



# **Brady Trucking, Inc.**

## *Employee Handbook*

Strictly Private and Confidential

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**HANDBOOK ACKNOWLEDGMENT FORM**

## Message from the President

As a valued employee, we hope you will find your employment to be both rewarding and challenging as you advance your career interests and help meet the organization's objectives. Your unique talents and abilities are extremely valuable to us, and we look forward to our successful association.

While there is no single rule that can guarantee success in any business, there are certain fundamentals that largely determine an individual's progress. Most important is how well you do your job and maintain good working relationships.

A person who uses his or her working hours to the best advantage, pays attention to detail, has the ability to see a job through with a minimum of supervision, and is ready and willing to accept greater responsibilities as opportunities occur is more likely to succeed. Qualities such as initiative, mental alertness, an ability to get along with people, a cooperative attitude, and professional appearance are important. To continually improve business operations, we ask that you be flexible and open to change.

We hope you will feel like a valuable partner with the organization. We encourage you to show interest in your ~~Company~~Company, so you will not only be a credit to its ~~operation~~, ~~but operation~~ but will also gain for yourself a true sense of well-being and job satisfaction.

You play a critical role in meeting customers' needs and growing the business. It takes the combined efforts of each of us to ensure our continued success.

We created these guidelines to promote sound management practices, as well as to help create an environment where employees can grow and succeed. Please familiarize yourself with the guidelines. They answer many common questions and will help you understand Company expectations. Also, please sign and return the Employee Handbook Acknowledgement Form found in the handbook.

The policies and procedures in this handbook are for general reference only and may not be applicable in all cases. Your supervisor will be happy to answer any questions you may have. All previously issued handbooks and any inconsistent policy or benefit statements are superseded. This handbook does not extend any particular State law into other States, and if there is any conflict or inconsistency between this handbook and the laws of the State in which an employee works, those laws will typically take precedence over this handbook.

*If you have questions or need help understanding handbook guidelines, please speak with your supervisor.*

## Handbook Acknowledgment Form

I have received employee handbook guidelines from Brady Trucking, Inc., herein referred to as Company and I acknowledge that it is my responsibility to read, understand, and follow all Company policies and procedures. I further understand that failure to follow these guidelines may result in corrective action, up to and including termination.

I agree to familiarize myself with the information contained ~~herein, and~~ herein and will seek clarification from management when necessary.

I understand that the information contained in this handbook is intended to acquaint employees with general guidelines and principles and is not a contractual commitment by the Company concerning the terms of employment, benefits, or other matters.

I realize that I am an employee “at-will,” employed for no specific period of time, and that employment may be terminated by the Company or by me, with or without cause, and with or without prior notice.

I understand that as business needs change, the Company, at its sole discretion, may modify or eliminate these handbook guidelines and procedures at any time without notice. By signing below, I certify that I have received the Employee Handbook, and I have read and understand the standards and practices described herein.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee’s Name (printed)

(Employee copy retain with handbook)

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## 1. Introduction

This Employee Handbook is provided to inform and acquaint employees with Brady Trucking, Inc. (“the Company”) and with the Company’s policies, procedures, and practices. Failure to comply with these guidelines may result in corrective action, up to and including termination. The Company may change any of its policies, procedures, benefits or other matters described in this Handbook or elsewhere with or without notice, at the sole option of the Company, without prior consultation with or agreement by any employee. Neither this Handbook, employment with the Company, nor the maintenance of supervisory or other policies or procedures shall be construed as constituting a promise from or contract of any kind with the Company, either express or implied, regarding any of the matters addressed in any such handbooks or policies.

Although it is intended that the relationship between the Company and its employees will grow and be in the best interests of both the employee and the Company, all employees are employed for an indefinite period in an at-will capacity. This means that both the Company and its employees retain the right to end or terminate the employment relationship at any time, with or without notice, and for any reason or for no reason at all.

No supervisor, manager, or representative of the Company, other than the President, has the authority to enter into any contract or agreement with you of any kind, including but not limited to for employment for any specific duration or to make any commitments contrary to the at-will nature of employment. Only a separate, express written agreement signed by the President of the Company and designated as an employment contract may create any such contract and change the at-will nature of the employment relationship.

These policies are not intended to interfere in any way with any applicable federal, state or local law. Nor are they intended to interfere with employee rights to form, join or assist unions or to engage in other concerted activity protected by the National Labor Relations Act.

### 1.1. Mission and Vision Statements

#### **Mission Statement:**

Brady Trucking will continue to provide safe, dependable transportation services in its market regions while consistently striving to provide our customers with the best value solutions to their transportation needs.

#### **Vision Statement:**

Brady Trucking, Inc. is dedicated to continual growth while maintaining our financial stability to hire, train, develop, and retain the highest level of personnel and support. To encourage personal initiative, while holding true to the values of Personal Integrity, Corporate Responsibility, Environmental Safety, and Community Leadership.

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## 1.2. Company History

Brady Trucking began operations in 1980. Founder, Larry Brady, operated the business as a single truck, owner/operator Company for the first 16 years of service. In 1996 Brady Trucking incorporated and began growing the business operation in response to the needs of their growing business base. Brady Trucking, Inc. takes pride in its long, steady, and sustainable growth in an extremely unpredictable marketplace.

Today, Brady Trucking, Inc. owns and operates a large fleet of tractors and trailers at transportation facilities in Vernal - Utah, Grand Junction - Colorado, Farmington - New Mexico, Rock Springs - Wyoming and Williston - North Dakota.

Brady Trucking, Inc. has invested heavily in equipment, personnel, and property. The company currently operates using the most advanced high-tech systems available. QualComm offers the Company truck tracking accessibility 24/7, as well as in-cab satellite communications. TMW dispatch software allows for optimum utilization of our capacity, to insure that best service available. Serving the gas and oil industry hauling frac sand, fly ash and cement has been the Companies cornerstone. Recently Brady has expanded its services to include Mining & Chemicals, Hazmat, Agriculture and Construction Materials. From day one, safety has been the premier concern of Brady Trucking, Inc. Brady's leadership has built excellent working relationships with regulatory agencies such as DOT, EPA, and OSHA. Brady Trucking, Inc. continually strives to deliver the highest level of customer service.

## 2. General Business Policy and Practice

We seek to create a positive work environment which embraces the inherent differences or uniqueness in others, believes in the potential of all people, and creates a climate of appreciation and mutual respect. Employees are to speak positively about each other and demonstrate teamwork and support in actions and words. Employees are expected to ask questions, make recommendations, provide constructive criticism and express concerns. Where possible, employees should ask questions or take concerns directly to the source, through their supervisor or anyone in management.

### 2.1. Solicitation and Distribution of Literature

In order to ensure efficient operation of the Company's business and to prevent annoyance to employees, it is necessary to control solicitations and the distribution of literature on Company property.

No employee shall solicit or promote support for any cause or organization during his or her working time, or during the working time of the employee or employees at whom such activity is directed.

Employees will not be allowed to circulate written or printed material in work areas during work hours. Under no circumstances will non-employees be permitted to solicit or to distribute written material for any purpose on Company property.

## 2.2. Company Parties and Events

Throughout the year, employees may be invited to various optional Company-sponsored events or parties. Although participation is encouraged, all such events do not require attendance. No accidents, injury or illness as a result of a company event may be considered to have occurred "at work" and is the employee's personal responsibility. The same is true for athletic activities or company-sponsored sports teams. Employees participating in physical activities should consult a physician before considering participation. If there are company events where alcohol is available or served, employees are reminded to be cautious and to control their consumption.

## 2.3. Pay Policy

All employees are paid every two weeks. The pay period starts on ~~Wednesday~~ ~~Tuesday~~ and runs through ~~Tuesday~~ ~~Monday~~, two weeks later. Pay checks are released to employees on the ~~Friday~~ ~~Thursday~~, ten days following the payroll closing date.

In the event that a regularly scheduled payday falls on a holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

Employees joining the business during a pay period will be paid on the following scheduled pay period. This could result in up to a three week delay on the ~~employees~~ ~~employees'~~ initial pay check.

## 2.4. Equal Employment Opportunity (EEO)

Employment is based upon ability, qualifications, attitude, and job-related factors. Every qualified employee or applicant has the same opportunity for hire, training, placement, promotion, compensation, demotion, termination and benefits without regard to race, color, religion, sex, gender, national origin, pregnancy, ancestry, citizenship, genetic status, veteran or military status, age, physical or mental disability, sexual orientation, medical condition, marital status, ethnicity or any other characteristic protected by law.

Discrimination on the basis of any of the above categories is forbidden and will not be tolerated. Additionally, the Company strives to implement employee accommodations as required by law. Employees in need of accommodations should make their request through their supervisor.

This policy reaffirms our commitment to fair treatment and Equal Employment Opportunity in accordance with all applicable State and Federal laws.

All employees are expected to work in harmony with each other. Employees who feel they are victims or witnesses of discrimination or harassment should immediately report this



information to their supervisor. Employees can raise concerns and make reports without fear of reprisal.

## **2.5. Americans with Disabilities Act (ADA)**

In accordance with ADA, the Company does not discriminate against any qualified applicant or employee with a known physical or mental disability in any employment practice, including hiring, promotion, job assignment, compensation, discipline, training, termination, or other terms, conditions, and privileges of employment.

As required under the ADA, the Company will reasonably accommodate qualified individuals with known temporary or long-term disabilities so that they can perform the essential functions of a job, unless doing so would result in an undue hardship to the Company. Employees in need of accommodations should make their request through their supervisor.

The Company reserves the right to request medical evidence for an employee requesting accommodation, usually in the form of a doctor's note and, in some instances, a second doctor's opinion.

## **2.6. Immigration Reform and Control Act (I-9)**

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility within three (3) days of the first day of work. The Company is committed to employing only United States citizens and aliens who are legally authorized to work in the United States. The Company does not discriminate on the basis of citizenship or national origin.

## **2.7. Harassment**

The Company strives to provide employees with a working environment free from intimidation, hostility, or other offensive conduct. The Company strictly prohibits harassment of any kind by its employees, vendors, and customers toward any person.

Harassment is defined as conduct that interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment. This would include, but not be limited to, threats or offensive conduct directed toward a person's sexual orientation, race, age, disability, religion, national origin, or veteran's status. This includes environmental and quid pro quo (this for that) sexual harassment.

Any harassment—whether based on gender, race, color, ancestry, religion, national origin, age, disability, or other characteristics protected by law—is strictly prohibited. All employees have a personal responsibility to keep the workplace free of such harassment.

Sexual harassment includes unwelcome sexual advances, propositions or requests for sexual favors, and other offensive conduct that is either sexual in nature or directed at someone because of his or her gender. Sexual harassment undermines the employment relationship by creating an intimidating, hostile, or offensive work environment.

Harassment, whether sexual or based on characteristics listed above, may take many forms. By way of example, harassment may include:

**Verbal Conduct:** Includes suggestive comments, repeated sexual flirtation, derogatory jokes, name calling, innuendoes, demeaning slurs, unwanted kidding or teasing, foul or obscene language, gender-based comments, or discussions of a sexual nature.

**Visual Conduct:** Includes leering, derogatory or sexually oriented posters, photography, cartoons, drawings, graffiti, electronic mail, or gestures.

**Physical Conduct:** Includes assault, offensive touching, patting, pinching, pushing, blocking of normal movement, or interfering with work.

**Threats or Demands:** Includes requiring sexual favors as a condition of continued employment or threatening other physical or verbal abuse.

Any person who experiences or observes conduct believed to constitute harassment should immediately take steps to eliminate this behavior by confronting the harasser and/or reporting it to his or her supervisor or any manager or executive of the Company. All reported violations of this policy will be fairly investigated with prompt remedial action taken.

It is contrary to Company policy for a supervisor or any employee to retaliate against anyone who files a charge of harassment. Any employee who believes he or she is being subjected to retaliation should promptly report it to one of the individuals listed above.

False and malicious accusations of sexual or other harassment, as opposed to complaints which, even if erroneous, are made in good faith, may be subject to appropriate disciplinary action.

## 2.8. Grievance/Complaint Procedures

Any employee with a complaint or grievance, including harassment should follow these steps:

### Reporting Procedure

- 1) Employees who experience or witness harassment of another employee or have any other grievances or complaints should promptly report the incident to management in-person or in writing, so the incident can be fairly ~~investigated~~investigated, and prompt remedial action can be taken as needed.

- 2) If the situation permits, those who are offended by harassing behavior should exclaim their disapproval of the action to the harasser, demand that it ~~eease~~ceases or address the issue with their supervisor or the Human Resources Director.
- 3) Reports of alleged harassment and witness testimony will be afforded as much confidentiality as possible.
- 4) Complaints may be filed regardless of whether the behavior occurred on or off duty.
- 5) Those reporting harassing behavior should document the occurrence(s), identifying the time, date, place, what was said or done, witnesses, and other circumstances surrounding the event.

## 2.9. Ride-Along Policy

Our drivers/operators represent us and our company when they are on the road. Do you have a solid understanding of drivers' job responsibilities, tasks and what they do each day? As a company, we at Brady Trucking take great pride in our business, the level of service we provide our customers and their perception of Brady Trucking. We're in the business of transportation and as such we all need to understand and appreciate what our driver's do on a day-to-day basis. In an effort to increase understanding between the drivers and all other departments within the company, all non-CDL employees including hourly office personnel, will be required to participate in a ride-along, annually. All hourly office personnel will be reimbursed for the experience.

### Ride-along event guidelines:

- Requires the use of proper PPE: hard hat, safety glasses, gloves, FR's, respirator, ear plugs, steel toe boots (provided by Brady Trucking)
- Must be approved by/coordinated with: Ops-~~7,22~~ Local Ops-~~7,22~~ Dispatch AND Safety
- Will include location limitations: no live locations, no locations that require specific training, frac sand only, no hazmat deliveries, no overnight trips/late deliveries:

## 3. Employment

### 3.1. Employment-At-Will

Nothing contained in this handbook should be construed as a contract of employment or guarantee of a job. It is not the Company's intention to guarantee anyone a job, or to create an expressed or implied contract of employment. Employment is voluntary for both employees and the Company. The Company may end employment without notice, at any time and for any reason, with or without cause. This employment at-will status cannot be altered in any way by any oral or written statements, policies, or practices, and can only be altered or modified by a written employment contract signed by the President of the Company. Employees, likewise, may terminate employment at any time for any reason.

### 3.2. Employment Classifications

Classifications are important in determining eligibility for various benefits and overtime, and to clarify employment status. Each employee is designated as either **Non-exempt** or **Exempt** as defined by the Fair Labor Standards Act (FLSA) and applicable regulations. Non-exempt employees' pay is determined based on actual hours worked; these employees are entitled to overtime pay and other provisions under specific Federal and State laws. Exempt employees hold positions that meet specific tests established by the FLSA; these employees are excluded from FLSA provisions and overtime pay.

The following are general employee classifications:

**Regular Employees:** Regular employees are those who are hired to work on a regular schedule. Regular employees may be classified as full-time or part-time.

**Regular Commission Employees:** All drivers are commissioned drivers, paid a commission based on a percentage of the truck revenue – excluding fuel surcharges.

**Full-time Employees:** Regular full-time employees are those who are normally scheduled to work and who do work a schedule of 30 hours or more during a normal workweek. Following the completion of training and applicable waiting periods, regular full-time employees are eligible for most employee benefits [or as defined under the individual benefit](#).

**Part-time Employees:** Part-time employees are those who normally are scheduled to work less than 30 hours per week. Part-time employees may be assigned a work schedule in ~~advance, or~~ [advance or](#) may work on an as-needed basis.

**Temporary Employees:** Temporary employees are employed for short-term assignments or interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration.

Short-term assignments are generally periods of three months or less; however, such assignments may be extended. Temporary employees are not eligible for employee benefits, except where mandated by applicable law.

**Independent Contractors:** Outside contractors are hired to perform a specific service or ~~project, and~~ [project and](#) are not considered employees of the Company.

Employees are further assigned functional job titles to assist in work assignments, job descriptions, and communications.

### 3.3. Recording Time Worked

Recording time worked is the responsibility of every non-exempt employee. Federal and State laws require the Company to keep accurate records of time worked in order to calculate employee pay and benefits. Time worked consists of all the time actually spent on the job performing assigned duties.

Hours worked must be recorded accurately at the time employees start and stop working, including lunch breaks. If set schedules are in use, reporting of any deviation from the set schedule is required. The time frame worked by employees should match the clock time reported. Authorized rest periods are considered as time worked, for pay purposes, and should not be recorded. Clock-in time will be adjusted for employees who clock-in early for arrivals and breaks. All overtime hours must have prior management approval.

Non-exempt employees should accurately record hours worked following all time tracking and recording policies and procedures. Working off the clock, no matter the reason, is not allowed and will not be tolerated. It is the Company's policy to follow all hours worked laws. Non-exempt employees will not be asked to work off the clock. Violation of this policy should be reported to human resources immediately.

Altering, falsifying, or tampering with time records are strictly prohibited. Hourly employees are not to perform work off the clock. Supervisors, Accounting, and Human Resources are permitted to make written or computer edits to timesheets.

### **3.4. Work Schedules and Hours**

Each department schedules hours to accommodate the requirements of its functions. General office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday. Other work schedules and shifts may operate based on various departmental and Company needs. All work schedules are subject to change.

### **3.5. Breaks and Meal Periods**

Employees who work eight-hours or more are eligible for two rest periods of 15 minutes for which they are compensated. Employees should return to their work areas promptly after break periods. Each department establishes break periods.

Employees working more than six hours in a day are allowed a meal period of at least 30 minutes, depending on department policy and work requirements. Supervisors in each department schedule rest and meal periods for their work teams. Employees are relieved of all active responsibilities and duties during meal periods and are not compensated for that time. If for some reason an employee is required to work during a break or meal period that time is time worked. Non-exempt employees are required to punch in and out of the time clock for meal periods.

#### **Nursing Mothers**

An employee who is a nursing mother may, at her discretion, for the first year of the newborn's life, take breaks in addition to and including those defined above to express breast milk. All breaks are to be reasonable in length and will be unpaid unless taken in conjunction with one of the normal rest periods. A secure, private location will be made available for use by nursing mothers for the purpose of expressing breast milk.

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### 3.6. Overtime

Our normal workweek and hours may differ by department. From time to time, circumstances may require that the employee work in excess of forty (40) hours during the workweek. Employees are expected to coordinate with their supervisors to anticipate workloads and to schedule appropriate work periods for completing assignments.

Each non-exempt employee will be paid time-and-a-half (1-1/2 times the regular wage rate) for hours worked in excess of forty (40) hours per week. When possible, overtime may be on a voluntary basis, and employees will be given as much prior notice as possible. However, at the supervisor's discretion, overtime may be mandatory during busy work periods. All overtime must have advance supervisor approval.

As required by law, overtime pay is based on actual hours worked. Time taken for sick leave, vacation, holiday or any other leave of absence will not be part of the hours worked when overtime is calculated. The workweek for payroll purposes is Wednesday through Tuesday.

### 3.7. Personnel Records

Personnel records are maintained on every employee and are considered important documents. The Company strives to keep these records as confidential as possible, allowing access only on a need-to-know basis. These records are Company property. Employees may inspect certain documents in the presence of a Company management representative at a mutually convenient time. Employees should notify management or Human Resources of any changes in personal information. No copies of documents in an employee's file may be made without authorization from senior management or the Human Resources Manager.

The Company restricts disclosure of information contained in employee personnel files to unauthorized individuals within or outside the Company. Any request for information from personnel files must be directed to Human Resources. Only a Human Resource representative is authorized to release information about current or former employees. The Company cooperates with authorized law enforcement, Federal agencies conducting official investigations, and otherwise legally required requests for information.

### 3.8. Employee References

All requests for references must be directed to human resources. No other manager, supervisor, or employee is authorized to release references for current or former employees. The Company's policy regarding references for employees who have left the Company is to disclose only the dates of employment and the title of the last position held. With written authorization, the Company will provide information on the amount of salary or wage last earned.

### 3.9. Personal Property and Inspections

The Company does not assume responsibility for any theft, damage, or disappearance of personal property. Employees are discouraged from keeping valuable personal property or large amounts of cash at work.

#### Searches and Inspections

As a condition of employment and to ensure workplace safety and security, all facilities, Company property (including desks, work stations, files, E-mails, Instant Messaging (IM's), voicemail, etc.), and employees' personal property on Company premises are subject to inspection without notice and upon request. Permission to bring briefcases, purses, packages, personal vehicles, and other property on the Company's facility is conditional upon the employee granting a right of inspection upon request.

Employees are responsible for assisting with the security of Company property, work areas, and related investigations. Employees should immediately notify their supervisors of any unfamiliar or suspicious persons in their work ~~areas, and~~ areas and should offer to assist or escort such persons as appropriate.

### 3.10. Performance Evaluation and Appraisals

Work performance will be reviewed periodically, at a minimum of once annually with consideration given to performance, attitude, and the employee's ability to meet the expectations of the job. Supervisors evaluate work quality and results, providing feedback as to where and how improvements can be made. Employees are encouraged to make suggestions about how the Company may assist with their particular job assignment as well as suggestions to improve the Company's efficiency and operations. The frequency of performance evaluations may vary depending upon length of service, job position, changes in job duties, past performance, or recurring performance problems.

Performance reviews provide valuable information that may be used when considering employees for additional responsibilities, promotions, pay increases and transfers.

### 3.11. Termination/Resignation of Employment

Employees are required to return all company property issued to employees, such as computer equipment, keys, tools, parking passes or company credit cards, at the time of termination. Employees will be responsible for any lost or damaged items.

#### Resignation:

If circumstances force employees to discontinue employment with the Company, Non-exempt employees are requested to provide a minimum of two (2) weeks written notice of their intent to resign. Exempt employees are requested to provide a minimum of four (4) weeks written notice. Your notice of resignation to voluntarily terminate employment with the Company should be submitted to your supervisor or a member of management. An exit interview may be requested.

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## 4. Employee Responsibilities and Expectations

### 4.1. Dress Code & Personal Appearance

The Company's atmosphere is maintained, in part, by the image employees present to customers, vendors, and others. All employees are expected to be neat, clean, and groomed appropriately for the type of the work they do and in keeping with personal safety. Management reserves the right to determine inappropriate dress and may elect to send an employee home without pay to change should they find the employee clothing or hygiene inappropriate for the work place.

**The following guidelines apply to all employees:**

- 1) Business casual dress, such as slacks, jeans are okay as long as they are not faded, contain holes or tears, collared shirt or blouse, dress or skirt as long as they are mid knee length or longer. Dress shorts are okay as long as they are mid knee length or longer. Tee shirts or sweat shirts are okay as long as they don't contain offensive images or sayings.
- 2) Shirts and shoes must be worn at all times. In some areas, safety shoes should be worn. They should be comfortable, but safe. Slippers and flip-flops are not acceptable.
- 3) Extreme, immodest, or revealing attire is not permitted. Other unacceptable items include, but are not limited to, sweats, night clothing such as JP's, shorts, gym shorts, beach attire, mini-skirts, worn jeans, overalls, sleeveless shirts, tank/tube/halter/transparent tops, and tight clothing.
- 4) Hair, jewelry, and other items of clothing should be worn in such ways as not to attract inordinate attention, hamper work performance, or create safety hazards.
- 5) Clothing and personal hygiene should be regularly maintained to avoid causing discomfort to others.
- 6) All clothing should be clean, well maintained, free of holes, tears, soiled or contain stains or offensive odors.

Employees with special needs or questions regarding dress and grooming standards should contact their immediate supervisor. Improperly groomed or dressed employees may be asked to go home to make needed attire corrections.

### 4.2. Employee Conduct and Work Rules

General rules of conduct are designed to:

- Promote the smooth functioning of the operation as a whole.
- Ensure safety and fairness to all employees in relation to their work.
- Maintain good employee relations.
- Define acceptable and unacceptable ~~behavior,~~ behavior and establish a means of dealing equitably and uniformly with problems.



The following rules are not meant to be all-inclusive; however, they provide a guide for employees about what is considered acceptable behavior. There are degrees of seriousness to every infraction, and disciplinary measures may vary accordingly.

### **Performance**

Employees are expected to perform their jobs effectively and in accordance with given directions and established procedures. Examples of unacceptable performance include:

- 1) Failure to meet quality or quantity performance standards or deadlines.
- 2) Refusal to work overtime or failing to accept work assignments.
- 3) Insubordination or failing to follow directions of supervisors or those with authority to direct.
- 4) Unprofessional conduct or rudeness to customers or co-workers.

### **Attendance and Dependability**

Absenteeism and tardiness burden co-workers, disrupt business operations, and reduce the quality of our service. Good attendance, punctuality, and dependability are required of all employees. Excessive absenteeism and tardiness reduce an employee's opportunity for advancement.

Employees are expected to give their supervisor as much advance notice as possible of anticipated tardiness or absence, or of the need to leave early. Employees should call at least one hour before their scheduled starting time for absences, and as soon as tardiness or the need to leave early is apparent.

### **Personal Notification Required**

Leaving a voice mail, emailing, text messaging or having someone call for the employee does not satisfy the notification requirement. If the employee cannot reach his or her immediate supervisor, the employee should contact human resources, another supervisor or dispatch. Employees should also maintain regular contact with their supervisor during extended absences.

### **Absent Without Notice**

As allowed by law, an employee who has been absent for one or more days without providing appropriate notice to his or her supervisor may be considered to have voluntarily terminated.

Schedule adjustments and paid time off should be arranged in advance of when employees are expected to arrive to work. Employees should give at least a one week notice when scheduling a vacation day off, and at least a two-weeks' notice when planning to take two or more vacation days off. Requests for vacation days off will be granted depending on the department's work load and staff availability. Each department reserves the right to require this notification.

Employees who are absent from work due to an injury or contagious disease may be required to provide a note from their doctor authorizing their return to work.

Employees with special needs or questions regarding the attendance policy should contact their immediate supervisor.

### **Attendance**

Employees are expected to arrive at work as scheduled and to return from breaks promptly.

### **Other General Misconduct Examples:**

- 1) Changing or falsifying client records, Company records, personnel or pay records -- including time sheets -- without authorization; dishonesty or falsification in any form or degree.
- 2) Damage, loss, or destruction of Company, employee, or customer property due to negligent, willful, or careless acts.
- 3) Being under the influence of, in possession of, or using alcohol or illegal drugs during work hours.
- 4) Theft, misappropriation, or unauthorized possession or use of property, documents, records or funds belonging to the Company, or any client or employee; removal of same from Company premises without authorization.
- 5) Divulging confidential information of any kind to any unauthorized person(s) or without an official need-to-know requirement.
- 6) Obtaining unauthorized confidential information pertaining to clients or employees.
- 7) Loafing or sleeping on the job, failure to perform work, ineffective performance, or incomplete or neglected work.
- 8) Refusal to perform work as directed (insubordination), failing to carry out reasonable orders by a representative of management, or refusal to work on jobs assigned by the supervisor (except when such work interferes with the health or safety of the employee), restricting production, and disobedience.
- 9) Negligence in observing fire prevention or safety regulations, poor housekeeping, or failure to report on-the-job injuries or unsafe conditions.
- 10) Fighting; gambling; horseplay; or using profane, obscene, or abusive language; threatening, intimidating, coercing others; or carrying unauthorized weapons while at work on company premises or while representing the Company
- 11) Rude, discourteous, or unbusiness-like behavior; creating a disturbance on Company premises or creating discord with clients or fellow employees.
- 12) Leaving the office during scheduled work hours without permission; unauthorized absence from assigned work area during regularly scheduled work hours.
- 13) Recording of time for another employee or having time recorded to or by another employee.
- 14) Soliciting or selling anything on Company time and premises, except when all concerned are relieved from duty.
- 15) Violation of any other commonly accepted reasonable rule of responsible personal conduct, appearance, or cleanliness.
- 16) Distribution or posting of literature unrelated to Company business objectives, without management approval, during working time or in work areas.
- 17) Habitual fault finding, negative attitude, or gossiping.

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### 4.3. Drug and Alcohol (Substance) Abuse

The Company has adopted a “Zero Tolerance Policy” on maintaining an Alcohol and Drug-Free Work Site. Our policy prohibits being under the influence of and the use, sale, distribution, manufacture, or possession of alcohol or drugs (including excessive quantities of prescription or over-the-counter drugs), paraphernalia, or any combination thereof, on Company premises, property or work sites including Company vehicles and equipment, hired or leased vehicles or equipment, and any private vehicle parked on the Company premises or at a Company work site.

Any employee taking medication should consult a medical professional to determine whether the drug may affect his or her personal safety or ability to perform the essential functions of the job and should advise his or her supervisor of any job limitations. Upon notification of job limitations, the Company will make reasonable efforts to accommodate the limitation.

Where the law permits, the Company reserves the right to conduct drug testing for pre-employment screening, specific incidents, probable cause, fitness for duty, random testing, suspicious sample, post-accident or as required by State or Federal contract language. This list is not intended to limit the events which would require a drug test, and the Company reserves the right to test for alcohol and drug abuse for other lawful reasons. All positive or inconclusive tests will be reviewed by a licensed physician (Medical Review Officer).

Positive post-accident drug testing may result in forfeiture of workers compensation funds for accident injury costs. The burden of treatment cost may fall upon the employee if found to be under the influence of drugs or alcohol.

It is a violation of Company policy for any employee to:

- 1) Manufacture, possess, sell, trade, or offer for sale paraphernalia, illegal drugs or controlled substances, or to otherwise engage in the abuse of illegal drugs, controlled substances, non-prescription drugs, or alcohol while on duty.
- 2) Report to work intoxicated or impaired due to the influence of illegal drugs, non-prescription drugs, alcohol, or controlled substances, including any metabolite thereof.
- 3) Abuse prescription drugs.
- 4) Alter or tamper with testing sample.

### 4.4. Smoking

The Company is committed to providing a work environment that supports employee health and safety. For the protection of all employees, visitors, clients and contractors and to ensure compliance with Federal and State laws, smoking including e-cigarette use will only be allowed in designated areas which by definition means “not allowed in or within 25 feet of

any Company owned or leased vehicles, facilities or buildings, including any work areas, shops, break rooms, hallways, entrances, or customer facility or site.

A designated area will be assigned in each division.

#### **4.5. Electronic Communication and Information Systems**

The Company uses multiple forms of information systems and electronic data/communication/media including but not limited to E-mail, computer, Internet, instant messages, texts, fax, telephone and voice mail systems, and online information services. All communications using these systems, networks, and accounts are Company property/records. These systems and the information they contain are provided to help employees do their job as well and as easily as possible and are intended for company use only. As a condition of employment, the Company reserves the right to access, intercept, copy, monitor, review, and down-load any communications or files employees create or maintain on these systems without notice to the employee and/or in the employee's absence.

While Electronic Communication/Media may use passwords for security, such passwords used in connection with Electronic Communication/Media are not intended for and may not be construed as creating personal privacy. An assumption must be made by each employee that any and all messages may be read or heard by someone other than the intended or designated recipient. The organization may override all personal passwords or security, at its discretion, related to Electronic Communication/Media.

When using any of these systems, including the Internet, do not send materials of a sensitive nature or that might constitute "confidential information," unless the material is marked "confidential" and you are sending it to a trusted recipient. Do not copy or download any copyrighted information. Materials referencing any of the items outlined this handbook would be considered confidential. Downloading games or online gaming is strictly prohibited.

All employee communications and any use of our E-mail, computer, fax, or voice mail systems will be held to the same standards as all other business communications, including compliance with our anti-discrimination and anti-harassment policies. Communication should not be disruptive, discriminatory, or offensive to others. Employees should notify their supervisor immediately of unsolicited offensive materials or communications received by themselves or any other employee on any of these systems.

Electronic Communication/media may not be used for any purpose which is illegal, against organization policy, disparaging or embarrassing or would reasonably be considered as not in the best interest of the Company.

Employees are not permitted to access files, messages, or any documents or correspondence created by or intended for other employees or third parties, even on Company systems unless directed to do so by organization management. Although employees may have passwords that restrict access to their voicemail, messages and other devices and systems, this does not limit

the organization's ability to access any files, messages, documents or correspondence stored on or deleted from the electronic communication/media systems.

All electronic communication and computerized information systems are for business use. Any personal use of the Company's electronic communications should be limited or infrequent, and should not interfere with assigned work duties or be disruptive to co-workers. If employees have any questions about specific situations, they should check with their supervisor.

As a *general* rule, the following personal actions should be done at home or during breaks to avoid wasting time or distracting employees from their responsibilities:

- Surfing the internet for non-work-related items or shopping on-line.
- Instant messaging or sending personal E-mails.
- Text messaging.
- Answering or making calls on personal cell phones.
- Playing games on the computer.
- Performing other personal tasks.

#### **4.6. Social Media Policy**

Individuals who participate in Social media such as Facebook, Twitter, Blogging, Myspace, Youtube, and so on, are responsible to follow these guidelines related to work related work sites, issues about Company products and reference to customers, employees, leaders and partners protecting their privacy, confidentiality and interests. These guidelines in this blogging and social media policy will help employees make appropriate decisions about work-related blogging and the contents of their blogs, personal Web sites, postings on wikis and other interactive sites, postings on video or picture sharing sites, or in the comments made online on blogs, elsewhere on the public Internet, and in responding to comments from posters either publicly or via email. Our internal Internet and Email Policy remains in effect in our workplace. This policy is not intended to interfere in any way with any applicable federal, state or local law. This policy is not intended to interfere with employee rights to form, join or assist unions or to engage in other concerted activity protected by the National Labor Relations Act.

##### **Social Media Guidelines:**

- Employees who develop a Web site or write a blog must obtain advance approval from senior management before mentioning company potential products, partners, customers, and competitors. If approved, employees are to identify that they are an employee of the Company and state that the views expressed on the blog or Web site are theirs alone and do not represent the views of the company.
- Unless given permission by senior management, employees are not authorized to speak on behalf of the company, nor to represent themselves as doing so.

**Confidential Information:**

- Employees may not share information that is confidential and proprietary about the company. This includes information about trademarks, upcoming product releases, trade secrets, sales, finances, number of products sold, number of employees, company strategy, and other proprietary information not publicly released by the company.
- Company logo and trademarks may not be used without explicit permission in writing from the company.

**Respect and Privacy Rights:**

- The use of copyrighted materials, unfounded maliciously false statements, discriminatory, mentally or physically abusive statements, and defamation is prohibited.
- Honor the privacy rights of our current employees by seeking their permission before writing about or displaying internal company happenings that might be considered to be a breach of their privacy and confidentiality.
- Employees may not sell any product or service that would compete with any Company products or services without permission in writing from the President. This includes, but is not limited to training, books, products, and freelance writing. If in doubt, talk with senior management.
- Employees are legally liable for anything they write or present online.
- Media contacts about our company and our current and potential products, employees, partners, customers, and competitors should be referred for coordination and guidance to the senior management. This does not specifically include employee opinions, writing, and interviews on topics aside from our company and our current and potential products, employees, partners, customers, and competitors.

Application of this policy will be consistent with the National Labor Relations Act and will not be interpreted or enforced in a manner that would interfere with employees' rights to discuss work related issues with one another.

**4.7. Confidentiality**

Maintaining confidentiality is required of all employees. All information regarding Company strategies, objectives, products, pricing, margins, research, development, technology, intellectual property, operations, finances, business practices, policies and procedures, employees, customers, suppliers, vendors, business partners and relationships, and other inside business information is to be kept confidential.

Confidential information should only be divulged to individuals within the Company who need to know, or to outside persons who have signed a non-disclosure agreement (which must be countersigned by an officer of the Company) when the information is necessary to transact Company business.

All records and files maintained by the Company are confidential and remain the property of the Company. Confidential information obtained during employment may not be used by any employee for the purpose of furthering current or future outside employment, or to obtain personal gain or profit.

Questions and requests for confidential information, including reference requests, should be referred to upper management.

#### **4.8. Conflicts of Interest**

The Company encourages appropriate relationships between employees, customers, suppliers, and competitors. Employees may not participate in activities which conflict with or appear to conflict with the business interests of our Company, which hurt the employee's job performance, or which may appear to compromise the employee's independent judgment because of economic or personal self-interest.

The following three principles help avoid conflicts of interest:

- 1) Employees should not use their Company position for personal gain or for the personal gain of any person with whom the employee has personal, business, or financial ties.
- 2) Employees should avoid any outside activity that could give the appearance of adversely affecting the objectivity of their judgment, or of interfering with the timely and effective performance of their job.
- 3) Employees should not participate in any procurement action, whether for the Company or a Federal agency, which involves a Company, organization, or activity in which the employee or a family member has a material financial interest, or other business or personal connections.

Employees are allowed to invest in publicly owned companies whose securities are listed on a national securities exchange or are otherwise generally available in the open market, or in banks or trust companies, even though the issuers of such securities may be customers, suppliers, or competitors, so long as such investments do not conflict with the interest of the Company.

#### **4.9. Outside Employment**

Employees are discouraged from accepting outside employment in addition to their full-time job with the company as it may distract from their job and overall health. Outside employment may be allowed as long as it does not adversely affect the amount of time, energy, and attention devoted to company activities, and does not create a conflict of interest. Employees are to discuss all outside employment with their supervisor.

#### **4.10. Hiring of Relatives and Friends (Nepotism)**

Generally, an employee's immediate relative, close friend, or household member may be hired provided the individual can perform the essential functions of the job and does not:

- Establish a direct supervisory, reporting relationship with the employee
- Create a conflict of interest
- Create a potentially adverse working situation
- Have access to sensitive information regarding a close family member or friend.

#### 4.11. Dating between Employees (Fraternization)

It is not contrary to the policy of the Company for employees to date except in circumstances where one of the ~~employees~~employee's reports, either directly or indirectly, to the other employee. No dating is permitted in such circumstances. The Company will, however, consider requests from affected employees to transfer them to other open positions within the Company for which they are qualified, so the employees are not in the same reporting lines.

The Company prohibits supervisors from having an intimate relationship (e.g. sexual, dating, etc.) with employees under their direct management. If such a relationship develops between a supervisor and an employee, either a transfer or termination may result.

#### 4.12. Safety Rules and Practices

The Company strives to provide a safe, accident-free, and healthy work environment for everyone. Workers who notice hazards or other safety problems, or who feel that they need additional training, must notify their supervisor immediately. Supervisors and management should address these concerns and take corrective action when warranted.

Everyone is obligated to be knowledgeable about the standards applicable to their area or job, and, just as important, to abide by those standards. It is the duty of all employees to perform work with maximum regard for the safety of themselves, their co-workers, and our customers.

##### General Workplace Safety Rules

Following are some of the Company's primary workplace safety rules:

- 1) Ask for assistance from a supervisor or other trained employee when unsure about how to do a job safely and correctly.
- 2) Report unsafe conditions to a supervisor immediately.
- 3) Promptly report all accidents/injuries/incidents to a supervisor. Accidents/injuries/incidents should be reported no later than the end of the shift in which they occur.
- 4) Use eye and face protection where there is danger from flying objects or particles (such as when grinding, chipping, burning, and welding, etc.), or from hazardous chemical splashes.
- 5) Dress properly. Wear appropriate work clothes, gloves, and shoes or boots. Loose clothing and jewelry shall not be worn if it creates a possible safety hazard.
- 6) Operate machines or other equipment only when all guards and safety devices are in place, and under proper operating conditions.



- 7) Avoid all distractions such as cell phones, iPods, or other music or mobile devices while working around or operating machinery.
- 8) Keep equipment in safe working condition. Never use defective tools or equipment. Report any defective tools or equipment to a supervisor.
- 9) Properly care for and be responsible for all personal protective equipment (PPE). Wear or use any such PPE when required.
- 10) Lockout, tag-out, or disconnect power on any equipment or machines before any maintenance, un-jamming, or adjustments are made.
- 11) Do not leave materials in aisles, walkways, stairways, work areas, roadways, or in areas that might block building/emergency exits.
- 12) Practice good housekeeping at all times. Place wastepaper, empty cartons, and other trash in approved receptacles. Keep work areas clean and free from objects that can create a slip or tripping hazard. No job is complete until the job area is cleared, maintaining safe working conditions.
- 13) Train on equipment prior to unsupervised operation.
- 14) Avoid horseplay and pranks that may result in an injury or accident.
- 15) Review the Material Data Safety Sheets prior to working with chemicals. Make sure all chemicals are properly labeled to identify the contents.
- 16) Use proper lifting techniques when lifting is required. Employees should keep their back straight, with the object close to their body and body weight directly over their feet, lifting gradually using the leg muscles. Do not twist or bend the back while lifting. Always ask for help with heavy objects. Stretching-out in advance can also help reduce injuries.
- 17) Use proper stretching techniques daily when you use your hands extensively.
- 18) Contact your immediate supervisor regarding any question relating to safety. Safe work practices are a condition of employment.

#### **4.13. Injury / Accident Reporting**

Employees who are injured while working are to report their injury immediately to their supervisor, regardless of how minor the injury may be. All injuries must be reported no later than the end of the day the injury occurred.

All work-related injuries must be treated at participating providers, unless the injury is a life-threatening emergency. Anyone needing emergency medical treatment should be taken to the nearest hospital or medical center. Employees should see their supervisor or Safety member regarding questions dealing with injury reports or Worker's Compensation Insurance.

#### **4.14. Possession of Weapons**

To ensure employee safety and security, no employee may possess any deadly weapon on Company premises, including in any company vehicle. In states where permitted, and with active carry permit, employees may have a firearm stored in their personal vehicle as long as it is concealed.

Any violation of this policy, or threats or intimidation made with a firearm to co-workers, customers, vendors, or visitors will result in immediate corrective action.

#### 4.15. Violence in the Workplace

We strive to maintain an environment free from intimidation, threats, or violent acts. This includes, but is not limited to, intimidating, threatening, or hostile behaviors; physical abuse; vandalism; arson; sabotage; use of weapons, or carrying weapons of any kind onto Company property; or any other act which, in management's opinion, is inappropriate in the workplace.

Employees who feel they have been subjected to any of the behaviors listed above are requested to ***immediately*** report the incident to their supervisor. Complaints will be investigated. Based upon the results, disciplinary action will be taken against the offender, if appropriate.

Employees who observe or have knowledge of any violation of this policy should ***immediately*** report the violation to Company management.

Employees are empowered to contact the proper law enforcement authorities without first informing management if the employee believes a threat to the safety of others exists.

The Company reserves the right to conduct searches and inspections of employees, or employees' personal effects or materials (such as lunch pails, boxes, thermoses, purses, lockers, desks, personal computer files, cabinets, file drawers, packages or vehicles) without notice. Any illegal and unauthorized articles discovered may be taken into custody and may be turned over to law enforcement representatives.

## 5. Employee Benefits and Leave Policy

### Benefits Summary

The Company's employee benefits program is an important part of employee compensation. The company provides cost-effective benefits that are competitive with the market and meet employee's medical, vision, dental insurance, retirement, and personal needs.

Insurance plans are generally reviewed annually to ensure cost-effectiveness and quality. Employees must enroll within 30 days of their eligibility and can make changes only once per year unless they experience a qualifying family status changes (e.g. new baby, marriage, divorce, spouse's job change, etc.).

At no cost to employees, the company provides workers compensation insurance and unemployment insurance, and matches employee's Social Security contributions.

Regular, full-time employees are eligible to participate in the Company's medical, vision and dental insurance programs starting the first day of the month following 90 days of employment.

### 5.1. Health Benefits and Retirement

Review Insurance plan handouts and summary plan description for details regarding coverage, rates and options. As defined under the ACA, employees who regularly work on average 30 or more hours per week are eligible to participate in the Company's medical insurance program. Eligibility for all other benefits require the employee to be a regular full-time employee as defined under employment classification, those who work on average 30~~2~~ or more hours per week.

#### 401 (k)

Employees who have worked for a minimum of 1 year are eligible to participate in the company 401K plan. The company will match up to 4% of an employee's wage based on a 5% contribution rate. The company is 100% on the first 3% and 50% on the next 2% of contribution for a total company contribution rate of 4%. The percentage of match may change from year to year. Contributions can begin on the first of the month after one year of employment (subject to the minimum hour eligibility requirements of the plan.)

### 5.2. Continuation of Benefits (COBRA and Mini-COBRA)

The Company complies with ~~Ffederal and/or State~~ law which requires employers sponsoring group health plans to offer employees and their families the opportunity to elect a temporary extension of health coverage (called "continuation coverage" or "COBRA coverage" for the Federal program ~~and "Mini-COBRA" for the State program~~) in certain instances where coverage under the plan would otherwise end.

Employee data such as home address, telephone number, emergency contact, marital status, number of dependents, and tax withholding information must be kept accurate and up-to-date. Employees and their qualified dependents are responsible for notifying the Company of any change in address or status (e.g., divorce, insurance eligibility, child becoming ineligible due to age, etc.) within 30 days of the event.

All COBRA notices will be sent to the "last known address."

### 5.3. Health Information Privacy (HIPAA)

The Company is not a covered entity as defined by HIPAA; however, we do maintain health care and related plans that are subject to HIPAA requirements. Thus, the Company has made a decision that HIPAA privacy and security provisions will apply to protected health information (PHI) maintained by the company.

HIPAA regulations will be followed in administrative activities undertaken by assigned personnel when they involve PHI in any of the following circumstances: health information privacy, health information security and health information electronic transmission.

The Company will consider any breaches in the privacy and confidentiality of handling of PHI to be serious, and disciplinary action will be taken in accordance with our code of conduct.

The Company has designated a HIPAA compliance officer (HCO), and questions regarding policy provisions should be addressed to the HCO. This policy is supplemented by new operating procedures issued by the HCO and will be effective immediately. Company records that are governed by this policy will be maintained for a period of no less than six years, and when the maximum retention period has passed, the records will be subject to the company's policy for completed record destruction.

#### 5.4. Workers Compensation

All employees are covered by workers' compensation insurance which provides medical reimbursement and disability benefits for job-related illness or injury. An employee does not accrue benefits while receiving workers' compensation payments. Employees may use accrued vacation leave to make up the difference between workers' compensation benefits and their base pay.

#### 5.5. Social Security/Medicare

The Company withholds income tax from all employees' earnings and participates in FICA (Social Security), ~~and Medicare withholding~~, and matching programs as required by law.

#### 5.6. Family Medical Leave Act (FMLA)

The federal Family & Medical Leave Act of 1993 (FMLA) as amended in 2008 requires employers with 50 or more employees to provide eligible employees with unpaid leave. In accordance with the Family Medical Leave Act (FMLA), part 1, as well as the military family leave entitlements (Military Family Leave) described in this policy, Company policy grants up to 12 consecutive weeks or 480 hours of unpaid, job-protected leave for eligible employees. For more information or to apply for FMLA leave speak with your supervisor or Human Resources department.

To qualify for leave, the employee must meet all the following conditions:

- Has been employed by the Company for at least 12 months.
- Worked at least 1,250 hours during the prior 12 months.
- Works at a location where there are at least 50 employees within 75 miles.

Is taking leave for one of the following reasons:

- ✓ Incapacity due to pregnancy, prenatal medical care or child birth,

- ✓ Care for employee's child after birth, or placement for adoption,
- ✓ Placement of a child for foster care,
- ✓ A serious health condition of the employee, or
- ✓ To care for a spouse, child, or parent with a serious medical condition.
- ✓ To care for ~~a serious~~ serious injury or illness of Covered Service member under Military Caregiver Leave
- ✓ Qualifying Exigency under Military Leave -- A spouse, parent, or child of a National Guard or Reservist service member may request leave for needs arising out of a call to active duty

### FMLA Request Procedure

If the leave is foreseeable, the employee should request the leave in writing 30 days in advance. Other requests should be submitted as soon as is reasonably possible. The Company reserves the right to require medical certification to support a request for leave because of a serious health ~~condition, and~~ condition and may require second or third opinions (at the employer's expense). To protect employee privacy rights, medical certifications will be treated as confidential medical records, and the information will be disclosed only on a strictly need-to-know basis.

FMLA leave may be taken intermittently or, under certain circumstances, on a reduced leave schedule. When leave is taken because of a birth or placement of a child for adoption or foster care, an employee may take a reduced-hour schedule when medically necessary. An employee may take an intermittent leave only if approved by the Company. When FMLA leave is taken to care for a sick family member or for an employee's own serious health condition, leave may be taken intermittently or on a reduced-leave schedule when medically necessary.

Employees are required to use accrued vacation pay first. Paid time is tracked concurrently, not in addition to, FMLA for a total of 12 weeks leave time. If the accruals are less than 12 weeks, the employee may take the remainder of the time as unpaid leave. Employees will continue to accrue vacation leave while utilizing their accrued vacation time. However, they will cease to accrue vacation time leave during the unpaid portion of their leave.

Health benefits, if applicable, may be maintained during any period of unpaid leave under the same conditions as if the employee continued to work, but the employee must pay his or her share of insurance premiums on or before the 5<sup>th</sup> day of each month. The Company and the employee will agree upon the method of payment.

Cancellation of coverage may result should the employee fail to make payment when due. Employees must also continue to pay for other elected benefits, such as flexible spending accounts, during the leave period.

### Leave Return

Most employees returning from Family Medical Leave will be restored to their original job or to equivalent positions with equivalent pay, benefits, and other employment terms. Key

employees can be denied restoration from leave if it would cause grievous economic harm to the Company.

Employees who were on leave for personal medical reasons may be required to furnish the Company with a fitness-for-duty report, if indicated on the designation Notice Family and Medical Leave Act (Form WH-382) before returning to work. Failure to return after the allowed time periods or to communicate or provide needed documentation may result in termination of employment.

### **5.7. Personal Medical and Maternity Leave**

The Company recognizes that employees who are not eligible for FMLA leave may need to be absent from their scheduled position for various reasons. The personal medical and maternity leave policy has been developed for this reason.

Under normal circumstances, employees will receive only leave time for which they are entitled under the Company's paid time off policy. Exceptions to this policy will be rare and granted only under special circumstances solely at the company's discretion.

A request for leave is not a guarantee of approval and no approved leave will exceed six (6) weeks in duration.

In general, to be considered for personal leave, an employee should:

- Be employed for at least 120 days prior to the request;
- Work at least 32 hours per week;
- Submit a written request for leave stating the reason, requested leave date and expected return date;
- Be in good standings with the company (e.g. meeting performance expectations etc.).

If the leave is foreseeable, the employee should request the leave in writing at least 30 days in advance. Otherwise, requests should be submitted as soon as is reasonably possible.

Employees are required to use their accrued paid time off. During the leave, paid time off leave benefits will not continue to accumulate, and they will not be paid for holidays that occur during their leave time.

When possible, employees will be allowed to return to their same or equivalent job with the same pay and benefits. However, reinstatement from a personal leave of absence is not guaranteed to any employee unless required by law.

Health benefits may be maintained during any period of approved unpaid leave under the same conditions as if the employee continued to work, but the employee must make his/her share of insurance premium payments on or before the last day of each month. The Company and the employee will agree upon the method and time of payment. Cancellation of coverage may result if the employee fails to make payment when due.

Employees are expected to give prompt notice to their supervisor if there is any change in the expected return date. If the leave period expires and the employee has not contacted the supervisor, it will be assumed that the employee has voluntarily terminated employment.

## 5.8. Vacation and Holiday Pay

Based on position with the Company, regular full-time employees may be eligible to participate in the Company's vacation and holiday program. Refer to your supervisor or department manager for vacation and holiday policy details.

## 5.9. Funeral and Bereavement Leave

Upon approval, employees may receive up to a maximum of two days leave without pay to attend the funeral of a member of the employee's immediate family. Longer extended allowances may be granted for employees who must travel more than 500 miles one way.

Immediate family is defined as the employee's spouse, child (step, in-law), sibling (step, in-law), parent (step, in-law), grandparent (step, in-law), and grandchild (step, in-law).

## 5.10. Military Leave

Employees who are called up for active duty in the armed forces or National Guard of the United States will be granted leave without pay for any such active duty, to the full extent required by applicable law.

With certain exceptions, the law provides that any person who is absent from a position of employment by reason of service in the U.S. military shall be entitled to re-employment and certain other employment benefits if the person has given advance notice of such service, the cumulative length of all absences for such reasons does not exceed five years, and the person reports for re-employment within the time required by law. Employees should notify their supervisor as soon as they are notified of the date they are to report for active duty.

Those required to be absent for military training will also be granted a leave of absence without pay for the required time. The employee is to notify his or her supervisor as soon as possible, prior to the date on which reserve training is to begin. The employee must, at this time, also notify his or her supervisor as to the anticipated duration of the training period.

Upon return from active military service, employees may be restored to their original position or one of similar status and pay, depending on the legal requirements at the time. With regard to leave, re-employment rights, and benefit obligations related to service in the U.S. military, the Company will comply in all respects with requirements established by the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA).

The Company will not deny employment, re-employment, retention in employment, promotion, or any benefit of employment to any current or prospective employee based upon

that person's membership, application for membership, performance of service, application for service, or obligation to perform service in the U.S. military.

### **5.11. Jury and Witness Duty**

Employees summoned to serve on a jury, for a court appearance on their own behalf, or who are subpoenaed as a witness will be granted unpaid time to perform this duty. If you are summoned to report for jury duty, you will be granted a leave of absence without pay when you notify and submit a copy of the original summons for jury duty to your supervisor. The Company reserves the right to request that you seek to be excused from or request postponement of jury service if the absence from work would create a hardship to the Company.

Any fees received for jury duty, including travel fees, are to be retained by you. You are to report to work on any day, or portion thereof, which is not actually spent in the performance of jury service. For each week of jury duty, a certificate of jury service shall be certified by the Court and filed with the Company no later than Wednesday of the following week

In any day or partial day when employees are not on jury duty or testifying as a witness, they are expected to report directly to work. In the event problems develop with respect to this requirement, employees should contact their supervisor. When an employee is on jury duty, the court should provide a record of attendance.

## **6. Facility and Equipment Practice**

The Company strives to maintain a professional, safe working environment that positively reflects its culture, employees, and quality products. Employees should help the Company maintain and secure the facility to keep it clean, professional, and safe.

In general, an employee must accompany visitors and family members while they are in the building. Exceptions may be given for regular vendor visitors with management approval. Visitors should avoid hazardous work areas.

Any employee, who, through careless and/or will acts of negligent, damage or destroy company property or equipment, may be liable for replacement or repair costs. Costs may be deducted from the employees pay within legal guidelines and as allowed by law or signed employee agreement.

### **6.1. Lock-up and Lights**

The Company's hours of operation vary, depending on work requirements. The last person in the building is responsible to make sure the lights are turned out, the building is locked, and the alarms are set. Keys and alarm security codes are assigned to authorized employees.



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## 6.2. Company Vehicles

Only authorized employees are permitted to drive a Company vehicle. Authorized drivers must have a valid driver's license and comply with all driving laws and regulations.

Drivers involved in an accident with a Company vehicle must immediately contact their supervisor.

All repairs and maintenance expenses must have the Fleet Manager's or Shop Foreman's approval prior to completion.

### Alterations to Trucks, Vehicle and Equipment

The Company goes to great lengths and expense to provide drivers with great equipment. As a Company we take great pride in our equipment and our professional drivers. Any changes to that equipment must be approved by the owner Larry Brady or the fleet manager or shop managers. No exceptions, absolutely no alterations. This includes company drivers and leased or owner operator drivers. It is expected that drivers understand:

- Unauthorized modifications or tampering with any Company vehicle is strictly prohibited. Specific questions concerning personal radios, speakers, CB's, TV antennas, etc., should be addressed to fleet or shop manager, or Larry Brady.
- All alterations are to have prior approval, performed only by a trained professional and inspection by fleet or shop manager upon completion.
- Failure to follow these guidelines may result in the employee being personally responsible for replacement and repair due to damage cause by improver installation and, or unauthorized modifications.

### Abandoned Vehicles, Trucks, or Trainers

- Employees who resign or are terminated, who abandon any company equipment at a location other than a Company office, may be liable for any costs incurred by the company to retrieve said equipment, and/or deliver any abandoned freight. Employees leaving equipment that is excessively dirty, damaged, or modified, may also be liable for any costs to clean or restore equipment, including any tire chains, load locks, tools, etc. assigned by the company to a driver. Any costs determined to be the responsibility of a driver will be deducted from driver's final pay within the limits of state law.

Employees are responsible for any citations or summons received while driving a Company vehicle. The Company will not reimburse for any traffic violations or related fines.

All Company equipment, vehicles, and tools should be used for Company business purposes only. It is required that drivers, in addition to their assigned driving responsibilities, also maintain their vehicles.

## 6.3. Personal Telephones Usage

The telephones of the Company are to be restricted to business calls for Company business. All employees are required to be professional and conscientious at all times when using

company phones and to refrain from usage of personal cell phones including texting and downloading of web content unless subject to emergency situations and / or as authorized by your Supervisor.

Personal telephone calls should be kept to a minimum and should occur only on breaks or during lunch. Friends and relatives should be discouraged from calling during working hours unless there is an emergency.

#### **6.4. Cellular Phone and Mobile Device Usage**

Cell phones or mobile internet devices, whether Company-issued or personal, may be used to increase efficiency, customer service, and to resolve important issues when an employee is out of the office. Employees who use and operate cell phones and mobile devices while performing Company business are expected to follow these guidelines:

- Personal calls and texting should be infrequent and minimal
- Place cell phone on silent when in Company meetings
- Avoid operating vehicles or equipment when using a cell phone
- If you must take a call while operating equipment use a hands free device.

#### **6.5. Personal Property**

The Company is not liable for lost, misplaced or stolen property. You should take all precautions necessary to safeguard your personal possessions. You should refrain from having your personal mail sent to the Company because mail may be automatically opened.

Your work area and any other Company property are subject to inspection / search at any time, with or without notice. Desks and office areas are to be kept as neat and organized as possible.

#### **6.6. Parking**

The Company provides you with parking at no cost. All parking is at your own risk. It is recommended that you lock your car and take other appropriate safeguards. You are not to park in areas reserved for visitors.

#### **6.7. Automobile Accident**

If you are involved in an automobile accident while on Company business (in either personal or Company car), you must report the accident to your supervisor immediately. You should request and obtain a police report and police investigation at the scene of the accident.

You are not to drive a personal vehicle for Company business unless authorized to do so. If your job requires you to operate your personal vehicle, you shall be required to submit proof of a current and valid state driver's license.

If you use your own vehicle, either by authorization or requirement, to carry out the business of the Company, you must submit a photocopy of the cover page of your insurance policy covering that vehicle as proof of that insurance. Insurance must be maintained current as a term and condition of continuing employment for that particular position.

## 6.8. Expense Reimbursement Policy

It is the policy of the Company to reimburse employees for ordinary and necessary expenses incurred in connection with Company business. Employees are expected to consider the propriety of all such expenses, keep them to a reasonable amount, and exercise the same care in spending the Company's money as they would in spending their own.

Expense reporting is the responsibility of the employee and should be completed no less than monthly using the appropriate Expense form. All receipts should be submitted to accounting on a monthly basis as well.

# 7. Business & Travel Expense Reimbursement

## 7.1 Use of Company-Issued ComData and other Credit Cards

The Company will issue company credit cards to certain employees for use in their jobs; this policy sets out the acceptable and unacceptable uses of such credit cards. Use of company-issued credit cards is a privilege, which the Company may withdraw at any time and/or in the event of serious or repeated abuse. Any credit card the Company issues to an employee must be **used for business purposes only, in conjunction with the employee's job duties**. Employees with such credit cards shall not use them for any non-business, non-essential purpose, i.e., for any personal purchase or any other transaction that is not authorized or needed to carry out their duties. Employees must pay for personal purchases (i.e. transactions for the benefit of anyone or anything other than the Company) with their own funds or personal credit cards. Receipts must be turned in monthly with an expense or fuel envelope by the 5<sup>th</sup> of each month and must balance to the credit card statement. Failure to turn in receipts can result in a liability to the employee in the amount of purchase without the proper documentation and/or authorization. If any employee violates this stated policy and misuses the credit card, the cost of such purchase(s) will be considered an advance of future wages payable to that ~~employee, and employee and~~ will be recovered in full from the employee's next paycheck; any balance remaining will be deducted in full from subsequent paychecks until the wage advance is fully repaid. Such deductions will be in the amount of the unauthorized purchase(s), but if a deduction for such amount would take the employee below minimum wage for the workweek in question, the deductions will be in two or more equal increments that will not take the employee's pay below minimum wage for any workweek involved.

## 7.2 Business Expenses

It is the policy of the Company to reimburse employees for ordinary and necessary expenses incurred in connection with Company business. There is no per diem allowance. Employees are expected to consider the propriety of all such expenses, keep them to a reasonable amount, and exercise the same care in spending the Company's money as they would in spending their own.

### **7.3 Travel Expenses**

Business travel and business expenses represent a substantial element of the cost of doing business. Therefore, it is essential that all business travel be kept at the minimal level required for the conduct of business, while obtaining maximum effectiveness from travel expenditures. The most effective means of reducing travel costs is to not travel at all. Alternatives may include video conferencing, conference calls, or email. However, when travel is required, employees using their own vehicles for travel over 20 miles from their district office will be reimbursed at the current IRS rate for mileage and their regular hourly rate for travel time. The guidelines provided below in sections 7.3 through 7.5 should be followed when filing for reimbursement.

### **7.4 Expense Reporting**

Travel and business expense reporting is the responsibility of the employee and should be completed on the Company's "Excel" Expense Reimbursement form. The employee's direct supervisor should review and approve eligible reimbursable expenses and ensure adequate related explanations. Expense statement must clearly document expenses incurred, contain adequate supporting documentation, state the business purpose, and be submitted in a timely manner. To facilitate the review and approval process, and to ensure proper tax classification, reimbursable items appearing on hotel bills (room charges, meals, phone, etc.) must be entered under the appropriate expense category on the expense statement.

Expense statements must be signed and dated by the employee and approved by the employee's supervisor.

#### **Time Requirements**

Expense statements should be submitted within 7 days following the end of the month. Any receipt submitted after 30 days needs to be initialed by the employee's direct supervisor. Unwarranted delays in submitting expense reports may disqualify the expense for reimbursement.

#### **Receipt Requirements**

Original receipts must support expense statements. Original receipts must be legible and contain the vendor name, date, and dollar amount of the transaction, as well as show evidence of payment (i.e., credit card receipt, etc.). If the original receipt is illegible, it must be supported by additional documentation (a credit card statement is considered corroborative evidence). Photocopies and faxes do not constitute original receipts. Expense statements must contain a brief explanation of the business purpose.

### **\$25 No Receipt Rule**

An employee may have up to \$25 per day in expenditures where there is no receipt. This applies to total expenditures, including all categories listed on the expense statement except auto mileage. This provision should mainly be used in situations where employees are not able to provide receipts for certain small items (tips, parking, vending, etc.). It is not intended to represent a per diem allowance. Employees should always include as many receipts as possible, as excessive use of the \$25 allowance rule, or excessive lost-receipts exceptions, may be considered abuse and non-reimbursable. All items without a receipt must be itemized.

### **Lost Receipts**

Should an employee lose a receipt, two courses of action are available:

- 1) If the expenditure was charged, the employee must include the credit card statement. The employee's supervisor must sign the credit card statement in addition to signing the front of the expense report.
- 2) If the expenditure was paid in cash, the employee must document the situation, and the supervisor must sign the documentation as well as the expense report.

### **Exceptions**

Any deviation from this policy is an exception and must be specifically documented and approved by the supervisor. The Company reserves the right to deny reimbursement to employees for items that do not comply with this policy.

### **Supplier Invoices**

Supplier invoices are not to be included in the expense statement but submitted directly to Accounts Payable for payment.

## **7.5 Approval of Expense Statements**

Expense statements must be signed and dated by the employee and approved by the employee's supervisor prior to payment.

The supervisor approving the expense statement is responsible for ensuring that all expenses authorized for reimbursement are in accordance with this policy and are reasonable and necessary business expenses. Negligence in expenditure approval may result in disciplinary action up to and including termination.

## Handbook Acknowledgment Form

I have received employee handbook guidelines from Brady Trucking, Inc., herein referred to as Company and I acknowledge that it is my responsibility to read, understand, and follow all Company policies and procedures. I further understand that failure to follow these guidelines may result in corrective action, up to and including termination.

I agree to familiarize myself with the information contained ~~herein, and~~ herein and will seek clarification from management when necessary.

I understand that the information contained in this handbook is intended to acquaint employees with general guidelines and principles and is not a contractual commitment by the Company concerning the terms of employment, benefits, or other matters.

I realize that I am an employee “at-will,” employed for no specific period of time, and that employment may be terminated by the Company or by me, with or without cause, and with or without prior notice.

I understand that as business needs change, the Company, at its sole discretion, may modify or eliminate these handbook guidelines and procedures at any time without notice. By signing below, I certify that I have received the Employee Handbook, and I have read and understand the standards and practices described herein.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee’s Name (printed)

(Employer copy – sign and return to your supervisor)