



# MID AMERICA CONTRACTORS, LLC

## INDUSTRIAL SERVICES PROVIDER



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## **JOBSITE CALL IN NUMBER**

**(409) - 963 - 3300**

## **COMPLIANCE HOTLINE**





# 1. INTRODUCTION

This employee handbook has been prepared as a reference and summarization of the policies and practices related to your employment with Mid-America Contractors, LLC and all subsidiaries hereinafter referred to as MAC or the Company. It is the obligation of all employees to be knowledgeable of the Company's standards and regulations, and to follow all company rules, policies, procedures, and regulations. This handbook is not intended to take the place of specific job site policies and procedures but work in combination with such policies and procedure to ensure a safer, more productive workplace. In the event the terms herein conflict with any other policies and / or practices of the company, the terms of the most current employee handbook and its updates shall prevail.

This handbook is not a contract and does not create an employment contract between you and the Company. The relationship between you, the employee and the Company is considered as "at will". You or the Company may terminate the relationship at any time, for any reason with or without cause or notice. This at will relationship remains in full force and effect, despite any opposing statements made by the company and employees or representatives or set forth in any other document.

Company policies, practices, and benefits will change on occasion. The only exception is the Dispute Resolution Policy mutually binding agreement and equal to both parties. The company retains full discretion to modify, revoke or change any of the provisions herein at any time.

This handbook shall not infringe or limits employees' rights under the national labor relations act, or violate any federal, state, or local laws.

Amendments to the handbook and the most up to date version of the handbook will be maintained on by request to the Human Resources Department at [HR@m-ac.us](mailto:HR@m-ac.us).



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## 2. EMPLOYEE RESPONSIBILITIES

Mid-America Contractors, LLC., believes that safety is of the utmost importance. Safety is not only a principle or practice but should be considered an attitude of how you work. Anyone who goes to work does not every have the intention to get hurt, by treating safety as an attitude you actively become more proactive to how you perform your daily activities to prevent injuries and illnesses from occurring. Since you the employee, are performing the duties necessary to complete the project safety starts with you and ultimately no one is more responsible for safety than yourself. If every employee takes responsibility of their own safety as well as others, then collectively we can achieve zero incidents.

It is the company's belief that safety is the most important aspect of your employment and make part of your employment is it commit and actively practice safety as the most important aspect as well.

To help keep the workplace safe be sure to do the following:





- ❖ Adhere to all Health, Safety and Environmental Policies and work rules
- ❖ Use all Personal Protective Equipment (PPE) properly and as required to perform you job activities
- ❖ Protect tools and equipment from damage and loss. Report and tag items defective of service immediately
- ❖ Report any unsafe conditions or hazards immediately
- ❖ Report all incidents, near misses and illnesses immediately to your supervisor. Participate in all investigations and medical treatments.
- ❖ Be your fellow employee's keeper as you could save their life, or they could save yours









 STOP unsafe work and discuss before the work continues

### 3. EMPLOYER / EMPLOYEE RELATIONSHIP

It is the belief of the company to implement effective and fair policies that require all employees to support the best interest of the Company. This belief extends a commitment to providing the company's clients with their required support and as well as providing excellent service, and quality. To provide the level of excellence MAC expects all employees at a minimum:

-  Attend their scheduled work shift on time
-  Follow all Company policies and procedures
-  Perform all assignments in a safe and efficient manner
-  Treat all people with respect and in a professional manner

The company retains the right to exercise all administrative functions, including, but not limited to the rights:

-  To determine and change project beginning and stop times
-  To determine project manpower size and talent required
-  To transfer employees within departments or into other departments and other classifications.
-  To determine and procure goods, services quantities, and business aspects
-  To hire, terminate, supervise, discipline, and assign personnel
-  To assign duties to employees in accordance with the company's needs and requirements and to carry out administrative and management functions.

## **4. EMPLOYMENT – “AT WILL” POLICY**

The Company's policy of employer/employee relationship It is the policy of the company that all employees are at will employees except those who have an individualized written employment contract specifying the term of employment and signed by the CEO of the Company.

At will employment is defined that either the employee and Company can at any time terminate the employment relationship for any reason/cause, or no reason/cause at all, and with or without notice.

No company representative, except for the CEO or his designee by written contract, is authorized to modify this policy for any employee or to enter into an agreement, oral or written, that changes the at will relationship. Supervisory and management personnel have no authority to and may not make any representations to employees or applicants concerning the terms or conditions of employment with the company that are not consistent with company policies. No statements made in pre-hire interviews or discussions, or in recruiting materials of any kind, alter the at will nature of employment or imply that discharge will occur only for cause.



## **5. EQUAL EMPLOYMENT OPPORTUNITY**

It is the Company's policy to recruit, hire, train, and promote individuals, as well as administer all employment decisions, conditions of employment, and personnel actions, without regard to race, color, religion, age sex, sexual orientation, national origin or ancestry, marital status, military or veteran status, disability, or other legally protected status, in accordance with applicable laws.

Any incident or situation that is believed to involve illegal discrimination should be brought to the immediate attention of the employees' supervisor and the Human Resource manager for the assigned business unit or reported through the Compliance Hotline.

All complaints of discrimination will be investigated promptly to attempt to resolve any complaints. Confidentiality will be maintained through the investigation to the extent practicable and appropriate under the circumstances. The company prohibits any form of retaliation against employees for bringing forth good faith complaints or providing information about discrimination or violations of the company policy



## **6. AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT OF 2008 (ADAAA)**

In addition, the company is committed to complying with all applicable provisions of the Americans with disabilities act (ADA) and its amendments (ADAAA) it is the company's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individuals disability or perceived disability so long as the employee can perform the essential functions of the job consistent with this policy of non-discrimination, the company will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADAAA, who has made the company aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the company.

Employee with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact the human resources manager for their business unit. The company encourages individuals with disabilities to come forward and request reasonable accommodation.

An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against should notify the human resources manager for their business unit. All such inquires or complaints will be treated as confidential to the extent permissible by law.



## **7. BACKGROUND CHECKS**

The company reserves the right to initiate background checks for all offers of employment including prospective and current employees. The company may use a third-party administrator to conduct background checks. The type of information that can be collected may include, but is not limited to, social security verification, prior employment, education, credit, criminal history, and professional and personal references. This process is conducted to verify the accuracy of the information provided by the applicant to aid in the assessment of suitability of the start of employment with the Company and continued employment. All background checks are conducted post-offer of employment. The results may be contingent of the future or continuing employment with the Company.

In any situation where a report from a background check is used, the report will not be the sole determining factor regarding an applicant or current employee eligibility for employment or continued employment. Each report is reviewed on a case by case basis to provide a determination for specific position, in respect to the timing of prior convictions, and related circumstances specific to the individual. As an employee, generally the company's client set the standards for the background check for their projects.

Any applicant or employee who falsifies information to the company at any time, can be subject to immediate termination or denied further consideration for employment.



## 8. PERSONNEL RECORDS

It is the policy of the Company to maintain personnel records on all applicants, employees, and past employees to document employment and all related decisions as well as comply with government record keeping and reporting requirements. Employee personal records are maintained in the Human Resource Department and are property of the Company.

As a duty and condition of employment with the Company employees have the responsibility to keep their personnel records up to date and should notify their supervisor and the human resources department of any changes in the following.

- ◆ Full legal name
- ◆ Current mailing address.
- ◆ Telephone number where you can be reached.
- ◆ Email address you would designate for any electronic communication.
- ◆ Marital status and number of dependents
  - Within ten (10) days of a change in marital status and/or the number of dependents on IRS form W-2
- ◆ Names and phone numbers of emergency contacts
- ◆ Direct deposit information for payroll
- ◆ Change in employment authorization or immigration status

Employee personnel records are the property of the Company. A request of a copy of your employee personnel file must be accompanied by a legal subpoena unless the jurisdiction dictates otherwise and the Company will comply with the applicable local or state law when permitting an employee to inspect his or her own personnel files. Such inspections shall generally occur during regular office hours and shall be by scheduled requests convenient to both parties..

## PERSONNEL RECORDS (CONT.)

Records that are considered to contain sensitive or confidential information may be excluded from the inspection, and all inspections must be conducted in the presence of a designated member of the human resources department. Management, supervisors, and human resource staff may inspect certain employee files, only on an employment-related, need to-know basis.

Employees who believe that any material enclosed in their file is inaccurate, or not related may place a written statement of disagreement in the file and/or make a complaint using the employee grievance policy.





## **9. SHIFT HOURS**

The Company's policy is to determine the duration and schedule of work hours for each project. This is contingent on the client's needs, schedule, and workload and any applicable jurisdictional laws. The work hours for employees will be determined by the either the client or manager of the project. When an employee is assigned to a project they will be provided with the work schedule prior to starting work. Any changes to the work schedule may occur and the on-site supervisor will inform employees of their daily schedule of hours of work, including meal periods, breaks and of any changes that are considered by the client or company.

Employees are not permitted to work overtime without the prior approval of their supervisor. For the purposes of overtime compensation, hours worked more than forty (40) hours during a work week will be counted, unless this rule is superseded by statute or applicable jurisdictional law. Management reserves the right to determine whether overtime is necessary, and, in the absence of contract language to the contrary, employees may be asked to work a reasonable amount of overtime. Refusal to work required overtime may lead to disciplinary action, up to and including termination. Supervisors are encouraged to provide as much advance notice as possible in the event of extended hours on a single shift, or the need for overtime hours over and extended period. In the event of any conflict employees are encouraged to work with their supervisor to help meet company requirements.

## **10. PUNCTUALITY**

Each employee is expected to be at their work area at the scheduled work time and remain there until quitting time. Each



employee should show up “fit for duty” and perform their duties as required.

## **11. TIME RECORDS**

All employees must sign in and out daily, and accurately report all hours worked daily. Any employee failure to sign in and out daily may experience a delay in payroll as most client's require proper documentation or specific validation to verify the time was worked to sign off on the Company's time sheets for submitting to payroll. Falsifying any time record is prohibited and may be grounds for disciplinary action, up to and including termination.

Personnel employed in salaried or sales generally are exempt from the provisions of the fair labor standards act (FLSA). These employees should not fill out hourly time records but must be accountable for daily attendance. In addition, these employees will generally not receive overtime compensation.



## **12. ATTENDANCE**

### **ABSENCES**

Employee absences seriously interfere with job performance and can delay the work of others. In the event you are unable to report for work you must notify your supervisor prior to the start of the workday, or as soon as possible. Notification to your supervisor can be by phone, text message, or email, however, phone contact is preferred. It is the employee's responsibility to know whom to contact in the event of an unscheduled absence. Notices should include the reason for the absence and an indication of when you can be expected to report for work. If your supervisor is unavailable, you should contact another member of management. Leaving a message with a co-worker is not considered sufficient notice. Failure to properly notify the Company of any absence may be grounds for disciplinary actions.

### **TARDINESS / EARLY QUIT**

Employees more than thirty (30) minutes late to the start of the schedule work shift may lose their opportunity to work the remainder of that workday. Employees must report to their supervisor after being late or absent and explain the circumstances surrounding their tardiness or absence. Employees are required to get permission from their supervisor and sign out to leave the Company premises during working hours. In addition, employees who are frequently away from the premises for business reasons should inform their supervisors of their location(s) during work hours. Employees are expected to follow their specific site requirements.

### **INCLEMENT WEATHER**

In the event of inclement weather, employees are expected to report for work if the company does not declare a closing and if



employees are able to do so without any harm to their personal safety.

**EXCESSIVE ABSENTEEISM, TARDINESS AND EARLY QUILTS  
MAY RESULT INDISCIPLINARY ACTIONS UP TO TERMINATION**

## **13. LUNCH AND REST BREAKS**

### **LUNCH BREAKS**

It is Company policy to provide lunch breaks during each workday. Typically, lunch breaks shall be thirty (30) minutes in duration.

Lunch breaks shall have areas designated for employees to utilize and employees are encouraged to bring their lunch every workday. Employees will not be paid for lunch breaks and may be subject to disciplinary action if tardy in returning from a lunch break or rest period. No employee may consume food or beverages in work areas unless the employee is specifically required to remain at a workstation during breaks. Employees on meal breaks are not permitted to interfere with other employees who are continuing to work.

### **REST PERIODS**

When permitted rest periods should be offered to ensure a safe and productive work environment. The duration of rest periods may vary by project, but typically are not no more that fifteen (15) minutes. Employees will be paid for the time spent on rest periods. Excessive use or refusal to return from rest periods may result in disciplinary action up to and including termination.

**LUNCH BREKAS AND REST BREAKS TIME AND DURATION  
ARE SUBJECT TO CHANGE**

## **14. EMPLOYMENT OF RELATIVES**

All potential employees and candidates for employment will be considered based on their qualifications and skillset. The Company permits the employment of relatives as no actual perceived conflicts of interest arise out of such situations.

In the event employees become relatives or related such as through marriage, and the employees work in a direct supervisory relationship with one another, the company will attempt to reassign one of the employees to another position for which they are qualified, if such a position is available. If no such position is available, then one of the employees may be required to leave the company.



## **15. PROMOTIONS AND DEMOTIONS**

### **PROMOTIONS**

It is the Company's policy to and intent to place qualified personnel in job openings as they become available. Whenever feasible open positions will be filled by promoting or transferring qualified employees from with the availability of the Company.

To give qualified employees consideration, a notice shall be posted for three (3) days of the vacated position. The Human Resources Department will also refer all applicants that meet the minimum requirements of the position. The hiring authority shall review the personnel from the current employee personnel file as well as the applicant. Review and testing of the employee shall occur by the Human Resources Department. All testing shall be impartial, practical, and fair to test for the relative qualifications of the employee or applicant.

### **DEMOTIONS**

Employee's may demote an employee for inefficiency, lack of skillset or other causes with justifiable reason. A demotion for inefficiency, lack of skillset or other causes with justifiable reason shall be supported by adequate documentation of prior warnings and evaluations. Sufficient documentation shall be based on the number and seriousness of the employee offenses.



## **16. DISCIPLINARY PROCEDURE**

Employees are expected to adhere with the Company's policies, procedures, standards of behavior and performance of their duties. Under normal circumstances, the Company uses a policy of progressive disciplinary actions. This provides employees with deficiencies the opportunity to improve the deficiency identified.

Progressive disciplinary actions may apply to an employee who repeatedly commits the same act of misconduct, employee performance or behavior, or non-compliance to Company or client policy or procedure. Newly hired employees to the company may be subjected to a 90 probationary period and previous applicant re-hires may be subjected to a 30-day site probation.

Depending on the severity and nature of the non-compliance. The supervisor or manager may disregard any part of the progressive disciplinary process and may suspend or terminate the employee immediately.

The Company does reserve the right to administer disciplinary in any manner it sees fit. This policy does not change the status of the employer/employee relationship to "at-will" or restrict the Company's right to pass the disciplinary procedure or action suggested.



## **DISCIPLINARY PROCEDURE (CONT.)**

Normal proceedings under a progressive disciplinary procedure would be:

1. Meet with the employee to discuss the non-compliant behavior of policy, procedure, or expectation.
  - a. Inform the employees of the corrective action needed to correct the issue.
  - b. Document non-compliance, meeting, corrective action and duration of time to remediate the situation.
2. On the second occurrence the same actions will be taken in #1, the employee will be notified that additional non-compliance will result in further disciplinary actions up to termination.
3. Additional non-compliance issues may have any of the following disciplinary actions taken:
  - a. Written Warning
  - b. Suspension
  - c. Termination

If an employee has any disputes or has any questions related to disciplinary actions, including termination of employment with the Company to contact the Human Resource department for further assistance.





## 17. TERMINATION OF EMPLOYMENT

Termination can occur by any reason not prohibited by law. The employment relationship between each employee and the Company is “at will”. This means employees are free to quit at any time for any reason, or no reason at all. The company also reserves the right to terminate employment at any time with or without cause and with or without notice.

Employees must return all company property. To the maximum extent permitted by applicable laws, the employee hereby authorizes the company to withhold from the employee’s paycheck the cost of any company property that is not returned when required. In the event of a charge remaining after an employee has left the company, any charges may be deducted upon rehire. The company may also take all legal action deemed appropriate to recover or protect its property or the value of this property. Property is defined as any item that has a material value or an asset that may or may not be physical items such as software. If the employee owes the company any money or is responsible for any lost or damaged property, those accounts are to be settled as originally agreed or by deduction from final pay, unless prohibited by law.

Terminated employees may be eligible for future employment if recommended by their supervisor and approved by the human resources department. Some employees may not be eligible for rehire, and it is the policy of the company not to disclose information related to out hiring decisions.









Termination and discharge procedures are only guidelines and do not create a legal contract between the company and its employees. The company reserves the right to implement its policies and procedures using its discretion in the best interest of the company. In addition, specified grounds for termination are not all inclusive since the company reserves the right to terminate employment “at will” with or without cause and with or without notice.

## **18. EMPLOYEE CONDUCT**

Whether it is improving safety and reliability, delivering better service for our customers, or earning their trust and confidence, all of us at Mid-America Contractors, LLC. are working hard to ensure that our company is on a solid foundation for the future. Strong performance is critical to our success, but just as important is how we go about achieving results-with or without taking shortcuts and operating ethically and integrity in all that we do.

Employees are always expected to conduct themselves in a professional manner. inappropriate employee conduct includes, but is not limited to the following examples:

-  Falsifying employment applications, resumes, time records, personnel documents, or any other record belonging to the Company
-  Insubordination, including the refusal to work on assigned project, refusal to comply with Company policies or work site policies
-  Conduct that reflects adversely on the Company
-  Engaging in acts of dishonesty, fraud, theft, or sabotage. Unauthorized possession of property belonging to the Company, client, or another company

- ❖ Stealing and/or misappropriation of assets including cash and equivalents
- ❖ Fighting, horseplay, practical jokes or other conduct that may endanger or disrupt anyone
- ❖ Refusing to cooperate with Company investigations or providing false information or otherwise interfering or obstructing a Company investigation.

## **EMPLOYEE CONDUCT (CONT.)**

- ❖ Violating criminal laws on the job site or Company property
- ❖ Gambling on the job site property or bringing illegal gambling paraphernalia onto the work site property.
- ❖ Theft or unauthorized removal of work site property, Company property, employees, contractors, or vendor property.
- ❖ Neglect of duties
- ❖ Sleeping during work periods
- ❖ Misuse or neglect of tools, equipment, machinery, vehicles and/or property resulting in injury to person and/or damage to property

The examples of intolerable behavior listed above is not an all-inclusive list. Any violation of the Company's policies may subject the employee with disciplinary actions up to and including termination. This policy does not change the employment "at will" relationship nor promise progressive discipline prior to termination of an employee.

## 19. HARASSMENT AND DISCRIMINATION

It is the policy of the Company to provide a work environment free from all forms of discrimination or harassment of any kind. Any offensive physical, written or spoken conduct, including conduct of asexual nature, is prohibited.

Sexual harassment includes unsolicited or unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. All management and supervisors are responsible for implementing this policy and keeping the job site free of harassment and discrimination. All employees are expected to comply with this policy and by not engaging in such conduct promotes the policy.

Examples of such intolerable conduct includes, but is not limited to the following examples:

❖ Verbal: Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, or threats; verbal abuse or “kidding” which is oriented towards a prohibitive form of harassment, including that which is sex oriented and considered unwelcome.

❖ Non-verbal: The distribution, display, or discussion of any written or graphic material, including calendars, posters and

cartoons that are sexually suggestive, or show hostility toward an individual or group because of sex; suggestive or insulting sounds, leering, staring,whistling, obscene gestures, content in letters, notes, facsimiles, text messages, emails, and other written communications.



Physical: Unwanted touching, advances flirtations and propositions.

All employees are forbidden from engaging in such behavior. Violation of this policy may result in disciplinary action up to, and including, termination.

**Filing a Complaint** - Any employee who feels to be a victim of discrimination or sexual harassment or who observes or otherwise becomes aware of what appears to be discrimination or sexual harassment MUST report the situation immediately to the Human Resource Manager. The Company does not condone or authorize any kind of retaliation against an individual who has made a good faith report of conduct that they may constitute as harassment or discrimination or for participating in an investigation of any violations of this policy. To file a complaint or to report harassment or discriminatory conduct call the **Compliance Hotline at 409-963-3300.**

**Investigation** – The Company will fully investigate any complaints and take appropriate action against harassment and discrimination. The Company will maintain confidentiality to the extent consistent with a thorough investigation. Any employee that is asked to participate in a Company investigation is required to keep all discussions and events of the investigation confidential.

**Discipline** – Any employee at any level found to have engaged in the harassment or discrimination of another employee in violation of these policies will be subject to appropriate disciplinary action, up to and including termination.



## 20. SOLICITATION

It is the policy of the Company to prohibit solicitation and distribution on Company premises by non-employee and to permit solicitation and distribution by employees as outlined below. The term "Company premises" shall be defined as Company owned property or leased property, or client property covered by contractual agreements.

1. The Company limits solicitation and distribution on Company premises because when left unrestricted, such activities can interfere with the normal operations of the organizations, can be detrimental to employee efficiency and can be annoying to customers and co-workers.
2. Employees will be subject to disciplinary action up to and including termination for violation of this policy.
3. Person(s) who are not employed by the Company are prohibited from soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services, or engaging in any other solicitation or similar activity.



4. The Company may authorize fun drives on behalf of charitable organizations. Employees are encouraged to volunteer to assist in these drives.
5. Employees are permitted to engage in solicitation or distribution of literature for any group or organization, including charitable organizations, only in accordance with the following restrictions:
  - a. The sale of merchandise is prohibited on Company premises.
  - b. Solicitation and distribution of literature are prohibited during the working time of either the employee making the solicitation or distribution, or targeted employee.

## **SOLICITATION (CONT.)**

- c. Distribution always of literature related to solicitation in work areas.
- d. The distribution of literature in such a manner as to cause litter on Company premises is prohibited.
- e. Off Duty employee are not allowed to return to Company premises until their next scheduled workday.

The Company maintains bulletin boards to communicate information to employees and to post notices required by law. These bulletin boards are for posting of Company information and notices ONLY, and only designated personnel may place notices on or take down material from the bulletin boards.



## 21. DRESS AND GROOMING

It is the Company's policy that each employee is dressed, groomed and overall personal hygiene is appropriate for the workplace. Proper personal appearance is considered and ongoing requirement of employment. Any employee with proper and appropriate attire may be asked to leave the premises and disciplinary action including and up to termination.

*Clothing* – All clothing worn must be in accordance with appropriate and general business and safety practices. In some instances, flame resistance clothing may be required for specific jobsites. Employees are not to wear clothing that could get caught in rotating machinery or otherwise cause an accident. Examples include dragging pants, torn or loose long sleeves, or torn clothing. Prevention should be taken for clothing not used as an example such as tucking in shirt tails. This includes any uniforms or safety equipment.

*Footwear* – Employees may be required to wear ANSI approved protective footwear.





Grooming – Hair that falls below the nape must be contained in some manner which will not cause danger to the employee or others by fire or entanglement in moving machinery. Employee's hair may not interfere with the wearing of a hard hat when required. Facial hair such as beards, mustaches and sideburns should be neatly trimmed.

Jewelry – The Company has the right to request, at any time, that Any and all types of jewelry be removed for safety purposes and for professional appearance and company reputation.

Personal Hygiene – Employees should make every effort to practice good personal hygiene.

## **22. OUTSIDE EMPLOYMENT**

Employees activities and/or conduct off the job must not: compete with, conflict with, or compromise the company's interests; adversely affect job performance; or impede the ability to fulfill all responsibilities to the company. This requirement prohibits employees from performing any services for customers on non-working time that is normally performed by company personnel. This prohibition also extends to the unauthorized use of any company tools or equipment and the unauthorized use of application of any confidential trade information or techniques. In addition, employees are not to solicit or conduct any outside business during paid working time or while on a leave of absence (medical or other)

Employees are cautioned to carefully consider that additional work activities will create before requesting permission to seek or accept outside employment. Outside employment will not be considered an excuse for poor job performances, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity causes or contributes to job related problems, it must be discontinued and, if





necessary, disciplinary actions may be taken to remediate the situation.

Nothing in this policy is intended to impair any employee's ability to work for any labor organization provide that such work does not impede the performance of his duties at the company.

## **23. FRAUD**

The Company is committed to maintaining a culture of honesty and strong ethics. Employees are encouraged to report concerns regarding suspected fraudulent activities to the appropriate supervisory personnel. For instances where an employee is not comfortable reporting such activities to supervisory personnel, employees are encouraged to contact the Compliance Hotline for activities such as theft, falsifying documents, kickbacks, bribes and theft of goods or services.

All calls made to the Compliance Hotline at **409-963-3300** will be confidential and will be disseminated only to the extend required to conduct an appropriate investigation. Callers are NOT REQUIRED to disclose their names if they wish to remain anonymous. Investigations regarding possible fraudulent activities are conducted by an internal audit department. This department is an independent assurance and consulting activity established within the Company to examine and evaluate the



effectiveness of risk management, control, and governance processes.

The Company will not condone or authorize any kind of retaliation against any employee who has made a good faith report of conduct, which they believe may constitute fraudulent behavior, or participating in an investigation of reported incidents. Any employee that is asked to participate in a Company investigation will be required to keep all discussions and events confidential.

## **24. COMPANY PROPERTY**

All theft, vandalism, destruction, or any forms of abuse to the Company's property and/or equipment is unauthorized and not permissible. Any form of theft, vandalism, destruction, or any other form of abuse may result in disciplinary actions including and up to termination and/or legal action.

All Company property must be returned to the Company upon the conclusion of their employment with the Company.

The Company allows specifically designated employees of the Company to operate and use Company owned vehicles for BUSINESS PURPOSES ONLY unless otherwise expressed in writing by the authorized management authority. Company vehicles are not intended for personal use. Personal use is defined as any operation outside of the scope of business. When traveling to and from work location, the most travel route must be used to avoid the trip being termed as personal use.



**ALL EMPLOYEES WHO ARE ASSIGNED A COMPANY VEHICLE SHOULD BE AWARE THAT THEY WILL BE HELD PERSONALLY RESPONSIBLE FOR ANY AND ALL ACCIDENTS/DAMAGE THAT OCCURS DURING NON-WORK-RELATED DRIVING. THE COMPANY DOES NOT PROVIDE AUTOMOBILE LIABILITY INSURANCE COVERAGE FOR ANY ACCIDENTS, CLAIMS, DEMANDS, SUITS, DAMAGES ETC. OCCURRING OR ARISING OUT OF THE NON-WORK-RELATED DRIVING OR USE OF A PERSONAL VEHICLE OR COMPANY VEHICLE, OR FOR THE OPERATION OR USE OF A COMPANY VEHICLE IN A MANNER THAT IS A VIOLATION OF THIS COMPANY POLICY.**

## **COMPANY PROPERTY (CONT.)**

The operation or usage of any Company vehicle is limited to Company business only and to the Company employee in which the vehicle was assigned to. No other person is authorized or permitted to operate, drive, occupy, a Company vehicle unless authorized by the authorized management authority except for Company employees, clients, vendors, and suppliers incidentally or arising out of Company business.

Violations of this Policy include, but not limited to:

- ❖ Driving, operating, occupying or using a Company vehicle by anyone who has consumed alcohol, ingest any controlled or illegal substance or drug, unless it has been prescribed by a physician and does not affect the ability to operate a vehicle or equipment
- ❖ Operating a Company vehicle in a careless or reckless manner such as speeding

- ◆ Driving, operating, occupying, or using a Company vehicle for any reason except as necessary for approved Company business.
- ◆ Any Company employee operating or using a Company vehicle with a suspended, revoked or no driver's license.
- ◆ Smoking in a Company vehicle

## **25. GIFTS, ENTERTAINMENT & ANTI-BRIBERY**

It is the policy of the Company and critical to its operation that the Company's business remain objective. Common practice of giving and receiving gifts in business is to create sound relationships and/or an act of goodwill, not to intend or gain unfair advantages with our clients or potential clients. Employees may be offered to or receive gifts from clients, vendors, or suppliers but only if it is appropriate to do so within the circumstances. Gifts should be reasonable and not excessive of typical business courtesies

The offer or acceptance of gifts or hospitality must be considered with integrity and best judgements. Any offer or receiving of gifts or hospitality must be refused if the intention is to influence business related decisions or could be perceived as influencing a business-related decision.

Bribery acts is defined as offering an advantage to persuade a party to perform a function improperly. Advantages offered may be of usage of financial and non-financial means.

Many companies have strict rules regarding gifts and/or hospitality and can be included in Company contractual agreements. Prior to offering or receiving gifts that you may question if they are appropriate, contact the Human Resource Department for question or calling the Compliance Hotline to report anything that you may constitute as bribery.

## **26. INTERNET POLICY**

Internet - The Company's internet system is to be used for official Company business purposes only. The Company has the right to review all information traveling over the Company's network. The display of any kind of sexually explicit image(s) or document on any Company system is prohibited by our policy on workplace harassment. In addition, sexually explicit material may not be archived, stored, distributed edited or recorded using the Company's internet connection. Under no circumstances should software be downloaded from the internet without proper authorization from the IT department. Employees with internet access may not use Company internet facilities to download entertainment software or games, or to play games over the internet. Employees with internet access may not use Company internet facilities to download images or videos unless there is an



express business related use for material. Employees with internet access may not upload any software licensed to the Company or data owned or licensed by the Company without the express authorization of the IT department. Due to the wide variety of content that may be considered offensive by colleagues, customers or suppliers it is a violation of Company Policy to store, view, print or redistribute any document or file that is not directly related to the user's job or Company business activities.

## **27. EMAIL POLICY**

Email - All network transmission or email is considered property of the Company. The Company email system is to be used for official Company business purposes only. This includes all internal and internet email, instant messaging, text messaging, or electronic means of communication. The Company has the right to review all information traveling over the Company's network. Unless expressly authorized by the IT department, sending, transmitting, or otherwise disseminating proprietary data, trade secrets, or other confidential information of the Company is strictly prohibited. Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful or inappropriate may not be sent by email or any other form of electronic communication. Users encountering

or receiving this kind of information should report it immediately to the Compliance Hotline at **409-963-3300**.

Employees may not initiate or forward non-business-related chain mails, solicitations, or personal events. The email accounts given to employees are to assist them in the performance of their jobs. Users should not have an expectation of privacy in anything they create, store, send, or receive via the Company email system.

Additionally, the Company deems email as a transient communication tool and will automatically delete email after 6 months in the email system. Any emails deemed to be a document of record, needs to be moved to other network locations which is exempt from the 6-month deletion policy.

## **28. TOBACCO USAGE POLICY**

To maintain a safe and comfortable working environment. The Company expects employees to use common courtesy and the respect of sensitivities of fellow employees. Tobacco usage and smoking is prohibited in all company offices and all Company vehicles. These include, but are not limited to Company buildings, jobsite offices, tool rooms and trailers. Specific job sites have specific non-smoking or tobacco usage policies for areas, buildings, and vehicles within a facility. Employee are to comply with all job site tobacco usage policies as well as tobacco usage in designated areas.





If tobacco usage is allowed, as a rule smoking shall be prohibited within 25 feet of buildings, work areas, rest rooms and any form of air intake including air conditioning machines.

E-cigarettes and vape pens or equivalent devices are included and prohibited in the same manners listed above as tobacco.

## **29. CELL PHONE USAGE POLICY**

Cell phone usage while at work should only occur on break times only so that productivity is not interrupted. Job duties that require cell phone usage for business. Job sites may have specific policies on cell phone usage or completely prohibiting them from the facility. Employees are expected to follow the facilities cell phone policy at their assigned job site.

As an additional precaution cell phone usage while operating a vehicle shall be prohibited unless hands free devices are utilized. Reading and sending text messages while driving is also prohibited.

Employees who are charged with any violation resulting from the use of their cell phone while driving will be solely responsible for all liabilities that result from such actions. Employees caught using their cell phone may be subject to termination up to and including termination.

## **30. ETHICS AND CONFLICTS OF INTERESTS**

All employees of the Company are expected to exhibit promote the highest standards of honest and ethical conduct in all dealings relating to the business of the organization. Employees are expected to act in the interest of the Company and not in their own personal interests or in the interests of others. Employees are expected to use moral judgment and avoid situations that create an actual or perceived conflict between their personal interests and those of the Company.





The Company respects the employee's right to engage in activities outside of their employment that do not in any way conflict with or reflect poorly on the Company. Management reserves the right, however, to determine when an employee's activities represent a conflict with the company's interests and to take disciplinary action to resolve the situation, up to and including termination.

Employees are expected not to accept any employment relationship that competes with the Company. Employees must disclose any actual or perceived conflict between their personal interests and those of the Company. Failure to report conflicts of interests may result in disciplinary actions, up to and including termination.

Any question that an employee may have that may or may not be considered a conflict of interest should be addressed to your site manager or Human Resources

## **31. COMPLIANCE REPORT LINE**

The Company believes that employees should be able to raise questions or voice concerns directly or in a confidential or anonymous manner about workplace issues. This includes matters such as fraud, theft, substance abuse, conflicts of interest, threats or violence, harassment or discrimination, and safety or environmental violations, accounting irregularities, internal accounting control issues, auditing matters, and any other misconduct or violations of Mid-America Contractors, LLC., policies.



Anyone aware of unethical, illegal, unsafe, or quality compromising activities or the potential for such activities may call the Compliance Hot Line if the individual:

- ◆◆◆ Feels uncomfortable reporting through normal channels of communications
- ◆◆◆ Believes the situation is not being resolved.
- ◆◆◆ Wishes to raise the issue confidentially; and /or
- ◆◆◆ Is unsure about where to go with concerns

The Company forbids retaliation against any employee who reports in good faith, concerns about compliance with the law company policies, misconduct, or other ethical matters. Reported allegations will be investigated promptly by proper personnel and appropriate action will be taken. In accordance with the Company's investigation procedures, the Company will make every effort to maintain your confidentiality, subject to applicable law rules regulations or legal proceedings. You may be subject to disciplinary action for knowingly reporting false or misleading information.

**TO FILE A REPORT, CALL THE COMPLIANCE  
HOTLINE AT 409-963-3300.**

## **32. GENERAL SAFETY**

It is the policy of the Company to follow all applicable jurisdictional health, safety and environmental regulations and laws. Employees are required to comply with all health, safety and environmental policies and procedures and wear all the required Personal Protective Equipment (PPE) to perform their work activities safely.

Employees must all report all near misses, incidents, or injuries regardless of seriousness. A Company investigation will be

performed to identify the underlying root causes to prevent future occurrences. All employees are required to assist in any Company investigation which is vital in the effort to make the workplace safer.

If you observe, are part of, or are injured in any incident, report it immediately.

Working safely is a requirement of employment and non-compliance is subject to disciplinary action up to and including termination.

It is management and supervisor's responsibility to enforce all safety policies and procedures.

Employees who rightly feel unsafe have the right to refuse work.

Employees shall attend all morning safety and subsequent meetings during their work shift.

Employees must actively fill out, review a Job Safety Analysis (JSA) and sign acknowledging they have the necessary skills and training to perform the job safely. If an employee feels that they do not have the skills or training they must not sign the JSA and confer with their supervisor.

Employees should use good housekeeping practices.

### **33. SUBSTANCE ABUSE POLICY**

The Company's is committed to maintaining a healthy and drug free workplace. To protect the Company's employees and property the Company has implemented a substance abuse policy. This prohibits the use of illegal drugs, controlled substances, alcohol, substances, and paraphernalia from being present on a Company project, premises and present in employees. This includes the taking of prescription medicine above the prescribed amount from the doctor. Every employee is

subject to the substance abuse policy and it is a condition of employment.

The Company reserves the right to drug test due to reasonable suspicion unless jurisdictional laws prohibit otherwise.

Failure to provide samples for drug/alcohol testing is a violation on the policy.

The Company may conduct unannounced searches for prohibited substances and/or paraphernalia in facilities and Company premises. Entering a Company facility or premises constitutes consent to search. Employees are expected to comply and cooperate with and when such searches are conducted.

Consent to search is a condition of employment and refusal to a search is a non-compliance to this policy and is subject up to and including termination.

Employee vehicle, briefcase, backpack, lunch box etcetera is included in the condition of employment at all Company facilities, parking lots and Company premises.

## **SUBSTANCE ABUSE POLICY (CONT.)**

Employees are:

- ❖ Prohibited to possess, sell, purchase, distribute, manufacture prohibited substances and/or paraphernalia on the Company project or Company premise.
- ❖ Prohibited from using or used prohibited substances or have detectable amounts of prohibited substance and/or their metabolites in their system.





- ◆◆◆ Subjected to submit samples for drug/alcohol testing.
- ◆◆◆ Prohibited from tampering with samples for drug/alcohol testing.
- ◆◆◆ Shall report all prescription and non-prescription medication they are taking that may affect their ability to perform their job, operation equipment or vehicles.

## **34. WEAPONS & VIOLENCE IN THE WORKPLACE**

It is the Company's policy to provide a safe workplace for its employees. The Company has a zero tolerance for weapons and violence at and outside of work. Violence and threats of violence are expressly prohibited from the workplace and discouraged outside of work as well.

Employees are prohibited from the following, and not limited to:



-  Communicating threatening behavior
-  Aggressive or hostile behavior to another person
-  Damaging personal or Company property
-  Physically injuring another person

## **35. WORKER'S COMPENSATION**

Any employees who is injured or incurs an on-site illness is required to report immediately to their supervisor. The Company has a policy to comply with all laws concerning Worker's Compensation and to aid or compensate injuries and/or illnesses under the provisions of the Worker's Compensation program.

## **36. PAYROLL**

It is Company policy to pay employees on a regular basis. Payments may be in the form of pay card, check, or direct deposit. Employees will receive a statement showing the gross earnings, deductions, and net pay. Local, state, federal taxes and FICA taxes will be deducted automatically. It is the responsibility of the employee to keep their current address, and telephone number on file as well as any changes that occur.



Employees who notice a mistake in their pay, lose their pay card or have it stolen should notify management immediately. In the case where of loss or theft, Payroll will attempt to stop payment and reissue wages to the employee. However, the employee is solely liable for the monetary loss and the Company is not responsible for the lost or stolen check or pay card if they cannot stop the payment prior to the funds being withdrawn.

The Company reserves the right to adjust pay for previous wage overpayments, wage underpayments or for un-retuned Company property as permissible by law.

**To change federal or state withholding deductions you must complete a new deduction form and ensure the form is received by the Company payroll department.**

The Company does not allow anyone to claim exempt withholding without a letter from the IRS supporting the employee's exemption status. Employees who wish to claim exempt withholding status will be subject to "single" and "0" dependents until the Company received the letter from the IRS substantiating the employee exempt status.

Replacement Check will only be issued under authorized and valid circumstances. The issuance of replacement check requires management approval. The Company reserve the right to pursue legal action against an employee who cashes an original check for which a replacement check has been issued.

## **37. SUBSISTENCE**

Some Company projects may pay subsistence. Typically, our clients set the guidelines concerning the eligibility status. Employees may be eligible for subsistence when traveling out of town depending on the project and contractual agreements. To receive subsistence on projects paying subsistence, employees are required to provide the requested documentation proving their eligibility status.





Employees that fail to provide the requested documentation, provide inadequate documentation or the documentation on file is inadequate the employee may have their eligibility forfeited until proper documentation has been received and verified.

## **38. JURY DUTY**

Time off for mandatory jury duty or court appearances required because of a valid subpoena or court order is excused if proof of duty is verified by the employer's supervisor and timekeeper. Non-exempt employees may be required to take leave without pay for any time spent on jury duty unless prohibited by law. Employees are expected to report for work when it does not conflict with court obligations. It is the employee's responsibility to keep their supervisor informed about the amount of time required for jury duty or court appearances.

## **39. BEREAVEMENT LEAVE**

Employees that work full time may take up to 7 days because of a death of an immediate family member and to settle estate issues. Part time employees may be subjected to less time off and determined on a case by case basis.

Bereavement leave must be approved before leaving or within timely reason before returning to work. If additional time is needed, the employee must request in writing and is subject to approval.



Failure to show up to work due to unapproved additional time may result in disciplinary actions including and up to termination.

Immediate family is defined as spouse/partner, children, stepchildren, siblings, grandparents, grandchildren, first cousins and immediate in laws (Father, mother, sister, brother, daughter son).

## **40. PERSONAL LEAVE**

The Company understands that not personal business cannot be conducted outside of normal working hours. Personal leave may include a marriage, family emergencies and applying for a loan.

Employees must fill out and complete a Time Off Request and turn it in to the proper approval authority on-site. The approval authority shall approve or deny the request depending on the reason requesting the time off and the manpower required to perform the project.



If personal leave is not approved, it may be considered a violation of the policy. This policy should be used in conjunction with **12. ATTENDANCE** of this handbook. Violations may include disciplinary actions including and up to termination.

Any personal leave more than 7 days must be approved by the on-site approval authority and the consultation of Human Resources. For personal leave beyond 7 days or Family Medical Leave Act, the manager will discuss with the Human Resources manager

## **41. MILITARY LEAVE**

The company complies with all relevant state and federal laws concerning military leave obligations. Employees who have reserve military reserve obligations or who are called to active duty should inform their supervisor and Human Resources as early as possible prior to commencement of the leave. The Uniformed Services Employment and Reemployment Act protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military services. USERRA also prohibits employers from discriminating against past and present members of the uniformed services and applicants to the



uniformed services. You have the right to be re-employed in your civilian job if you leave the job to perform services in the uniformed services and:

- ◆◆◆ Ensure your employer receives advanced written notice of your services
- ◆◆◆ You have 5 years or less of cumulative service in the uniformed services while with this employer
- ◆◆◆ You return to work in a timely manner after conclusion of services
- ◆◆◆ You have not separated from the uniformed services with a disqualifying discharge or under other than honorable conditions
- ◆◆◆ Your civilian position with this employer has not been eliminated

The rights in this policy may vary depending on jurisdictional laws.

## **42. FAMILY MEDICAL LEAVE ACT**

It is the policy of the Company to provide eligible employees up to 12 weeks of unpaid job protected leave for certain family and medical reasons during a rolling 12-month period measured backwards from the initial date an employee uses FMLA leave. In some circumstances taking a leave may be denied if the employee does not meet the eligibility requirements of the reason for the leave or is not covered by the Family and Medical Leave Act.

## ELIGIBILITY

Employees are eligible if they have been employed with the company for at least 12 months (continuous or non-continuous) and have worked 1250 hours of service with the company during the previous 12 month period preceding the start of the leave and if there are at least 50 employees within a 75 mile radius of the employees worksite.

FMLA leaves are granted for one or more of the following reasons:

- ❖ Birth of the employee's child, and to care for the child within 12 months of the birth
- ❖ Placement of the child with the employee for adoption or foster care for the child within 12 months of placement
- ❖ Where are the employees needed to care for their child (biological, adopted, foster child, stepchild, legal ward), Spouse (common law), Or parent who has a serious health condition (defined below),
- ❖ Employee's own serious health condition (defined below)

## FAMILY MEDICAL LEAVE ACT (CONT.)

Examples of what is not a serious health condition:

- ❖ Treatment that includes taking over the counter medications such as aspirin or antihistamines that can be started without visiting a healthcare provider
- ❖ Routine physical exams, including eye and dental exams
- ❖ Cosmetic treatments (Example: plastic surgery) Unless inpatient hospital care is required, or complications develop



- ❖ The common cold, an ordinary case of the flu, Eric's, upset stomach, allergy shot, tendinitis, minor ulcers, headaches other than migraine, routine dental problems
- ❖ Absence because of the employer substance abuse, rather than for treatment

## **ADVANCE NOTICE**

If they need for FML a leave is for seeable, the employer must provide the company with at least 30 days' notice. If the leave is for seeable, the employee should provide as much notice as practicable. Failure to provide required notice may result in denial or delay of the requested leave.

## **FAMILY MEDICAL LEAVE ACT (CONT.)**

### **INTERMITTENT OR REDUCED LEAVE**

- ❖ Intermittent or reduced schedule leave shall be granted under the following types of circumstances:
- ❖ There must be a medical need that can be best be accommodated by intermittent or reduced to leave
- ❖ The employee or employee spouse, child or parent is suffering from a serious health condition that requires intermittent leave by the employee

- ◆ The medical need for the intermittent or reduced schedule leave in the existence of a serious health condition must be verified by healthcare provider
- ◆ The employee must attempt to schedule the intermittent or reduced schedule leave so as it does not disrupt the operation of the employee's department
- ◆ The employer contemporary transfer the employee to an alternate position with equivalent pay and benefits that better accommodates the intermittent leave, or we do schedule

## **MEDICAL CERTIFICATION AND REQUIRED DOCUMENTATION**

Employees must complete and return the required company FMLA paperwork

The company has the right to require an employee to provide serious health condition medical certification from the healthcare provider of the employee, employee spouse, employees child or employees parent. The company may also require second or third opinions. Second and third opinions, if requested, or at the companies cost. The company may also require an employee to recertify the medical need or the reason for the leave at any reasonable interval.

## **FAMILY MEDICAL LEAVE ACT (CONT.)**

The company also has the right to require that the need for leave be supported with birth, adoption, or foster care records. To prove a family relationship, the company may also require documentation of the relationship. Examples include birth certificate or court document.

The company also has the right to require that the need for leave be supported with birth, adoption, or foster care records. To prove



a family relationship, the company may also require documentation of the relationship. Examples include birth certificate or court document.

And employer must allow at least 15 calendar days for the employee to obtain the medical certification or leave needed verification.

## **MAINTAINING CONTACT**

Employees on FMLA leave Must contact the human resource department at 409 Dash 963–3300 and the supervisor at least two business days prior to the expected date of return regarding the status of their leave and the intention to return to work.

Furthermore, notice must be given as soon as practicable (within two business days if feasible) If the dates of the leaves change, our extended, or initially were unknown and have been determined.

## **CONTINUANCE OF HEALTH INSURANCE**

If the employee is a participant in the company health insurance plan and wishes to continue their health benefit coverage while on leave, they must continue to pay their normal employee contribution for the duration of the leave.

## **FAMILY MEDICAL LEAVE ACT (CONT.)**

if the employee is a participant in the company health insurance plan and wishes to continue their health benefit coverage while on leave, they must continue to pay their normal employee contribution for the duration of the leave.

For the duration of the FMLA for the duration of the FMLA Leave, the company will continue to pay the company's portion of the



employees' health insurance premiums so long as the employee is a participant in the health plan at the time that they leave commences. Health insurance coverage Macy's if the premium payment is more than 30 days late. Where an employee does not return to work after completing an approved leave of absence and where the company has paid any portions of health insurance premiums for coverage during the leave, the employee may be obligated to reimburse the company for the cost of such health insurance premiums. The only exception to this requirement is where the reason of the employee does not return to work after the leave of absence is the continuation, recurrence, Leave, the company will continue to pay the company's portion of the employees' health insurance premiums so long as the employee is a participant in the health plan at the time that they leave commences. Health insurance coverage Macy's if the premium payment is more than 30 days late. Where an employee does not return to work after completing an approved leave of absence and where the company has paid any portions of health insurance premiums for coverage during the leave, the employee may be obligated to reimburse the company for the cost of such health insurance premiums. The only exception to this requirement is where the reason of the employee does not return to work after the leave of absence is the

## **FAMILY MEDICAL LEAVE ACT (CONT.)**

continuation, reoccurrence, or on or onset of a serious health condition or other circumstances beyond the employees' control.

### **ACCRUAL OF BENEFITS**

The time spent by employees on FMLA Will not count as time worked for the accrual of vacation or sick days.

## **USE A VACATION AND SICK LEAVE**

Any employees who accumulated or who is eligible for vacation and/or sick leave Will normally be required to use accrued paid vacation and/or sick leave is part of any FMLA leave, including intermittent and reduce scheduled leave. The use of paid vacation and sick leave will not extend the maximum 12 weeks leave. Allowed by this policy.

## **RETURNING FROM FMLA LEAVE**

Upon return from FMLA leave, most employees must be restored to the original or equivalent positions with equivalent pay, benefits, and other employment terms. If a position or shift has been eliminated or overtime has been decreased while in employees on leave, and employee would not be entitled to return to work the eliminated shift or the original overtime hours. If an employee was hired for a specific term or only to perform work on a specific project, the employer has no obligation to restore the employee if the employment term or project ends well the employee is on leave and the employer would not have otherwise continue to employ the employee.

## **43. RETURN FROM LEAVE(S)**

### **FMLA**

Any employee returning from leave that was necessary for their own serious health condition will be required to complete the company medical release procedures and paperwork prior to returning to work in any capacity. The company may delay the return to work of an employee who fails to provide the company with medical release paperwork.



## **MILITARY LEAVE**

If an employee was hired for a specific term or only perform on a specific project, the employer has no obligation to restore the employee if the term or project has ended while on leave as the employer would not have otherwise continue to employ the employee. If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military leave

## **INJURY OR ILLNESS**

Employees absent from work due to an injury or illness shall have a doctor release to return to work. Depending on the situation and your position, a return to work with no restrictions may be required.

Upon the Company receiving the return to work documentation the supervisor will consult with the Human Resource Department to review the provided documentation.

If an employee is unable to work or has work restrictions or not cleared by any medical examination, the Human Resource Department manger will review the documentation.

For any questions contact the Human Resources department.

## **44. GRIEVANCES**

It is Company policy that all employees have the right to voice their opinion. Most issues or concerns can be worked through with their supervisor or the next level of management. If it is not feasible or appropriate for a resolution in that manner, the Human Resources department is available to employees to assist with employee issues.

Should you have an issue or complaint normal procedure would be:

- ❖ Bring issue or concern to immediate supervisor in a respective manner. If the immediate supervisor is the subject of issue or concern bring it to the next level of management, Human Resource department or Compliance Hotline.
- ❖ If the employee feels that the problems remain unresolved after the issue or concern is addressed by discussion, the employee shall write a written complaint for reconsideration. The written complaint is submitted to the Human Resource Department and given to the on-site management. Management, supervisor and in some cases the employee in which the issues rely will discuss remediating the employee issue or concern. Most complaints are resolved in this step.
- ❖ If an employee still feels the complaint was not properly addressed or given the proper attention warranted the employee shall bring the written complaint to the Human Resource department to review all steps taken thus far in the process and address the complaint.
- ❖ If the employee still is not satisfied with the response from the Company, the employee may then arrange for arbitration described in **45. DISPUTE RESOLUTION**.

## **45. DISPUTE RESOLUTION**

All employees shall be subjected to the Company's Dispute Resolution Program for all matters relating to the employee's employment with the Company. The Dispute Resolution Policy is mutually binding and a separate agreement from all policies and procedures. The dispute Resolution is a separate document that

the employee acknowledges and agrees through notice or hiring in process with the Company.

Continued employment with the Company constitutes knowing and voluntary acceptance and agreement to the terms and conditions of the Dispute Resolution Policy.

Employees may request a copy of the Dispute Resolution policy by contacting the Human Resource department.

The Dispute Resolution Policy does not constitute or alter the “at-will” status between the employer/employee relationship.

## **REFERENCE GUIDE FOR GENERAL POLICIES AND PROCEDURES**



Client Specifications or Applicable Jurisdictions May Take Precedence and Those Requirement Will Supersede These Referenced Items. These Guidelines Do Not Substitute the Health, Safety, Environmental (HSE) Manual. Reference the Appropriate Documentation In The HSE Manual

## **46. PERSONAL PROTECTIVE EQUIPMENT**

### **EYE AND FACE PROTECTION**



All eye and face protection shall be ANSI Z87.1 approved





- ◆ Prescription glasses must be ANSI Z87.1 approved. If they are not ANSI eyewear must be worn over the glasses
- ◆ Rigid side shields are required for all glasses
- ◆ Double eye protection shall be worn when airborne particles are created during work activities
- ◆ Contact lens may be worn when reasonable. Work activities such as welding are not permissible
- ◆ Welding Hood shall be worn when welding

## **HEAD PROTECTION**

- ◆ All head protection shall be ANSI Z89.1 approved
- ◆ Hard hats must always be worn with the bill facing forward
- ◆ Soft caps are prohibited from use unless client approves a variance to do so
- ◆ Stickers that are not Company issued are prohibited

## **HEARING PROTECTION**

- ◆ Hearing protection must be worn when the ambient noise level is over 85 decibels (dB)

## **FOOT PROTECTION**

- ◆ Work boots shall meet ANSI Z41 standards
- ◆ Boots must have a defined heel
- ◆ Boot must have appropriate tread

## **FOOT PROTECTION**

- ◆ Appropriate gloves must be worn for the work task

## **47. HOUSEKEEPING**

Housekeeping is the reflection of the jobsite's safety attitude. The cleaner and better the housekeeping on a jobsite the safer the jobsite is. Eliminating simple hazards such as picking up trash/debris and organizing material out of the walkways can prevent serious injuries from occurring.

Some general guidelines you should follow:

- ◆ Clean as you are working so trash/debris does not accumulate
- ◆ Pick up trash even when it is not yours
- ◆ Maintain and do not block walkways
- ◆ Return excess materials to the designated material storage area or laydown area
- ◆ Material and lay down areas should be utilized to separate and store material and be cleaned regularly
- ◆ Run cords and air hoses 7 feet in the air not on the ground to prevent slip/trip hazards
- ◆ Do not leave tools and material where hazard could be created
- ◆ Sort the trash/debris and use the proper waste storage containers from cleanup
- ◆ Do Not block roadway, pedestrian walkways, ladders, catwalks, emergency route and enter/exits of buildings

### **A CLEAN AREA IS A SAFE AREA**

## **48. HANDLING MATERIAL**

Handling material is an essential work activity in construction. When possible use material handling device such as lift trucks, a cart or dolly to reduce the risk of injury. Always wear the Proper PPE

Do not try to lift more than 50 lbs. by yourself or your personal limit. Ask for assistance from another person for unstable or heavy loads. Be sure to pre-plan your path when moving material



## HANDLING MATERIALS (CONT.)

and communicate when other people are involved with the assisted lifting.

When lifting be sure to get a firm grip on what you are lifting. Be close to the object being lifted, with legs position shoulder or comfortable apart. Lift with your legs, not to your back to prevent back injuries. When turning with a lifted object turn with your body.

### 49. TOOLS AND EQUIPMENT

Tools and equipment are essential to construction and to the everyday functionality of any project. When completing your daily Pre-Task Assessment and identifying your work activity steps you identify the equipment necessary to complete your task successfully.

Employees must receive training on the tools and/or equipment before it is used.

Employees must do the following:

- ◆ Receive training and demonstrate competency with the tool or equipment
- ◆ Inspect the tool or equipment prior to using it
- ◆ Tools having cracked handles such as screw drivers, hammers, or mushroomed head in hammer must not be used.
- ◆ The Company discourages the use of “trigger lock” tools. If for some reason you receive one on the job please swap the tool for one that does not have a “trigger lock”.
- ◆ If any deficiencies are found be sure to remove the tool or equipment out of service and tag the item” DO NOT USE”
- ◆ Use all tools in the proper manner they were designed

## 50. LADDERS

Ladders are available to use on the jobsite for employees to access work areas. Typically, they will be either a step ladder or extension ladder and will be constructed of a non-conductive material generally of fiberglass composition and heavy duty. If a ladder is to be constructed on the job site from materials, it must comply with the proper design or established standards.

Before a ladder is used employee shall:





- ◆◆◆ Inspect the ladder prior to use for damage
- ◆◆◆ Verify maximum intended load is visible
- ◆◆◆ Verify ladder has current inspection color code
- ◆◆◆ Remove from service or repair any ladder that has the above in deficiency and tagged "DO NOT USE"
- ◆◆◆ Place ladder on firm ground in a manner to prevent slipping from occurring
- ◆◆◆ Position ladder to a pitch ratio of 1 foot horizontally for every 4 foot vertically
- ◆◆◆ Extend the ladder 3 foot above landing
- ◆◆◆ Tie off all ladders being used, have another employee hold the ladder for you until the ladder is tied off
- ◆◆◆ Tie off when working or ascending or descending height elevations of 6 foot or less depending on facilities policies
- ◆◆◆ Face forward on the ladder when ascending and descending
- ◆◆◆ Not carry material in their hands and maintain 3 point of contact when ascending and descending
- ◆◆◆ Not use the top two steps of the ladder as it promotes instability of the ladder
- ◆◆◆ Only have two people on a ladder that is designed for to support 2 people

## 51. SCAFFOLDING

To access elevated work areas, temporary platform may need to be built when access or an aerial lift is not available or feasible.

Scaffolding must support 4 times the maximum intended load. They must be erected, modified, dismantled, and inspected by competent scaffold builders. Scaffolding board shall be secured and spacing shall not exceed more than 1 inch, or otherwise dictated by a jurisdictional or client specification. Handrails shall be placed between 38 inches and 45 inches. Mid-rails are to be placed between the handrails and the toe-boards. Toe boards are required to prevent materials from falling off the scaffold. All scaffolding materials shall be kept in good condition, any items in question, defective, or not in good condition shall be replaced.

Employees working on scaffolding shall:

-  Receive training and demonstrate competency with scaffolding and fall protection
-  Inspect the scaffold before use and verify the scaffold has been inspected by a competent person on the day of use
-  Take notice of the scaffold tag color and condition
-  Not carry tools when ascending and descending scaffolding. Raise and lower materials and tools with a rope

### SCAFFOLD TAGGING

Green – The scaffold is structurally sound by a competent scaffold building and may hazards present.





Yellow – The scaffold may be incomplete or has certain conditions to use the scaffold. Tie off is required and all must adhere to the cautions and their directions.

Red or No Tag (Red Danger Sign) – The scaffold structure is incomplete or either not structurally sound. The scaffold must not be used until either a yellow or green tag is displayed.

## **52. FALL PROTECTION**

All Company employees and sub-contractors must provide a fall protection training program for employees that may be exposed to falling hazards. Training shall assist the employee in procedure and include the identification of hazards and how to mitigate them.

Fall protection is typically required:

-  When working in heights of 6 foot and higher
-  When working on scaffolding
-  When working on ladders
-  When working within 6 foot of a leading edge

### **FALL PROTECTION TRAINING**

Training shall comply with OSHA requirements of the OSHA Fall Protection Standard, 29 CFR 1926, Subpart M. It shall include the identification of fall hazards, proper identification of fall protection equipment, the proper usage of the fall protection equipment, the fall protection plan, adjustments for proper fitting and inspection of body harnesses and lanyards.

### **ANCHOR POINTS**

Anchor point must have the ability to hold a force of 5,000 LBS. and inspected prior to use. Anchor points being utilized for fall protection should be above the head when used to tie-off to limit the free fall distance to 3.9 foot or less.

## **BODY HARNESS**

Employee must wear a harness when working in heights of 6 foot or higher. At a minimum shock absorbing lanyard should be used to limit the free fall distance to 6 foot. Before each use employees shall inspect the harness and lanyards for any damages at all such as rips, tears, burns, and excessive wear. If any damage is found employees are to remove the items from service and tag the item "DO NOT USE"

## **FALL PROTECTION (CONT.)**

### **PERSONAL FALL LIMITERS**

Fall limiters use a braking system, with a toothed mechanism that slows the line when dropping. Deceleration begins with the fall within inches and can achieve complete fall arrest in under 2 feet.

