation

If company financial performance allows, Company Name may provide bonus/incentive compensation to eligible employees.

Eligibility:

To be eligible for the bonus payment, an employee:

- Must have been employed for a minimum of 6 months
- Must have a satisfactory performance review

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

- Must be employed as of December 31 of the bonus plan year

The amount of the bonus pool is based on year-end company profit. Each eligible employee's bonus is computed as a percentage of wages or base salary received as of year-end. The payment will be taxed at the appropriate (IRS) rate plus applicable state rates for bonus payments.

The Bonus Plan is provided at the discretion of Company Name, with the right to administer, modify or terminate the plan with or without notice

Commission

Some positions within the company may be compensated by a commission based on sales procured. The rates of commission, as well as the required profit margins, will be given to each new sales employee at time of hire. The company reserves the right to change commission rates and profit margin requirements as needed to protect the financial integrity of the company or to serve any other legitimate business interest.

Company Name will pay commissions on a monthly basis and only on final sales. In order to receive a commission, an employee must be actively employed on the date payment is made. In no event will Company Name pay commissions later than one week from the date when the money is received for the sale. Company Name may provide a draw paycheck on the 30th day of the month. This draw is an advance against all commissions earned and will be deducted from the commission

“Company Name will pay commissions on a monthly basis and only on final sales.”

paycheck, which will be issued on the [___ day] of the following month. If an employee's draw exceeds his or her commissions in any given month, the shortage will be carried forward and deducted from the next available commission paycheck.

Commissions will be considered final after 30 days. If you have a question, problem or disagreement with the amount of commission paid on a sale, submit in writing the details of your issue to Human Resources within 30 days of the date the sale was finalized.

Reimbursable Expenses

Mileage: When asked to work or attend a meeting or training session at an office other than your normal “home base”, mileage will be paid between offices in compliance with the IRS Guidelines. Travel from home to work is not reimbursable. If you are required to attend a meeting or seminar at a different location on your way to work, any additional mileage beyond your “home base” is reimbursable. Travel to and from educational programs where attendance is generally voluntary is not reimbursable. A mileage expense form should be completed and approved by your immediate supervisor, prior to submitting to accounts payable.

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Lodging, Meals and Incidentals: Eligible employee's approved expenses for parking, meals, etc., are reimbursed with receipts and completion of Company expense form.

Per Diems: A per diem is a set amount of money, which may be paid to an employee to cover ordinary and necessary business expenses incurred, or reasonably expected to be incurred, by an employee for lodging, meals and incidentals while traveling away from home overnight. Per diems do not cover travel time. Per diems are not used if the employee will be returning to his or her home the same day. An employee is not to put lodging, meals or incidentals on a Company credit card if they are receiving a per diem for the same.

Payroll Deductions

The Company will make deductions from employees' salaries and wages, authorized by the employee (i.e.; employee's health plan premiums, voluntary contributions to a 401(k) plan), or as required by law, (i.e.; taxes, garnishments and other court-ordered payments).

Performance Reviews and Promotion of Personnel

Performance Reviews

Performance reviews occur periodically throughout the employee's orientation period, which is generally three months. Thereafter, employees are reviewed annually on their anniversary date or following a transfer or promotion. Either the direct supervisor or Human Resources may conduct performance reviews. During these performance reviews,

an employee's strengths and weaknesses will be discussed as well as goals for the future, specific problems, areas of improvement, grievances and any suggestions an employee may have regarding his/her job or the company in general.

Should there appear in the performance of an employee a marked change that is not disciplinary in nature; an unscheduled performance evaluation may be held at any time. The intent of such an evaluation is to bring the employee's attention to a decline in performance and then to identify ways and means of correcting that decline.

Our objectives in conducting these reviews are:

1. To verify the employee is fully aware of his/her duties and responsibilities
2. To review with the employee, the actual level of performance
3. To identify and further develop individual employee strengths through training, job assignment, and experience
4. To determine areas where performance can be improved and to suggest specific methods by which such improvement can be accomplished
5. To motivate the employee to strive for greater productivity
6. To identify employees who have advancement potential

“ An unscheduled performance evaluation may be held at any time. ”

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Salary Review

Salary reviews are ordinarily conducted on an employee's anniversary date to coincide with the annual performance review. If a salary adjustment is to occur, the adjustment normally takes effect the first pay period following an employee's anniversary date. There are no guarantees of salary increases.

Promotions and Internal Transfers

It is Company Name's policy to fill vacancies or newly created positions with the most competent person available, either presently employed or a new hire. Employees with more than twelve months of service may request consideration of transfer to other jobs as vacancies become available and will be considered along with other applicants. Management will give thorough consideration to the transfer or promotional status of current employees, taking into consideration their qualifications as well as qualifications prior to joining the Company Name. To be considered for transfer or promotion, in addition to holding their current position for 12 months, employees must also have a satisfactory performance record and no disciplinary actions during the last 12 months. Most vacancies will be posted through the Company Name's email system. Management retains the discretion to make exceptions to this policy.

Personnel Records

Company Name makes every effort to protect Employee privacy rights and interests and prevent inappropriate or unnecessary

disclosures of information from an Employee's file. Company Name maintains personnel records for each employee, including personal information that is critical for benefits, in a secure file. Employees are responsible for notifying the Human Resources Department within 30 days with any changes in marital status, number of dependents/change of status or address of dependents, and beneficiary information. Employee records are confidential to the highest degree possible and access is limited. If you are interested in reviewing your personnel file, please contact the Human Resources Department to make appropriate arrangements. (NOTE: Refer to your state-specific laws regarding personnel records.)

Any requests for information regarding a current or former Company Name employee, either written or over the telephone, must be referred to the Human Resources Department. Under no circumstances should any employee other than Human Resources release any information about a current or former Company Name employee.

Employee Development

Position Descriptions

In order to support our Hiring and Employment Policies, Company Name believes position descriptions are important tools for documenting the requirements of and skills necessary to successfully perform on the position. The Company has documented position descriptions for all position classifications. Upon hire, an Employee is provided with a copy of the position description for his/her position. The requirements of this

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

“The requirements of this position description serve as the outline for performance reviews.”

position description serve as the outline for performance reviews.

- Position descriptions will be developed for positions prior to initiating the hiring process.
- Position descriptions will be reviewed and modified within a reasonable period of time if there is a change in the essential duties of the position.
- Position descriptions shall be reviewed, and modified as necessary, on an annual basis by Human Resources.
- Employees may obtain copies of position descriptions upon request from Human Resources to assist with employee preparation for promotion or transfer to a new position.

Refer to Sample Position Description in Appendix B.

Mentoring

Company Name is committed to the ongoing personal and professional development of our employees. We encourage the use of mentoring, a process where less experienced employees are matched with more experienced colleagues, to gain knowledge, skills, experience, information and advice. Every employee at any job level may participate and benefit from a mentoring relationship.

A successful mentoring program is a commitment that requires, confidentiality and clear, open, two-way communication. The conversation/request for a mentor is initiated during the performance review between an employee and his/her supervisor. The supervisor and Human Resources will identify a suitable mentor and develop a mentoring action plan that includes recommended goals and outcomes.

The willingness to mentor employees is an expectation of all employees with supervisory responsibility.

Internal and External Educational/Training Opportunities

Company Name encourages the continuous learning of employees. The Company establishes an annual Training and Development Plan and Budget. The Training and Development Plan identifies organization and functional knowledge and skill development that is required for job specific training, career development and educational development.

- Job specific training - training and development that increases employee skills and abilities to meet the requirements of the current position
- Career development - training and development that build employee

“Company Name encourages the continuous learning of employees.”

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

competencies to prepare them for future positions

- Educational development - courses through a credited educational institution (often a separate policy is established to deal with educational leave and tuition)

Training and Development programs include internal and external opportunities for:

- Classroom training
- Online training
- Video training
- Conferences and seminars

Supervisors, through the performance review process, identify with input from employees, the need to attend Training and Development programs that will result in the acquirement of the necessary knowledge and skills. Employees may also request to attend conferences, meetings or training sessions that will further their personal career development. The supervisor and Human Resources approves employee attendance at all Training and Development Programs that result in a company-paid expense or interruption of work hours.

Educational Assistance

Employees who have a minimum of one year of service are encouraged to attend a Training & Development Program once a year on a subject within the scope of their employment duties. This is a demonstration of the Company's intent to keep our employees knowledgeable and up to date on current trends. The company

reserves the right to mandate employees to attend such training if the Company finds an applicable program that would benefit multiple employees or departments.

The Program must be approved, following the above guidelines, before any registration or travel reservation is made.

Educational Reimbursement (fees, per diem and travel expenses)

Mileage: Travel to and from educational programs where attendance is generally voluntary is not reimbursable. If not voluntary training, Company rules on mileage do apply. Refer to Reimbursable Expenses in the Appendix.

Lodging, Meals and Incidentals: Refer to Reimbursable Expenses in this Manual.

Certifications/Licenses

The nature of Company Name's work requires that some employees maintain specific certificates and licenses. The Company will reimburse 100% of required licensing and certification fees and preparation courses. Other industry-recognized certifications and preparation courses will be considered for reimbursement. Requests should be given to a supervisor during the Performance Review or Human Resources.

With supervisor's approval, employees are allowed paid time off to sit for professional certification and/or licensing examinations.

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

Company Sponsored Memberships

Company Name encourages all employees to network with industry and community professionals and to enhance knowledge, recognizing the potential opportunity it creates for the Company. Employees may join associations/organizations that enable them to remain current with industry best practices and further develop community/customer relationships.

Full-time employees may submit a request to their supervisor during the Performance Review to join associations/organizations as a representative of the Company. In order for the membership fees to be paid by the company, the association must have a direct relationship to the job performed by the employee. If approved, the employee is to submit the membership application to Human Resources for payment.

Expenses incurred from participation in the association/organization must be submitted on the proper expense report form with a receipt.

Separation from Employment

General Policies

Separation of employment with Company Name can occur for several different reasons:

- ***Resignation:*** Company Name understands that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide two weeks notice or more in order to facilitate a smooth transition. Employees who provide a two

“Employees may join associations/organizations that enable them to remain current with industry best practices and further develop community/customer relationships.”

week notice of resignation will be paid out any accrued unused vacation time and will be eligible for rehire. Employees who do not give a two-week notice will be eligible for payout of accrued vacation and will be ineligible for rehire.

- ***Retirement:*** Employees who wish to retire are asked to notify the Company in writing at least one month before planned retirement date.
- ***Position Abandonment:*** Employees who fail to report to work or contact their supervisor for three consecutive workdays shall be considered to have abandoned the position without notice, effective at the end of their normal shift on the third day. Employees who are separated due to position abandonment are ineligible to receive accrued benefits and are ineligible for rehire.
- ***Termination:*** As stated above, employees are employed on an “at-will” basis and Company Name retains the right to involuntarily terminate an employee at any time for any reason, with or without notice

SECTION 2: COMPANY RULES & REGULATIONS *Continued*

- **Temporary Layoff:** Whenever a layoff of personnel becomes necessary, affected employees will be notified as far in advance as possible.

Employees will be protected from layoff on the basis of their abilities and qualifications, the personnel needs of the company, and their seniority (in descending order of importance). Laid-off employees will be entitled to the same terminal benefits as employees who resign in good standing.

Reinstatement/Rehire

Former employees who have left Company Name in good standing may be eligible for rehire. Former employees must follow all applications instructions/processes/procedures and will be considered with all other applicants for hire.

SECTION 3: GROUP INSURANCE, RETIREMENT PLAN AND STATUTORY BENEFITS

Employees should refer to the Summary Plan Description for the current listing of benefits available to eligible employees.

Eligibility

Company Name offers health and welfare benefits for full-time Employees who work at least 30 hours per week. The effective date of these benefits is the 31st day of employment.

You may enroll for this coverage during the initial enrollment period, annual enrollment, or if you experience a qualifying event (marriage, divorce, the birth or adoption of a child, the death of a covered dependent, termination of coverage under your spouse's employer, or your spouse obtaining alternate medical coverage).

Note: The Human Resources Department must be notified within 30 days of the qualifying event. Refer to the Summary Plan Description Booklets for details and eligibility requirements

The Company may modify or terminate any insurance plan at any time without notice.

Employees Covered by Collective Bargaining

Employees who are covered by collective bargaining agreements should refer to those agreements for information regarding benefits and terms and conditions of employment.

HIPPA Privacy & Affordable Care Act

HIPPA Privacy: Company Name is committed to compliance with the Standards for Privacy of Individually Identifiable Health Information as set forth by the Health Insurance Portability and Accountability Act (HIPAA Privacy Act). The regulations require that all personally

“Company Name offers health and welfare benefits for full-time Employees.”

identifiably health information that is received by or generated from a Covered Entity have certain limitations and protections put on their use and disclosure. Covered Entities are defined as health plans, health care clearinghouses and health care providers. As a Plan Sponsor of a group health plan, we are required to make sure our health plans follow these requirements.

Not all personally identifiable health information is subject to the HIPAA Privacy requirements. Only our health plans, which include medical, dental, vision and health flexible spending account fall under this rule. Please be assured that all of your other health information, though not subject to these particular regulations, is and always has been protected and kept in confidence.

Group (Medical/Dental/Vision) Insurance

Health: Group health insurance is available to all regular full time employees working at least thirty hours per week. New employees are eligible for health coverage the first day of the month following date of full time employment. Operation of the plan is contracted to third-party providers.

The Company offers annual open enrollment to the group health plan. If you choose not to participate in the group health plan when you first become eligible, you may be eligible to

SECTION 3: GROUP INSURANCE, RETIREMENT PLAN AND STATUTORY BENEFITS *Continued*

participate at a later date due to a qualifying event such as family status change or through a loss or change in current coverage if it is outside of the annual open enrollment period. Any changes generally must be made within 30 days from the change of status.

Details with respect to plan benefits, claim procedures, and limitations can be found in the summary plan description. The plan document controls payment of any benefits. Each employee will be responsible for a portion of the required premium for the health plan chosen.

Dental: Group dental insurance is available to all regular full time employees working at least thirty hours per week. New employees are eligible for dental coverage the first day of the month following date of full time employment. Operation of the plan is contracted to third-party providers.

The plan offers annual open enrollment to the group dental plan. If you choose not to participate in the group dental plan when you first become eligible, you may be eligible to participate at a later date due to a qualifying event such as family status change or through a loss or change in current coverage if it is outside of the annual open enrollment period. Any changes generally must be made within 30 days from the change of status.

Details with respect to plan benefits, claim procedures, and limitations can be found in the summary plan description. The plan document controls payment of any benefits. Each employee will be responsible for a portion of the required premium for the dental plan chosen.

Vision: Group voluntary vision insurance is available to all regular full time employees working at least thirty hours per week. New employees are eligible for vision coverage the first day of the month following date of full time employment. Operation of the plan is contracted to third-party providers.

The plan offers annual open enrollment to the group dental plan. If you choose not to participate in the voluntary vision plan when you first become eligible, you may be eligible to participate at a later date due to a qualifying event such as family status change or through a loss or change in current coverage if it is outside of the annual open enrollment period. Any changes generally must be made within 30 days from the change of status.

Details with respect to plan benefits, claim procedures, and limitations can be found in the summary plan description. The plan document controls payment of any benefits. The vision plan is completely voluntary and each employee who elects vision insurance will be responsible for the entire premium for the vision plan elected.

Flexible Benefits Plan

Company Name offers a Flexible Benefits Plan. Participation in the plan allows employees to pay for such things as health and dental insurance premiums, child care and other qualifying medical costs with pre-tax dollars.

Employees are eligible to enroll in the Health Care and/or Dependent Care Reimbursement Accounts the first day of the month following date of full time employment. Details and

SECTION 3: GROUP INSURANCE, RETIREMENT PLAN AND STATUTORY BENEFITS *Continued*

signup sheets are available through the Human Resources Department.

Employee Assistance Program

Through the employee assistance program (EAP), the Company provides employees with confidential access to professional counseling services. The EAP is available to all employees and their immediate family members. The EAP is strictly confidential and is designed to safeguard an employee's privacy and rights. There is no cost to consult with the EAP and available counselors. If further counseling is necessary, the EAP counselor will outline community and private services available, however, those services may have costs associated with them. Any costs outside the EAP will be the responsibility of the employee.

Cobra Continuation

An employee who experiences a "qualifying event" such as termination, reduction in hours, or military leave may be eligible to continue coverage under the Company's group plan for a limited period of time. To obtain COBRA coverage, the employee is required to pay the monthly premium in accordance with state and federal law. Employees may also be eligible for coverage on the Health Insurance Marketplace. If you have questions about continuing coverage, contact the Human Resources Department.

Life Insurance

Company Name provides Group Term Life insurance for all regular full time employees working at least thirty hours per week. You are eligible for coverage the first day of the first full

month following date of hire. The amount of the policy is double your annual base salary or wages. The Company pays the entire premium. In the event of your death, this insurance is payable to the beneficiary on record; therefore, it is important you notify the Human Resources Department to any beneficiary changes you care to make.

The Company has open enrollment for voluntary life insurance for employee, spouse and children. Notify the Human Resources Department for further information.

Supplemental Life Insurance

Supplemental life insurance is available on a voluntary basis for coverage of the employee, spouse and other relatives. Enrollment in this program occurs on annual basis, and interested employees should contact Human Resources.

Social Security/Medicare (FICA)

The Company shall make payroll deductions for FICA (Social Security and Medicare), and make appropriate FICA contributions, for eligible employees, following governing regulations. FICA and Medicare are federally mandated taxes withheld from employees' paychecks and a tax paid by the employer.

Short and/or Long-Term Disability Insurance

The Company provides a salary continuation plan for all regular full time employees working at least thirty hours per week. This policy provides an income for insured employees who are disabled and unable to work. The Company pays the premium, however in order for the benefit to be tax free, the premium is processed as a payroll deduction and the employee is

SECTION 3: GROUP INSURANCE, RETIREMENT PLAN AND STATUTORY BENEFITS *Continued*

reimbursed. Details and eligibility requirements are found in the group insurance policy.

The Company has open enrollment for voluntary short-term disability insurance. Notify the Human Resources Department for further information.

Workers Compensation Insurance

In accordance with our State's Worker's Compensation Law, the Company carries insurance for all its employees for injuries or illness arising from or occurring during the course of employment. The Company pays for premiums for this insurance.

Any accident or injury should be reported immediately to your supervisor, Risk Management and the Human Resources Department. Proper forms must be filed with the insurance company and the State within certain time limits in order to be eligible for benefits.

In the event of lost time due to a work-related injury or illness, you must use sick or vacation for the waiting period as defined by the state in which the injury or illness occurred (or as defined by the state in which you were hired, if reciprocity exists). Any time used during working hours for treatment or doctor visits will be treated as sick time.

“ Any accident or injury should be reported immediately to your supervisor, Risk Management and the Human Resources Department. ”

Unemployment Insurance

The State and Federal governments collect funds from employers to pay unemployment compensation. Full-time, part-time and temporary personnel are covered by this employment plan so that, in the event of a layoff, the employer's money is returned by the state in weekly payments to the worker as unemployment compensation. The cost of this coverage is paid by the Company.

Retirement Savings Plan

The Company, through its qualified retirement plan, wants to provide you with an opportunity to share in the earnings which are produced by your work, while at the same time providing for the accumulation of funds to assist in maintaining your accustomed standard of living in retirement.

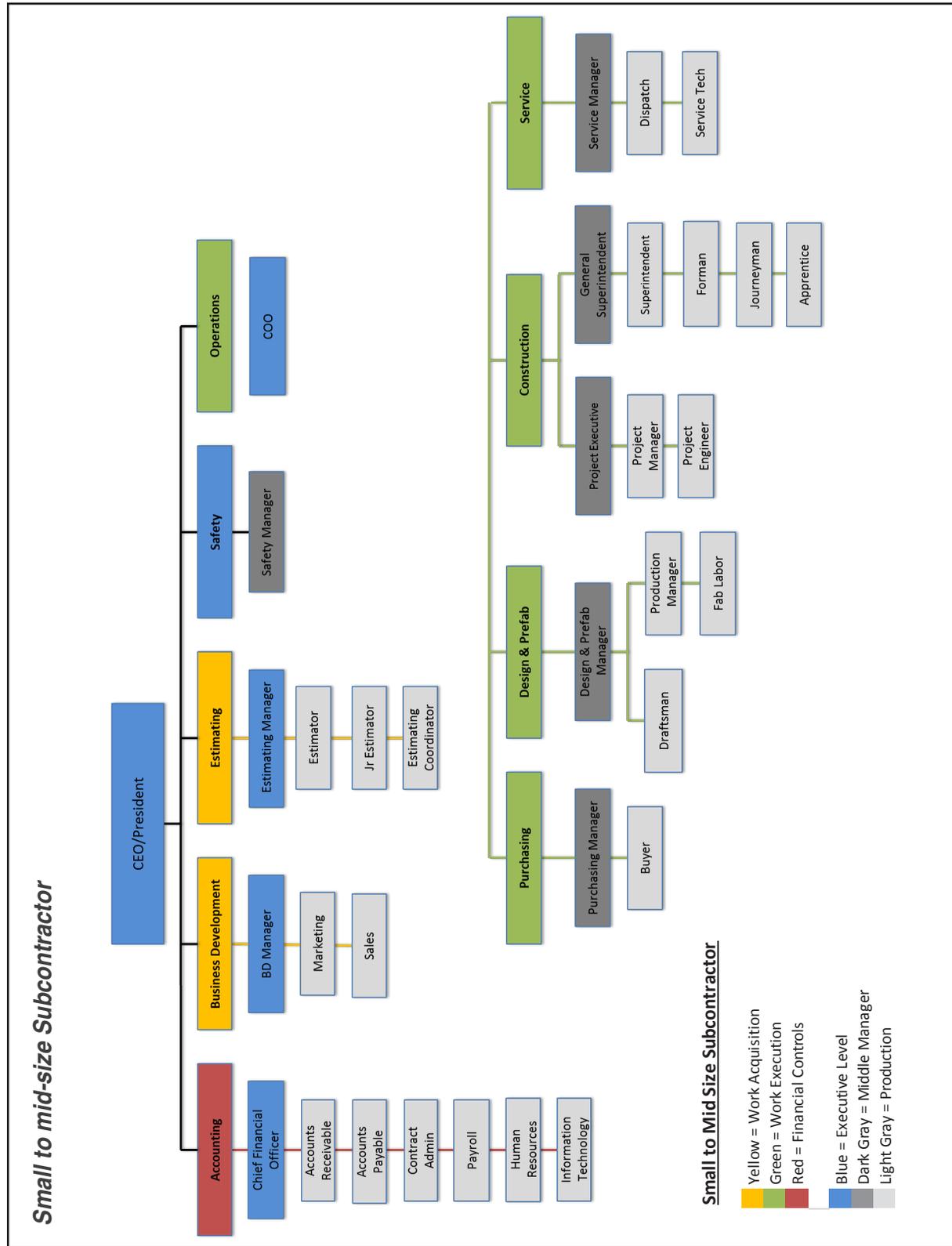
Based on annual earnings, the Company may contribute a percentage of each employee's salary to the Profit Sharing Plan. The Company's contribution is reviewed annually by the Board of Directors. After eligibility is met, participation is automatic.

Eligible employees may elect to participate in the Company's 401(k) Plan. Under this plan an employee may elect to defer up to 50% of his or her salary pretax or post-tax, with certain IRS limitations.

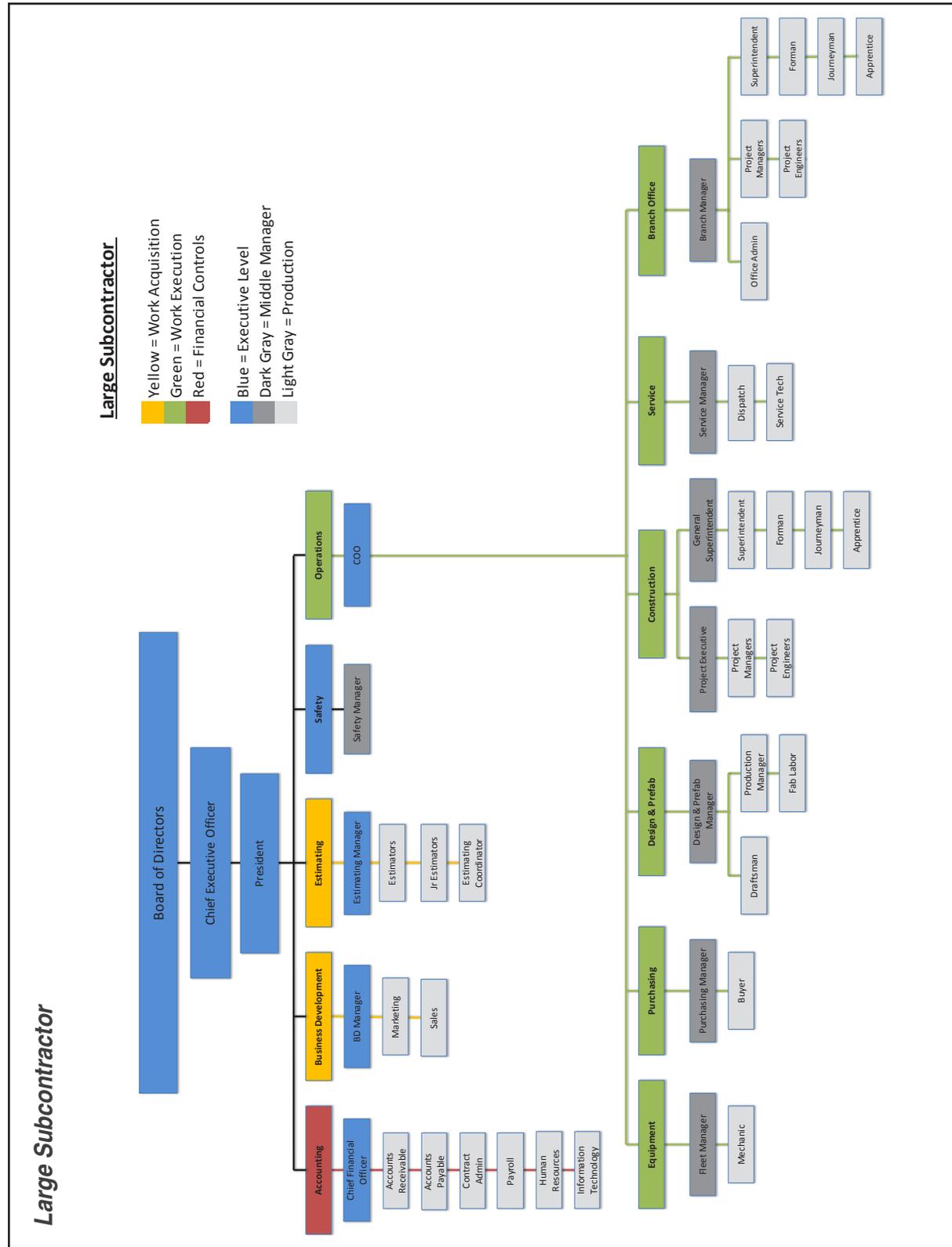
For those eligible employees, the Company provides an employer match contribution.

Details and records of the above plans are kept by the Human Resources Department, and are available upon request.

APPENDIX A – SAMPLE ORG CHART



APPENDIX A – SAMPLE ORG CHART *Continued*



APPENDIX B – JOB DESCRIPTION TEMPLATE

This template provides the major categories that you should include in your job descriptions along with an explanation of what to include in each category.

Job title	<i>The formal title of the position</i>
Reports to	<i>The title of the position that the job incumbent reports to</i>

Job purpose

Provide a brief description of the general nature of the position; an overview of why the job exists; and what the job is to accomplish.

- The job purpose is usually no more than four sentences long

Duties and responsibilities

List the primary job duties and responsibilities using headings and then give examples of the types of activities under each heading. Using headings and giving examples of the types of activities to be done allows you to develop a flexible job description that encourages employee to ‘work outside the box’ and within reason, discourages “that’s not my job”.

- Identify between three and eight primary duties and responsibilities for the position
- List the primary duties and responsibilities in order of importance
- Begin each statement with an action verb
- Use the present tense of verbs
- Use gender neutral language such as s/he
- Use generic language such a photocopy instead of Xerox
- Where appropriate use qualifiers to clarify the task – where, when, why or how often – for example instead of “greet visitor to the office” use “greet visitors to the office in a professional and friendly manner”
- Avoid words that are open to interpretation – for example instead of “handle incoming mail” use “sort and distribute incoming mail”

APPENDIX B – JOB DESCRIPTION TEMPLATE *Continued*

Qualifications

State the minimum qualifications required to successfully perform the job. These are the qualifications that are necessary for someone to be considered for the position.

All qualifications must comply with provincial human rights legislation.

Qualifications include:

- Education
- Specialized knowledge
- Skills
- Abilities
- Other characteristics such as personal characteristics
- Professional Certification
- Experience

Working conditions

If the job requires a person to work in special working conditions this should be stated in the job description. Special working conditions cover a range of circumstances from regular evening and weekend work, shift work, working outdoors, working with challenging clients, and so forth.

Physical requirements

If the job is physically demanding, this should be stated in the job description. A physically demanding job is one where the incumbent is required to stand for extended periods of time, lift heavy objects on a regular basis, do repetitive tasks with few breaks, and so forth.

Direct reports

List by job title any positions to be supervised by the incumbent.

Approved by:	<i>Signature of the person with the authority to approve the job description</i>
Date approved:	<i>Date upon which the job description was approved</i>
Reviewed:	<i>Date when the job description was last reviewed</i>

Ideally, a job description should be reviewed annually and updated as often as necessary.

APPENDIX C – 90 DAY PERFORMANCE REVIEW

90-DAY PERFORMANCE REVIEW FORM

(Manager to Complete)

Employee Name: _____ Department: _____

Current Date: _____ Date of Employment: _____

Title: _____

Current Evaluation Period: From: _____ To: _____

Current Evaluator Name/Title: _____

Work Performance

Work Performance	1. Unacceptable 3. Good	2. Fair 4. Superior
Client Service Skills	Comments	1 2 3 4
The ability to develop client relationships by making an effort to listen to and understand the client. The ability to anticipate and provide solutions to client needs and give high priority to client satisfaction.		
Team Work Skills	Comments	1 2 3 4
The ability to develop relationships with co- workers and to contribute to group solutions. The effort put forward to making our company a better place to work for everyone.		
Quality of Work	Comments	1 2 3 4
The value of work produced by the employee and the thoroughness, accuracy, neatness, and acceptability of the work completed. Ability to work under pressure and learn from previous mistakes. Accurately checking processes and tasks and handling issues in a timely manner.		
Judgment and Decision Making	Comments	1 2 3 4
The ability to think logically and practically before making decisions. Use of independent thought, originality, and reasoning. Ability to prioritize work and timely implementation of workable solutions to problem. The ability to handle confidential information.		

APPENDIX C – 90 DAY PERFORMANCE REVIEW *Continued*

90-Day Performance Review Form	
Work Performance	1. Unacceptable 3. Good 2. Fair 4. Superior
Initiative	Comments 1 2 3 4
The demonstrated willingness to make significant contributions with little direction, voluntarily start projects, attempt non-routine jobs and tasks. Energy, enthusiasm, and ingenuity. The exercise of judgment and independent actions within limits of authority. The degree to which the employee is self starting and proactive.	
Dependability/Punctuality	Comments 1 2 3 4
The thoroughness demonstrated by the employee in following through on assignments and instructions in a reliable, trustworthy, and timely manner. Overall attendance and adherence to work schedules, office hours.	
Progress	
How well has the employee integrated self into current position? _____	

APPENDIX C – 90 DAY PERFORMANCE REVIEW *Continued*

90-Day Performance Review Form

Overall Results of Performance Appraisal

Based upon the attached evaluation, the overall performance rating of this employee is:

_____ (Rating #) Exceeds Standards: Superior performance in meeting employee objectives.

_____ (Rating #) Meets Standards: Satisfactory performance in meeting employee objectives.

_____ (Rating #) Meets Minimum Standards: Minimum performance in meeting employee objectives.

_____ (Rating #) Below Standards: Unacceptable performance in meeting employee objectives.

Development

State the agreed upon goals to be accomplished during the next rating period. Include agreed upon actions and time frames to be observed in attaining these goals:

Goals (Improvement/Achievement)	Actions/Objectives	To Be Completed (Mo/Yr)

APPENDIX C – 90 DAY PERFORMANCE REVIEW *Continued*

90-Day Performance Review Form

What steps can employee take to prepare for or enhance opportunities for future advancement?
Include actions to be taken by reviewer to assist employee in accomplishing these steps:

Date of next performance review: _____

Signatures:

Reviewer Date

Employee Date

Employee Comments: _____

APPENDIX C – 90 DAY PERFORMANCE REVIEW *Continued*

90-Day Performance Review Form

(Employee to complete)

Employee Name: _____ Department: _____

Current Date: _____ Title: _____

Current Evaluator Name/Title: _____

Check appropriate answers and comments to below.

Do you understand the requirements of your job? Yes Partly No

Do you feel your training has been adequate to successfully complete your job? Yes Partly No

Do you have regular opportunities to discuss your work and objectives with your manager? Yes Partly No

Would you like to have more informal meetings with your manager than you are currently having? Yes Partly No

Do you have any skills, aptitudes, or knowledge not fully utilized in your job? _____

If so, what are they and how could they be used? _____

Is there any special help or “coaching” you would like from your manager? _____

How well does your position satisfy your personal/professional goals? _____

What training, career, or future job opportunities are of interest to you? _____

Please summarize your thoughts/feelings about your employment with our company. _____

Additional remarks, notes, questions, or suggestions. _____

Employee’s Signature _____ Date _____

APPENDIX D – FAMILY AND MEDICAL LEAVE

FAMILY AND MEDICAL LEAVE

Eligibility

To qualify to take FMLA leave under this policy, an employee must meet all of the following conditions:

- Have worked for the Employer for 12 months (or 52 weeks) prior to the date the leave is to commence. The 12 months or 52 weeks need not have been consecutive; however, the Employer will not consider any service 7 years prior to the employee's most recent hire date.
- Work at a worksite that has 50 or more employees within a 75 mile radius.
- Have worked at least 1,250 hours during the 12-month period prior to the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act ("FLSA") determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

Types of Leave Covered

Leave will be granted to all eligible employees (male and female) for any of the following reasons:

- The birth of a child, including prenatal care, or placement of a child with the employee for adoption or foster care;
- To care for a spouse, minor child or parent who has a serious health condition;

- Due to a serious health condition that makes the employee unable to perform the essential functions of the position; and
- A covered military member's active duty or call to duty or to care for a covered military member (Military Caregiver and Qualified Exigency Leave) (described below).

Definitions

- "Caring" for a covered family member includes psychological as well as physical care. It also includes acquiring care and sharing care duties.
- An eligible "child" is defined as a person under 18 years of age (or a person incapable of self-care because of a physical or mental disability) who is a biological, adopted, foster, or step child, a ward of the employee, or a person with whom the employee is charged with a parent's rights, duties and responsibilities.
- An eligible "parent" includes a biological parent or a person who was charged with parental rights, duties and responsibilities over the employee when the employee was under the age of 18; "parent" doesn't include in-laws.
- "Serious Health Condition" as defined under the FMLA means an illness, injury, impairment, or physical or mental condition that involves one of the following:
 - Hospital Care: Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
 - Pregnancy: Any period of incapacity due to pregnancy, prenatal medical care or child birth;

APPENDIX D – FAMILY AND MEDICAL LEAVE *Continued*

- **Absence Plus Treatment:** A period of incapacity of more than three consecutive calendar days that also involves continuing treatment by or under the supervision of a health care provider.
- **Chronic Conditions Requiring Treatments.** An incapacity from a chronic condition which requires periodic visits for treatment by a health care provider, continues over an extended period of time and may cause episodic rather than a continuing period of incapacity;
- **Permanent/Long-term Conditions Requiring Supervision;**
- **Multiple Treatments:** Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider.
- “Incapacity” means inability to work, attend school or perform other regular daily activities.

Length and Amount of Leave

The length of FMLA leave is not to exceed twelve (12) weeks in any twelve (12) month period. The leave year is calculated based on a _____. (Rolling backward) (Fixed or calendar date) (Looking forward).

The entitlement to FMLA leave for the birth or placement of a child for adoption expires twelve (12) months after the birth or placement of that child.

How Leave May be Taken

FMLA leave may be taken in 12 (or less) consecutive weeks, may be used intermittently (a day periodically when needed) or may be used to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks.

Intermittent Leave may be taken when medically necessary for the employee’s serious health condition or to care for a seriously ill family member. Intermittent leave must be documented in the medical certification form as medically necessary.

If an employee is taking leave intermittent or leave on a reduced schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as to not disrupt the Employer’s business.

In instances when intermittent or reduced schedule leave for the employee or employee’s family member is foreseeable or is for planned medical treatment, including recovery from a serious health condition, the Employer may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

Intermittent/reduced scheduled leave may be taken to care for a newborn or newly placed adopted or foster care child only with the Employer’s approval.

APPENDIX D – FAMILY AND MEDICAL LEAVE *Continued*

Notice

All employees requesting FMLA leave must provide written or verbal notice of the need for the leave to _____.

When the need for the leave is foreseeable, the employee must give verbal or written notice to his/her supervisor at least thirty (30) days prior to the date on which leave is to begin.

If thirty (30) days' notice cannot be given, the employee is required to give as much notice as practicable, including following required call-in procedures.

If an employee fails to give thirty (30) days' notice for a foreseeable leave with no reasonable explanation for the delay, the leave may be denied until thirty (30) days after the employee provides notice.

Certification and Documentation Requirements

For leave due to an employee's serious health condition or a family member's, the Employer will require the completion of a Medical Certification form by the attending physician or practitioner. The form must be submitted to the Employer Administrator within fifteen (15) calendar days after requested. If the form is not submitted in a timely fashion, the employee must provide a reasonable explanation for the delay. Failure to provide medical certification may result in a denial or delay of the leave.

The Employer may require an employee obtain a second opinion from a provider which the Employer selects. If necessary to resolve a conflict between the original certification and the second opinion, the Employer may require

the opinion of a third doctor. This third opinion will be considered final. An employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

When Leave is due to an employee's own serious health condition, a fitness for duty certification (FFD) may be required before an employee can return to work. Failure to timely provide such certification may eliminate or delay an employee's right to reinstatement under the FMLA.

If an employee is using intermittent leave, and reasonable safety concerns exist regarding the employee's ability to perform his or her duties, a FFD certificate may be required as frequently as every 30 days during periods when the employee has used intermittent leave.

Recertification

Recertification of the need for leave may be required if the employee requests an extension of the original length approved by the Employer or if the circumstances regarding the leave have changed. Recertification may also be required if there is a question as to the validity of the certification or if the employee is unable to return to work due to the serious health condition.

Reinstatement

Employees returning from Family and Medical Leave will be reinstated in the same position or a position equivalent in pay, benefits and other terms and conditions of employment.

An employee's reinstatement rights are the same as they would have been had

APPENDIX D – FAMILY AND MEDICAL LEAVE *Continued*

the employee not been on leave. Thus, if an employee's position would have been eliminated or an employee would have been terminated but for the leave, the employee would not have the right to be reinstated upon return from leave.

Notice of Intent to Return from FMLA Leave

The Employer requires an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Effect on Benefits

An employee granted leave under this policy will continue to be covered under the Employer's group health and dental insurance plan under the same conditions and at the same level of City contribution as would have been provided had they been continuously employed during the leave period. All paid benefits run concurrently with unpaid FMLA benefits. For example, STD benefits, if available, will run concurrently with unpaid FMLA leave so that an employee will receive STD benefits while taking up to 12 weeks of FMLA leave. If there are changes in the Employer's contribution levels while the employee is on leave, those changes will take place as if the employee were still on the job.

The employee will be required to continue payment of the employee portion of group insurance coverage while on leave. Arrangements for payment of the employee's portion of premiums must be made by the employee with the Employer.

Failure to Return to Work after FMLA

Under certain circumstances, if the employee does not return to work at the end of the FMLA leave for at least 30 calendar days, the Employer may require the employee to repay the portion of the monthly cost paid by the Employer for group health plan benefits. The Employer may also require the employee to repay any amounts the Employer paid on the employee's behalf to maintain benefits other than group health plan benefits.

If an employee does not return to work following 12 weeks of FMLA leave, the employee may be subject to COBRA continuation.

If the employee fails to pay the Employer a portion of the premiums for which he or she is responsible during the FMLA leave and the employee fails to return to work, coverage may end. Loss of coverage for failure to pay premiums is not a qualifying event for purposes of continuation coverage under COBRA.

If the employee does not return from the FMLA leave and coverage ended sometime during the FMLA leave due to lack of payment, there is no COBRA election available. For COBRA to apply, the employee must have been covered on the day before the qualifying event. In this situation, the qualifying event would occur at the time the employee did not return from the leave.

Activities Prohibited During FMLA

While on leave, an employee may not engage in activities (including employment) which have the same or similar requirements and essential functions of an employee's current position.

APPENDIX D – FAMILY AND MEDICAL LEAVE *Continued*

While on leave, an employee may not engage in any activity that conflicts with the best interests of the Employer. Such conduct will result in disciplinary action up to and including termination of employment.

Use of Accrued Paid Leave or Compensatory Time During Family and Medical Leave

Prior to taking unpaid FMLA leave employees must use all accrued sick leave and vacation leave (*annual leave*) time prior to taking an unpaid leave unless their medical condition/ injury is covered by worker's compensation or the absence qualifies under the state Parental Leave law (see Parental Leave Policy).

Any paid disability leave benefits or sick leave available to employees for covered reason (an employee's serious health condition or a covered family member's serious health condition, including workers' compensation leave (to the extent that it qualifies) will run concurrently with FMLA.

Additional Leave

Employees who cannot return from an approved FMLA leave at the end of the approved leave period may request an extension (up to the maximum of twelve (12) weeks allowed under FMLA). If the twelve (12) FMLA weeks have already been used, the employee can request to go on a regular unpaid leave of absence. If approved, before unpaid leave begins the employee must use any accrued sick leave or vacation leave (*annual leave*) that remains. If the leave is approved and unpaid, the employee will be required to pay the full cost of all group

insurance, as provided under COBRA, in order to continue coverage.

If the unpaid leave of absence is not approved or the employee fails to request additional leave, the employee will be considered to have voluntarily resigned. If circumstances beyond the employee's control prevented the employee from requesting additional leave, a retroactive leave request may be allowed, subject to the Employer Council's approval.

FMLA — QUALIFIED EXIGENCY AND MILITARY CAREGIVER LEAVE

Qualified Exigency: Eligible employees (described above) whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service.

The qualifying exigency must be one of the following: (1) short-notice deployment, (2) Military events and activities, (3) child care and school activities, (4) financial and legal arrangements, (5) counseling, (6) rest and recuperation, (7) post-deployment activities and (8) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Military Caregiver Leave: An employee eligible for FMLA leave (described above) who is the spouse, son, daughter, or parent, or next of kin of a covered servicemember may take up to 26 weeks in a single 12-month period to take care of leave to care for that servicemember.

APPENDIX D – FAMILY AND MEDICAL LEAVE *Continued*

The family member must be a current member of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

Definitions:

- A “son or daughter of a covered servicemember” means the covered servicemember’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.
- A “parent of a covered servicemember” means a covered servicemember’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents “in law.”
- The “next of kin of a covered servicemember” is the nearest blood relative, other than the covered servicemember’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been

granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember’s next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember’s only next of kin. For example, if a covered servicemember has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered servicemember’s next of kin. Alternatively, where a covered servicemember has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered servicemember’s next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered servicemember pursuant to § 825.122(j).

APPENDIX D – FAMILY AND MEDICAL LEAVE *Continued*

“Covered active duty” means:

- “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.
- “Covered active duty” for members of the reserve components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of title 10, United States Code. (a) In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country.

“Covered servicemember” means:

- A member of the Armed Forces (including a member of the National Guard or Reserves) who is 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; or
- A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

“Serious injury or illness means:

- In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
- In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.
- Outpatient status, with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Amount of Leave – Qualified Exigency

An eligible employee can take up to 12 weeks of leave for a qualified exigency.

APPENDIX D – FAMILY AND MEDICAL LEAVE *Continued*

Amount of Leave – Military Caregiver

An eligible employee taking military caregiver leave is entitled to 26 workweeks of leave during a “single 12-month period.” The “single 12-month period” begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date.

Leave taken for any FMLA reason counts towards the 26 week entitlement. If an employee does not take all of 26 workweeks of leave entitlement to care for a covered servicemember during this “single 12-month period,” the remaining part of the 26 workweeks of leave entitlement to care for the covered servicemember is forfeited.

Certification of Qualifying Exigency for Military Family Leave

The Employer will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave

The Employer will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Servicemember.

All other provisions of the FMLA policy, including Use of Paid Leave, Employee status and benefits during leave, the Procedure for Requesting Leave, Benefits during Leave and Reinstatement, are outlined above in the FMLA policy.

APPENDIX E – PERFORMANCE REVIEW

SAMPLE PERFORMANCE REVIEW

Employee: _____ Department: _____

Job title: _____ Supervisor: _____

Reviewer: _____ Date: _____

Performance Ratings

Excellent – far exceeds job requirements.

Very good – usually exceeds job requirements.

Satisfactory – meets all job requirements.

Fair – meets minimum job requirements.

Unsatisfactory – falls well below requirements of the job.

PERFORMANCE AREAS

1. **PERFORMANCE RESULTS:** Completes work on time and without sacrificing performance goals or standards.

Excellent Very Good Satisfactory Fair Unsatisfactory

2. **COOPERATION/TEAMWORK:** Able to work on a team and willingly accepts assignments.

Excellent Very Good Satisfactory Fair Unsatisfactory

3. **INITIATIVE:** Self-starter who puts forth the time and energy to perform tasks without being told.

Excellent Very Good Satisfactory Fair Unsatisfactory

4. **ORGANIZING AND PLANNING:** Effectively uses time and resources to accomplish work within appropriate deadlines.

Excellent Very Good Satisfactory Fair Unsatisfactory

5. **COMMUNICATION:** Both verbal and written communications are clear, concise, and accurate.

Excellent Very Good Satisfactory Fair Unsatisfactory

6. **INTERPERSONAL SKILLS:** Works well with others in both informal and formal situations.

Excellent Very Good Satisfactory Fair Unsatisfactory

APPENDIX E – PERFORMANCE REVIEW *Continued*

**FOR SUPERVISORS, MANAGERS, AND/OR SALES-RELATED POSITIONS
THAT INCLUDE THE FOLLOWING:**

7. SUPERVISION AND LEADERSHIP: Effectively directs staff, provides ongoing feedback, and acts as a positive model for others.

Excellent Very Good Satisfactory Fair Unsatisfactory

8. SALES/MARKETING: Obtains new work (e.g., listings, corporate accounts, etc.) from both existing clients and new clients.

Excellent Very Good Satisfactory Fair Unsatisfactory

9. OTHER: (Define and rate another significant performance factor if necessary.)

Excellent Very Good Satisfactory Fair Unsatisfactory

EXPECTED IMPROVEMENTS/ACCOMPLISHMENTS: _____

PERFORMANCE AREAS THAT NEED FURTHER DEVELOPMENT: _____

OVERALL EVALUATION (check one):

Excellent Very Good Satisfactory Fair Unsatisfactory

DATE OF NEXT REVIEW: _____

ADDITIONAL SUPERVISOR OR EMPLOYEE COMMENTS: _____

Employee's Signature Date

Immediate Supervisor's Signature Date

Reviewer's Signature Date

(Employee signature indicates that this evaluation has been discussed with you. It does not necessarily signify agreement).

APPENDIX F – COMPUTER AND INTERNET USE POLICY

GENERAL POLICIES

Computer and Internet Use

It is Employer's objective to provide the tools and technology for our employees to work effectively. That means employees must be able to conduct research related to their projects; network with suppliers, customers and peers; and continue to expand their knowledge base as it applies to their field and the work we do today or may do in the future.

We also acknowledge that computer resources are not unlimited. Network bandwidth and storage capacity have finite limits, and all users have a responsibility to use resources wisely.

Computer hardware and software, computer files, e-mail, voice mail, cell phones and smart phones, furnished to employees are the property of Employer. These systems are intended for business use. All company-related data and files must be stored on company servers or devices and shall not be stored on personal devices.

Employees should not use a password, access a file, or retrieve any stored communication for any purpose other than what is appropriate for their job responsibilities. Passwords should never be shared, and employees accessing password-protected software must sign in as themselves.

Nothing in this policy is intended to prevent employees from engaging in concerted activity protected by law. If you have any questions about this policy, please ask your supervisor or Human Resources.

Personal Use

Employees are permitted to briefly and occasionally use computers, phones, storage devices, printers, e-mail, the Internet or any other

computer hardware or software for personal use, so long as this incidental use that does not violate Employer's policies, interfere with employee productivity, or undermine Employer's business objectives.

Computer Systems Use and Software Licensing/Installation

Employer purchases and licenses computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, Employer does not have the right to reproduce, distribute, or install software on the Company's computers, the network, or on multiple machines according to the software license agreement. Only software authorized and installed by Information Technology (IT) employees or their designees may be used on Employer computers or network systems. Employer prohibits the illegal duplication of software and any related documentation, including for any at-home use.

Use of Personal Devices

Employer recognizes that many employees have their own personal devices such as cell phones, smart phones, or tablet computers. Access of personal devices should be limited to urgent matters during working time. The use of personal devices may be restricted in production areas. Employer expects each employee to abide by the appropriate Internet and e-mail usage definitions that follow, whether using Employer-provided or employee-owned devices.

Internet Use

Internet access provides staff with services and opportunities to enhance their professional development and to support business opportunities for the company.

APPENDIX F – COMPUTER AND INTERNET USE POLICY *Continued*

Examples of Acceptable Use of the Internet

Include:

- Access to Employer-related sites such as 401K and healthcare administration, travel, expense processing;
- Work-related research;
- Participation by employees in forums, news groups, social media or other information exchange for the purposes of improving their professional knowledge or skills, or for sharing or distributing information.

Examples of Unacceptable Use of the Internet

include:

- Transmission of confidential information or organizational data;
- Downloading, display or transmission of any pornography, or sexual images, messages, jokes or cartoons;
- Access to, transmission of, or use of the Internet to view content that is harassing, sexually explicit, profane, obscene, defamatory, or otherwise unlawful, inappropriate, similarly offensive (including offensive material concerning sex, race, color, national origin, religion, age, disability, or other characteristic protected by law), or violative of Employer's Equal Employment Opportunity policy and its policies against sexual or other harassment;
- Downloading or playing any games;
- Watching non-work-related video clips;
- Excessive use of the internet for personal purposes including but not limited to personal research, shopping, or any other non-business use;
- Personal commercial business or profit-making activities, personal advertisements, solicitations, wagering, betting, political

or religious positions or activities, political campaigns or any other unauthorized or personal use;

- Commercial advertisements and promotions, outside of Marketing and Sales projects;
- Illegally copying material protected under copyright law or making that material available to others for copying.
- Using the Internet in any way that violates any applicable law.

Employees may not download or install

software, but should work with IT for assistance and oversight. Some file types that can carry viruses may also be blocked from download, requiring IT assistance for release.

Employer's security systems prohibit many inappropriate sites. No attempt should be made to circumvent the security systems. If you cannot access a site required for business use, please notify your manager and IT.

E-mail Use

The e-mail system is the property of Employer. It has been provided by Employer for use in conducting company business. All communications and information transmitted by, received from, or stored in this system are company records and property of Employer. While Employer e-mail is a tool to conduct Company business, brief and occasional personal use of Employer e-mail is permitted. Employees have no right of personal privacy in any matter stored in, created, received, or sent over the Employer mail system. As such, messages received or sent through the e-mail system are not private or confidential. E-mail records and computer files may be subject to discovery in litigation.

APPENDIX F – COMPUTER AND INTERNET USE POLICY *Continued*

Unacceptable use of e-mail includes, but is not limited to, the following:

- Transmission of any material, including attachments, which contains content that is hostile or offensive concerning race, color, religion, sex, age, national origin, disability or any other classification protected by law class;
- Transmission of any material that is defamatory, threatening, abusive or violent;
- Transmission of confidential company information, wagering, betting, using the e-mail system for personal gain, or using the e-mail system in any way in which violates or aides in the violation of any law;
- Excessive use of Employer e-mail for personal business;
- Participating in chain e-mail (i.e. forward this to 10 friends right away to receive good luck); and
- Opening suspicious attachments. If receiving an unexpected file from a person you do not know, delete the e-mail and/or notify IT.

Monitoring of Electronic Systems and Waiver of Privacy

Employer has the right to monitor e-mail communications and the contents of company computers as a normal course of business for

performance, productivity, customer service, compliance with company policies and investigation, potential security breaches, or unauthorized use of electronic information.

By using the Company's e-mail and voicemail systems, computers or other forms of electronic communications, employees must know and understand that electronic monitoring reporting is part of Employer's overall systems administration practice. All requests for electronic monitoring over "routine reporting" will be made to the Vice President of Human Resources or the Chief Financial Officer.

Accordingly, Employer has the right, but not the duty, to monitor any and all aspects of its computer system and voicemail system. Employees waive any right to privacy in anything that they create, store, send or receive on the Company's computer or communication systems, or the Internet.

Employer may override individual passwords and codes on all e-mail and voicemail communications for testing or to investigate potential security breaches. To ensure business continuity, employees must disclose all password and log-in codes to their supervisor prior to scheduled absences or as requested.

Acknowledgment of Receipt of Policy

I have read and agree to comply with the rules and conditions outlined in the Employer email, voicemail, computer and Internet policy. I understand that nothing in this policy is intended to prevent me from engaging in concerted activity protected by law. By signing below, I also understand that my e-mail, voicemail and computer are the property of Employer and that they may be monitored by the Company.

Dated: _____ Employee Signature _____

Employee Number _____ Employee Name (Print) _____

APPENDIX G – SOCIAL MEDIA POLICY

SOCIAL MEDIA POLICY

EMPLOYER recognizes that social media can be a fun and rewarding way to share an Associates life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

GUIDELINES

In the rapidly expanding world of electronic communication, social media can mean many things. “Social media” includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with EMPLOYER, as well as any other form of electronic communication.

Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, customers, suppliers, people who work on behalf of EMPLOYER or EMPLOYER’s legitimate business interests may result in disciplinary action up to and including termination.

KNOW AND FOLLOW THE RULES

Carefully read these guidelines, as well as other applicable policies (including the Sexual Harassment Policy, Business Ethics Policy, etc.) and ensure your postings are consistent with these policies. Be thoughtful in all your communications and dealings with others, including email and social media. Never harass (as defined by our Discrimination and Harassment Policy), threaten, libel or defame fellow professionals, employees, clients, competitors or anyone else. In general, it is always wise to remember that what you say in social media can often be seen by anyone. Accordingly, harassing comments, obscenities or similar conduct that would violate EMPLOYER’s policies is discouraged in general and is never allowed while using EMPLOYER’s equipment or during your working time.

BE RESPECTFUL

Be courteous and respectful to a customer or any member of the public while acting in the course and scope of EMPLOYER’s business. Also, keep in mind that you are more likely to resolved work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet.

Nevertheless, if you decide to post complaints or criticism online, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, members, employees or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include

APPENDIX G – SOCIAL MEDIA POLICY *Continued*

offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

BE HONEST AND ACCURATE

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about EMPLOYER, fellow employees, members, customers, suppliers, people working on behalf of EMPLOYER or competitors.

POST ONLY APPROPRIATE AND RESPECTFUL CONTENT

- Maintain the confidentiality of EMPLOYER trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications.
- Do not disclose confidential financial data, or other non-public proprietary company information. Do not share confidential information regarding business partners, vendors or customers.
- Respect financial disclosure laws. It is illegal to communicate or give a "tip" on inside information to others so that they may buy

or sell stocks or securities. For example, do not post launch dates, release dates, and pending reorganizations.

- Do not make negative comments about our customers in any social media.
- Respect copyright, trademark and similar laws and use such protected information in compliance with applicable legal standards.
- Express only your personal opinions. Never represent yourself as a spokesperson for EMPLOYER. If EMPLOYER is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of EMPLOYER, fellow employees, members, customers, suppliers or people working on behalf of EMPLOYER. If you do publish a blog or post online related to the work you do or subjects associated with EMPLOYER, make it clear that you are not speaking on behalf of EMPLOYER. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of EMPLOYER."
- Do NOT create a blog or online group related to EMPLOYER (not including blogs or discussions involving wages, benefits, or other terms and conditions of employment, or protected concerted activity) without the advance approval of the Legal and Communications Departments. If a blog or online group is approved, it must contain a disclaimer approved by the Legal Department.
- Due to the potential for issues such as invasion of privacy (employee and customer), sexual or other harassment (as defined by our harassment/discrimination

APPENDIX G – SOCIAL MEDIA POLICY *Continued*

policy), protection of proprietary recipes and preparation techniques, employees may NOT take, distribute, or post pictures, videos, or audio recordings while on working time. Employees also may not take pictures or make recordings of work areas. An exception to the rule concerning pictures and recordings of work areas would be to engage in activity protected by the National Labor Relations Act including, for example, taking pictures of health, safety and/or working condition concerns or of strike, protest and work-related issues and/or other protected concerted activities.

- Do NOT use EMPLOYER's (or any of its affiliated entities) logos, marks or other protected information or property for any business/commercial venture without the Communications Director's express written authorization.
- Do NOT make knowingly false representations about your credentials or your work.

USING SOCIAL MEDIA AT WORK

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager and consistent with other EMPLOYER policies. Do not use EMPLOYER email addresses to register on social networks, blogs or other online tools utilized for personal use.

MEDIA CONTACTS

Events may occur at work that will draw immediate attention from the news media. It

is imperative that one person speaks for the Company to deliver an appropriate message and to avoid giving misinformation in any media inquiry. Good reporters will identify themselves prior to asking questions. If a reporter asks you a question, respond like this: "I am not authorized to comment for EMPLOYER (or I don't have the information you want). Let me have our Communications Director contact you."

ENFORCEMENT

The company strongly urges employees to report any violations or possible or perceived violations to _____. Managers, or other appointed representatives, may take any of the following actions reasonably appropriate to the nature of the offense:

- Reprimand of the offending party or parties,
- Temporary reduction or suspension of computer system or mobile device privileges,
- Termination of employment, or
- For misuse amounting to criminal behavior, referral to the appropriate law enforcement agencies.

AMENDMENTS

This Policy may be amended or revised from time-to-time. Employees will be provided with written copies of all amendments and revisions to this Policy.

FOR MORE INFORMATION

If you have questions or need further guidance, please contact _____.

APPENDIX H – COMPLAINT FORM

COMPLAINT FORM

It is company policy to investigate all complaints and take appropriate action. If you wish, please use this form to document your complaint, and submit it to your supervisor or Human Resources.

The person(s) involved in this complaint are:

Note all relevant dates, places, events, etc. pertaining to the complaint: (Use second sheet if necessary.)

It may become necessary to disclose your identity and/or complaint, as well as to conduct a formal investigation. Should such a disclosure become necessary, it will be only to the person(s) with a need to know your identity or the details and nature of the complaint. I acknowledge that I have read this document and understand my obligation to provide information as needed and to cooperate fully and completely with any investigation of this complaint. Should it become necessary, I authorize the company to disclose my identity and/or details of this complaint.

Your Name: _____

Signature: _____ Date _____

Supervisor/Human Resources: _____

Signature: _____ Date _____

APPENDIX I – SAMPLE DISCIPLINARY POLICY

SAMPLE DISCIPLINARY POLICY

You are expected to perform your work in a satisfactory manner, and to abide by standards of proper behavior and conduct, at all times. The following is a list of actions that are considered by the Company to be grounds for discipline, up to and including termination from employment. Obviously, it is impossible to list or catalog all forms of poor performance or other inappropriate behavior. Thus, the following list is not intended to be complete, and there may be other situations that are considered grounds for disciplinary action, up to and including termination.

1. Falsifying the employment application or company records.
2. Violating Employer's, nondiscrimination and/or sexual harassment policy.
3. Excessive absenteeism and/or tardiness, or patterns that indicate abuse.
4. Failing to call-in absent or late as far in advance as the established requirement for employees on the shift.
5. Punching another employee's timecard, whether you are the one punching for the other employee, or whether the other employee is punching your timecard and any other falsification of timecards or timecard information.
6. Failing to abide by time clock rules (including, but not limited to, for example, failing to punch-in or punch-out, punching-in too early, or failing to correct a mistake).
7. Unauthorized work time.
8. Using company equipment or property in an unauthorized manner.
9. Excessive, unnecessary, or unauthorized use of company supplies, particularly for personal use.
10. Consumption, intoxication, or being under the influence of alcohol while on the premises or on duty.
11. Possession, consumption, sales, or use of – or being under the influence of – controlled or illegal substances while on the premises or on duty.
12. Fighting.
13. Using violent or threatening language or behavior.
14. Threatening, intimidating, coercing, or otherwise interfering with the job performance of co-workers.
15. Theft of Company property, or property of a fellow employee or client or customer of the Company.
16. Disregarding safety or security policies or regulations.
17. Creating unsanitary or unsafe conditions, or engaging in conduct or behavior that resulted in an accident or the potential for an accident.
18. Failing to immediately report an on-the-job accident.
19. Refusing or failing to carry-out any instructions or orders from a supervisor (insubordination).
20. Failing to perform work satisfactorily.

APPENDIX I – SAMPLE DISCIPLINARY POLICY *Continued*

21. Ignoring or neglecting work duties or loafing.
22. Listening to audio (or watching video) during working time or in a working area using an iPod, MP3 player, smart phone, or other electronic device.
23. Smoking, using other tobacco products, or using e-cigarettes in areas other than those specifically designated for this purpose, or during working time.
24. Engaging in behavior or conduct that is discourteous or disrespectful to a representative of Employer's client, a food service customer, or a representative of a vendor.
25. Soliciting or accepting gifts or gratuities from clients or vendors.
26. Destruction or defacing of Company property, or property of a fellow employee or a client or vendor of the Company.
27. Neglecting or abusing – or failing to take proper care of – equipment and machines.,
28. Possession of any weapons, explosives, or firearms while on the premises, or while engaged in business on behalf of the Company.
29. Failing to follow any established uniform / dress code policy.
30. Excessive use of company phone for personal reasons. (Emergency telephone messages will always be allowed or received.)
31. Violation of the Employer policy regarding bulletin boards and the posting or hanging of materials.
32. Violation of the Employer policy on solicitation and distribution of literature.
33. Sleeping on the job.
34. Scuffling or horseplay.
35. Using your cellular phone, smart phone, or other electronic device during working time to engage in non-work related personal activities, such as talking on the phone, reading/sending text messages, using social media apps, checking/sending e-mails, searching/using the internet, playing video games, or engaging in shopping.

APPENDIX J – ACKNOWLEDGEMENT OF RECEIPT

ACKNOWLEDGEMENT OF RECEIPT

I have received a copy of Company Name Personnel & Policy Manual dated _____.

I understand that my employment with Company Name is “at-will” and is not for a fixed period of time. Both I and Company Name have the right to terminate this employment at any time for any reason. The language used in this handbook and any verbal statements of management are not intended to constitute a contract of employment, with expressed or implied, nor are they a guarantee of employment for any specific duration.

I understand that no representative of Company Name, other than the President of the organization, has authority to enter into an agreement of employment for any specific period and such an agreement of employment for any specific period and such agreement must be in writing, signed by the President and myself. We have not entered into such an agreement.

Further, I understand that the contents of this Manual are summary guidelines for employees and therefore not all inclusive. This Manual supersedes all previously issued editions. Except for the at-will nature of employment, the organization reserves the right to suspend, terminate, interpret or change any or all of the guidelines mentioned, along with any other procedure, practices, benefits or other programs of Company Name. These changes may occur any time, with or without notice.

Employee Signature _____

Employee Name (Please Print) _____

Date _____

Please return this form to Human Resources.